

CITY OF VANCOUVER



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POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: July 8, 2008
Author: Kirsten Robinson /
Matt Shillito
Phone No.: 604.871.6889 /
604.871.6431
RTS No.: 07255
VanRIMS No.: 08-2000-20
Meeting Date: July 22, 2008

TO: Vancouver City Council

FROM: Director of Planning in consultation with the General Manager of Engineering Services, the Managing Director of Social Development, and the General Manager of Parks and Recreation

SUBJECT: CD-1 Rezoning - 3350 to 3650 and 3699 Marine Way; 3505 to 3515 Preston Avenue; and 3450 to 3512 East Kent Avenue South (East Fraserlands)

RECOMMENDATION

- A. THAT the application by Parklane Homes to carry out the following three rezonings at East Fraserlands be referred to a Public Hearing:

Rezone the lands located at 3350 and 3320 Marine Way, and 3505 and 3515 Preston Avenue, all as described by legal descriptions contained in Appendix K, to CD-1 (Comprehensive Development District), together with:

- i. plans prepared on behalf of Parklane Homes received June 12, 2008, represented in Appendix I;
- ii. draft CD-1 By-law, generally as presented in Appendix A - Town Square Precinct;
- iii. the recommendation of the Director of Planning to approve the application, subject to approval of conditions contained in Appendix D;
- iv. draft East Fraserlands Design Guidelines, generally as presented in Appendix J (limited distribution to Council Members only);

Rezone the lands located at 3450 and 3512 Kent Avenue South, all as described by legal descriptions contained in Appendix K, to CD-1 (Comprehensive Development District), together with:

- v. plans prepared on behalf of Parklane Homes received June 12, 2008, represented in Appendix I;
- vi. draft CD-1 By-law, generally as presented in Appendix B - Waterfront Precinct;
- vii. the recommendation of the Director of Planning to approve the application, subject to approval of conditions contained in Appendix E;
- viii. draft East Fraserlands Design Guidelines, generally as presented in Appendix J;

Rezone the lands located at 3520, 3620 and 3699 Marine Way, all as described by legal descriptions contained in Appendix K, to CD-1 (Comprehensive Development District), together with:

- ix. plans prepared on behalf of Parklane Homes received June 12, 2008, represented in Appendix I;
- x. draft CD-1 By-law, generally as presented in Appendix C - Park Precinct;
- xi. the recommendation of the Director of Planning to approve the application, subject to approval of conditions contained in Appendix F;
- xii. draft East Fraserlands Design Guidelines, generally as presented in Appendix J;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-laws generally in accordance with Appendices A, B and C for consideration at Public Hearing;

AND FURTHER THAT the Director of Legal Services be instructed to prepare a consequential amendment to the Sign By-law to establish regulations for these CD-1 By-laws in accordance with Schedule B (C-2) of the Sign By-law as set out in Appendix G for consideration at the Public Hearing.

- B. THAT consequential amendments to the East Fraserlands Official Development Plan By-law, generally as presented in Appendix G, be referred to a Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amendments to the East Fraserlands Official Development Plan By-law generally in accordance with the draft amendments contained in Appendix G for consideration at Public Hearing.

- C. THAT, subject to approval of the rezoning at a Public Hearing, the Noise Control By-law be amended to include these CD-1 By-laws in Schedule B as set out in Appendix G; and

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

- D. THAT Recommendations A and B 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.

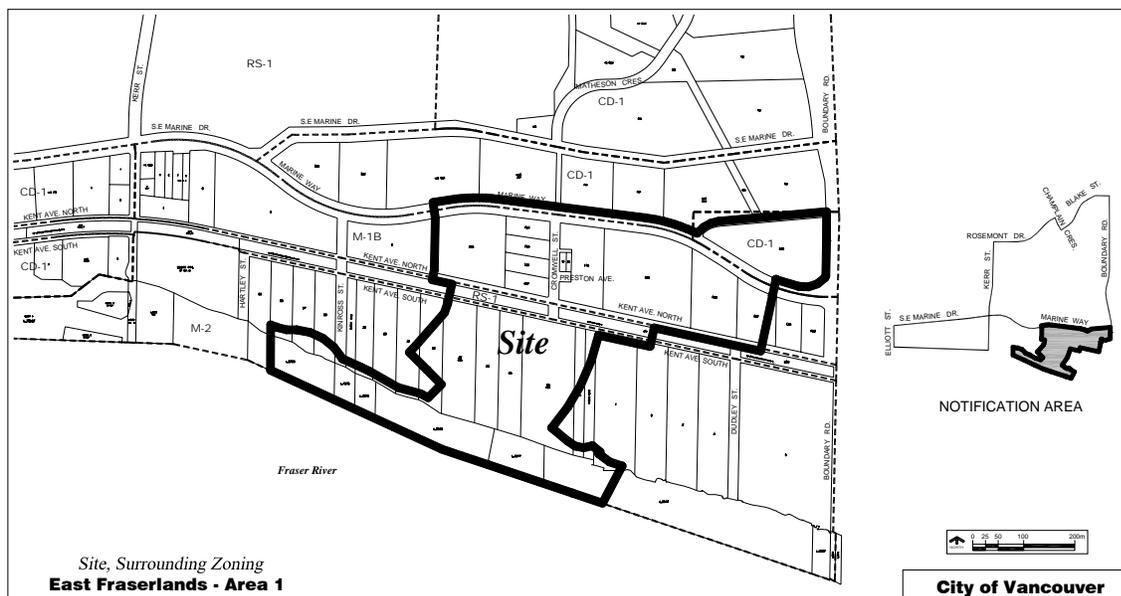
GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of the foregoing.

COUNCIL POLICY

- Victoria-Fraserview/Killarney Community Vision, approved January 2002.
- East Fraserlands Planning Program, approved May 2002.
- East Fraserlands Policy Statement, approved December 16, 2004.
- East Fraserlands Official Development Plan, approved November 14, 2006.

Figure 1 - Proposed Rezoning Site and Context



PURPOSE AND SUMMARY

This report assesses an application by Parklane Homes (property owner) to rezone the site from M1-B and M-2 (Industrial) and CD-1 (Comprehensive Development) to three new CD-1

Districts in accordance with the East Fraserlands Official Development Plan (ODP). The rezoning Site, shown in Figure 1 above, comprises 21 hectares (52 acres) to be developed with a range of residential forms from townhouses to 25-storey apartment towers as well as a neighbourhood commercial centre and high street, a public waterfront, parks, community centre, and two child care facilities.

Staff have assessed the application and have concluded that it generally meets the intent of the ODP with the exception of the provisions addressed in this report. Staff recommend that the application be referred to a Public Hearing together with draft CD-1 By-laws generally as shown in Appendices A, B and C and the recommendation of the Director of Planning that the application be approved, subject to approval of conditions listed in Appendices D, E and F. Also recommended to be referred to the same Public Hearing are draft consequential amendments to the East Fraserlands ODP generally as shown in Appendix G.

BACKGROUND

The sawmill at East Fraserlands (EFL) ceased operations in 2001. In 2003, City Council directed staff to explore redevelopment possibilities and carry out a public consultation process that actively involved the local community. Since that time, a major planning process has been in progress to plan the redevelopment of EFL as a compact, complete and sustainable mixed use community.

Policy Development - Through the collaborative efforts of the community, City staff, and developer Parklane Homes, the EFL Policy Statement was created and adopted in December 2004. The Policy Statement established general principles for the creation of a mixed-use new community on the site. A comprehensive planning process continued into the next stage of policy development that involved a week-long community charrette, public open houses, and extensive dialogue between community, City staff, developer, and consultants. After significant review and refinement, the ODP for EFL was developed. The ODP, receiving positive support from the community, was passed unanimously by Council in November 2006.

Rezoning - The rezoning process formally began in February 2007 when Parklane Homes applied to rezone the first phase of EFL. Staff received supplementary material in April 2007, which was presented to the Urban Design Panel to gauge their support for continued design development. The application was then presented to the wider community for input at Open Houses in May 2007. The application has been comprehensively reviewed by City staff, Council advisory committees and the EFL Committee (a neighbourhood committee with longstanding involvement in the project).

Staff would like to acknowledge and thank members of the EFL Committee for their tireless efforts in helping to represent community interests throughout the planning process and for participating constructively and creatively in the review and refinement of the rezoning application. A letter from the EFL Committee commenting on the rezoning is contained in Appendix H.

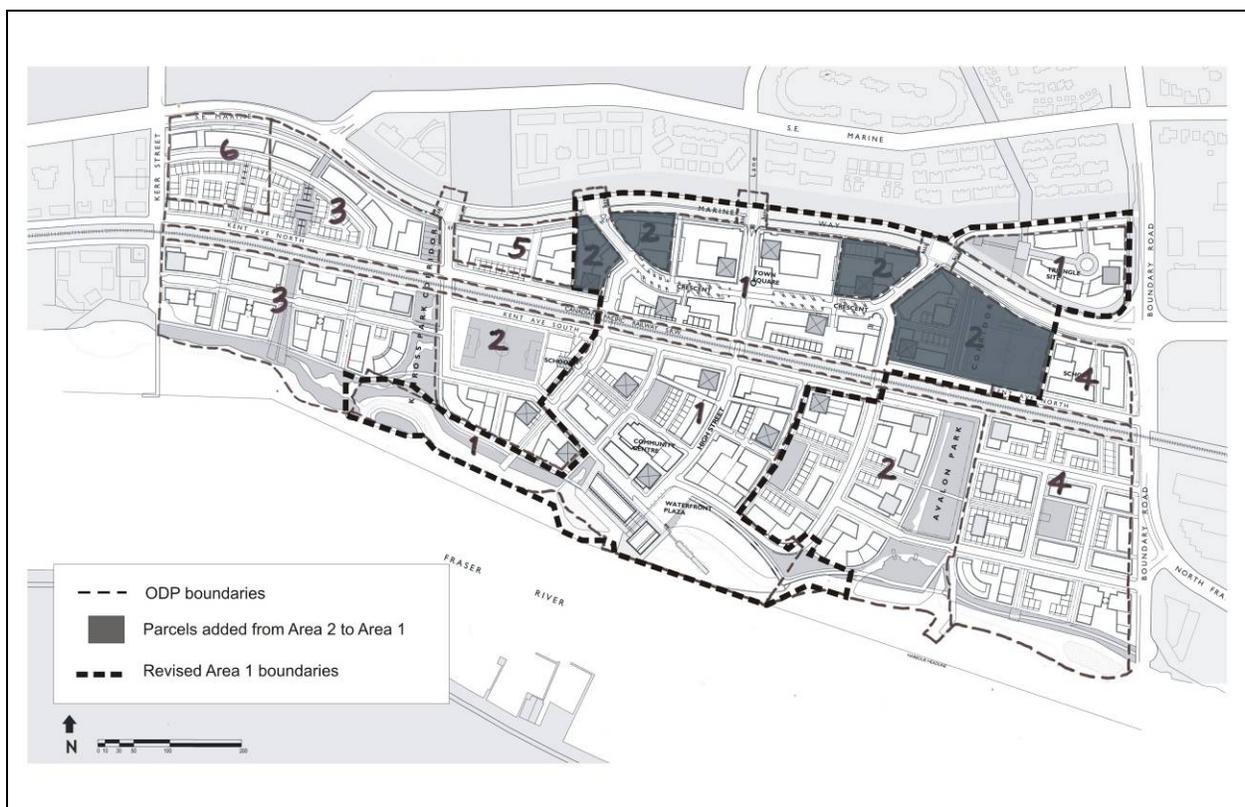
DISCUSSION

1. Rezoning Site in Relation to ODP Areas

The rezoning Site is 21 hectares (52 acres) and is comprised of Area 1 with some portions of Area 2 as defined in the ODP and some minor boundary changes. The sites added from Area 2 include five development parcels (parcels 13, 14, 19, 20 and 21), an additional 49-space child care facility, additional waterfront park and the inclusion of the lit artificial sports field and field house. The modification of Area 1 to include these portions of Area 2 as well as minor boundary changes to Areas 3 and 4 require amendments to the ODP, which are contained in Appendix G.

For clarity, all references to the Site from this point forward will include the revised boundaries, uses and amenities for Area 1 and 2, unless otherwise indicated.

Figure 2 - East Fraserlands showing the Rezoning Site (within heavy dashed line)



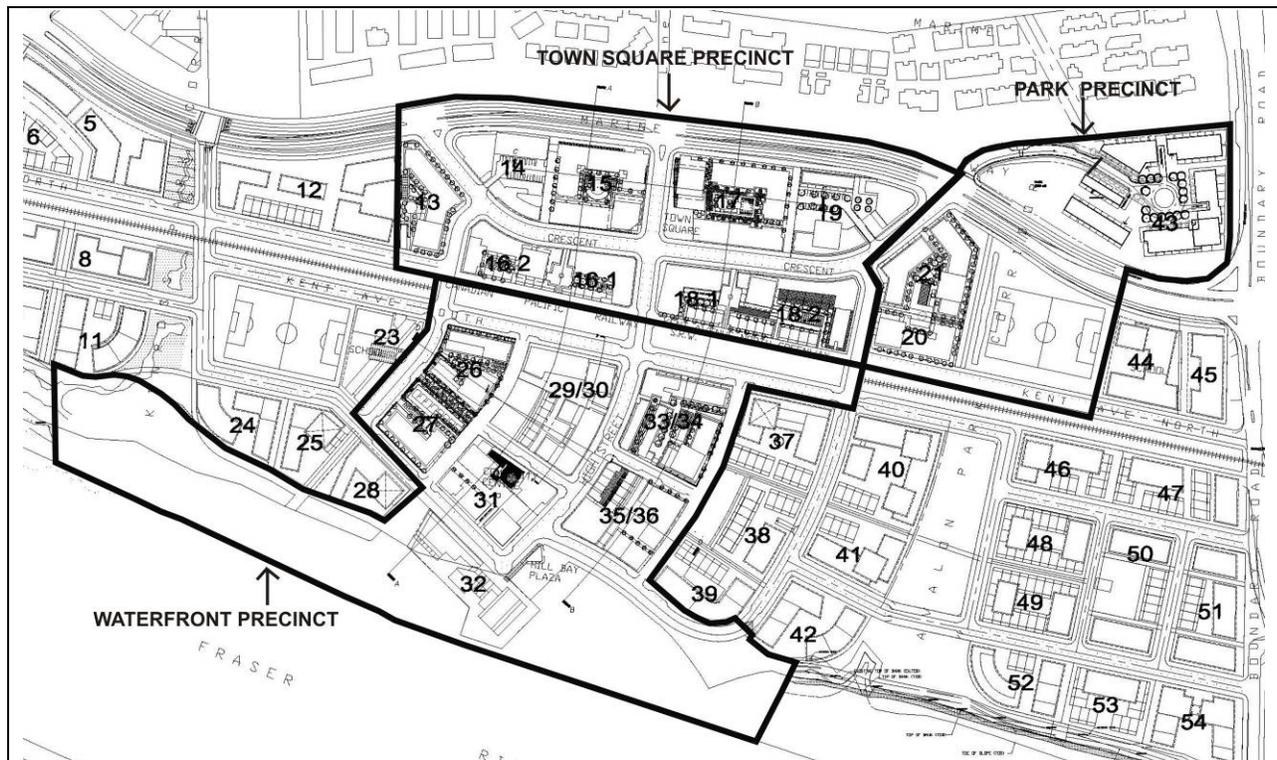
The Site is organized into three character precincts: the Town Square Precinct, Park Precinct, and Waterfront Precinct, as illustrated in Figure 3 below.

There are 19 development parcels (the "Parcels") to be created through the subdivision of the Site as illustrated in Figure 3 below. The primary uses found on each Parcel are generally as follows:

- a) residential use (including affordable housing) - Parcels 13, 20, 21, 26, 27 and 43;

- b) housing mixed with commercial - Parcels 14, 15, 16, 17, 18, 19, 29/30, 31, 32, 33/34, 35/36; and
- c) community facilities - Parcel 31 (community centre and 69-space child care facility), Parcel 19 (49-space child care facility), and Parcel 32 (potential public art facility).

Figure 3 - Character Precincts and Development Parcels



2. Proposed Zoning and Development Approvals Process

Recognising the scale, complexity and timeline of development contained within the rezoning application, Staff recommend the following approach to zoning and development approvals: multiple CD-1 zoning districts, design guidelines, and a Preliminary Development Permit application process.

Comprehensive Development Districts (CD-1) - Staff determined that three separate comprehensive development district schedules (CD-1s) would be optimal for managing the approvals process and phasing of this large Site. Each CD-1 corresponds to a Precinct:

- Town Square Precinct (CD-1 ***) - is located between Marine Way and the CPR rail tracks and includes Parcels 13, 14, 15, 16, 17, 18, and 19;
- Park Precinct (CD-1 ***) - includes Parcels 20, 21 and 43 as well as the park with the lit artificial field and field house; and
- Waterfront Precinct (CD-1 ***) - is located south of the CPR rail tracks and includes Parcels 26, 27, 29/30, 31, 32, 33/34, and 35/36.

All three CD-1s are described in this report and drafts of the CD-1 by-law are contained in Appendices A, B and C.

Design Guidelines - As part of this rezoning package, the applicant team has worked with Staff to develop a comprehensive set of draft design guidelines for EFL (the "Design Guidelines"). The Design Guidelines include three sections: public realm plan; built form and parcelization; and character and expression. The Design Guidelines provide a design framework as EFL moves through the permitting and construction processes. In addition, the programming and design of public parks will require a public consultation process, and the design of streets and lanes will ultimately be approved by the General Manager of Engineering Services.

The draft EFL Design Guidelines contained in Appendix J, are put forward for Council's consideration as part of this application. The draft Design Guidelines are available for viewing in the City Clerk's office or on-line at:

http://vancouver.ca/ctyclerk/councilmeetings/meeting_schedule.cfm.

Development Permit Process - The density, complexity and mixed use nature of the proposals for the rezoning Site warrant further review of the form and massing of the development Parcels which interface with the critical public realm components of the EFL neighbourhood centre and waterfront. To address this, prior to considering development permits for individual blocks, the following Parcels will be reviewed and approved as preliminary development permits:

- Parcels 15, 16.1, 17, 18.1.
- Parcels 29/30, 31, 32, 33/34, 35/36.

The remaining development Parcels within the rezoning Site will be reviewed as full development permits. Each preliminary development permit will be presented to the urban design panel and the development permit board for their advice and approval.

3. Land Uses

The predominant land use proposed for the rezoning site is residential. However, as the site includes the heart of the overall EFL community, it is also the location of most of the community-serving uses and facilities, including the neighbourhood commercial centre.

The proposed neighbourhood commercial centre is organized along a high street (the "High Street"). At the north end, two retail anchors - a grocery store (Parcel 17) and a secondary anchor (Parcel 15) - frame the town square. The waterfront is anchored by the community centre (Parcel 31) and three buildings referred to as the mill buildings (Parcel 32). These include waterfront restaurants and retail in the eastern building, a potential public art facility in the central building and live-work units at grade in the western building, with residential above. Smaller and medium-size retail units that will house restaurants, cafés, smaller shops and services line the High Street.

The crescent street (the "Crescent Street") runs east-west connecting Marine Way to the High Street. The ODP included a mix of uses (termed "flex uses") on the Crescent Street and Marine Way which would complement the retail High Street and support an active, viable and locally oriented neighbourhood centre. These uses include office, live-work, institutional, and those service and manufacturing uses that are compatible with a residential mixed-use development. These uses will be included in the draft CD-1 By-laws for the Town Square Precinct (CD-1 ***) and the Waterfront Precinct (CD-1 ***) .

Live-work has been included as a permitted use in the Town Square Precinct (CD-1 ***) and the Waterfront Precinct (CD-1 ***) draft by-laws. Although there is currently Council direction not to pursue additional zoning for this use pending resolution of assessment and taxation issues, this resolution was not expected to apply to the EFL ODP area, which had been in process during the Council discussion on live-work. The Director of Finance, in consultation with the Director of Planning, is expected to report back to Council on potential solutions to these issues. The inclusion of live-work allows for grade-level units on the Crescent Street and in the mill buildings to be approved initially with a work space or to be converted to live-work use in the future. Live-work is also allowed on the second floor of buildings located along the High Street.

Secondary units within multiple-dwelling residential building units are proposed with this rezoning. Staff are recommending the inclusion of secondary units in a maximum of 25% of the units in the rezoning area. This will allow for the potential development of rental suites or “granny” suites associated with a principle dwelling in multiple dwellings or townhouses, which will add to the diversity of housing options provided. No additional density is provided to achieve the secondary units.

Community-serving uses proposed with this rezoning include institutional and recreational uses. The community centre proposed on Parcel 31 will be developed with a 69-space child care facility on an upper level. The rezoning includes an additional child care facility with 49-spaces in Parcel 19, and a potential public art facility on Parcel 32.

All of the proposed land uses are consistent with the ODP provisions.

4. Floor Area and Density

As previously discussed, the rezoning application includes Area 1 of the ODP and five Parcels that were previously contained in Area 2. In Area 1, the ODP allowed a total floor area of 261 700 m² for all uses and a maximum of 233 800 m² for residential. Area 2 allowed a total floor area of 214 350 m² for all uses and a maximum of 194 000 m² for residential.

As part of the rezoning, a consequential amendment to the ODP is proposed which adjusts the boundaries of Areas 1 and 2. The total floor area allocated to ODP Area 1 will be increased and that for Area 2 will be reduced, with the overall floor area for EFL remaining unchanged. The revised floor area totals for ODP Areas 1 and 2 are shown in Table 1 below.

The totals include residential, retail and flex uses, but the “public” institutional and recreational uses (community centre and child care facilities) are not included in the overall maximum.

Table 1 - ODP Floor Area revisions for Area 1 and Area 2

Use	Approved ODP		Revisions for Area 1 and 2 (ODP Amendments)	
	Area 1	Area 2	Area 1 (revised)	Area 2 (revised)
Residential	233 800 m ²	194 000 m ²	306 802 m ²	120 998 m ²
Retail	23 350 m ²	0	23 350 m ²	0
Flex	4550 m ²	20 350 m ²	24 900 m ²	0
Area Totals	261 700 m²	214 350 m²	355 052 m²	120 998 m²
COMBINED TOTAL	476 050 m²		476 050 m²	

An ODP amendment for the revised floor areas for Area 1 and Area 2 is included in Appendix G.

Description of Floor Area by Use:

The total floor area allocated to the rezoning application (ODP Area 1 revised) is 355 052m², with the following maximums for each use:

- 306 802 m² for residential uses;
- 23 350 m² for retail uses; and
- 24 900 m² for flex uses.

Table 2 shows the floor area amounts Staff recommend for each Precinct (CD-1). These are consistent with the ODP with the exception of the office portion allowed under the flex uses, as discussed below.

Table 2 - Proposed Floor Area by Use

Precinct (CD-1)	Residential Use	Retail Use	Flex Uses*	Total
Town Square Precinct	140 594 m ²	15 183 m ²	23 706 m ²	179 483 m ²
Park Precinct	62 608 m ²	-	-	62 608 m ²
Waterfront Precinct	103 600 m ²	8167 m ²	1194 m ²	112 961 m ²
TOTAL	306 802 m²	23 350 m²	24 900 m²	355 052 m²

* Flex Uses include: Live-Work / Residential, Cultural and Recreational, Institutional, Office, Service, and Manufacturing uses compatible with residential. Refer to relevant CD-1 by-laws for details and conditions.

Residential Use - The proposed residential floor area, including the affordable housing, is 306 802 m². This amount is consistent with the ODP. The residential density allocated to each Precinct (CD-1) is as indicated in Table 2 above.

Retail Use - The ODP allows a total floor area of 23 350 m² for retail uses. The rezoning allocates 15 183 m² to the Town Square Precinct and 8167 m² to the Waterfront Precinct, as indicated in Table 2 above. There are no retail uses permitted in the Park Precinct.

Flex Uses - These uses include cultural and recreational, institutional, live-work / residential, office, service, and manufacturing uses that are compatible with residential. The ODP allows a total floor area of 24 900 m² for these uses. The rezoning allocates 23 706 m² to the Town Square Precinct and 1194 m² to the Waterfront Precinct, as indicated in Table 2 above. There are no flex uses permitted in the Park Precinct.

The ODP specifies a maximum of 12 400 m² to be allocated for office in the flex use areas. The applicant has proposed an additional 2022 m² of office use located on Parcels 14 and 19. There is no net gain in floor area as 2022 m² will be subtracted from the total allowable flex use designated to the Town Square Precinct. The form and massing of these parcels is consistent with the direction in the ODP, and the creation of jobs in the development is supportable. Staff recommend approval of the additional 2022 m² for office use, a consequential amendment to the ODP is required, and is included in Appendix G.

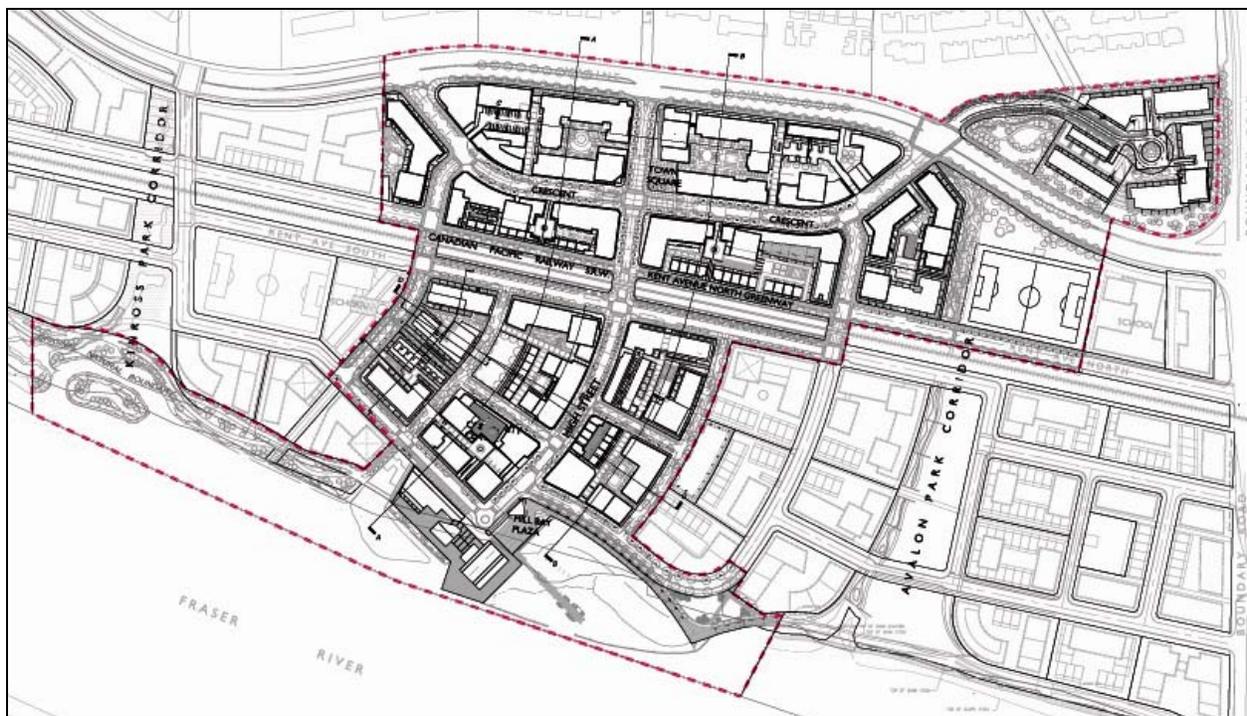
5. Preliminary Form of Development

The rezoning application proposes a city block pattern consistent with the ODP, curving gently from Marine Way to the river's edge, centred on the High Street. The High Street is the retail spine of the central neighbourhood and is anchored by the town square to the north and the waterfront plaza at the river. Clustered towers and streetwall buildings define the pedestrian scale and character of the High Street and town square. The High Street and Crescent Street are mixed-use with residential above commercial uses. The development Parcels provide a range of building types and scale within an overall urban structure that creates a highly permeable, pedestrian-friendly public realm.

The waterfront area is mixed use with residential, retail, and active community-oriented uses. The urban scale and form of buildings at the riverfront and the densities and population that they support will help to make this section of the riverfront the vibrant focus of activity envisioned in the ODP.

The triangle site (Parcel 43) located at the north-east corner of the development, north of Marine Way, acts as both a gateway to Vancouver, and as an important pedestrian connection between EFL and Champlain Heights.

Figure 4 - Illustrative Plan of Rezoning Site



As in most cases when moving from the more general level of an ODP to rezoning, adjustments in massing have occurred. Most changes in massing from what was envisaged in the ODP respond to:

- accommodating the now-surveyed public view-cone to Mount Baker from Everett Crowley Park;
- expanding the range of residential unit types, including townhouses accessed from raised podium levels above retail;

- creating an urban-scaled streetwall and enhanced height for retail space, backed by two storeys of residential units fronting mews and courtyards behind;
- introducing greater variety in low and midrise massing heights to facilitate roof-top use and access, and to act as markers in the overall urban structure;
- providing more ground-oriented townhouses and through-units on Parcel 43 that both expand the variety of housing types and offer more units protected from Marine Way traffic noise; and
- creating greater pedestrian permeability at the waterfront and reflecting divisions in land tenure and ownership by dividing the mill buildings on Parcel 32 into three distinct building forms.

The proposed preliminary form of development is shown in the plans in Appendix I.

The Urban Design Panel (UDP) unanimously supported this application as a preliminary review. Their comments about the built form are contained in the minutes of April 2007 (see Appendix H). The most significant issue, with which Staff concur, is the scale and complexity of the rezoning application. The UDP requested that Staff and the applicant return with each Precinct for further review of form and massing to address this, which is reflected in the preliminary development permit process outlined above.

6. Building Height

Figure 8 of the ODP indicates building height limits for the site, including a maximum of 24 storeys between Marine Way and Kent Avenue North, 18 storeys south of the CPR rail line and at the triangle site, 12 storeys north of the waterfront, and 4 storeys for the waterfront buildings. The Optimum Heights Illustrative Plan in the ODP indicates heights in storeys for each building, showing how development intensity is to increase gradually from the waterfront to the town square. The ODP also illustrates towers clustered around the town square with street wall buildings defining the High Street and a mix of building scales to create variety within blocks and neighbourhoods.

The proposed building heights in the rezoning application vary slightly from the ODP in various locations, however, they are generally consistent with the intent of the ODP. It is proposed to increase the maximum height on Parcels 16 and 18 from 24 storeys to 25 storeys, on Parcel 29/30 from 18 to 19 storeys, and on Parcel 31 from 12 to 13 storeys to accommodate double-height spaces on the ground-floor of the towers. These proposed increases reflect design development to accommodate taller ground floor retail spaces backed by two-storey residential spaces. They are supported by staff on the basis of development and urban design objectives. The draft CD-1 By-laws reflect these height increases and consequential amendments to the heights section of the ODP are set out in Appendix G.

An important public view from Everett Crowley Park to Mount Baker was identified in the Policy Statement and the ODP. The view has been quantified and surveyed as a view cone, and established across Parcels 15, 17, 19, 20 and 21 to ensure that it is preserved.

A shadowing study has been carried out to assess the shadowing impact of taller buildings both on adjacent properties and within the EFL development itself. The study indicates that no shadowing of adjacent properties will occur between the spring and fall equinoxes, which is the time of year that Staff typically assess for shadowing impacts. The study also indicates that the height and massing of buildings provides good solar access to important public streets

and open spaces. Rezoning conditions are included to preserve and enhance solar access through detailed design of some of the taller buildings.

7. Affordable and Family Housing

Affordable Housing - The ODP requires that at least 20% of all residential units in EFL be available for affordable housing and that 50% of those units be suitable for families. It is estimated that approximately 3302 units would be developed on the rezoning Site, of which 481 units would be for affordable housing, representing 14.6% of the total.

Given the mixed-use nature of the rezoning Site and the complexity of developing affordable housing in air-space parcels, Staff recommend approval of the proposed 481 units of affordable housing, comprising 36 905 m² of the total residential floor space. Even though this falls short of EFL’s overall objective of 20%, staff note that affordable housing developments will be more easily achieved in the remaining ODP areas where stand-alone sites are more easily available. To ensure that the overall target of 20% is met, staff recommend that the ODP be amended to include requirements for affordable housing in the remaining ODP areas as set out in Appendix G.

As the ODP does not set a maximum number of units, but only a maximum allowable floor space, the affordable housing requirement needs to be translated from 20% of all the units to a percent of the total floor space. On the basis of previous new neighbourhoods, where the 20% affordable housing policy has been applied, and a detailed analysis of the affordable housing projects proposed for EFL, staff have determined that the 20% of total units requirement equals a requirement that 17% of the total residential floor space be set aside for affordable housing. The percent of floor space is less than the percent of units because the average size of affordable housing units is smaller than the average size of a market unit.

Family Housing - The ODP requires that 35% of all residential units be designed for families with children, with 50% of the affordable housing component to be suitable for families. All units designated for family housing will be required to satisfy the Council-adopted guidelines for “High-Density Housing for Families with Children”.

Table 3 - Family Housing

Area	# of Units	# of Family Units	% of Family Units
Affordable Housing	481	204	42%
Market Housing	2821	954	34%
Total	3302	1158	35%

Affordable Housing for Families - The applicant’s proposal includes 204 affordable family housing units based on the following unit mix, which represents 42% of the total affordable housing units:

- Family units:
 - 140 two-bedroom units
 - 48 three-bedroom units
 - 16 four-bedroom units
- Non-Family units:
 - 12 studio units
 - 265 one-bedroom units

Given the high-density and mixed-use form of development in the rezoning Site, staff recommend approval of the slightly reduced percentage of affordable family housing. The development of family housing will be more easily achieved in the remaining ODP areas due to the prevalence of low-rise building forms. An amendment to the ODP is proposed to increase the affordable family housing units allocated to the remaining Areas as set out in Appendix G. The allocation of affordable housing units to the Areas to be developed in future phases is preliminary and is subject to change through the rezoning process for each Area. The distribution of affordable housing is anticipated as follows:

Table 4 - Affordable Housing in ODP Areas

Area	# of Family Units	As % of affordable housing units	# of Non-Family Units	As % of affordable housing units	Total Units
Area 1 (revised)	204	42.4%	277	57.6%	481
Area 2 (revised)	129	41.7%	180	58.3%	309
Area 3	191	100%	0	0%	191
Area 4	210	65.2%	112	34.8%	322
Total	734	56.3%	569	43.7%	1303

ODP Areas 5 and 6 are in separate ownership or have long-term leases and are not included in Table 4. Area 5 and 6 will be required to meet the requirement that 20% of units be allocated for affordable housing, of which 50% is affordable family housing, as set out in the ODP.

Affordable Housing by Precinct - The conditions of enactment related to affordable housing will secure, through agreements, affordable housing sites. These will provide a minimum of 36 905 m² of floorspace which would accommodate 481 affordable housing units, with a minimum of 204 for families. The distribution in each Precinct is as follows:

Table 5 - Affordable Housing by Precinct

Parcel	Floor Space	% of total residential floor space	# of Units	# of Family Units
Town Square Precinct (CD-1 ***)		14.8%		
Parcel 13	10 770 m ²		181	0
Parcel 15	10 000 m ²		136	40
Waterfront Precinct (CD-1 ***)		7.2%		
Parcel 33	7455 m ²		76	76
Park Precinct (CD-1 ***)		13.9%		
Parcel 43	8680 m ²		88	88
Total	36 905 m²	12%	481	204

Delivery of Affordable Housing - Affordable housing will be delivered as non-profit rental or co-operative housing with a priority on housing for core-need households. If senior government funding to develop the affordable housing and to subsidize core-need households is not available, City Council has the ability to select alternative forms of affordable housing. City Council would also retain the right, subject to a rezoning amending the CD-1 By-laws, to allow a site designated for affordable housing to be converted to market housing on condition

that the developer pay the difference between the market value of the affordable housing and the City's option price.

The City's inclusionary housing policy for new neighbourhoods such as EFL assumes that Federal and/or Provincial funding will be available to pay the Option Price for the affordable housing sites, the construction costs, and the operating subsidies required to accommodate core-need households. Staff note that senior government funding for affordable housing has been limited in recent years, especially affordable housing for families, and has not always been available when affordable housing sites are ready to be developed. In order to allow development to proceed in a comprehensive manner, and to avoid the creation of vacant sites or undeveloped air-space parcels, the Option to Purchase will have a mechanism to convert affordable housing sites to market sites with a Payment in Lieu. Staff will work with the applicant to facilitate development of the affordable housing on the same timeline as the adjoining market development is proceeding. The Payment in Lieu mechanism will only be used in the event that funding is not available to proceed with development when the affordable housing site is fully serviced and/or the adjoining market development is proceeding. Such potential Payment in Lieu funds generated from the conversion of affordable housing sites will be invested in other affordable housing sites in EFL, with a priority on sites within the same Area.

Staff also acknowledge that affordable housing sites in EFL may need to be purchased in advance of senior government funding, and that the City may need to offer affordable housing sites to the senior levels of government for long-term leases with nominal prepaid rents, and therefore may have to pay the Option Price itself. Staff propose that the City use the City-wide DCLs designated for replacement housing and generated from the sites within the ODP area to purchase affordable housing sites in EFL, noting that other sources of City funding may need to be accessed if insufficient DCLs are available to acquire an affordable housing site when it is ready to be developed or accept Payment in Lieu instead.

8. Community Centre and Child Care Facilities

Section 3.5.6 of the ODP requires a community centre with an area of at least 2790 m², three 69-space child care facilities, one 49-space child care facility, and two out-of-school child care centres each consisting of 125 spaces. The rezoning application includes the community centre and two child care facilities (one 69-space and one 49-space), which is consistent with the amenities expected in the ODP for the rezoning Site.

The community centre, proposed on Parcel 31, meets the area requirement of 2790 m² as set out in the ODP. The community centre will be developed with a 69-space child care facility, with an indoor floor area of at least 764 m² and an outdoor floor area of at least 615 m² on its roof. The 49-space child care facility, with an indoor floor area of at least 555 m² and an outdoor floor area of at least 475 m², is proposed on Parcel 19.

Delivery of the child care facilities and the community centre will be secured through legal agreements that are conditions of zoning enactment of the Town Square Precinct and Waterfront Precinct CD-1 By-laws

9. Public Art

At the time of the ODP, it was calculated that the entire EFL site will generate approximately \$6.2 million for public art, based on the public art funding formula approved in 1990. On June 26, 2008, Council approved an adjusted public art funding formula that will be implemented

January 1, 2009. The new public art budget formula will apply to Phase 2 and subsequent Phases of the EFL development. On March 10, 2008 the applicant presented to the Public Art Committee a preliminary public art plan which proposes to establish a dedicated public art endowment to fund public artworks, an onsite public art facility, and ongoing support for an artist residency program. The Public Art Committee unanimously supported the plan. Minutes of the March 10th meeting are included in Appendix H.

A legal agreement to secure the contribution required under the City of Vancouver Public Art Policy to secure the program is a condition of zoning enactment.

10. Parks and Open Space

Area 1 identified in the ODP is required to provide at least 2.9 hectares of park and public open space. The rezoning application is generally consistent with the ODP. The following are considered by Staff to be desirable adjustments resulting from the expanded Area 1:

- inclusion of the lit artificial sports field and field house (previously included in Area 2);
- extension of the eastern boundary of Area 1 to include the entire lookout park;
- minor realignment of the western boundary of Area 1;
- increased park area adjacent to the inlet west of the High Street; and
- modifications to the park calculation, to exclude:
 - the covered area on Parcel 32 - between potential public art facility and the waterfront restaurant from the park calculation; and
 - the town square - rather than dedication as park, the town square will remain in the ownership of the applicant, with a surface right-of-way to secure public access over the square.

These adjustments result in a net increase in park space of 2.0 ha (4.9 acres) to be included in the park calculation and delivered as part of the development of the rezoning Site (Area 1). Consequential amendments to the proposed park areas for ODP Areas 1, 2 and 3 are set out in Appendix G.

The EFL Design Guidelines provide direction for the design of the public parks and open space in EFL. The parks and open space network includes the following spaces by Precinct:

Town Square Precinct: Given the highly urban nature of the Town Square Precinct there is one key public open space.

- **Town Square** (0.0074 ha/0.183 acres) - is a key civic feature in EFL and provides a community focus at the north end of the high street adjacent to the grocery and secondary anchor stores.

Park Precinct: There are two parks in the Park Precinct: one located on the triangle site (Parcel 43) and the other located to the east of Parcels 20 and 21 which contains both the lit artificial sports field and the northern portion of the Avalon park corridor.

- **Promontory park** (0.295 ha/0.729 acres): - this park on Parcel 43 plays an important role in linking EFL to the Champlain Heights community as part of the Avalon park corridor extending from the waterfront to the upland;
- **Avalon park north** (1.517 ha/3.747 acres, including 1.5m SRW):
 - **Lit artificial sports field and field house** - the Park Board and the applicant are seeking to design and deliver the lit artificial field and field house as early in the development as possible;

- **Avalon park corridor watercourse** - as envisaged in the ODP, this park includes a watercourse that flows along the west side of the artificial field to convey water originating in the Avalon Ponds in Everett Crowley Park, augmented by storm and rainwater runoff, to the Fraser River, and contributing to rainwater remediation and habitat creation.

Waterfront Precinct: There are three park spaces in the Waterfront Precinct: the waterfront park, the neighbourhood park, and the community centre site.

- **Waterfront Park (2.642 ha/6.528 acres)**
 - **Kinross foreshore park** - the eastern portion of the waterfront park, from the western boundary of the rezoning Site to the inlet, is the most naturalized part of the waterfront. It includes the sanctuary island and termination of the proposed Kinross wetland;
 - **Waterfront plaza and promenade** - the plaza is the southern terminus of the retail High Street and is envisioned as the key gathering space for visitors and residents alike. The plaza and waterfront promenade is the most urban treatment of the waterfront;
 - **Lookout Park** - is the eastern termination of the waterfront park included in the rezoning Site.
- **Neighbourhood Park (0.148 ha/0.365 acres, including 1.5m SRW)** - situated at the end of a pedestrian mews which connects the future elementary school site with the Community Centre site and is bounded on the western side by a proposed woonerf. Residential Parcels 26, 27, 29/30 and 31 have outlooks over the park; and
- **Community Centre site (0.276 ha/0.682 acres)** - will be provided for the community centre and 69-space childcare facility.

11. Street Network

The street network identified in the ODP was designed to create an efficient circulation system reflecting the City's transportation priorities. The rezoning application is consistent with the ODP.

Staff and the applicant team have worked with TransLink to ensure adequate space for bus service on the routes identified in the ODP. The High Street was widened to accommodate future bus routes, should service be required to the community centre and waterfront plaza.

The EFL Design Guidelines provide direction for the design of the street network. The Public Realm Plan illustrates sample cross-sections of the new streets as well as a re-designed Marine Way for the purposes of demonstrating the types of surface treatments and generally showing how the street functions will be delineated. Prior to construction of the streets, there will be a full design review to ensure the streets are constructed to the City's satisfaction, considering all applicable policies and transportation priorities.

A servicing agreement is a condition of zoning enactment and will secure design and construction of the streets at no cost to the City.

12. Greenways and Bikeways

East Fraserlands provides two key east-west greenway and bikeway facilities as well as a number of both on- and off-street north-south connections. The following greenways and bikeways have been reviewed with the Bicycle Advisory Committee (BAC) and are illustrated in the EFL Design Guidelines:

Fraser River Greenway - The ODP calls for a bicycle path parallel to the riverfront walkway to complete the Fraser River Greenway between West Fraserlands and the Burnaby foreshore. Waterfront routes in the city typically have parallel paths with the pedestrians on the water side, and bikes and other wheeled users on the upland side. In the ODP, the plan was to provide this arrangement through most of the EFL waterfront except the portion between the inlet and the waterfront plaza around the mill buildings.

Through the rezoning process, it became apparent that such an approach could generate conflicts between pedestrians and wheeled users attempting to navigate around the mill buildings and waterfront plaza. Staff has worked with the applicant to reroute wheeled users around the north side of the inlet and Parcel 32, along the edge of the waterfront plaza and reconnecting to the waterfront bicycle path east of the plaza. This provides a continuous and designated route for wheeled users, improving wayfinding and limiting areas of potential conflict between pedestrians and cyclists.

Kent Avenue North Bikeway - The ODP calls for upgrading the existing Kent Avenue bikeway. Kent Avenue North was designed, during the ODP, to be discontinuous through the centre of the site to discourage vehicular movement on this cyclist commuter route. Through the rezoning process, Staff have worked with the applicant to ensure sufficient path widths on both the greenway portion and vehicular portions of Kent Avenue North.

North-South Connections - The streets in EFL are designed to be primarily low-speed residential or commercial streets and most bicycle movement is accommodated on-street. In addition, there are several off-street routes for cyclists to connect from the waterfront to the areas north of the rail tracks, and to the surrounding upland neighbourhoods including:

- a shared pedestrian and bicycle path in the Avalon Park corridor from Marine Way to Kent Avenue North with a future planned extension to the waterfront; and
- a separated off-street route planned adjacent to the future elementary school site.

Additional on- and off-street routes are identified in the ODP and will be secured through future area rezonings.

13. Parking, Loading and Circulation

Parking - The parking standards included with this rezoning are designed to reduce auto dependency by setting low minimum parking requirements and imposing maximum requirements. These new standards will apply to multiple dwelling units and live-work units. There will be an even lower minimum standard for affordable housing units. For all other uses, parking and loading will be provided as per the Parking By-law at the time of Development Permit.

Developments in EFL with 50 or more dwelling units are also required to provide car share vehicles including off-street parking stalls. Conditions of enactment are included in Appendices D, E and F to ensure the provision of these car-share vehicles and spaces.

It is anticipated that Parcel 32 will be challenged in meeting the parking requirement due to the irregular parcel and the parking space requirement generated by the restaurant uses. It is anticipated that the balance of spaces may need to be accommodated on a nearby Parcel, and are currently proposed on Parcel 31.

In order to encourage walking, biking and transit as preferred modes of movement, no explicit parking provision has been made for the waterfront walkway and bikeway amenity being developed for this neighbourhood. These visitors will utilize the public parking supplied on and off street. Temporary parking will be provided on Parcels 20 and/or 21 for the lit artificial field until the time that those Parcels are developed. Arrangements for additional temporary public parking in future development sites such as the adjacent school sites or other areas of EFL may be necessary to support broader public access to the area.

Loading - Loading is to be provided according to the Parking by-law. Access to the off-street parking and loading areas is primarily from the vehicular mews and woonerfs, or private courtyards. An updated study is required at the Development Permit stage to evaluate turning templates for all parking and loading access points and for internal parking and loading circulation. Truck access to loading areas will be examined in more detail at the Preliminary Development Permit stage.

Circulation - To facilitate circulation and transportation throughout the neighbourhood the following measures are proposed in addition to the bikeways and greenways detailed above:

- Three new traffic signals on Marine Way: two at Crescent Street (east and west ends) and one at the High Street.
- Parallel parking provided where appropriate throughout the neighbourhood, particularly on the High Street and the Crescent to support the retail uses.
- A traffic circle at the south end of High Street to allow vehicles to double back in search of parking rather than circling through the residential streets.
- Streets designed to accommodate transit on the routes identified in the ODP. Additional work has been done to secure High Street between the rail line and the waterfront as a future bus route should it ever be required. Discussions with TransLink are underway to ensure bus service is available for the new neighbourhood once development begins. Appendix H includes a letter from Translink staff outlining their current thinking with respect to transit service in the early stages of EFL development.
- Enough flexibility in the plan to ensure that should transit services be offered on the CPR rail line that a station could be added or that an existing commercial space could be converted.

14. Environmental Sustainability

Sustainability is a core concept of the proposed development, and an integrated approach was taken in the design and development of the application. The application identified numerous site-wide sustainability elements and a strategy for implementing green buildings.

Site-wide Sustainability - Major projects such as EFL, where the developer is responsible for the design and construction of the site services, present a unique opportunity to incorporate site-wide sustainability initiatives. Some of the key features to be provided include:

- Landscape-based rainwater management strategy designed to target the 'first flush' of rainwater falling on the site. The streets and public open spaces are designed with raingardens and swales in strategic locations where rainwater can be collected and filtered prior to infiltration or release into the Fraser River.
- Site ecological health is enhanced through a number of initiatives, notably major shoreline habitat restoration including the creation of a sanctuary island at the foot of Kinross park corridor, creation of a watercourse to convey water originating in the

Avalon Ponds, augmented by stormwater and rainwater runoff, through the Avalon park corridor, and a landscape strategy designed to provide songbird habitat.

- Urban agriculture with edible landscaping and communal gardening opportunities will be designed throughout the Site in both the public realm and on the development Parcels.

Neighbourhood Energy Utility (NEU) - Staff and the applicant are working together to secure a NEU for EFL. Two options are being pursued. The preferred option utilizes waste heat from the Metro Waste-to-Energy plant located in 4.5 km east of the Site in Burnaby. The second option would be an on-site biomass facility. Discussions are underway with Metro Vancouver and the City of Burnaby to secure the waste heat option.

Green Building Strategy - Parklane Homes is committed to creating a leading edge sustainable community, and as such the applicant has volunteered a strategy for green buildings that applies LEED® (Leadership in Energy and Environmental Design) Gold equivalent and Built Green™ Gold equivalent, depending on the construction method, as a baseline requirement for all buildings in EFL.

The LEED® rating system is applied primarily for new designs and major renovations of new commercial, institutional and high-rise residential buildings. The built form in EFL will also have a number of low and mid-rise residential buildings that are not particularly well suited to the LEED® system. To address this, the applicant proposes to use Built Green™ Gold equivalent with an EnerGuide target of 80 points as a rating system for the remainder of the buildings.

To monitor the progress toward achieving LEED® and Built Green™ Gold equivalent, the applicant would be expected to submit a sustainability strategy with an accompanying LEED® checklist and Built Green™ project checklist with their development permit application.

Buildings evaluated under the Canadian Green Building Council's (CaGBC) Leadership in Energy and Environmental Design for New Construction (LEED NC-1) program must target all prerequisites and the equivalent of 39 credits (LEED Gold) from the project checklist (see Appendix D). 22 of 39 equivalent credits that are achieved must be those identified as City priorities in Appendix H.

Buildings that are not evaluated under the LEED® NC-1 program will target a Gold rating under either the Built Green™ program, or the Built Green™ BC "Multi" program, with a minimum EnerGuide score of 80.

The applicant is not required to register the buildings with the LEED® Canada Green Building Council (CaGBC) or Built Green™.

In addition to the green building targets discussed above, the following measures will be included:

- green roofs over concrete structures, excluding the tops of towers. Roofscapes will be highly programmable, useable and accessible spaces;
- buildings will be designed to reduce potable water consumption and achieve a high level of energy performance through a number of strategies including eliminating electric resistance heating in the residential units and utilizing the NEU;
- Energy Star™ appliances required in residential units;

- no natural gas fireplaces;
- realize opportunities for waste heat recovery where appropriate (i.e. from the grocery store on Parcel 17); and
- 20% of all residential parking spaces (excluding visitor parking) will have electric outlets for electric vehicles.

15. Public Amenities

During the ODP process the applicant worked with Staff and the EFL Committee to determine a package of amenities needed as part of a complete community, with a level of amenity appropriate to the future population in EFL. As previously discussed, the rezoning site includes Area 1 and the five development parcels previously anticipated to be developed as part of Area 2 as well as the park with the artificial playing field. As a result the amenities package has been increased proportionately as shown in the table below:

Table 6 - Amenity Package for Area 1

Amenity	ODP - Area 1	Revised - Area 1
Parks and public open space	2.9 hectares	4.9 ha including lit artificial sports field
Community centre	2790 m ²	2790 m ²
Child care facility	69-space child care facility	69-space child care facility and 49-space child care facility

In addition, Appendix B includes a condition of enactment to secure a per capita financial contribution to the Vancouver Public Library, as required under the ODP.

Staff support the amenity package as proposed.

Delivery of Public Amenities - When the ODP was approved, Council endorsed the principle that all of the Development Cost Levies (DCLs) and Community Amenity Contributions (CACs) accruing from development in the ODP area would be used to fund public amenities in the ODP area. Additional funds would be provided through DCLs / CACs from the development of 3rd party owned sites within the ODP area and City-owned properties in West Fraserlands.

The availability of the funding sources may not match the timing for delivery of the public amenities as the community is developing. Therefore, during the ODP process it was agreed that the City may need to provide interim funding to cover temporary shortfalls to ensure that the amenities can be delivered concurrently with build-out of the development.

These principles continue to guide the strategy for the funding and delivery of public amenities within EFL.

16. Phasing

Development will be carried out in a series of phases, beginning with the area around the town square and the triangle site and then moving south along the High Street to the waterfront, followed by a number of 'infill' sites in the eastern and western sections of the rezoning Site. The development of Parcels generally follows the sequencing below (refer to Figure 3 for Parcel locations):

- Town square - Parcels 15, 16.1, 17 and 18.1

- Triangle site - Parcel 43
- High Street - Parcels 29/30 and 33/34
- Waterfront - Parcels 31, 32, 35/36
- 'Infill' sites - 13, 14, 16.2, 18.2, 19.1, 19.2, 20, 21, 26 and 27

Parks, Open Space and Community Facilities - Agreements for the delivery of the parks, open spaces and community facilities (community centre and child care) will be conditions of enactment (see Appendices D, E and F). The phasing of parks, open spaces and community facilities will be tied to the first occupancy permit of the Parcels, as outlined below:

Table 7 - Parks and Child Care Phasing

Amenity	Parcel
Town Square Precinct (CD-1 ***)	
Town Square	17
49-space childcare facility	19
Park Precinct (CD-1 ***)	
Triangle site park	43
Lit artificial field	15
Avalon corridor watercourse	20 or 21
Waterfront Precinct (CD-1 ***)	
Neighbourhood park	29/30
Kinross park corridor and shoreline park (Area 1 western boundary to and including inlet)	33/34
Waterfront plaza and mill bay shoreline works including Lookout Park	35/36
Community Centre and 69-space childcare facility	31

17. Waterfront Dock

A floating dock is proposed at the waterfront plaza in order to accommodate recreational boats and potential future ferry services. The design of the dock is addressed in a condition (see Appendix E), however, responsibility for the ongoing maintenance of the facility has not been resolved. If the dock proposal is to be realised a legal agreement addressing maintenance responsibility will need to be concluded prior to enactment of the rezoning.

18. Site Remediation, Waterfront Tenure, CPR Rail Line

The site, as former industrial land, has a number of complicated legal and land ownership challenges. There will be legal agreements related to site remediation, waterfront tenure and the CPR rail line crossings.

Site Remediation - A portion of the site within the Waterfront Precinct contains groundwater which exceeds the numerical standards for contamination due to the use of creosote by the former industrial operation. A remediation plan, including a pump-and-treat facility to remove the creosote, has been in place for several years.

Parts of the lands containing contaminated groundwater are due to be transferred to the City as road, park land and the site for the community centre. Council policy requires that lands transferred to the City be remediated to numerical residential standards or, if it is road, to residential standards for the top 3 metres and commercial standards below 3 metres. Given the nature of the contamination - creosote contained within groundwater - achieving this

standard is not possible without undertaking an excavation over a wide area to a depth of approximately 20 metres.

As an alternative, the applicant has proposed maintaining the pump-and-treat operation as long as is deemed necessary by the Provincial Ministry of Environment (MOE) to remove the residual groundwater contamination, supplemented by a 4 metre top layer of clean soil, so that a Certificate of Compliance can be obtained from the MOE. Staff are in the process of discussing this proposal with the applicant, together with a range of other technical and legal mechanisms, to ensure that any legal liability transferred to the City is adequately mitigated.

Staff will report back to Council prior to enactment of the rezoning of the Waterfront Precinct with recommendations on how to address the groundwater contamination. Appendix E contains prior-to enactment agreements relating to this issue.

Waterfront Tenure - A portion of the site along the river's edge has been filled over time. Those lands are part of waterlots operated by the Vancouver Fraser Port Authority which leases the lots from the Province. The waterlots will be designed to look and feel like park, but likely can not be dedicated to the City. Discussions are underway to secure long-term tenure of the upland portion of the waterlots which will be a condition of the zoning enactment (see Appendix E). The waterfront walkway / bikeway will be secured in a location satisfactory to the City.

CPR Rail Crossings - There are three proposed Canadian Pacific Railway crossings within Area 1. One of the crossings is generally in the alignment of Cromwell Street, an existing street dedication. The City is seeking a crossing agreement to replace Cromwell that sees the City as senior, as well as agreements securing the two other crossings. An agreement with Canadian Pacific Railways will be required to secure the crossings.

19. Site Servicing

The redevelopment of a brownfield site of this size requires an extensive network of new services and infrastructure. The services will have to be designed and constructed to service both the ultimate build-out of the ODP area as well as the individual phases as they proceed. The new services include surface infrastructure such as roads, pathways and landscaping (including sustainability features such as swales and rain gardens) as well as underground utilities such as sewer and water mains. All of the obligations to design and construct the new services will be secured by contract.

20. Floodplain Level Review

The Subdivision Approving Officer reviewed flood plain levels city-wide, including those for EFL, in 2007. The ground level of EFL is being raised to meet current City flood plain regulations for the site. The Approving Officer intends to undertake regular city-wide reviews of flood plain levels on an approximately four-year basis to assess the science and data on sea level rise and its implications for flood plain safety. The flood plain level at EFL will be subject to the findings of these reviews.

FINANCIAL IMPLICATIONS

Approval of the report recommendations will have no financial implications directly associated with this rezoning with respect to the City's operating expenditures, fees or staffing.

However, the Public Realm Plan that is proposed as part of the Design Guidelines suggests treatment options for the various components of the public realm. For example, it suggests paving materials, lighting installations, landscaping, sidewalk treatment and drainage designs. As has become standard practice in new comprehensive developments of this size, many of these treatment options will require a higher level of maintenance funding than current standard City treatments. In order to address this issue, Staff will report back to Council with a request for maintenance funding once designs have been finalized and maintenance requirements can be quantified.

ENVIRONMENTAL IMPLICATIONS

The proposed development will achieve numerous environmental sustainability objectives outlined in this report and in the sustainability matrix included in Appendix H.

SOCIAL IMPLICATIONS

The proposed development includes affordable and family housing, urban agriculture opportunities, a community centre, two child care facilities, and a potential public art facility. These are key elements in creating a socially sustainable, complete and inclusive community.

CONCLUSION

Staff assessment of this application concluded that the proposed use, density and form of development are supportable. The Director of Planning recommends that the application be referred to a Public Hearing, together with draft CD-1 By-laws generally as shown in Appendices A, B and C, draft EFL Design Guidelines shown in Appendix J, and a recommendation of the Director of Planning that it be approved, subject to the conditions of approval listed in Appendices D, E and F, including approval in principle of the form of development as shown in plans included in Appendix I. The Director of Planning also recommends that consequential amendments to the EFL ODP, generally as outlined in Appendix G, be referred to the same Public Hearing.

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