

The draft by-law is subject to change and refinement prior to posting.

Area 2 North
East Fraser Lands

Draft for public hearing

BY-LAW NO. _____

**A By-law to amend
Zoning and Development By-law No. 3575
to rezone an area to CD-1**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

Zoning District Plan Amendment

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

Definitions

2. In this By-law:

“CD-1 (_____)” means that area of land shown within the heavy black outline on Schedule A;

“principal dwelling unit combined with a secondary dwelling unit” means a dwelling unit, other than a seniors supportive or assisted housing unit, within a multiple dwelling, whether or not the multiple dwelling use is part of a mixed use building, which is a principal residence, combined with one secondary dwelling unit which is smaller than the principal residence, and in respect of which the principal residence and secondary dwelling unit may have either shared or separate external access but must have shared internal access which the owner or occupant of the principal residence is able to lock off from the principal residence;

“secondary dwelling unit” means a secondary dwelling unit referred to in the definition of “principal dwelling unit combined with a secondary dwelling unit; and

“tandem parking stall” means a parking stall containing two parking spaces where one is behind the other such that only one of the parking spaces has unobstructed access to the manoeuvring aisle.

Uses

3.1 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (____) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are those uses which this Section 3 lists.

3.2 Uses permissible in CD-1 (____) are:

- (a) Cultural and Recreational Uses, limited to Park or Playground;
- (b) Dwelling Uses, limited to:
 - (i) Multiple Dwelling,
 - (ii) Principal Dwelling Unit combined with a Secondary Dwelling Unit,
 - (iii) Seniors Supportive or Assisted Housing, and
 - (iv) Dwelling Units in conjunction with any use permissible in the sub-area in which the Dwelling Units are situate;
- (c) Institutional Uses, limited to Child Day Care Facility;
- (d) Accessory Uses customarily ancillary to the uses listed in this section 3.2; and
- (e) Interim Uses not listed in section 3.2, and accessory uses customarily ancillary to them, if:
 - (i) the Director of Planning or Development Permit Board considers that the interim use will be compatible with and not adversely affect adjacent development that either exists or that this By-law allows,
 - (ii) the Director of Planning or Development Permit Board is satisfied that the interim use is easily removable and is of low intensity or low in capital investment,
 - (iii) the Director of Planning or Development Permit Board is satisfied that there is no risk to the public from contaminated soils either on or adjacent to CD-1 (____),

- (iv) the Director of Planning or Development Permit Board approves the location of the interim use, and
- (v) any development permit for an interim use has a time limit of three years.

Conditions of use

4.1 The design and lay-out of at least 35% of the dwelling units must:

- (a) be suitable for family housing;
- (b) include two or more bedrooms; and
- (c) comply with Council's "High Density Housing for Families with Children Guidelines".

4.2 At least 114 dwelling units must consist of affordable housing dwelling units designed to be affordable to persons who make up a core need household where such persons pay more than 30% of their combined gross annual income to rent an adequate and suitable rental unit, including utilities, to meet the basic housing needs of the household at an average market rate.

4.3 All 114 dwelling units referred to in section 4.2 must be for family housing as defined in the "High Density Housing for Families with Children Guidelines".

4.4 Any development permit issued for a building that includes a multiple dwelling use, or a group of buildings that comprises a single development, must stipulate the number of secondary dwelling units included in the development.

Density

5.1 The floor area for all uses, combined, must not exceed 38 414 m².

5.2 Computation of floor area must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their cross-sectional areas and included in the measurements for each floor at which they are located; and

- (c) in the case of a dwelling use, if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 4.3 m, an additional amount equal to the area of the floor area below the excess height except for additional amounts that represent undeveloped floor areas beneath roof elements which the Director of Planning considers to be for decorative purposes and to which there is no means of access other than a hatch, residential lobbies, and mechanical penthouses.

5.3 Computation of floor area must exclude:

- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
- (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) on development parcels 2/4 and 6 only, floors used for off-street parking, configured with surface access, and associated with individual dwelling units, except that the exclusion for a single parking space must not exceed 16 m² in area;
- (e) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit;
- (g) amenity areas including day care facilities, recreation facilities, and meeting rooms except that the total area excluded must not exceed 2 000 m²;

- (h) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 406 mm thickness based on an overall wall performance of R15 or greater; and
- (i) with respect to exterior:
 - (i) wood frame construction walls greater than 152 mm thick that accommodate RSI 3.85 (R-22) insulation, or
 - (ii) walls other than wood frame construction greater than 152 mm thick that meet the standard RSI 2.67 (R-15),

the area of such walls that exceeds 152 mm to a maximum exclusion of 51 mm of thickness for wood frame construction walls and 127 mm of thickness for other walls, except that this clause is not to apply to walls in existence before January 20, 2009. A registered professional must verify that any wall referred to in this section meets the standards set out therein.

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

- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, except that:
 - (i) the total area of all open balcony or sun deck exclusions must not exceed 12% of the residential floor area being provided,
 - (ii) the location of the floor area equal to the additional exclusion between 8% and 12% must be primarily at the south or west facades to improve solar shading between the spring and fall equinox,
 - (iii) the location and design of any additional exclusion between 8% and 12% that does not improve solar shading must improve the livability of dwelling units and the usability of associated outdoor spaces, and
 - (iv) achieve acceptable urban design within the approved form of development for the site, in the opinion of the Director of Planning;
- (b) enclosed residential balconies if:

- (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure,
 - (ii) the enclosed balconies are part of dwelling units in the first nine storeys that front Southeast Marine Drive or Marine Way, and
 - (iii) the total area of enclosed residential balcony exclusion does not exceed 4% of the residential floor area of dwelling units fronting on Southeast Marine Drive or Marine Way;
- (c) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character, energy efficiency, or occupant comfort;
- (d) unenclosed outdoor areas at grade level underneath building overhangs, if:
 - (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, and
 - (ii) the area of all overhang exclusions does not exceed 1% of the residential floor area being provided;
- (e) features to reduce solar gain which may be in the form of French balconies, horizontal extensions, solar shades, and other features which, in the opinion of the Director of Planning, are similar to the foregoing if there are no encroachments over the property line;
- (f) cultural, recreational, and institutional uses secured to the city's satisfaction for public use and benefit;
- (g) tool sheds, trellises, and other garden structures which support the use of intensive green roofs and urban agriculture, and, despite section 5.4(b), those portions of stairways and elevator enclosures which are at the roof level providing access to the garden area; and
- (h) floor space devoted to passive design elements such as larger ventilation shafts, or other elements providing ventilation and light within buildings if:
 - (i) the total area of passive design element exclusions does not exceed 2% of the total floor area of the building, and

- (ii) urban design within the approved form of development for the site, in the opinion of the Director of Planning, is acceptable.

5.5 The use of floor space excluded under section 5.5 or 5.6 must not include any purpose other than that which justified the exclusion.

Building height

6.1 The building height, measured above base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall, for each development parcel illustrated on the plan marginally numbered Z-_____ (ii) attached as Schedule A to this By-law and referred to in the following table must not exceed either the number of storeys or height in metres set out in the following table:

Development Parcel	Number of storeys	Maximum building heights in metres
1	6	23.5
3	6	23.5
2/4	4	14.0
5A	6	23.5
5B	11	38.5
6	4	14.0

6.2 If the uppermost level of a building:

- (a) consists of the upper floors of two storey dwelling units;
- (b) does not exceed 40% of the floor area below it;
- (c) provides rooftop access to private outdoor space and usable roof area; and
- (d) meets the intent of the CD-1 design guidelines adopted by Council for it;

then, for the purposes of section 6.1, the uppermost level is not a storey.

6.3 Despite sections 6.1 and 6.2, the Director of Planning or Development Permit Board may permit a greater building height for garden structures such as elevator and stair enclosures, amenity areas, tool sheds, and trellises.

Parking, loading, and bicycle spaces

7. Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions

in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law, except that:

- (a) there must be, with respect to multiple dwelling uses and live-work use:
 - (i) at least the lesser of one parking space for each 100 m² of gross floor area and 1.5 parking spaces for each dwelling unit, and
 - (ii) no more than one parking space for each studio dwelling unit, 1.5 parking space for each one bedroom dwelling unit, and two parking spaces for each two bedroom or more dwelling unit;
- (b) a principal dwelling unit combined with a secondary dwelling unit, including the floor area of the secondary dwelling unit, is subject to the parking requirement otherwise specified in section 4.2.1.13 of the Parking By-law and there is no additional requirement for a secondary dwelling unit but, for the purpose of calculating visitor parking and shared vehicle parking space requirements, Council deems a secondary dwelling unit to be a separate dwelling unit;
- (c) there must be, with respect to visitor parking:
 - (i) at least that number of visitor parking spaces that would be equal to 10% of the total number of dwelling units, and
 - (ii) no more than that number of visitor parking spaces that would be equal to 10% of the total number of dwelling units;
- (d) there must be, with respect to loading spaces, Class A, for all residential uses, at least 0.01 loading space, Class A for each dwelling unit, and any number equal to or greater than 0.5 is to count as one loading space, Class A;
- (e) there must be, with respect to loading spaces, Class B, for all residential uses, at least 0.005 loading spaces, Class B for each dwelling unit, and any number equal to or greater than 0.5 is to count as one loading space, Class B;
- (f) where off-street parking associated with individual dwelling units on development parcels 2/4 or 6 has surface access, the Director of Planning, in consultation with the General Manager of Engineering Services, may allow tandem parking stalls, each of which is to count as two parking spaces, to a maximum of 50% of the dwelling units on parcels 2/4 and 6;
- (g) with respect to affordable housing, each dwelling unit must have:

- (i) at least 0.4 parking space,
 - (ii) at least 0.1 visitor parking space,
 - (iii) not more than 1 parking space, and
 - (iv) not more than 0.2 visitor parking space; and
- (h) there must be, with respect to a principal dwelling unit combined with a secondary dwelling unit, at least 1.25 bicycle parking spaces, Class A for each principal dwelling unit and at least 0.75 bicycle parking spaces, Class A for each secondary dwelling unit, but for bicycle spaces, Class B, there are no requirements for a secondary dwelling unit.

Acoustics

8. All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

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

Severability

9. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

Force and effect

10. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this day of , 2010

Mayor

City Clerk

Schedule A



AREA 2 NORTH
3099 to 3151 East Kent Avenue North

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.

Names of parks and streets are as identified in Figure 2 in Appendix O.

Any reference to development "Parcels" refers to the parcels identified in Figure 3 in Appendix O.

Documents referred to that are not included within this rezoning package can be viewed at the City Clerk's Office, 3rd Floor, City Hall.

A. PROPOSED CONDITIONS OF APPROVAL FOR THE PRELIMINARY FORM OF DEVELOPMENT

PRELIMINARY FORM OF DEVELOPMENT

- (a) THAT the proposed preliminary form of development be approved by Council in principle, generally as prepared by Parklane Homes and stamped "Received Planning Department, December 1, 2009", provided that the Director of Planning or the Development Permit Board, as the case may be, may allow minor alterations to this preliminary form of development when approving the detailed scheme of development as outlined 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 the Development Permit Board, who shall consider the following conditions:

DESIGN DEVELOPMENT

General Conditions

URBAN DESIGN

Frontages on SE Marine Drive and Marine Way (Parcels 1, 3, 5A, 5B)

- 1) Design development to ensure that enclosed balconies fronting SE Marine Drive and Marine Way, in the opinion of the Director of Planning, meet the intent of the City's approved Balcony Enclosure Guidelines and are:
 - clearly expressed on the exterior of the building;
 - project somewhat from the main façade;
 - highly glazed, with transparency and openness at corners; and
 - expressed as open balconies that have been enclosed.

Note to applicant: Enclosed balconies may be permitted on the first nine storeys of units with exposure to SE Marine Drive or Marine Way to improve liveability by reduction of noise.

- 2) Design development to SE Marine Drive and Marine Way frontages to enhance livability including:
 - Minimizing grade difference for units adjacent SE Marine Drive or Marine Way frontage,
 - Substantive landscaping and screening on terracing to improve outlook, privacy and noise exposure, and
 - Consideration of two storey units, and garden and unit entry expressions where feasible and desirable (for example at corner locations).

Setbacks

- 3) Design development to demonstrate that residential setbacks of less than 2.5m are sufficient to ensure appropriate relationship of dwelling to street, useable private outdoor space, planting area, trees, and room for steps.

Note to applicant: Many residential setbacks proposed are 2.0m, whereas setbacks on similar sites in the previously approved central neighbourhood are 2.5 to 3.0m. Staff note that the ODP recognizes the western neighbourhood as providing a 'substantial portion of the family-oriented housing', and the central neighbourhood as the 'most urban in scale, form of development, and public realm treatment'. Development permit applications must demonstrate that building setbacks will support ground-oriented units and outdoor spaces attractive to families.

Solar access on important public spaces (Parcels 5B)

- 4) Design development to articulate and shape the tower form on Parcel 5B in a manner that considers solar access to Kinross Park North and the outdoor play areas of the childcare facility.

Park Edges and Paths

- 5) Design development to ensure that frontages with ground-oriented units fronting onto parks are served by publicly accessible paths. These paths should not be gated, secured, or signed as private. This applies to Parcels 2/4 and 6 frontages on the Neighbourhood Park North.
- 6) Design development to ensure private pathways connecting to park, pathways and public spaces are approved by the General Manager of Engineering Services and the General Manager of the Parks and Recreation at the time of detailed design.

Parking Structure Projections

- 7) Design development to minimize the extent of the parking structure that projects above grade. Where this occurs, it should be mitigated by terraced massing and/or employing landscape design elements.

Townhouses on Parcels 2/4 and 6

- 8) Design development to ensure that the private drives are enlivened by dwelling entries and substantially planted to enhance liveability and to create the feeling of a small scale well treed street or mews.

Note to applicant: The ability to accommodate trees, planting areas, and unit entry expressions between individual garage accesses is required for approval of a townhouse configuration with surface accessed parking.

- 9) Design development to ensure appropriate building and grading relationship between Parcel 2/4 and existing adjacent properties that are not included in the Area 2 rezoning.

Note to applicant: Further information is required on the proposed re-grading of the site in relationship to the neighbouring property. The proposed form of development and access should not result in excessive grade differences, retaining wall heights or blank building walls. Some reallocation of density and adjustment to building locations may be required to create a desirable relationship.

- 10) Design development to ensure the effect of proposed exclusions for surface accessed parking for townhouse units does not negatively impact the form and massing, required mews landscape, and the stepping and terracing of building forms with useable rooftop decks.

Note to applicant: Increases beyond the number of parking spaces illustrated for the parcels, either to enable more units or to increase the parking ratio provided, will displace allowable floor area for living space. If more parking is proposed at time of development application, it must be demonstrated that the increases do not compromise the key elements of the design as stated above. Some reallocation of floorspace to another parcel may be required.

- 11) Design development of Parcel 6 to provide sufficient parking for the floor area and number of units proposed and to ensure appropriate landscaping for the internal mews as outlined in Condition 9.

Note to applicant: The illustrative form of development for the parcel does not provide the required resident or visitor parking for the number of units and floor area proposed. This would mean a further increase in on-site parking. Providing the required parking will displace allowable floor area for living space. It will also further challenge on-site area available for landscape, noting that the illustrative form of development does not indicate sufficient landscape as proposed.

HERITAGE

- 12) Complete an interpretive strategy prior to the issuance of the development permit for Parcels 2/4 that documents and communicates the history of the site to future residents of East Fraser Lands.

PHASING

- 13) Area 2 North - Development is to be phased generally to follow the sequencing set out below:
 - a. Parcels 2/4, and 6
 - b. Parcels 1 and 3
 - c. Parcels 5A and 5B.

ENGINEERING

Public Access Ways

- 14) Design development to provide a secondary system of paths that create permeability and connectivity of the block system, generally as illustrated in the Design Guidelines (see Appendix P), to the satisfaction of the Director of Planning, General Manager of Engineering Services and Director of Legal Services.

Note to applicant: The precise location, width, and functionality of the paths are to be determined at development permit. Paths are to be:

- accessible, and comfortable for pedestrians;
- safe, secure, well-lit, ungated, and welcoming;
- overlooked by active, inhabited space;
- typically provide visibility and permeability through the block; and
- connect directly with parks or public routes and streets.

Prior-to enactment condition 6 requires a blanket SRW to be registered against Parcels for the purposes of these paths.

Public Realm Plan

- 15) Design development such that the street and path lighting design is finalized to the satisfaction of the General Manager of Engineering Services and the General Manager of the Parks and Recreation.
- 16) Design development such that any trees planted to the south of the sidewalk along the south-side of Marine Way and SE Marine Drive are on private property.

Note to applicant: Consideration may be given to a different form of landscape screening as an alternative to the row of trees planted on private property if it can be demonstrated that it better enhances both the experience of Marine Way and SE Marine Drive and the liveability of units that front along it.

- 17) Design development such that the rainwater management and storm sewer systems can accommodate peak stormwater runoff and such that elements such as raingardens and bioswales accommodate tree growth.

Note to applicant: Any water that flows from private to public property is subject to public safety considerations as well as the regulatory framework that governs water conveyance from public to private property.

- 18) Design development such that encroachment of planting strips into adjacent pathways is minimized.
- 19) Support agreements will be required where properties require support by means of a retaining wall or any other structure adjacent to City street prior to occupancy of any buildings on the parcel requiring the agreements.
- 20) Design development such that all streets accommodate all legal users including vulnerable users.

Parking

- 21) Confirm on the drawings submitted for development permit application that the parking layout adheres to the City of Vancouver Parking Bylaw, Zoning and Development Bylaw and Parking and Loading Design Supplement.
- 22) The minimum residential parking can be further reduced up to five spaces in lieu of one car-share vehicle and parking space. A maximum of two car-sharing vehicles per 100 units is to be available for this reduction in parking.
- 23) Design development such that on-site loading is properly accommodated. Detailed loading design including turning swaths where appropriate shall be provided before the issuance for any development permit.
- 24) Design development such that resident parking is separated from visitor parking by a security gate.
- 25) Provision at development permit application of an updated Parking and Loading Study for each Parcel and as part of this study turning templates for all parking and loading access points and for all internal parking and loading circulations be clearly shown.

NEIGHBOURHOOD ENERGY UTILITY

- 26) Building design is to include provision of connections to, and be compatible with, the Neighbourhood Energy Utility proposed for the area.
- 27) Buildings shall, upon implementation of the Neighbourhood Energy Utility, connect to the system for provision of all building heating and domestic hot water services except where the use of solar systems to generate heat energy or equipment to acquire waste heat energy from the refrigeration or cooling system of a building is approved by the General Manager of Engineering

Services on a case by case basis for the purpose of supplementing the heat energy provided by the Neighbourhood Energy Utility.

- 28) Provide compatible, energy efficient design and details of the in-building heating and domestic hot water for the connection to the Neighbourhood Energy Utility proposed for the area.

LANDSCAPE DESIGN

Public Realm

- 29) Provision of a variety of spaces consistent with the Design Guidelines (see Appendix P). Aspects to consider include special paving, lighting, planting, driveway crossings, pedestrian entrances, walkways, site furniture, weather protection, garbage storage, recycling and loading facilities.

Open Space and Landscape Treatment

- 30) Provision with each development permit application of a design rationale outlining the programming of the outdoor spaces and landscape structures, including overall use, sustainable design features (planting, water, composting, soil, habitat), urban agriculture, access and security.
- 31) Provision with each development permit application for the inclusion of urban agriculture features that are appropriate to the size, unit configuration and location of the proposed development parcel, to ensure that the diverse needs of the future resident population can be met.

Note to applicant: Urban agriculture features, particularly shared garden plots and edible landscaping, should meet the intent of the City of Vancouver's Food Policy objectives and relevant guidelines. Careful consideration should be given to adequate solar exposure, provision of hosebibs for urban agriculture areas, and opportunities for tool storage, composting and seating.

Technical

- 32) Provision of optimum planting depth and volume (may be beyond BCLNA Landscape Standards) for all areas planted on slab. Structures such as underground parking slabs and retaining walls may need to be altered to provide adequate depth and continuous soil volumes.
- 33) Provision with each development permit application of a full Landscape Plan. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes, and quantities), paving, walls, furniture, fences, lighting, site grading and other landscape features. Plant materials should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum of 1:100 (1/8"=1'-0") scale
- 34) Provision with each development permit application of large scale sections 1:50 (1/4"=1') illustrating the townhouse to public realm interface at the streets

and lanes. The sections should include planters, retaining walls, guardrails, patios, privacy screens, stairs and tree planting depths.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

- 35) Design development to take into consideration the principles of CPTED having particular regard for:
- maximizing surveillance provided by ground level residential units to the pedestrian mews;
 - providing clear definition between public and private spaces;
 - providing secure access to services such as residential mail and garbage without using public property;
 - providing convenient and secure access if residential parking is proposed off-site;
 - reducing the scale of large areas of underground parking to serve specific buildings where possible;
 - reducing opportunities for crime in underground parking areas by providing full separation between user groups and improving visibility;
 - reducing opportunities for break and enter;
 - reducing opportunities for mail theft; and
 - reducing opportunities for graffiti and skateboarding where not programmed in open spaces.

SUSTAINABILITY

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

Note to applicant: The LEED NC project checklist should identify targeted credits and a project sustainability strategy with references to the project drawings where applicable that articulate how the applicant will achieve each credit or prerequisite and demonstrate compliance.

- 37) All buildings that are not evaluated under the LEED NC program will achieve a Gold rating under the Built Green program, or the Built Green "Multi" program, with a minimum Energuide score of 80.

Note to applicant: A Built Green project checklist identifying targeted credits and a project sustainability strategy on how the applicant will demonstrate compliance will be required. A copy of the Energuide report (including both completed "P" and "N" files) will be required at occupancy permit.

- 38) Provide a compliance strategy and timeline that outlines the documentation process required to achieve LEED NC Gold and/or Built Green Gold equivalent,

include reference to appropriate documentation at development permit, building permit and occupancy permit stages.

- 39) Use of electrical resistance heating for residential heating is not permitted.
- 40) All domestic appliances installed in residential units that are applicable to the Energy Star™ program will have an Energy Star™ label.
- 41) Provide for individual in-suite metering for energy use. Applicants are also encouraged to provide in-suite water use metering.

Note to applicant: Meter displays will be in a prominent location to encourage usage and improve effectiveness. Energy metering includes district energy, electrical and gas use if applicable.

- 42) No natural gas fireplaces are to be installed within dwelling units. Ornamental non-combustion fireplaces are permitted if they are not heat producing.

Note to applicant: All fireplaces are discouraged. A letter from a professional engineer outlining any provision for ornamental fireplaces is to be submitted at the time of application for a Building Permit to state that the fireplaces installed are not heat producing.

- 43) Provide a green roof over concrete structures, excluding the tops of towers. Roofscapes should be highly programmable, useable and accessible.
- 44) Living walls are encouraged to be considered in the design of concrete buildings, and sited in such a way as to improve their viability with good access to light.
- 45) Provide three streams of waste removal both in-suite and in-building for the development (regular garbage, recyclable materials and organics). The development site is to provide adequate space and infrastructure to accommodate three streams of waste removal including fully outfitted areas that can be made active upon implementation of an organics collection system.
- 46) Provide dual flush (3/6 litre) or HET (high efficiency toilet) equivalency (3.65 litre) toilets in all buildings.

PARKS

- 47) All park programming for individual parks should be subject to a public consultation process, in conjunction with the Park Board, including any residents living in the new community, the residents of WFL and from the Victoria Fraserview Killarney community.
- 48) No utilities located in or adjacent to parks will be included in the park calculation.

Note to applicant: Lands surrounding utilities adjacent to parks should be landscaped to integrate them into the park design to the extent possible.

- 49) All street trees should be at least 6 cm calliper dbh.

Note to applicant: Park Board arborists suggest consideration in your timing when ordering street trees as certain varieties indicated in the Public Realm Plan may be difficult to source in adequate sizes at this time.

- 50) Design development to ensure naturalized areas preserve habitat values and reinforce the Songbird Strategy.

Neighbourhood Park North

- 51) Design development of Neighbourhood Park (north of Kent Avenue) to the upper and lower terraces to ensure they are as large as possible and universally accessible.

Note to applicant: The three distinct sections of the neighbourhood park should be connected together by stairs (and ramps to the extent possible) within the park to increase the usability of the entire park.

- 52) Design development to the proposed middle terrace area of the neighbourhood park to ensure universal access and maintenance vehicle access.

Note to applicant: This central area must be accessible to everyone, not just immediate neighbours, so an accessible pedestrian route through Parcel 6 to the park and direct vehicular access into this area to allow for occasional deliveries, waste removal and maintenance must be provided.

- 53) Design development, subject to community consultation, to develop the middle terrace of the neighbourhood park for passive recreation and communal food production, including a small orchard of fruit and nut trees.

Kinross Park Corridor

- 54) Design development to create a corridor with a primarily ecological and passive recreation focus incorporating features for rainwater management and habitat creation.

Kinross Park North

- 55) Design development to the north end of the Kinross Park to make it as universally accessible as possible and to ensure the rain water feature is attractive with or without water.

Note to applicant: The water feature should be designed to be attractive and to engage the public through creative use of running water when it available from rain or stormwater sources and with dry areas or areas of standing water when water isn't flowing.

- 56) Design development to the north end of the Kinross Park to incorporate the pump station into the park design to the extent possible unless it moves to the N/W corner of Playfield Park, to the satisfaction of the General Manager of Engineering Services, and to include a pedestrian connection into the park from the south-west corner, west of the pump station.

SOCIAL DEVELOPMENT

- 57) Provision with each development permit application of a range of common area amenities that are appropriate to the size, unit configuration and location of the proposed development parcel, to ensure that the diverse needs of the future resident population can be met.

Note to applicant: Indoor and outdoor area amenities should meet the intent of the High-Density Housing for Families with Children Guidelines.

- 58) Provision with each development permit application of the inclusion of urban agriculture features that are appropriate to the size, unit configuration and location of the proposed development parcel, to ensure that the diverse needs of the future resident population can be met.

Note to applicant: Urban agriculture features, particularly shared garden plots and edible landscaping, should meet the intent of the City of Vancouver's Urban Agriculture Design Guidelines for the Private Realm, Food Policy objectives and other relevant guidelines.

- 59) Provision of a minimum of one family childcare unit within Parcel 3 and Parcel 5A, licensable for the maximum number of spaces and provided to the satisfaction of the Managing Director of Social Development in consultation with the Provincial Community Care Facility Licensing.

- 60) Design development of a licensable childcare centre in Parcel 5B as part of the residential tower. The childcare shall have a gross indoor area of at least 764 m² and an outdoor area of at least 615m² in accordance to the City of Vancouver Childcare Design Guidelines.

Note to applicant: Community Care Facilities Licensing (CCFL) regulations for childcare encompass site conditions including but not limited to air quality, levels of noise, and adequate sunlight on outdoor play spaces. The applicant is advised to explore site conditions with regard to noise and air quality to ensure achievability of CCFL approval at an early stage of development.

B. PROPOSED CONDITIONS OF BY-LAW ENACTMENT

AGREEMENTS

THAT, prior to enactment of 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:

CHARGE SUMMARY

- 1) Provide to the Director of Legal Services a charge summary of the titles to the subject lands, in accordance with her specifications.

ENGINEERING

Services Agreement

- 2) Execute a Services Agreement to detail the delivery of all on-site and off-site works and services necessary or incidental to the servicing of Area 2 North (collectively called "the Services") such that they are designed, constructed and installed at no cost to the City, and that all necessary street dedications and rights-of-ways for the Services are provided. The agreement shall include, but not be limited to, the following provisions to the satisfaction of the General Manager of Engineering Services:
 - a. no development permit will be issued for a Parcel until the design of the Services required for that Parcel are completed;
 - b. no occupancy of any buildings or improvements on a Parcel, shall be permitted until the required Services for that Parcel are completed to the satisfaction of the General Manager of Engineering Services;and shall include the following works to the satisfaction of the General Manager of Engineering Services:
 - c. the construction and upgrading of all storm, sanitary and water systems as required by the development including any cathodically protected infrastructure;
 - d. the upgrading of the sanitary pump station at the corner of Kinross Street and Kent Avenue North;
 - e. design and construction of a temporary turnaround at the western extent of Road E for vehicular turnaround, including emergency vehicles, to the satisfaction of the General Manager of Engineering Services and the Fire Chief;
 - f. design and construction of a temporary asphalt bicycle connection along Kent Avenue North that connects Kerr Street with Boundary Road;
 - g. upgrades to Marine Way and SE Marine Drive from Kerr Street to Kinross Street including six travel lanes, one new signalized intersection at Kinross Street, with left-turn bays at the new signalized intersection, a landscaped median, a treed boulevard, sidewalks, an off-street bike path between the intersection of Marine Way and SE Marine Drive and Kinross Street;
 - h. upgrades to Kent Avenue North adjacent to the rezoning area boundaries generally as illustrated in the Design Guidelines (see Appendix P);

- i. upgrades to Kerr Street between Marine Way and the CP railtracks generally as illustrated in the Design Guidelines (see Appendix P);
- j. upgrades to Kinross Street between Marine Way and the CP railtracks generally as illustrated in the Design Guidelines (see Appendix P);
- k. design and construction of all other roads, pathways, sidewalks, lanes, mews, boulevards, greenways, bikeways and all other public access areas generally as shown in the Design Guidelines (see Appendix P);

and shall require, to the satisfaction of the General Manager of Engineering Services:

- l. provision of life-cycle assessments for all non-standard materials proposed for City streets; and
- m. provision of soil resistivity testing in all roads to determine the need for cathodic protection of utilities.

Subdivision Plan

- 3) Obtain approval of and deposit for registration of a subdivision plan or plans that creates the Parcels generally as defined in the Design Guidelines (see Appendix P) and provide for dedication or conveyance to the City lands to be used for roads, parks, and open space.

Note to applicant: all land to be conveyed to the City as "Park" shall be transferred to the City in fee simple rather than dedicated as Park under the Land Title Act (except for the riverfront strip which is to be dedicated as Road).

Note to applicant: Provision of an as-built survey of SE Marine Drive and Marine Way and detailed design of those sections of Marine to be improved including the intersection of Marine Way and Kinross Street will be required in order to ensure adequate property dedications prior to approval of the subdivision plan.

Statutory Rights-of-ways

- 4) Grant blanket statutory rights-of-ways for utility purposes to be reduced to a minimum of 6.0 metres width when the utility design is approved to the satisfaction of the General Manager of Engineering Services over parcel 2/4 within which the proposed temporary water main will be constructed.
- 5) Grant blanket statutory rights-of-ways for road purposes to be reduced upon design of the temporary turnaround at the western extent of Road E over parcel 1 for any portion of the turnaround that does not lie within dedicated Road.
- 6) Grant blanket statutory rights-of-ways over such Parcels within Area 2 North as required for public access over the secondary system of paths to be reduced at development permit stage to the locations generally as shown in the Design Guidelines (see Appendix P).

Conveyance of Closed Roads

- 7) Acquire from the City at a cost to be determined by City Council, the portions of road as described and adjacent to lands described in Appendix P being:
 - a. Portion of the South Side of SE Marine Drive East of Kerr Street.

Note to applicant: an application to the City Surveyor is required to initiate this process. The applicant's surveyor is to provide sufficient historical research and Land Title Office documentation to show how the roads to be closed were originally established or dedicated as road.

- 8) Make arrangements for the relocation, at no cost to the City, of all utilities within that portion of Marine Drive to be closed, to the satisfaction of the General Manager of Engineering Services.

Neighbourhood Energy Utility

- 9) Grant an option to purchase in favour of the City (with the right to assign the option to purchase to a utility operator) a minimum 500 m² suitable site to be utilized for an energy system plant, and/or make provisions within the utility rooms of required Parcels to serve as sites for the Neighbourhood Energy Utility, depending upon the form of the Neighbourhood Energy Utility.

Note to applicant: The site is proposed to be within the development parcel 5B, or at a site to the satisfaction of the General Manager of Engineering Services.

Note to applicant: The form of the Neighbourhood Energy Utility is further being refined and may require one site or multiple utility room sites within appropriate development parcels for the siting of an energy system plant(s). The location of the site may be moved in future as mutually agreed upon by the applicant and the General Manager of Engineering Services as further information on the Neighbourhood Energy Utility is known and appropriate arrangements for transfer of lands will occur at that time.

- 10) Make arrangements for appropriate agreements for access to and operation of the Neighbourhood Energy Utility including access to the Neighbourhood Energy Utility related infrastructure within each building in Area 2.
- 11) Make arrangements for either a Request for Proposal or other similar process to solicit proposals from possible utility providers for the development and operation of a future neighbourhood energy utility or other arrangements to the satisfaction of the General Manager of Engineering Services in order to facilitate the development of the Neighbourhood Energy Utility.

Shared Vehicle Agreement

12) Make arrangements for:

- a. the provision, operation, and maintenance of shared vehicles and the provision and maintenance of parking spaces for use exclusively by such shared vehicles, with such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law;
- b. a professional shared vehicle organization satisfactory to the Director of Planning and General Manager of Engineering Services to manage the shared vehicles;
- c. the registration against the title to the development, with such priority as the Director of Legal Services may require, and in form and substance satisfactory to the Director of Legal Services, of a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, providing that the shared vehicle spaces in the development must be accessible to members of the car sharing organization who do not reside in the development; and
- d. the provision of, prior to issuance of any development permit, details on arrangements that will allow members of the shared vehicle organization access to the car share parking spaces;

at the rate of 0.01 shared vehicles and shared vehicle parking spaces per dwelling unit in each development application and any number equal to or greater than 0.5 is to count as one shared vehicle and one shared vehicle parking space. The shared vehicles and shared vehicle parking spaces will be required for multiple residential units, and Affordable Housing units. "Secondary dwelling units" (i.e. secondary suites in a housing unit) will be considered as a separate dwelling unit for the purpose of calculating shared vehicles.

CONTAMINATION

13) The following conditions apply:

- a. In respect of the road dedications:
 - i. the Applicant is to provide confirmation that all road dedications within Area 2 North are covered by numerical based Certificates of Compliance or other instruments acceptable to the City in its sole discretion. The Certificates of Compliance or other instruments, if applicable, shall be issued by the Ministry of Environment and must confirm that the soils in the roads meet residential land use numerical standards for the top 3 meters and commercial land use numerical standards below 3 meters and that the groundwater in the roads meets the most restrictive standards for marine aquatic life, all as prescribed by the *Environmental Management Act* and to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services; and
 - ii. if the Applicant is not able to provide Certificates of Compliance or other instruments, as described above, to the City prior to

enactment, then the Applicant will enter into such agreements on terms and conditions that the General Manager of Engineering Services and the Director of Legal Services deem necessary, in their sole discretion, which may include Section 219 Covenants which provide that there will be no occupancy of any buildings or other improvements until the City has received the confirmation that the road dedications have been remediated to the standards described in paragraph (a)(i) above.

- b. In respect of the park parcels:
 - i. the Applicant is to provide confirmation that all park parcels within Area 2 North are covered by numerical based Certificates of Compliance or other instruments acceptable to the City in its sole discretion. The Certificates of Compliance or other instruments, if applicable, shall be issued by the Ministry of Environment and must confirm that the soils in the park parcels meet residential land use numerical standards and that the groundwater in the park parcels meets the most restrictive standards for marine aquatic life, all as prescribed by the *Environmental Management Act* and to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services; and
 - ii. If the Applicant is not able to provide Certificates of Compliance or other instruments, as described above, to the City prior to enactment, then the Applicant will enter into such agreements on terms and conditions that the General Manager of Engineering Services and the Director of Legal Services deem necessary, in their sole discretion, which may include Section 219 Covenants which provide that there will be no occupancy of any buildings or other improvements until the City has received the confirmation that the park parcels have been remediated to the standards described in paragraph (b)(i) above.
- c. In respect of the Development Parcels:
 - i. the Applicant will do all things and/or enter into such agreements deemed necessary by the City to fulfill the requirements of Section 571B of the Vancouver Charter, on terms and conditions satisfactory to the Manager of Environmental Protection and the Director of Legal Services in their sole discretion; and
 - ii. the Applicant will execute a Section 219 Covenant, as required by the Manager of Environmental Projection and the Director of Legal Services, covenanting that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until Certificates of Compliance or other instruments acceptable to the City have been provided to the City by the Ministry of Environment.

SOCIAL DEVELOPMENT

- 14) Grant to the City options to purchase Parcels 3 and 5A for Affordable Housing programs. The optioned Parcels must be sufficient to develop approximately 114 family units with a minimum aggregate floor area of 12,035 m². The option to purchase will be on terms satisfactory to the Managing Director of Social Development and the Director of Legal Services in their sole discretion.
- 15) Make arrangements for the provision of a licensable childcare centre in Parcel 5B (with a form of tenure acceptable to the City) with a gross indoor area of at least 764 m² and additional floor space and storage as required by the multi-level layout, and an outdoor area of at least 615m², prior to issuance of an occupancy permit for any improvements on Parcel 5B.

Note to applicant: the childcare facilities must be designed in accordance with the City of Vancouver Childcare Design Guidelines and such guidelines that may apply at the time of development permit application.

PARKS

- 16) Execute an agreement on terms satisfactory to the General Manager of Parks and Recreation to convey to the City 0.2383 ha of land as park. The conveyance of fully constructed parks must be prior to the issuance of an occupancy permit for any improvements on those Parcels as set out below (refer to the Design Guidelines - Appendix P - for park definitions):
 - a. Neighbourhood Park North (with an area of approximately 0.132 ha) - Parcels 2/4;
 - b. Kinross Park North (with an area of approximately 0.1063) - Parcel 5B.

PUBLIC ART

- 17) Execute an agreement on terms satisfactory to the Director of Legal Services and the Director, Director of Cultural Services, for the provision of public art in accordance with the City's *Public Art Policies and Guidelines*, such agreement to provide for security in a form and amount satisfactory to the Director of Legal Services.

LIBRARY CONTRIBUTION

- 18) Make arrangements for payment of a library contribution of \$45,943.00 (in 2006 dollars, to be inflated at the consumer price index for construction costs), the timing of payment and any security with respect to the payment to be satisfactory to the City.

General 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.

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.

* * * *

The draft by-law is subject to change and refinement prior to posting.

Area 2 South
East Fraser Lands

Draft for public hearing

BY-LAW NO. _____

**A By-law to amend
Zoning and Development By-law No. 3575
to rezone an area to CD-1**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

Zoning District Plan Amendment

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

Definitions

2. In this By-law:

“CD-1 (____)” means that area of land shown within the heavy black outline on Schedule A;

“principal dwelling unit combined with a secondary dwelling unit” means a dwelling unit, other than a seniors supportive or assisted housing unit, within a multiple dwelling, whether or not the multiple dwelling use is part of a mixed use building, which is a principal residence, combined with one secondary dwelling unit which is smaller than the principal residence, and in respect of which the principal residence and secondary dwelling unit may have either shared or separate external access but must have shared internal access which the owner or occupant of the principal residence is able to lock off from the principal residence;

“secondary dwelling unit” means a secondary dwelling unit referred to in the definition of “principal dwelling unit combined with a secondary dwelling unit”;

“sub-area 1” means that area of CD-1 (____) illustrated on the plan marginally numbered Z-____(ii) attached as Schedule A to this By-law; and

“sub-area 2” means that area of CD-1 (____) illustrated on the plan marginally numbered Z-____(iii) attached as Schedule A to this By-law.

Uses

3.1 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (____) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are those uses which this Section 3 lists.

3.2 Uses permissible in sub-area 1 include only:

- (a) Cultural and Recreational Uses, limited to Park or Playground; and
- (b) Dwelling Uses, limited to:
 - (i) Multiple Dwelling,
 - (ii) Principal Dwelling Unit combined with a Secondary Dwelling Unit,
 - (iii) Seniors Supportive or Assisted Housing, and
 - (iv) Dwelling Units in conjunction with any use permissible in the sub-area in which the Dwelling Units are situate.

3.3 Uses permissible in sub-area 2 include only:

- (a) Cultural and Recreational Uses, limited to Park or Playground; and
- (b) Institutional Uses, limited to Child Day Care Facility and School - Elementary or Secondary.

3.4 Uses permissible in sub-area 1 and sub-area 2 include:

- (a) Accessory Uses customarily ancillary to the uses listed in sections 3.2 and 3.3; and
- (b) Interim Uses not listed in section 3.2 or 3.3, and accessory uses customarily ancillary to them, if:
 - (i) the Director of Planning or Development Permit Board considers that the interim use will be compatible with and not adversely affect adjacent development that either exists or that this By-law allows,

- (ii) the Director of Planning or Development Permit Board is satisfied that the interim use is easily removable and is of low intensity or low in capital investment,
- (iii) the Director of Planning or Development Permit Board is satisfied that there is no risk to the public from contaminated soils either on or adjacent to CD-1 (____),
- (iv) the Director of Planning or Development Permit Board approves the location of the interim use, and
- (v) any development permit for an interim use has a time limit of three years.

Conditions of use

4.1 The design and lay-out of at least 35% of the dwelling units in sub-area 1 must:

- (a) be suitable for family housing;
- (b) include two or more bedrooms; and
- (c) comply with Council's "High Density Housing for Families with Children Guidelines".

4.2 At least 77 dwelling units must consist of affordable housing dwelling units designed to be affordable to persons who make up a core need household where such persons pay more than 30% of their combined gross annual income to rent an adequate and suitable rental unit, including utilities, to meet the basic housing needs of the household at an average market rate.

4.3 All 77 dwelling units referred to in section 4.2 must be for family housing as defined in the "High Density Housing for Families with Children Guidelines".

4.4 Any development permit issued for a building that includes a multiple dwelling use, or a group of buildings that comprises a single development, must stipulate the number of secondary dwelling units included in the development.

Density

5.1 The floor area for all uses, combined, must not exceed 106 743 m².

5.2 Computation of floor area must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their cross-sectional areas and included in the measurements for each floor at which they are located; and
- (c) in the case of a dwelling use, if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 4.3 m, an additional amount equal to the area of the floor area below the excess height except for additional amounts that represent undeveloped floor areas beneath roof elements which the Director of Planning considers to be for decorative purposes and to which there is no means of access other than a hatch, residential lobbies, and mechanical penthouses.

5.3 Computation of floor area must exclude:

- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
- (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit;
- (f) amenity areas including day care facilities, recreation facilities, and meeting rooms except that the total area excluded must not exceed 5 500 m²;

- (g) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 406 mm thickness based on an overall wall performance of R15 or greater; and
- (h) with respect to exterior:
 - (i) wood frame construction walls greater than 152 mm thick that accommodate RSI 3.85 (R-22) insulation, or
 - (ii) walls other than wood frame construction greater than 152 mm thick that meet the standard RSI 2.67 (R-15),

the area of such walls that exceeds 152 mm to a maximum exclusion of 51 mm of thickness for wood frame construction walls and 127 mm of thickness for other walls, except that this clause is not to apply to walls in existence before January 20, 2009. A registered professional must verify that any wall referred to in this section meets the standards set out therein.

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

- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, except that:
 - (i) the total area of all open balcony or sun deck exclusions must not exceed 12% of the residential floor area being provided,
 - (ii) the location of the floor area equal to the additional exclusion between 8% and 12% must be primarily at the south or west facades to improve solar shading between the spring and fall equinox,
 - (iii) the location and design of any additional exclusion between 8% and 12% that does not improve solar shading must improve the livability of dwelling units and the usability of associated outdoor spaces, and
 - (iv) achieve acceptable urban design within the approved form of development for the site, in the opinion of the Director of Planning;
- (b) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character, energy efficiency, or occupant comfort;

- (c) unenclosed outdoor areas at grade level underneath building overhangs, if:
 - (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, and
 - (ii) the area of all overhang exclusions does not exceed 1% of the residential floor area being provided;
- (d) features to reduce solar gain which may be in the form of French balconies, horizontal extensions, solar shades, and other features which, in the opinion of the Director of Planning, are similar to the foregoing if there are no encroachments over the property line;
- (e) cultural, recreational, and institutional uses secured to the city's satisfaction for public use and benefit;
- (f) tool sheds, trellises, and other garden structures which support the use of intensive green roofs and urban agriculture, and, despite section 5.2(b), those portions of stairways and elevator enclosures which are at the roof level providing access to the garden area; and
- (g) floor space devoted to passive design elements such as larger ventilation shafts, or other elements providing ventilation and light within buildings if:
 - (i) the total area of passive design element exclusions does not exceed 2% of the total floor area of the building, and
 - (ii) urban design within the approved form of development for the site, in the opinion of the Director of Planning, is acceptable.

5.5 The use of floor space excluded under section 5.3 or 5.4 must not include any purpose other than that which justified the exclusion.

Building height

6.1 The building height, measured above base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall, for each development parcel illustrated on the plan marginally numbered Z-____(iv) attached as Schedule A to this By-law and referred to in the following table must not exceed either the number of storeys or height in metres set out in the following table:

Development Parcel	Number of storeys	Maximum building heights in metres
7A	6	22.5

7B	6	22.5
8A	6	22.5
8B	10	34.5
9A	6	22.5
9B	7	25.5
10	7	25.5
11	9	31.5
23	4	20.5
24	11	37.5
25	12	40.5
28	13	43.5

6.2 If the uppermost level of a building:

- (a) consists of the upper floors of two storey dwelling units;
- (b) does not exceed 40% of the floor area below it;
- (c) provides rooftop access to private outdoor space and usable roof area; and
- (d) meets the intent of the CD-1 design guidelines adopted by Council for it;

then, for the purposes of section 6.1, the uppermost level is not a storey.

6.3 Despite sections 6.1 and 6.2, the Director of Planning or Development Permit Board may permit a greater building height for garden structures such as elevator and stair enclosures, amenity areas, tool sheds, and trellises.

Parking, loading, and bicycle spaces

7. Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law, except that:

- (a) with respect to multiple dwelling uses and live-work use:
 - (i) at least the lesser of one parking space for each 100 m² of gross floor area and 1.5 parking spaces for each dwelling unit, and
 - (ii) no more than one parking space for each studio dwelling unit, 1.5 parking space for each one bedroom dwelling unit, and two parking spaces for each two bedroom or more dwelling unit;

- (b) a principal dwelling unit combined with a secondary dwelling unit, including the floor area of the secondary dwelling unit, is subject to the parking requirement otherwise specified in section 4.2.1.13 of the Parking By-law and there is no additional requirement for a secondary dwelling unit but, for the purpose of calculating visitor parking and shared vehicle parking space requirements, Council deems a secondary dwelling unit to be a separate dwelling unit;
- (c) with respect to visitor parking:
 - (i) at least that number of visitor parking spaces that would be equal to 10% of the total number of dwelling units, and
 - (ii) no more than that number of visitor parking spaces that would be equal to 10% of the total number of dwelling units;
- (d) with respect to loading spaces, Class A, for all residential uses, at least 0.01 loading space, Class A for each dwelling unit, and any number equal to or greater than 0.5 is to count as one loading space, Class A;
- (e) with respect to loading spaces, Class B, for all residential uses, at least 0.005 loading spaces, Class B for each dwelling unit, and any number equal to or greater than 0.5 is to count as one loading space, Class B;
- (f) with respect to affordable housing, each dwelling unit must have:
 - (i) at least 0.4 parking space,
 - (ii) at least 0.1 visitor parking space,

- (iii) not more than 1 parking space, and
- (iv) not more than 0.2 visitor parking space; and
- (g) there must be, with respect to a principal dwelling unit combined with a secondary dwelling unit, at least 1.25 bicycle parking spaces, Class A for each principal dwelling unit and at least 0.75 bicycle parking spaces, Class A for each secondary dwelling unit, but for bicycle spaces, Class B, there are no requirements for a secondary dwelling unit.

Acoustics

8. All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

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

Severability

9. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

Force and effect

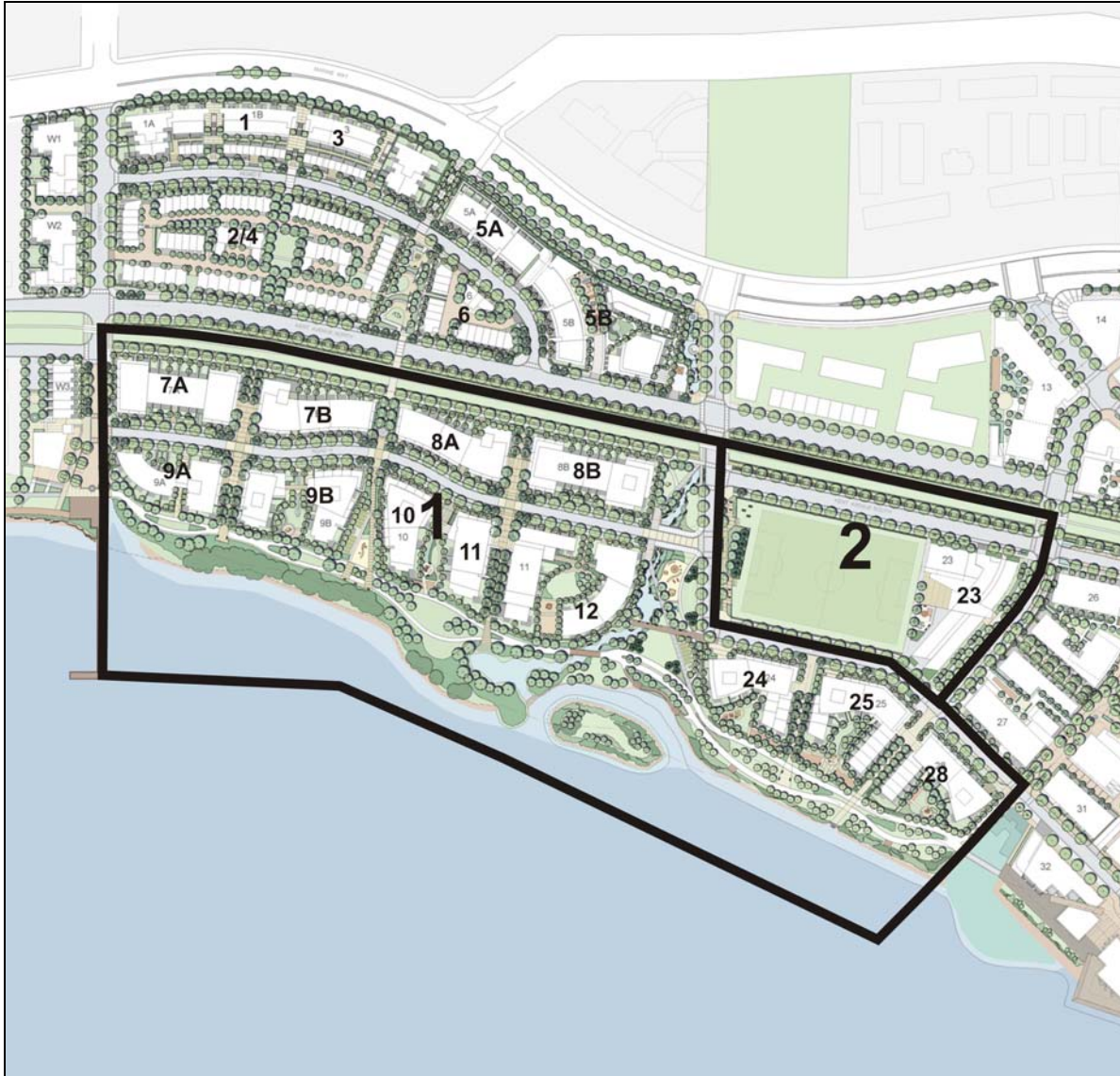
10. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this day of , 2010

Mayor

City Clerk

Schedule A



AREA 2 SOUTH
3098 to 3310 East Kent Avenue South

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.

Names of parks and streets are as identified in Figure 2 in Appendix O.

Any reference to development "Parcels" refers to the parcels identified in Figure 3 in Appendix O.

Documents referred to that are not included within this rezoning package can be viewed at the City Clerk's Office, 3rd Floor, City Hall.

A. PROPOSED CONDITIONS OF APPROVAL FOR THE PRELIMINARY FORM OF DEVELOPMENT

PRELIMINARY FORM OF DEVELOPMENT

- (a) THAT the proposed preliminary form of development be approved by Council in principle, generally as prepared by Parklane Homes and stamped "Received Planning Department, December 1, 2009", provided that the Director of Planning or the Development Permit Board, as the case may be, may allow minor alterations to this preliminary form of development when approving the detailed scheme of development as outlined 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 the Development Permit Board, who shall consider the following conditions:

DESIGN DEVELOPMENT

General Conditions

URBAN DESIGN

Setbacks

- 1) Design development to demonstrate that residential setbacks of less than 2.5m are sufficient to ensure appropriate relationship of dwelling to street, useable private outdoor space, planting area, trees, and room for steps.

Note to applicant: Many residential setbacks proposed are 2.0m, whereas setbacks on similar sites in the previously approved Central Neighbourhood are 2.5 to 3.0m. Staff note that the ODP recognizes the western neighbourhood as

providing a 'substantial portion of the family-oriented housing', and the central neighbourhood as the 'most urban in scale, form of development, and public realm treatment'. Development permit applications must demonstrate that building setbacks will support ground-oriented units and outdoor spaces attractive to families.

Solar access on important public spaces (Parcels 8B, 11, 24, and 25)

- 2) Design development to articulate and shape tower forms in a manner that considers solar access to important public spaces, in particular, Kinross Park South, Playfield Park and the school and childcare site. Tower forms to which this condition refers are those on 8B, 11, 24, and 25.

Townhouses on Neighbourhood Park South (Parcel 9B and Parcel 10)

- 3) Design development to provide a minimum setback of 3.5m in the area adjacent to the widened throat of the Neighbourhood Park South on Parcel 9B and Parcel 10.

Note to applicant: The required building setback is intended to enable resident access to townhouse units along the park via a sidewalk adjacent to the park, and to enhance public views to the riverfront and sunlight access to the park.

Park Edges and Paths

- 4) Design development to ensure private pathways connecting to park, pathways and public spaces are approved by the General Manager of Engineering Services and the General Manager of the Parks and Recreation at the time of detailed design.

Pedestrian Rail Crossing

- 5) Design development of the pedestrian rail crossing, as shown in the ODP, to be aligned with the mews between Parcels 7B and 8A.

Note to applicant: At the time of rezoning the crossing had not yet been secured however all efforts will be made by all parties to secure the crossing during the development period.

Terraced Forms

- 6) Design development to ensure that buildings along the riverfront demonstrate the terracing and stepping of massing that was a key principle identified in the ODP and as is outlined in the Design Guidelines section B Massing Parameters, and section C Character and Expression.

Note to applicant: Flexibility in building height and construction type has been built into the CD-1 by-law to assist in responding to market conditions. However, within this flexibility, as specified in the ODP riverfront massing must 'relate to the natural character of the river by creating a downward transition in scale'.

Parking Structure Projections

- 7) Design development to minimize the extent of the parking structure that projects above grade. Where this occurs, it should be mitigated by terraced massing and/or employing landscape design elements.

Parcel 9A

- 8) Design development to better respond to the prominent riverfront and Kerr Street landing location of this key building.

Note to applicant: This building will be one of the first buildings in EFL, and will always have a prominent place in announcing EFL along the riverfront. It is key that this building capture the quality and character anticipated along the riverfront and reflect a downward transition in scale through a stepping progression of roof forms from Kerr Street eastward and the introduction of upper level setbacks in the area most immediate to the river. As outlined and illustrated in the Design Guidelines for wood-frame terraced buildings - 'Buildings should resolve in a three storey expression at the riverfront.' A more significant response through a more substantial setback of the fourth level at the south eastern part of the building is required.

Parcel 23

- 9) Design development to co-locate an elementary school with 60 out-of-school spaces and a child care facility with 20 out-of-school spaces, to the satisfaction of the Managing Director of Social Development and the Director of Facilities Design and Management, and in consultation with the Vancouver School Board and Provincial Community Care Facility Licensing. Preliminary conceptual design work is to be undertaken when the first building is ready to proceed.

Note to applicant: Both the school and childcare will likely require underground parking and drop-off. Preliminary conceptual designs should seek to maximize efficiencies between the needs of the two facilities such as shared access to underground parking.

Childcare facilities must meet the intent of the City's Childcare Design Guidelines and the Childcare Technical Guidelines, as well as regulations under the Community Care Facilities Licensing Act, as such guidelines and regulations are set out at the time of development.

HERITAGE

- 10) Design development to integrate heritage artifacts including the fluted v-rollers and large engine, into the public realm and or building design.

Note to applicant: Heritage artifacts should be sited in the general vicinity of their original locations where possible. Except that the traveling crane which was historically located in Area 2 will be located in Area 1 in the waterfront plaza.

PHASING

11) Area 2 South - Development is to be phased generally to follow the sequencing set out below:

- a. Parcels 7A and 9A, 7B and 9B
- b. Parcels 8A and 10, 8B and 11
- c. Parcels 24, 25 and 28.

ENGINEERING

Public Access Ways

12) Design development to provide a secondary system of paths that create permeability and connectivity of the block system, generally as illustrated in Design Guidelines (see Appendix P), to the satisfaction of the Director of Planning, General Manager of Engineering Services and the Director of Legal Services.

Note to applicant: The precise location, width, and functionality of the paths are to be determined at development permit. Paths are to be:

- accessible, and comfortable for pedestrians;
- safe, secure, well-lit, ungated and welcoming;
- overlooked by active, inhabited space;
- typically provide visibility and permeability through the block,
- connect directly with parks, public routes and streets

In addition, paths are to be provided over sidewalks up to 1.5m wide contiguous with public parks along the east boundary of Parcels 8B and 11. On these Parcels, the SRW is to be included in the park calculation

Public Realm Plan

13) Design development to provide for safe, comfortable and convenient pedestrian and bicycle movement through the Kerr Street landing and pier forecourt spaces

Note to applicant: Kerr Street landing must be accessible to everyone and vehicular access will be required for routine maintenance. Aligning the pedestrian pathway from the east with the boardwalk to the west of the boardwalk and landing at the foot of Kerr Street should be considered, to the extent possible, including the construction of all the necessary infrastructure, to maintain a suitable separation between bicycle and pedestrian movements and be constructed with compatible materials and design to be viewed as an integral part of the existing structure. Relocation and/or replacement in other locations should be explored for the two trees at the foot of Kerr Street to facilitate a normalized intersection of the Kerr Street bicycle and pedestrian paths with the waterfront paths.

14) Design development to Kinross Park South to integrate an east-west 3.5m bikeway and pedestrian walkway west from Mount Baker Way to the waterfront pathways north of the west end of the sanctuary island.

15) Design development such that the pedestrian and cyclist routes along the waterfront are hard surfaced, continuous and separated throughout. They may converge with minimum separation only where separation cannot be achieved.

Note to applicant: Cyclist routes shall have clearly defined pedestrian crossing points in appropriate locations. The design of the pedestrian and cyclist routes shall be generally as shown in the Design Guidelines (see Appendix P).

16) Design development such that the pedestrian pathway is located closer to the riverfront by crossing the weir by a bridge rather than sharing the bicycle crossing of the wetland north of the sanctuary island.

17) Design development such that the street and path lighting design is finalized to the satisfaction of the General Manager of Engineering Services and the General Manager of Parks and Recreation.

18) Design development such that the rainwater management and storm sewer systems can accommodate peak stormwater runoff and such that elements such as raingardens and bioswales accommodate tree growth.

Note to applicant: Any water that flows from private to public property is subject to public safety considerations as well as the regulatory framework that governs water conveyance from public to private property.

19) Design development such that encroachment of planting strips into adjacent pathways is minimized.

20) Support agreements will be required where properties require support by means of a retaining wall or any other structure adjacent to City street prior to occupancy of any buildings on the parcel requiring the agreements.

21) Design development such that all streets accommodate all legal users including vulnerable users.

Parking

22) Confirm on the drawings submitted for development permit application that the parking layout adheres to the City of Vancouver Parking Bylaw, Zoning and Development Bylaw and Parking and Loading Design Supplement.

23) Design development such that on-site loading is properly accommodated. Detailed loading design including turning swaths where appropriate shall be provided before the issuance for any development permit.

- 24) The minimum residential parking can be reduced up to five spaces in lieu of one car-share vehicle and parking space. A maximum of two car-sharing vehicles per 100 units is to be available for this reduction in parking.
- 25) Design development such that resident parking is separated from visitor parking by a security gate.
- 26) Provision at development permit application of an updated Parking and Loading Study for each Parcel and as part of this study turning templates for all parking and loading access points and for all internal parking and loading circulations be clearly shown.

NEIGHBOURHOOD ENERGY UTILITY

- 27) Building design is to include provision of connections to, and be compatible with, the Neighbourhood Energy Utility proposed for the area.
- 28) Buildings shall, upon implementation of the Neighbourhood Energy Utility, connect to the system for provision of all building heating and domestic hot water services except where the use of solar systems to generate heat energy or equipment to acquire waste heat energy from the refrigeration or cooling system of a building is approved by the General Manager of Engineering Services on a case by case basis for the purpose of supplementing the heat energy provided by the Neighbourhood Energy Utility.
- 29) Provide compatible, energy efficient design and details of the in-building heating and domestic hot water for the connection to the Neighbourhood Energy Utility proposed for the area.

LANDSCAPE DESIGN

Public Realm

- 30) Provision of a variety of spaces consistent with the Design Guidelines (see Appendix P). Aspects to consider include special paving, lighting, planting, driveway crossings, pedestrian entrances, walkways, site furniture, weather protection, garbage storage, recycling and loading facilities.

Open Space and Landscape Treatment

- 31) Provision with each development permit application of a design rationale outlining the programming of the outdoor spaces and landscape structures, including overall use, sustainable design features (planting, water, composting, soil, habitat), urban agriculture, access and security.
- 32) Provision with each development permit application for the inclusion of urban agriculture features that are appropriate to the size, unit configuration and location of the proposed development parcel, to ensure that the diverse needs of the future resident population can be met.

Note to applicant: Urban agriculture features, particularly shared garden plots and edible landscaping, should meet the intent of the City of Vancouver's Food Policy objectives and relevant guidelines. Careful consideration should be given to adequate solar exposure, provision of hosebibs for urban agriculture areas, and opportunities for tool storage, composting and seating.

Technical

- 33) Provision of optimum planting depth and volume (may be beyond BCLNA Landscape Standards) for all areas planted on slab. Structures such as underground parking slabs and retaining walls may need to be altered to provide adequate depth and continuous soil volumes.
- 34) Provision with each development permit application of a full Landscape Plan. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes, and quantities), paving, walls, furniture, fences, lighting, site grading and other landscape features. Plant materials should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum of 1:100 (1/8"=1'-0") scale
- 35) Provision with each development permit application of large scale sections 1:50 (1/4"=1') illustrating the townhouse to public realm interface at the streets and lanes. The sections should include planters, retaining walls, guardrails, patios, privacy screens, stairs and tree planting depths.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

- 36) Design development to take into consideration the principles of CPTED having particular regard for:
 - maximizing surveillance provided by ground level residential units to the pedestrian mews;
 - providing clear definition between public and private spaces;
 - providing secure access to services such as residential mail and garbage without using public property;
 - providing convenient and secure access if residential parking is proposed off-site;
 - reducing the scale of large areas of underground parking to serve specific buildings where possible;
 - reducing opportunities for crime in underground parking areas by providing full separation between user groups and improving visibility;
 - reducing opportunities for break and enter;
 - reducing opportunities for mail theft; and
 - reducing opportunities for graffiti and skateboarding where not programmed in open spaces.

SUSTAINABILITY

- 37) Buildings evaluated under the Canadian Green Building Council's (CaGBC) Leadership in Energy and Environmental Design for New Construction (LEED NC)

program must achieve all prerequisites and the equivalent of 39 credits (LEED Gold) from the project checklist (Refer to Appendix P). 22 of 39 equivalent credits that are achieved must be those identified as City priorities in Appendix P.

Note to applicant: The LEED NC project checklist should identify targeted credits and a project sustainability strategy with references to the project drawings where applicable that articulate how the applicant will achieve each credit or prerequisite and demonstrate compliance.

- 38) All buildings that are not evaluated under the LEED NC program will achieve a Gold rating under the Built Green program, or the Built Green "Multi" program, with a minimum Energuide score of 80.

Note to applicant: A Built Green project checklist identifying targeted credits and a project sustainability strategy on how the applicant will demonstrate compliance will be required. A copy of the Energuide report (including both completed "P" and "N" files) will be required at occupancy permit.

- 39) Provide a compliance strategy and timeline that outlines the documentation process required to achieve LEED NC Gold and/or Built Green Gold equivalent, include reference to appropriate documentation at development permit, building permit and occupancy permit stages.

- 40) Use of electrical resistance heating for residential heating is not permitted.

- 41) All domestic appliances installed in residential units that are applicable to the Energy Star™ program will have an Energy Star™ label.

- 42) Provide for individual in-suite metering for energy use. Applicants are also encouraged to provide in-suite water use metering.

Note to applicant: Meter displays will be in a prominent location to encourage usage and improve effectiveness. Energy metering includes district energy, electrical and gas use if applicable.

- 43) No natural gas fireplaces are to be installed within dwelling units. Ornamental non-combustion fireplaces are permitted if they are not heat producing.

Note to applicant: All fireplaces are discouraged. A letter from a professional engineer outlining any provision for ornamental fireplaces is to be submitted at the time of application for a Building Permit to state that the fireplaces installed are not heat producing.

- 44) Provide a green roof over concrete structures, excluding the tops of towers. Roofscapes should be highly programmable, useable and accessible.

- 45) Living walls are encouraged to be considered in the design of concrete buildings, and sited in such a way as to improve their viability with good access to light.
- 46) Provide three streams of waste removal both in-suite and in-building for the development (regular garbage, recyclable materials and organics). The development site is to provide adequate space and infrastructure to accommodate three streams of waste removal including fully outfitted areas that can be made active upon implementation of an organics collection system.
- 47) Provide dual flush (3/6 litre) or HET (high efficiency toilet) equivalency (3.65 litre) toilets in all buildings.

PARKS

- 48) All park programming for individual parks should be subject to a public consultation process, in conjunction with the Park Board, including any residents living in the new community, the residents of WFL and from the Victoria Fraserview Killarney community.

Note to applicant: The programming and design for the Kerr Street landing area should be considered in a public consultation process for the Foreshore Park to ensure design continuity between the new Foreshore Park, Riverfront Park and the new elements in the Kerr Street landing. The Kerr Street landing should be designed to ensure that it is vital, creates a comfortable scale and accommodates possible special events and opportunities for informal play.

- 49) No utilities located in or adjacent to parks will be included in the park calculation.

Note to applicant: Lands surrounding utilities adjacent to parks should be landscaped to integrate them into the park design to the extent possible.

- 50) All street trees should be at least 6 cm calliper dbh.

Note to applicant: Park Board arborists suggest consideration of timing when ordering street trees as certain varieties indicated in the Design Guidelines Section A Public Realm Plan may be difficult to source in adequate sizes at this time.

- 51) Design development to ensure naturalized areas preserve habitat values and reinforce the Songbird Strategy.

Note to applicant: Consider siting and designing at least one fenced off-leash area for dogs.

Neighbourhood Park South

- 52) Design development, subject to public consultation, to provide for informal recreation and seating while inviting people to comfortably move through this space linking the community to the waterfront.

Note to applicant: This is an important node adjacent to the Foreshore Park which should be a comfortable scale and accommodate a wide range of future activities, including unstructured play, informal sports, picnics and other community gatherings.

Kinross Park South

- 53) Design development to create a corridor with a primarily ecological and passive recreation focus incorporating features for rainwater management and habitat creation.
- 54) Design development to the Kinross Park South to incorporate conveyance of rainwater through to the Fraser River including a constructed freshwater wetland and a seasonal biofiltration area.

Note to applicant: The freshwater wetland should have an optimum water surface area of approximately 1300 m² and an intermittent biofiltration area of approximately 1000 m² employing rainwater and water from the Fraser River and should be designed to be as natural in appearance as possible and attractive at all times of the year.

Playfield Park

- 55) Design development to Playfield Park to locate the fence at the west end of the field to maximise the park area along Kinross Street available for use by the public regardless of the field being used or not.

Note to applicant: The playfield needs to be fenced on the north, west and south sides along the perimeter of the 5 metre run-out surrounding the field for the security of elementary school students and entry points will be determined by the General Manager of Parks and Recreation in consultation with the Vancouver School Board at final design.

Foreshore Park

- 56) Design development to ensure seating areas along the waterfront are located set back from the pathways and to enjoy sunny exposures or views to the water.
- 57) Design development of Kinross Park South and Foreshore Park to ensure consistency in the design of the proposed water features/wetland in the Kinross corridor and the sanctuary island.

Note to applicant: Bridge structures will need to be designed and built to accommodate the required pathway crossings.

- 58) Design development to maintain the integrity of the sanctuary island for habitat.

Note to applicant: Detailed design should discourage people or dogs from accessing the sanctuary island in the proposed Foreshore Park.

- 59) Design development to ensure the inlet east of Parcel 28 is an attractive and engaging ecological feature.

Note to applicant: Construction of the inlet is tied to the development of Parcel 33/34 in Area 1.

SOCIAL DEVELOPMENT

- 60) Provision with each development permit application of a range of common area amenities that are appropriate to the size, unit configuration and location of the proposed development parcel, to ensure that the diverse needs of the future resident population can be met;

Note to applicant: Indoor and outdoor area amenities should meet the intent of the High-Density Housing for Families with Children Guidelines.

- 61) Provision with each development permit application of the inclusion of urban agriculture features that are appropriate to the size, unit configuration and location of the proposed development parcel, to ensure that the diverse needs of the future resident population can be met;

Note to applicant: Urban agriculture features, particularly shared garden plots and edible landscaping, should meet the intent of the City of Vancouver's Urban Agriculture Design Guidelines for the Private Realm, Food Policy objectives and other relevant guidelines.

- 62) Provision of a minimum of one family childcare unit within Parcel 8A, licensable for the maximum number of spaces and provided to the satisfaction of the Managing Director of Social Development in consultation with the Provincial Community Care Facility Licensing.

- 63) Design development of licensable childcare centre, with a gross indoor area of at least 764 m² and an outdoor area of at least 615 m², and adequate floor space and storage for a 20-space out of school program on Parcel 23.

Note to Applicant: Childcare facilities must meet the intent of the City's Childcare Design Guidelines and the Childcare Technical Guidelines, as well as regulations under the Community Care Facilities Licensing Act, as such guidelines and regulations are set out at the time the developer submits a Development Permit application.

Construction of the childcare facility and elementary school on this site are expected to occur at different times. Design development of the childcare

facility is required to provide for temporary surface parking for the childcare as well as a coordinated plan for permanent on-site parking acceptable to the relevant departments of the City of Vancouver in consultation with the Vancouver School Board, to be built at the time of development of the elementary school.

B. PROPOSED CONDITIONS OF BY-LAW ENACTMENT

AGREEMENTS

THAT, prior to enactment of 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:

CHARGE SUMMARY

- 1) Provide to the Director of Legal Services a charge summary of the titles to the subject lands, in accordance with her specifications.

ENGINEERING

Services Agreement

- 2) Execute a services agreement to detail the delivery of all on-site and off-site works and services necessary or incidental to the servicing of Area 2 South (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City, and that all necessary street dedications and rights-of-way for the Services are provided. The agreement shall include, but not be limited to, the following provisions to the satisfaction of the General Manager of Engineering Services:
 - a. no development permit will be issued for a Parcel until the design of the Services required for that Parcel are completed;
 - b. no occupancy of any buildings or improvements on a Parcel shall be permitted until the Services required for that Parcel are completed;and shall include the following works to the satisfaction of the General Manager of Engineering Services:
 - c. the construction and upgrading of all storm, sanitary and water systems including any cathodically protected infrastructure;
 - d. the upgrading the sanitary pump station at the corner of Kinross Street and Kent Avenue North;
 - e. design and construction of all rail crossings;
 - f. temporary pathways that provide continuous and uninterrupted passage along the river's edge within the Area 2 South boundaries, or a suitable alternate route within a reasonable distance through all phases of development such that the connection between the Burnaby foreshore and WFL for pedestrians and cyclists is maintained until the permanent waterfront infrastructure is completed;
 - g. upgrades to Kent Avenue South east of Kinross Street generally as illustrated in the Design Guidelines (see Appendix P);

- h. upgrades to Kinross Street south of Kent Avenue South generally as illustrated in the Design Guidelines (see Appendix P);
 - i. upgrades to Kerr Street south of Kent Avenue South generally as illustrated in the Design Guidelines (see Appendix P);
 - j. design and construction of the Kerr Street landing generally as shown in the Design Guidelines (see Appendix P);
 - k. design and construction of all other roads, pathways, sidewalks, lanes, mews, boulevards, greenways, bikeways and all other public access areas generally as shown in the Design Guidelines (see Appendix P);
- and shall require, to the satisfaction of the General Manager of Engineering Services:
- l. provision of life-cycle assessments for all non-standard materials proposed for City streets; and
 - m. provision of soil resistivity testing in all roads to determine the need for cathodic protection of utilities.

Shoreline Agreement

- 3) Execute a shoreline agreement for design and construction of the shoreline works necessary for the development of Area 2 South, at no cost to the City, to the satisfaction of the General Manager of Engineering Services. This agreement will include, but not be limited to, the design and construction of the waterfront walkway and bikeway and the following provisions, all to the satisfaction of the General Manager of Engineering Services:
 - a. no development permit will be issued for a Parcel until the design of the required shoreline works required for that Parcel is completed;
 - b. no occupancy of any buildings or improvements on a Parcel will be permitted until the required shoreline works for that Parcel are completed; and
 - c. the applicant shall provide access to, and support of, the shoreline works from both the uplands and the water lots, and shall grant rights-of-way therefore as required by the General Manager of Engineering Services for access to the shoreline works for maintenance and repair purposes.

Rail Crossings

- 4) Negotiate agreements and approvals on behalf of the City with CP Rail and any applicable government authorities for rail crossings and maintenance of such crossings, generally in those locations shown in the Design Guidelines (see Appendix P) in a form and containing terms satisfactory to the General Manager of Engineering Services.

Note to applicant: The dimensions, conditions, exact locations, and timing of delivery are to be part of the agreements. The City shall maintain its current seniority at the existing Kinross crossing and existing Kerr Street crossing.

Subdivision Plan

- 5) Obtain approval of and deposit for registration of a subdivision plan or plans that creates the Parcels generally as defined in the Design Guidelines (see Appendix P) and as described below:
- dedication or conveyance to the City of the lands to be used for roads (which includes the waterfront walkway and bikeway), parks, open space and the 0.44ha school and childcare facility site (Parcel 23); and
 - dedication to the City as road to the satisfaction of the General Manager of Engineering Services, the Director of Legal Services and the Approving Officer, a minimum of 10 metre wide strip along the riverfront to connect Kerr Street and the easterly limit of Area 2.

Note to applicant: The riverfront road dedication must accommodate a minimum width to contain the riverfront walkway and bikeway. The minimum 10 metre wide riverfront road dedication, to be measured from the southerly limit of the upland is required in order to comply with the Section 75(1)c (access to water) requirements of the Land Title Act.

Note to applicant: all land above the original natural boundary to be conveyed to the City as public space shall be transferred to the City in fee simple as a parcel or dedicated as "Road" under the Land Title Act to the satisfaction of the General Manager of Engineering Services, the Approving Officer, and the Director of Legal Services.

Waterlots

- 6) Make arrangements to the satisfaction of the City Manager, the General Manager of Engineering Services and the Director of Legal Services in consultation with the Park Board to secure tenure, at the applicant's cost, over the portions of the Water Lots containing the waterfront public open space, the walkway and the bikeway. The tenure may be in the form of a sub-lease from Port Metro Vancouver to the City or lease directly from the Province to the City, at no cost to the City.

Note to applicant: It is recognized that the Water Lots are subject to a head lease between the Province and Port Metro Vancouver. In the event that the agreement is a sub-lease from the Port, the sub-lease will include provisions such that upon the renewal of the head lease, the sub-lease will be automatically renewed with the terms of the original sub-lease extended to the sub-lease renewal term or terms, all at no cost to the City.

Statutory Rights-of-ways

- 7) Grant blanket statutory rights-of-way over such Parcels within Area 2 South as required for public access over the secondary system of paths to be reduced at development permit stage to the locations generally as shown in the Design Guidelines (see Appendix P);

Conveyance of Closed Roads

- 8) Acquire from the City at a cost to be determined by City Council the portions of road as described and adjacent to lands described in Appendix P being:

- a. Portion of Kent Avenue South east of Kerr Street and west of Kinross Street;
- b. Portion of Hartley Street Adjacent to That Part of Block 8 Lying South of Right of Way Shown on Explanatory Plan 5938 District Lot 330 Plan 455; and
- c. Portion of Kinross Street Adjacent to the Closed Portion of Kinross Street Shown on Explanatory Plan 3111 Blocks 9, 10, and 16 to 19 District Lots 330 and 331 Plan 2593.

Note to applicant: an application to the City Surveyor is required to initiate this process. The applicant's surveyor is to provide sufficient historical research and Land Title Office documentation to show how the roads to be closed were originally established or dedicated as road.

Release of Agreements

- 9) Cause the discharge of SRW GC 104773 from all lands encumbered thereby.

Neighbourhood Energy Utility

- 10) Grant an option to purchase in favour of the City (with the right to assign the option to purchase to a utility operator) a minimum 500 m² suitable site to be utilized for an energy system plant, and/or make provisions within the utility rooms of required Parcels to serve as sites for the Neighbourhood Energy Utility, depending upon the form of the Neighbourhood Energy Utility.

Note to applicant: The site is proposed to be within Parcel 5B, or at a site to the satisfaction of the General Manager of Engineering Services.

Note to applicant: The form of the Neighbourhood Energy Utility is further being refined and may require one site or multiple utility room sites within appropriate development parcels for the siting of an energy system plant(s). The location of the site may be moved in future as mutually agreed upon by the applicant and the General Manager of Engineering Services as further information on the Neighbourhood Energy Utility is known and appropriate arrangements for transfer of lands will occur at that time.

- 11) Make arrangements for appropriate agreements for access to and operation of the Neighbourhood Energy Utility including access to the Neighbourhood Energy Utility related infrastructure within each building in Area 2;
- 12) Make arrangements for either a Request for Proposal or other similar process to solicit proposals from possible utility providers for the development and operation of a future neighbourhood energy utility or other arrangements to the satisfaction of the General Manager of Engineering Services in order to facilitate the development of the Neighbourhood Energy Utility;

Waterfront Access Agreements

- 13) Grant statutory right-of-way agreements for public access over the waterfront Parcels 9A, 9B, 10, 11, 24, 25 and 28 for a temporary walkway and bikeway to

facilitate continuous waterfront passage through all phases of development until the applicable portion of the permanent waterfront walkway and bikeway is completed.

Shared Vehicle Agreement

- 14) Make arrangements for:
- a. the provision, operation, and maintenance of shared vehicles and the provision and maintenance of parking spaces for use exclusively by such shared vehicles, with such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law;
 - b. a professional shared vehicle organization satisfactory to the Director of Planning and General Manager of Engineering Services to manage the shared vehicles;
 - c. the registration against the title to the development, with such priority as the Director of Legal Services may require, and in form and substance satisfactory to the Director of Legal Services, of a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, providing that the shared vehicle spaces in the development must be accessible to members of the car sharing organization who do not reside in the development; and
 - d. the provision of, prior to issuance of any development permit, details on arrangements that will allow members of the shared vehicle organization access to the car share parking spaces;

at the rate of 0.01 shared vehicles and shared vehicle parking spaces per dwelling unit in each development application and any number equal to or greater than 0.5 is to count as one shared vehicle and one shared vehicle parking space. The shared vehicles and shared vehicle parking spaces will be required for multiple residential units, and Affordable Housing units. "Secondary dwelling units" (i.e. secondary suites in a housing unit) will be considered as a separate dwelling unit for the purpose of calculating shared vehicles.

CONTAMINATION

- 15) The following conditions apply:
- a. In respect of the road dedications:
 - i. the applicant is to provide confirmation that all road dedications within Area 2 South are covered by numerical based Certificates of Compliance or other instruments acceptable to the City in its sole discretion. The Certificates of Compliance or other instruments, if applicable, shall be issued by the Ministry of Environment and must confirm that the soils in the roads meet residential land use numerical standards for the top 3 meters and commercial land use numerical standards below 3 meters and that the groundwater in the roads meets the most restrictive standards for marine aquatic life, all as prescribed by the *Environmental Management Act* and

- to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services; and
 - ii. if the applicant is not able to provide Certificates of Compliance or other instruments, as described above, to the City prior to enactment, then the Applicant will enter into such agreements on terms and conditions that the General Manager of Engineering Services and the Director of Legal Services deem necessary, in their sole discretion, which may include Section 219 Covenants which provide that there will be no occupancy of any buildings or other improvements until the City has received the confirmation that the road dedications have been remediated to the standards described in paragraph (a)(i) above.
- b. In respect of the park parcels:
- i. the applicant is to provide confirmation that all park parcels within Area 2 South are covered by numerical based Certificates of Compliance or other instruments acceptable to the City in its sole discretion. The Certificates of Compliance or other instruments, if applicable, shall be issued by the Ministry of Environment and must confirm that the soils in the park parcels meet residential land use numerical standards and that the groundwater in the park parcels meets the most restrictive standards for marine aquatic life, all as prescribed by the *Environmental Management Act* and to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services; and
 - ii. If the applicant is not able to provide Certificates of Compliance or other instruments, as described above, to the City prior to enactment, then the Applicant will enter into such agreements on terms and conditions that the General Manager of Engineering Services and the Director of Legal Services deem necessary, in their sole discretion, which may include Section 219 Covenants which provide that there will be no occupancy of any buildings or other improvements until the City has received the confirmation that the park parcels have been remediated to the standards described in paragraph (b)(i) above.
- c. In respect of the Parcels:
- i. the applicant will do all things and/or enter into such agreements deemed necessary by the City to fulfill the requirements of Section 571B of the Vancouver Charter, on terms and conditions satisfactory to the Manager of Environmental Protection and the Director of Legal Services in their sole discretion; and
 - ii. the applicant will execute a Section 219 Covenant, as required by the Manager of Environmental Projection and the Director of Legal Services, covenanting that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until Certificates of Compliance or other instruments

acceptable to the City have been provided to the City by the Ministry of Environment.

SOCIAL DEVELOPMENT

- 16) Grant to the City an option to purchase Parcel 8A for Affordable Housing programs. The optioned Parcel must be sufficient to develop approximately 77 family units with a minimum aggregate floor area of 7 930 m². The option to purchase will be on terms satisfactory to the Managing Director of Social Development and the Director of Legal Services in their sole discretion.
- 17) Make arrangements for the provision of a licensable childcare centre on Parcel 23, with a gross indoor area of at least 764 m² and additional floor space and storage required by the multi-level layout, and an outdoor area of at least 615 m². The childcare centre is to be delivered prior to the issuance of the occupancy permit for any improvements on Parcel 25, or prior to the issuance of the occupancy permit for the elementary school, whichever is first.

Note to applicant: the childcare facilities must be designed in accordance with the City of Vancouver Childcare Design Guidelines and such guidelines that may apply at the time of development permit application.

- 18) Make arrangements for the payment of \$1,250,000.00 (in 2006 dollars, to be inflated at the consumer price index for construction costs) as a contribution to out-of-school childcare in Area 1 and Area 2, the timing of payment and any security with respect to the payment be satisfactory to the City.

PARKS

- 19) Execute an agreement on terms satisfactory to the General Manager of Parks and Recreation to convey to the City 3.9658 ha of land as park. The conveyance of fully constructed parks must be prior to the issuance of an occupancy permit for any improvements on those Parcels as set out below (refer to the Design Guidelines - Appendix P - for park definitions):
 - a. Foreshore Park (with an area of approximately 2.3555 ha) - a proportionate share of the park with Parcels 9B, 11 and 24;
 - b. Playfield Park (with an area of approximately 0.9837 ha) - Parcel 28;
 - c. Neighbourhood Park South (with an area of approximately 0.1196 ha) - Parcel 10; and
 - d. Kinross Park South (with an area of approximately 0.507 ha) - Parcel 8B.

PUBLIC ART

- 20) Execute an agreement on terms satisfactory to the Director of Legal Services and the Director, Director of Cultural Services, for the provision of public art in accordance with the City's *Public Art Policies and Guidelines*, such agreement to provide for security in a form and amount satisfactory to the Director of Legal Services.

LIBRARY CONTRIBUTION

- 21) Make arrangements for the payment of a library contribution of \$127,665.00 (in 2006 dollars, to be inflated at the consumer price index for construction costs), the timing of payment and any security with respect to the payment to be satisfactory to the City.

General 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.

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.

* * * *

PRELIMINARY FORM OF DEVELOPMENT:
AREA 2 AND KERR STREET PROPERTIES

Drawings prepared by James Cheng Architects on behalf of Parklane Homes.



Figure 1: Overall 3D Rendering - Area 2 North, Area 2 South and Kerr Street Properties



Figure 2: Public Realm Concept Plan

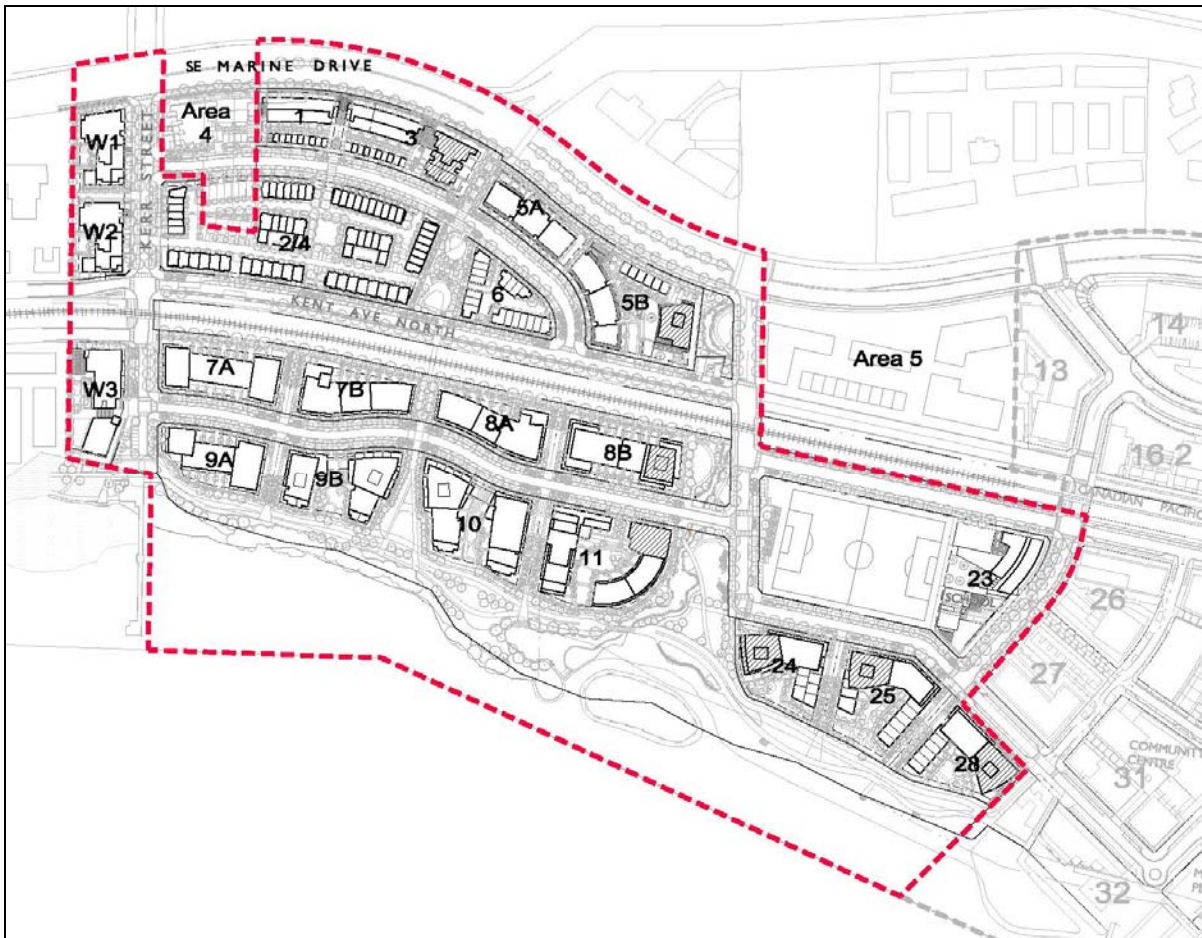


Figure 3: Overall Ground floor and Parcel Plan



Figure 4: Building Heights Plan



Figure 5: Kerr Street
Properties 3D Rendering



Figure 6: Kerr Street
Properties Concept Plan



Figure 7: Area 2 North 3D Rendering



Figure 8: Area 2 North Concept Plan



Figure 9: Area 2 South 3D Rendering



Figure 10: Area 2 South Concept Plan



Figure 11: 3D Rendering for Alternate Building Heights Plan



Figure 12: Alternate Building Heights Plan

EAST FRASER LANDS AREA 2 AND KERR STREET PROPERTIES
DESIGN GUIDELINES

(Limited distribution to Council Members only)

The draft by-law is subject to change and refinement prior to posting.

East Fraser Lands
Area 2

Draft for public hearing

BY-LAW NO. _____

A By-law to amend Sign By-law No. 6510

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. To Schedule E of the Sign By-law, Council adds:

“3250 Marine Way, 3098 Southeast Marine Drive, 8450 Kerr Street CD-1(____) B (C-2)
3099 to 3151 East Kent Avenue North
3098 to 3310 East Kent Avenue South”

2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2010

Mayor

City Clerk

The draft by-law is subject to change and refinement prior to posting.

East Fraser Lands
Area 2

Draft for public hearing

BY-LAW NO. _____

A By-law to amend Noise Control By-law

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

(Text to be inserted)

ENACTED by Council this _____ day of _____, 2010

Mayor

City Clerk

ADDITIONAL INFORMATION

1. Site Background

East Fraser Lands (EFL) is located in the southeast corner of the city of Vancouver on the Fraser River. It includes the land between Kerr Street and Boundary Road south of Marine Way, as well as a triangular site north of Marine Way at Boundary Road. The entire EFL site comprises approximately 52 hectares (128 acres) of land currently zoned for industrial use, of which 15.5 hectares (38.4 acres) is being considered for rezoning in this report. A Canadian Pacific Rail (CPR) corridor bisects the main site south of Marine Way into north and south sections. The land south of the rail corridor was in use by the Canadian White Pines Sawmill until its closure in 2001 and is now owned by ParkLane Homes. Majority of the land north of the rail corridor was previously owned by the City of Vancouver, but was sold to ParkLane Homes following approval of the ODP. The remaining lands north of the rail corridor are in 3rd party private ownership and are either vacant or in industrial use.

The proposed rezonings include the 'western neighbourhood' and southern portion of the 'central neighbourhood' of the future EFL community. Three properties on the west side of Kerr Street ("Kerr Street Properties"), which were not included in the Official Development Plan, are also included in this rezoning.

2. Transit

An accessible and reliable transit service is critical to support the development. The transit strategy is based on bus routes that link EFL to Skytrain, Canada Line and other destinations and the potential long-term use of the rail corridor and river for ferry service. City staff continue to work closely with Translink to facilitate early transit service for residents in EFL.

3. Vancouver School Board Comments



November 19, 2009.

RE: East Fraserlands Elementary School

The elementary school is an important amenity that is critical for establishing a family-oriented community at East Fraserlands. It is anticipated that the future school would accommodate a student capacity of 40 spaces for Full-Day Kindergarten and 450 spaces for Grade 1 – 7. There would also be 2 dedicated Early Learning classrooms and Neighbourhood of Learning Space that would be used for additional school and community programming needs. The school would be approximately 4,500 square meters.

In order to meet the school needs, the site should also accommodate adequate outdoor hard surface play areas; dedicated play equipment areas for younger and older children; on site staff parking; and sufficient drop off/pick up circulation zones. Due to the limited site area currently identified for school and childcare facilities, it is preferred that the school building be planned as a stand alone facility, not constrained by an adjacent childcare building.

The process for funding new school capital projects will involve future submission of a capital plan request to the Ministry of Education. The Ministry would then determine the timeline for possible funding support for this proposed new school.

Yours Truly,

A handwritten signature in blue ink, which appears to read 'Craig Sidjak'.

Craig Sidjak
Manager of Facilities Planning
Vancouver Board of Education

4. Minutes of the Urban Design Panel (August 26, 2009)

EVALUATION: SUPPORT (7-0)

Introduction: Kirsten Robinson, Project Planner, introduced the proposal for the rezoning application for the East Fraser Lands Area 2. The site is 126 areas located in the south-east corner of the city, bounded by the Fraser River and Marine Way, Boundary Road and Kerr Street. The site is bisected east-west by a CP Rail Line and Parklane Homes is the primary landowner. Planning for the East Fraserlands has been underway since 2002. In 2004 the Policy

Statement was approved establishing the vision of a complete community which is environmentally sustainable, providing a range of housing types and a variety of supporting services and amenities. The Official Development Plan (ODP) was supported by the Panel and subsequently approved by Council in 2006. The ODP organized the East Fraser Lands into three distinct neighbourhoods, defined and connected by a continuous riverfront walkway/bikeway system, and two park corridors that extend north from the river, connecting with the Champlain Heights neighbourhood. Ms. Robinson described the context for the Central Neighbourhood (Area 1) noting that it is a high density mixed-use neighbourhood centre with pedestrian oriented retail focused on a high street. She also described the Eastern Neighbourhood context noting that it will be primarily residential with some light industrial live-work organized around a neighbourhood green and is subject to a future rezoning.

The Western Neighbourhood (Area 2) is described in the ODP as being primarily residential, less dense than the central neighbourhood, with a variety of housing forms such as townhouses, stacked townhouses, low-rise apartments and small towers. West of Kerr Street, are three undeveloped parcels owned by the city. They were rezoned in 1989, as part of the West Fraser Lands development to provide for two storey commercial uses. The parcels were not included in the ODP but are part of this rezoning application. A small 5,000 square foot stand alone retail building is proposed at the waters edge, along with four storey townhouses. Townhouses and apartments up to four storeys are proposed on the other two parcels north of the tracks.

The western neighbourhood contains two important ecological, linear park systems - the riverfront and Kinross Corridor. The ODP calls for enhancing the riverfront and establishing an ecological corridor which will include wetlands, an inaccessible island sanctuary, and site-wide rainwater management strategy. A third linear park parallels the Kinross Corridor, providing pedestrian access from Marine Way to the riverfront if a rail crossing can be secured.

Ms. Robinson updated the Panel on some material that was not included in their package. She noted that the park area along the riverfront had been increased. As well the northern sections of the Kinross Park Corridor have been widened and are more natural in character as described in the ODP Plan and the southern end of the Linear Park Corridor has been widened to provide more useable park area between the buildings.

Ms. Robinson highlighted some of the sustainability features that are proposed noting the buildings will connect to a Neighbourhood Energy Utility and will be designed to LEED™ Gold and Built Green Gold standards. Also a site-wide rainwater management strategy will be implemented.

East Fraser Lands had been envisioned as a complete community, with shopping and services not just for new residents, but also to serve the residents of West Fraser Lands. It was intended that the neighbourhood centre (Area 1) would be constructed first providing the shopping and services for the entire development to make a complete community. However, given the downturn in the economy and complexities around financing concrete and mixed-use construction, the Applicant proposes to develop at least some of Area 2 in advance of Area 1. A phasing plan will be determined through the rezoning process that will blend phasing of Area 1 and Area 2 development so that the current market challenges and the objectives of a complete community in the early stages can be reconciled.

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

- Proposed range of building heights and massing;
- Proposals for the Kerr Street-end.

Ms. Robinson and Mr. Shillito took questions from the Panel.

Applicant's Introductory Comments: Mr. Cheng, Architect, further described the project noting the total project is 7.6 million square feet and will take between fifteen to twenty years to realize. In order to build the project they would like to have every block done by different architects and have a different character to maintain the vibrancy and diversity in the project which was started in Phase 1. Mr. Cheng added that because of the economy they have had to rethink the project. They will not be building the town centre first. Mr. Cheng described the architect plans including the heights for the proposed buildings.

Mr. Cheng thought it was important to create a termination to Kerr Street and also to make a connection to the existing neighbourhood. They are planning to have some commercial with a small gathering place with the creation of a look out at the waterfront.

Chris Sterry, Landscape Architect, described the proposed plans for the parks, streets and walkways. In terms of the roads in Phase 2, the primary roads will connect the development to the surrounding neighbourhoods. There will be a mews along the south side of the rail line. There are two parks planned with Kinross Park being an ecological corridor which is intended to have a water element based on rain water collection. The neighbourhood park is a series of smaller parks that are more urban in character. All of the parks as well as the streets will contribute to the rain water management strategy. There is a streetscape master plan for tree planting as well as a lighting strategy. The foreshore park is protected and they will be retaining and conserving the existing shoreline and vegetation.

Joyce Drohan, Architect, gave an overview on the built form strategy. One of the key aims throughout the East Fraser Lands project is to enhance the public realm framework. She noted that they are planning to use a four to six storey form to define the public realm but there could be some locations where more height would be introduced. The locations where height could be accommodated will be along side the open spaces with the heights transitioning down to the water.

The applicant team took questions from the Panel.

Panel's Consensus on Key Aspects Needing Improvement:

- Consider retail around the plaza on Kerr Street;
- Create nodes along the water front to accommodate pedestrians;
- Explore new ideas for wood frame construction.

Related Commentary: The Panel supported the strategies and the ideas that were put forward by the applicant team.

The Panel supported the revised massing strategy although they thought the differences were quiet subtle between the two strategies. The Panel thought it was a good idea to have different land uses including retail as well as residential build into the plan. The Panel didn't have any issues with the height along the waterfront and thought it could be either four or six stories. One Panel member suggested terracing the massing towards the waterfront. Not all the Panel was in favor of adding height on the towers around the playing fields as they felt there would be an impact on the park. Several Panel members thought that Kerr Street needed to mirror the retail precinct on the other side of the street.

The Panel thought the Kerr Street edge was the more critical part of the scheme especially in the near future and that there needed to be some meaningful retail around the plaza as a

gathering space. The Panel thought this part of the plan needed further development. They thought the strategy was moving in the right direction but needed some retail that is flexible and that could be either a large space or proportioned spaces. One Panel member suggested smaller retail could be considered that would combine with a grocery store.

The Panel supported the idea of developing the plaza with an icon piece that will help move people towards the water and announce the water front. They felt there should be some nodes along the water to pull people along the water's edge. The Panel liked the idea of an outlook with one Panel member suggesting the tower needed to go out to the edge.

Regarding the issue of wood construction, the Panel had some concerns about the six floor construction and suggested the applicant explore possible funding from the wood industry as there are some important programs available for exploring new ideas for wood frame as well as the use of wood in construction.

Applicant's Response: Mr. Cheng thanked the Panel for their insightful comments. He also thanked city staff for their support. Mr. Shearing of Parklane Homes said he thought the applicant team had done a spectacular job.

5. Minutes of the Bicycle Advisory Committee (September 16, 2009)

Engineering Projects staff provided a presentation and update regarding a rezoning application at this site which is tentatively slated for the Public Hearing on January 19, 2010.

6. Public Consultation

Public engagement and consultation has continued to an important part of the East Fraserlands project.

The East Fraserlands (EFL) Committee

This rezoning application has been comprehensively reviewed by the EFL Committee, a neighbourhood committee with long standing involvement in the project. City staff would like to thank the EFL Committee for their remarkable efforts in representing community interests throughout the rezoning process and significantly contributing to the review and refinement of the rezoning application. The EFL Committee has provided their comments to include as part of this rezoning.

Open Houses (June 2009)

City staff held two public open houses on June 22nd (at Champlain Heights Community Centre) and June 23rd (at Champlain Mall) from 4 to 7pm to provide the community with an opportunity to view and give feedback on the proposal. The public open house format included 24 information panels, a 3D model on site, and a comment form. City staff from various departments (Planning, Parks Board, Engineering, and Social Planning) as well as the applicant team were present at both meetings to answer questions.

A notification was sent to the residences in the area. Ads were also placed in Courier on June 12th and 19th, as well as in the Sing Tao, Ming Pao, the Voice, and the Link

newspapers. A notification was put on the City's East Fraserlands website. The information panels and comment form were also posted on the website so that those who could not make it the open houses could still participate. Participants attending the open houses were also encouraged to refer to the City's website for more information and reference if they wished to complete the comment forms at home and send it back to the City.

In total, 21 comment forms were received. 20 were received at the public open houses and 1 was received by mail.

Comment Form Transcript

The following is a transcript of all the written comments received under each topic.

1. Amenities Plan

- Looks excellent - and as originally outlined
- With the exception of the affordable housing proposal (seems excessive) the plan looks excellent. In particular, the public art strategy.
- Some neighbourhood shopping should be first goal. There is currently no retail within 1 km of site.
- Off-leash dog areas
- Seems fine - I would not waste much money on so-called art if it is like some of the sculptures I have seen in the city. That old crane on the site is no my idea of art.
- Keep retail area at bottom of Kerr to small (not destination) retail spaces, please!
- Okay
- Childcare spaces likely insufficient. Nice park and walking spaces.
- Why is this process taking so long? Can't the City of Vancouver speed things up?
- Delighted to see that transit has been considered from the start. Many people in developments west of this have been waiting for years for adequate transport and some still don't have it.
- Small café?
- Please start asap. We are really lacking amenities and the area is great just missing coffee bar, market, etc.
- No instructions to me by city staff or developers that I should visit panel #6 (amenities board) carefully study the plans, and make intelligent suggestions for improvements, etc.

2. Development Phasing

- I agree that Phase 2 should be approved
- Phase 2 development needs to be the fastest of all three construction projects since it will have the most profound effect on the existing residents. I trust that emphasis will be placed on speed of completion with specific respect to zone 2, nearest the West Fraserlands
- W3 site should be developed first - most marketable most needed
- Fine fits into neighbourhood, deals with underutilized property; its about time we didn't have to go hike for a cup of coffee; culture → bonus
- Seems fine to me

- Phase 1 should start first, especially commercial section, so new residents in Phase 1 and Phase 2 can shop locally and avoid traffic.
- Would prefer Phase 1 first but understand reasoning - okay
- Too many people and buildings (housing) in such a small area. Kept it nature-friendly!
- Sounds fine
- Not sure why phase 1 is being developed after phase 2
- Sites should be developed concurrently as far as possible to keep costs and noise/inconvenience to as short a time as possible

3. Sites west of Kerr Street

- Sounds good - should talk with the folks from west fraserlands
- Cautious...the notion of boutique retail presence is very attractive - independent coffee shop, bakery, etc. However a "convenience store" wouldn't compliment the bucolic atmosphere the neighbourhood is keen to preserve. An outdoor patio atmosphere would be ideal.
- We don't need more residential, we need mix of commercial/residential if you ever want people out of cars
- Definitely need small-scale retail as described
- I am concerned about over-crowding of buildings/congestion
- Seems fine by me
- OK, although 6 storeys seems high - but if lower height at Kent as shown, scale will be ok
- Sounds okay - not too dense
- Looks nice. This area needs more small businesses.
- I object to having the property developed to a five-storey height. Keep it to three at the most to have it blend in with the present setting.
- Good idea, if rejected, could these amenities go on the east side of the street? ...especially as phase 2 is coming on line before phase 1.
- Fine
- West Fraserlands should be integrated into East Fraserlands
- Good use - we attempted to buy this site 3 years ago
- I feel there should be a larger allocation of small retail space. 5000 ft² is not adequate for an expected population of 12,500 people.
- Keep commercial area within reasonable hour limit - not 24 hrs!
- Do not go 5 storeys high - keep it at 3 storeys so that its in-line with the existing building/complex due west of this proposal
- Again, no instruction to me by city staff or developers that I should look carefully and make intelligent comments on panel #7 (sites west of Kerr street). The need of extensive background and information was needed and not provided as I toured the display.

4. Parks and Open Space

- More is better. Most of the existing residents here have chosen the area in large part due to the pristine parkland and greenway. To the degree this aspect can be preserved/complimented, the better.
- Certainly absolutely minimum - should be increased, one additional south-north corridor

- Large off-lease dog areas → many, many dogs already!
- Looks good - nice walkway and separate bike paths along river
- Good
- Most important to keep it totally ecology effective and friendly!
- Keep as many parks and eco-concern aspects as possible!
- Looks good
- Playfield should include facilities such as washrooms/change rooms for the public
- Hopefully, the park space will include some density suitable for the wildlife that live along the riverfront
- I did have a short conversation with a Vancouver Parks planner re: the creation of a fair mix of passive park opportunities and sport playing fields, etc. (active recreation). I did not receive what the percentages of the two, passive versus active park space was.

5. Sustainability

- Yes, it seems anytime a development project is undertaken this concern arises - I'm glad to see strategies are in place but who will monitor and ensure like Crowley Park?
- Urban agriculture is tokenism, either do correctly or forget about it. No mention of promised community garden.
- Looks good to me
- Continuing foreshore as in West Fraserlands will be lovely especially if waterfront walkway (public) is maintained during and after construction
- Inclusion of more trees for rainwater run-off. Not that I'd live there anywhere since the whole area will likely be frequently flooded or underwater within the next 20 years
- I just learned from Parklane that no gas fireplace is allowed. I've been waiting for 15 years to move to this new area but will not buy a home with an electric fireplace! Why is this detail not included in the information presented?
- Please be sure all prior pollution is cleaned up
- I am horrified to learn that gas fireplaces are no longer considered sustainable by the city. The absence of a gas fireplace would be a deal-breaker for me and for many others I know. Electric fireplaces give not heat and have little if any aesthetic quality!
- Ecological development is crucial on this side of the north Fraser River
- Restoration (day-lighting) of the present Kerr Street run-off water (Kerr Street stream) is important. I did have a short discussion with the developer's staff, re: fresh water historic stream on the site and water quality testing of the water that is either discharged to the north arm of the Fraser River or diverted to the trunk line sewer system. The information I received was vague and non-committal. I am very interested in site run-off water management and requested an answer to how much site run-off would be discharged to the north arm of the Fraser River. A full scientific study be undertaken by the City's Environment department and the developer on the contaminated river sediments (from high to low water) on the full length of the development's riverfront. I ask if this was to be done and received no comment for the city staff and developer.

6. Building forms

- Appears reasonably well thought-out with a respect in particular for the existing residences in West Fraserlands. I sincerely hope, in regards to the West Fraserlands commercial, that thought is being given to an outdoor seating area connected to the services being considered (e.g. coffee patio)
- OK I guess, same boring mix of most Vancouver developments - does little to maximize river views.
- Glad there are no scrapers: 15 stores should be a maximum
- Hopefully no leaky condos
- Good, especially keeping taller buildings towards High Street
- More townhouse spaces to accommodate families not likely to fit into a 2 bedroom condo. Especially concerned that affordable housing units appear to be entirely apartment dwellings with no town homes - insufficient.
- Looks good
- Buildings south of Kent Street should not hinder views to the river
- Reduce/limit height of buildings closest to the river. Towers near Marine Drive not the river.
- I thought the building heights were not in compliance with West Fraserlands and would require a comparison study.

7. Streets and Movement

- Should be one overpass over railroad track for emergency access. Currently not accessible by transit, should not proceed without commitment from Translink
- Overall yes: need to ensure focus on public transit including connections to skytrain
- I like this
- I am reserving judgment on use of train tracks to take public on a train from Fraserlands to Cambie Street - I would not want a lot more noise than the current amount
- Transit North-South plus 1 block west to Jellicoe to serve West Fraserlands is essential! Currently Kerr St. is the only significant street without direct North-South connection down to Marine and up to Skytrain! Traffic controls to minimize traffic west into West Fraserlands (and especially on Jellicoe) will be badly needed and are not shown in any detail on this plan. Traffic circles at Kerr on Kent would be a start. Jog in Kerr to discourage through traffic is excellent idea.
- Yes - proposal consistent with goals
- Looks good, consistent with West Fraserlands street set-up which seems to work quite well. Very much like emphasis on walking and cycling with transit options.
- Yes - the proposal is consistent
- Appropriate transit access is key - we need to encourage and persuade Translink to ensure this area is included in their future expansion plans
- Review traffic Impact on S.E. Marine Drive and Kent Street North and South
- Ensure adequate underground parking so streets not clogged with parked cars, as is not the case on Kent South west of Victoria Drive.
- It appears to be ok

- No - traffic (vehicle) will create an ongoing problem on Marine Way, Boundary Rd., etc. A traffic study is desperately needed to determine what the impacts will be. River ferry connections to Skytrain and Marpole bus barn was not a discussion item!

8. Other comments

- Done right, the project could be a great boom for all parties involved. Done wrong, it could develop into a nightmare...The plan as it stands appears respectful of preserving and enhancing the existing natural endowments of the neighbourhood. The Fraserlands have the potential to become Vancouver's new showpiece and I hope this is recognized by everyone involved.
- Traffic is currently a problem of Marine Drive - see nothing in plan that addresses impact of 2-5,000 additional vehicles/trips. Biggest concern much too large/dense development with no public transit access. Would prefer a use mix that would include jobs/businesses on site
- Can't wait until ground is broken!
- I am most concerned about congestion, number of people, and number of vehicles especially on Kerr Street and Boundary Road - how do you plan to deal with the huge volume of vehicles?
- The displays are very informative. I found various staff very good at answering questions. Project appears to be moving very slowly - plan in 2004, charrette in April 2006 - not too much action since from looking at the site.
- Please ensure that construction traffic is not routed through Jellicoe or Kerr Street
- Please consider allocating greater percentage of affordable housing in such a large development area. You've already disappointed in False Creek North, don't continue to exacerbate problem. Even those who are able to afford market value would like to see mixed non-ghettoized communities. This is a wonderful opportunity for the city to encourage mixed economic community adjacent to an area that has long been successful in this mode. Currently this project appears to follow the mode of Vancouver only for the wealthier.
- Do not put people on top of each other! Keep it absolutely river-oriented and in all its uniqueness in tact. Keep it a park-setting! We need this in this setting of the river to do justice to all people and wildlife alike.
- In 2007 or 2 years ago approximately, I read an article on Vancouver Sun about the shorelines of lower Mainlands will be underwater due to the huge amount of water from the melting ice of North Pole in 18 years. Your proposed plan includes raising the shoreline by 3 feet - is that sufficient? Since your rep mentioned most of the water will remain at the North side of the earth, have you sent an earth physicist or engineer to estimate the % of melted water in the vicinity of the shorelines?
- Please have floor plans with shallow to wide units for all sized condos
- Please don't prohibit gas fireplaces! If you plan to prohibit gas fireplaces please ensure that this information is clearly shown on the promotional material. You're asking for public feedback and many of the members of the public I spoke with today were shocked and dismayed at this revelation. I was planning to buy a new home in this proposed community but will not purchase if electric fireplaces are installed

- I do like a lot of your proposal but have concerns about development of Kerr Street west in particular
- Why does the city planning team for phase 2, only allow 3 not convenient hours for the public to try to understand all this material? Public comments are questions to the city staff and developers in an open question period. We the public need to know what other peoples' questions and comments are regarding this massive development. Nobody from the planning team gave me any instructions re: visiting "boards on panels". How can I address the questions on the comment form when a very lot of time is needed to study info on the panels. I did come late to the presentation (visual), but expected some guidance to what was going to help me fill out the comment form. No formal presentation time for verbal questions from the public to the city staff and developers was planned at both meetings and visual board presentations. Visitors kind of walked around, lost in the info provided and left.

Notification update (November 2009)

A notification letter was sent residents in the area to update them about the proposed alternate building heights plan. Four responses were received - two of which expressed some concern regarding the proposed building heights and two which expressed some concern regarding traffic and the lack of services.

Phone Inquiries

Several telephone inquiries were received by staff over the duration of the planning process.

7. East Fraserlands Committee (November 23, 2009)

To:

The Mayor of Vancouver and all Councilors
Kirsten Robinson, East Fraserlands Planning Team
Norm Shearing, Park Lane Homes

Copies:

Kash Heed, MLA, Vancouver Fraserview
Ujjal Dosanjh, MP, Vancouver South
Alan Duncan, Environmental Planner, Vancouver Park Board
George Grant, President, Victoria/Fraserview/Killarney Cityplan Group
Abdul Shaikh, President, Champlain Community Centre
Keith Jacobsen, President, Killarney Community Centre
Karen Larkin, Executive Director, South Vancouver Neighbourhood House

From:

The East Fraserlands Committee (EFLC)

Subject:

East Fraserlands Phase 2 Development

23 November, 2009

Since the East Fraserlands Committee (EFLC) last wrote to you on 20 July, 2009, we have had a number of meetings with both the City of Vancouver EFL Planning Team and the developer, Park Lane Homes.

The developer is seeking quick approval and rezoning of phase 2 of the East Fraserlands project so that infrastructure and building work can begin as soon as possible (probably in late 2010 or early 2011). The proposal is to build Phase 2 prior to Phase 1, which is a reversal of the original plan that had the full support of the EFLC.

The change in plan is motivated by adverse conditions in the general economy and the housing and credit markets in particular. The situation has become acute because of a two year delay in the expected building start date, during which time the developer has suffered significant financial loss. These difficulties have been explained to the EFLC and the Committee accepts the accuracy of the analysis that has been presented to us. We recognize the deep impact that current conditions have imposed on the viability of the EFL project and we view the changes to the project that the developer is seeking as rational and reasonable from their point of view. We'd also like to thank Park Lane and COV staff for the open and forthright briefings that have been given to the EFL Committee

In our letter dated 20 July, 2009, we stated that; "This new proposal is a major departure from the original plan in which the "high street" retail, community centre, schools, transportation and related facilities would have been delivered in Phase 1. Delivery of these facilities is the key to sustainability in the EFL as it would permit residents to live, work, shop and play locally. Since the vast majority of Phase 2 consists of housing at the western end of the site, the EFLC is concerned that building Phase 2 first will lead to a protracted period of time during which residents will be reliant on cars to move them out of the community to work, shop and play. Effectively, the western part of the EFL (Phase 2) will become an extension of the already under-serviced and highly car dependent West Fraserlands, thereby reducing the sustainability of the project."

The EFLC went on to "encourage the political decision makers, the City Planning Department and the developer to widen the scope of Phase 2 to include the key elements that we have identified as vital to the EFL's sustainability."

It appears to the Committee that none of the key elements of sustainability that we had identified as deficient has been reconciled in the Phase 2 plan. If Phase 2 is developed prior to Phase 1, as the developer is requesting, no indoor public asset, with the exception of 2 daycares, will be provided until the EFL community centre is built in 2025. In fact, no commitment has been made in Phase 2 to provide for an indoor public space of any kind. The EFL Committee views this as an unacceptable compromise to the sustainability of the EFL project and the Committee appeals to the developer, the EFL Planning Team and our elected representatives to provide an early and effective remedy.

The EFLC recognizes that the 5,000 square feet convenience store that is planned on parcel W3 (at the entrance to the Kerr Street pier) in Phase 2 will partly mitigate the loss of sustainability but it does not compare favourably with the “high street” that is native to Phase 1.

The EFL Committee remains extremely concerned about the provision of social and family housing in the EFL. Section 7 of the City of Vancouver EFL Policy Report (Affordable and Family housing) states, in part, that “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 report also states that “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, the Option to Purchase will have a mechanism to convert affordable housing sites to market sites with a payment in Lieu”.

These statements set the alarm bells ringing for the EFL Committee. Where is the assurance that affordable and family housing will actually be delivered? Since the beginning of the project this has been, and remains, a vital issue for the EFL Committee.

As the EFL Committee stated in its last letter, we are “willing to support the building of Phase 2 prior to Phase 1 providing some elements of Phase 1 are incorporated into Phase 2”. Unfortunately, none of the concerns that we have raised about the deficiencies that we have identified in the Phase 2 plan has been addressed to our satisfaction. Consequently, the EFL Committee has reached the decision that it does not support the revised Phase 2 plan as proposed in the City of Vancouver EFL Policy Report dated 15 December, 2009.

The EFL Committee continues to support the development of the East Fraserlands at the level of sustainability that is envisaged in the Official Development Plan. We hope that future economic and market conditions will permit accelerated building of the public assets that are vital to the EFL’s long term sustainability.

We’d like to hear from you; would you please forward any questions or comments you have for the EFL Committee through Les Brown (les.brown@shaw.ca).

Sincerely, the EFLC Co-chairs:
Sharon Saunders, 604-438-6779
Milt Bowling, 604-436-2152

And EFLC members:
Abby Soh
Bert Massiah
Daniel Chung
Les Brown

Lorna Gibbs
Nick Lum
Noreen Takahashi
Sally Teich
Sue Tucker
Terry Kirstiuk

8. Applicant's Comments

November 30th, 2009

City of Vancouver
453 West 12th Avenue
Vancouver, BC V5Y 1V4

To Mayor & Council;

In September of 2008, Council unanimously voted in support of our East Fraserlands (EFL) Area 1 rezoning in approximately 40 minutes. At that time, it was the largest single rezoning in the City's history. Shortly following that date projects throughout the world began to suffer from one of the worst world recessions since the depression. The impact the world's economy has on a project of the size of EFL cannot be over emphasized. The lack of available financing and willing purchasers struck a huge blow to the development industry. EFL was not immune.

It was our intention to proceed with the town centre of Area 1 which comprised the main shopping district and large complex mixed use residential buildings. By October of 2008 that dream had all but evaporated. After five years in the City's approval process we only had a few options available to us. ParkLane determined that the best option was to apply to rezone Area 2, the western neighbourhood, which has more affordable wood frame apartment and townhouse product. By rezoning this area it would permit us to commence development of the site, rather than leaving the site in its current state for what might otherwise be an appreciable period of time.

The ODP lays out a vision of sustainability for the project. The goals and aspirations of the community, the City, and Parklane are captured in this document. ParkLane is not seeking any relaxations to the ODP document. The work we are doing now is more sustainable than envisioned in the original document. We are committed to delivering a world class sustainable development but it is going to require patience. We have accepted the financial risks that accompany this commitment but we require the flexibility to deliver. It has to be economically sustainable.

In July of this year Mayor and Council received a letter from the EFLC encouraging Council to apply pressure to the planners and the developer to widen the scope of Area 2 to include what the EFLC described as "key elements of Area 1." The EFLC were demanding amenities such as the community centre, the school, improved retail, and institutional infrastructure to be included as part of the Area 2 rezoning. ParkLane responded to both the City and the EFLC by communicating very clearly that while some of their demands such as the school site, local serving retail, daycare, and parks could, and would, be achieved in this rezoning other demands like the delivery of the town centre were simply not economically feasible at this time.

To address concerns expressed by EFLC, Planning engaged the consulting firm of Coriolis to undertake an economic study to examine EFLC's demands. Two phasing options were studied: one based on the phasing as outlined in the ODP starting with Area 1, the Central Neighbourhood; and the other, based on starting with Area 2, the Western Neighbourhood, and building out to the east. Coriolis' analysis found if the development started with Area 1 the project would suffer significant financial losses. Their report recommended development starting in Area 2 and building eastward from Kerr Street. The report also highlighted that a blended phasing, bringing on the town square retail as part of Area 2, was not economically feasible.

This information was presented to, and understood by, the EFLC as acknowledged in their most recent letter to Mayor and Council dated November 23, 2009. However, even in light of all the evidence provided by one of the most respected economic consulting firms, engaged by the City, the EFLC continue with their demands for something they know is not feasible.

Under the ODP ParkLane is obligated to provide 1.2 million square feet of affordable housing density at a cost to the city that is well below market value. Some of the money required to pay for the affordable housing density will be raised though DCL's generated from development activity on the EFL site.

In May 2008 Cameron Gray attended a community meeting to present an affordable housing reality check to those present. He described the lack of provincial and federal funding resulting in the very real challenge of delivering the full 1.2 million square feet. Coriolis' report also identified a 20 million dollar City shortfall in acquiring the affordable housing density from ParkLane. To address this, a payment in lieu option was introduced. To be clear, this option will be used should funding not be available when an affordable housing site is ready to develop. Any money raised by the City through the option to purchase would be used to off-set the City's 20 million dollar shortfall in acquiring the remaining affordable housing sites. Equally important is the delivery of affordable housing in concert with the delivery of market housing as described in the ODP. We, the City and the development community, have learned from other large projects that vacant sites have a significant negative impact on emerging communities.

ParkLane is committed to the delivery of affordable housing at EFL. We will work tirelessly with the City, the community and senior levels of government to find creative ways to ensure we deliver a culturally rich and economically diverse community. However, as with phasing, we require a flexible, creative and economically responsible approach to achieve this important goal.

In closing, ParkLane would like to acknowledge city staff and EFLC for their hard work and passion. Any new community that can deliver approximately 10 acres of park, shoreline rehabilitation and walk, the construction of new fish habitat areas, two daycares, an after-school care facility, an elementary school site, public art, new roads, bikeways, pedestrian paths, local serving retail and approximately 1,600 LEED Gold units is something worth celebrating.

Yours sincerely,

Parklane Homes

A handwritten signature in dark ink, appearing to read 'Norm Shearing', with a stylized flourish at the end.

Norm Shearing BA, BArch, MRAIC, MAIBC, LEED
VP of Development