



# P1

POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: June 15, 2010  
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Meeting Date: June 22, 2010

TO: Vancouver City Council  
FROM: Director of Planning  
SUBJECT: Southeast False Creek Height Review

***RECOMMENDATION***

- A. THAT the Director of Planning be instructed to make application to amend the Southeast False Creek Official Development Plan to increase in certain areas the maximum allowed heights by 6.25 metres and the optimum heights by one storey for lower-scale buildings and two storeys for taller buildings, generally as set out in Appendix A, and that the application be referred to Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the amending by-law generally as set out in Appendix A for consideration at the Public Hearing.

- B. THAT, if Council approves the amendments to the Southeast False Creek Official Development Plan in Recommendation A, then Council:
- i. adopts the "Design Guidelines for Additional Penthouse Storeys in Southeast False Creek" attached as Appendix B; and,
  - ii. amends the Transfer of Density Policy and Procedure to include Southeast False Creek Official Development Plan area as a receiver site for density from the Citywide density bank.

***GENERAL MANAGER'S COMMENTS***

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

### *COUNCIL POLICY*

- Southeast False Creek Official Development Plan (SEFC ODP) approved July 19, 2005, amended up to and including September 8, 2009:
  - Section 6 establishes maximum building heights as well as optimum heights (i.e. non-binding height limits to encourage height variation across the neighbourhood)
  - Sections 4.2 and 4.3.1 establish maximum floor area allowances, along with Figure 4 in Section 6
  - Section 5.1 allows density bonusing for amenities
- Southeast False Creek Public Benefits Strategy, approved June 15, 2006, sets out the public benefits required by development within the Southeast False Creek ODP area (SEFC)
- Transfer of Density Policy and Procedure, approved January 25, 1983, and amended up to and including August 1, 2002

### *SUMMARY*

Noting that the redevelopment of those portions of SEFC that have not yet been redeveloped presents an opportunity for the developers of the private lands within SEFC to contribute further towards public benefits (e.g. housing affordability, heritage), Council has directed Planning staff to recommend a policy approach for a height increase. The policy will take into account planning and urban design considerations, and would enable up to two additional partial penthouse stories on buildings in certain areas within SEFC.

This report presents recommendations to accommodate the additional floor area, foster the area's emerging urban form, and allocate any additional amenity contributions that may arise.

### *PURPOSE*

The purpose of this report is to present the findings of the Southeast False Creek Height Review following urban design analysis and public consultation. The report seeks Council approval of: a) ODP amendments to the height allowances in certain areas of SEFC; and b) design guidelines and other consequential policy amendments necessary to implement the height increase.

### *BACKGROUND*

The SEFC ODP sets a bold vision for the emerging community. It is intended to be a model neighbourhood which pilots the significantly high levels of social equity, liveability, ecological health and economic sustainability. Among the projects completed so far, the City has made significant progress in advancing the ODP's vision by:

- i) demonstrating a multi-family, mid-rise building form that is distinct from the highrise-podium form in downtown, and accommodates about as many new residents per hectare; and,

- ii) raising the bar for the provision of high quality public benefits such as parks, child care, affordable housing, a community centre and heritage conservation.

Although popular and important for good planning, the SEFC public benefits are expensive to provide. The City is interested in continuing to provide these public benefits at the same level of quality, yet in a fiscally-prudent manner. On November 3, 2009 Council's approved the following resolution:

WHEREAS planning and construction on private land in SEFC is in process; and

WHEREAS there is need for quick action on "Vancouver 2020 - A Bright Green Future" priorities along with housing affordability and heritage preservation etc.; and

WHEREAS there exists an opportunity for these development properties to contribute to these goals.

THEREFORE BE IT RESOLVED THAT the Director of Planning report to Council as soon as possible with a recommended policy approach, having regard to planning and urban design considerations, that would enable site-specific rezonings for additional density within the proposed buildings, limiting up to 2 additional partial penthouse stories on buildings across most or all of the South-East False Creek (SEFC) private lands. The additional density is intended to facilitate Council's "Vancouver 2020 - A Bright Green Future" priorities as well as the City's goals for affordability, heritage preservation etc. The land-lift from such additional density would be used to assist in achieving SEFC amenities and public benefits, landing of density from the heritage density bank, and/or rental housing in association with other incentives through the Short-Term Incentives for Rental (STIR) program.

### *DISCUSSION*

Staff defined the key objectives of the SEFC height review as follows:

- a) the additional height and density should be consistent with the ODP's original intent for high quality building form and urban design (e.g. shadowing, views, skyline, streetscape);
- b) the review should identify opportunities for additional contributions toward public benefits;
- c) environmental gains should be achieved by ensuring growth is well-located (e.g. close to employment and transit options); and,
- d) the Height Review Area is the area bounded by the dashed line in Figure 1 (see page over):

Figure 1



Note: the Height Review Area excludes sites completed prior to 2010; a site with an active rezoning application seeking additional height; and Area 1A (i.e. the City-owned site to west of the Olympic Village) which will be subject to a more detailed review at a later date.

## Proposed Policy Amendments

In preparing policy advice for additional height in SEFC, staff considered community feedback, urban design principles, and the objective of delivering additional public benefits while ensuring density levels and built forms are still highly livable. Staff also considered how to ensure public oversight on key issues of urban form and public benefits, while providing land owners and applicants with reasonable clarity about the review process.

### 1. Height Increases (Recommendation A)

Staff favour an approach that will enable modest height increases yet consider each proposal on its own merits. To do so, staff recommend an increase in the maximum and optimum heights in the SEFC ODP. Within the Height Review Area it is recommended that the maximum height allowances be increased by 6.25 metres for projects that meet the City's design guidelines (see discussion further below). This allows for two floors of up to 10' 3" (3.125 m) each.

Also, staff support increasing the optimum height guidelines by two storeys for taller buildings, and by one storey for sites with lower-scale buildings. Although the ODP's optimum heights are guidelines, they convey the City's design intentions for maintaining a scale and proportionality appropriate to the built form.

The proposed height changes would enable a increase in potential development capacity in SEFC by about 425,000 sq. ft. (or seven percent above current ODP floor area allowances). The ODP currently allows for consideration of additional floor area for applicants who provide heritage conservation, cultural amenities or other public benefits. As a result, the ODP floor area maximums do not need to be amended.

## *2. Urban Design Guidelines (Recommendation B.i)*

Urban design is a key consideration for potential changes to urban form in SEFC. The emerging development pattern has been fostered carefully and in accordance with the SEFC ODP, the SEFC Public Realm Plan and good urban design practices. The result is a landmark, high quality urban form taking shape in SEFC. The neighbourhood's low- to mid-rise form allows for a small increase in height and floor area in a manner that does not fundamentally compromise the initial design concept and prevailing scale of the precinct.

When considering changes to SEFC's urban design vision, staff pay careful attention to the neighbourhood's emerging character and the overall ODP objectives for SEFC, including:

- a legible overall form, incorporating a varied and interesting skyline
- a strong streetwall
- framing of significant public parks (e.g. Hinge Park)
- views
- shadowing
- sustainability

Staff recommend adoption of design guidelines for projects seeking additional height (Appendix B). Design guidelines will guide review of proposals to ensure that each site accommodates the additional height with strong contextual urban design. The design guidelines will help ensure that the taller buildings are integrated in a manner that ensures the neighbourhood's prevailing scale is still achieved. This approach is recommended based on the anticipation of a future development pattern, and related form and scale, that remains consistent with Area 2A (i.e. the Olympic Village site) and the Official Development Plan.

## *3. Public Benefits: Demand and Supply (Recommendations B.ii)*

The above-noted increase in potential development capacity of approximately 425,000 sq. ft. will generate some new demand for public benefits, while also yielding an opportunity for additional developer-funded public benefits.

Staff have determined that, for the most part, the additional growth can be served by the public facilities already planned for SEFC (i.e. sidewalks, bicycle paths, streets, water and sewerage, the Neighbourhood Energy Utility, parks, heritage conservation and community facilities). It should be noted, however, that the growth-related increase in demand for child care will exceed the planned supply of child care spaces. As rezonings come forward, Council will have an opportunity to allocate public benefit contributions toward meeting this additional demand for child care.

Significant developer contributions toward public benefits may arise from the additional height and floor area. In its motion of November 3, 2009 Council has indicated an interest that such contributions be used to achieve “SEFC amenities and public benefits, landing of density from the heritage density bank, and/or rental housing”. The amount of each developer contribution will be negotiated with the applicant as a density bonus (in accordance with S. 5.1 of the ODP), and presented to Council for approval in the context of individual rezoning applications.

Staff note that SEFC is currently not a receiver area for transfers of density from the Citywide heritage density bank (i.e. transfers from outside SEFC). Staff recommend amending the Transfer of Density Policy and Procedure to enable density transfers into SEFC. Consistent with the direction of Council of July 28, 2009, this would help to reduce the amount of density in the density bank, which is currently holding about 1.5 million sq. ft. Transferable heritage density would only be imported into SEFC (i.e. an applicant would not be permitted to export density to locations outside SEFC).

### Community Consultation

Staff consulted with two key audiences: those with a development interest in SEFC (i.e. property owners, developers, architects), and the public at large (i.e. interested community members).

Staff invited affected property owners and developers in the area to provide proposals for up to two additional storeys on their projects. Staff received several proposal enquiries for both new and existing development applications. The developer proposals helped staff understand the urban design opportunities, as well as the issues, with the taller buildings, which informed the guidelines proposed in this report.

Two open houses were held for the general community. Together the two open houses were attended by about 20 people. Most participants were nearby residents, while some were development industry representatives. Staff received 14 feedback forms commenting on the additional floor area and a set of draft design guidelines. Among those community members who provided comments, most participants were generally unsupportive of the increased height regardless of the potential for increased community amenities. In contrast the participating development industry representatives were supportive of the increased heights, the design guidelines, and the idea of developer-funded amenities.

Feedback comments opposed to the increased height expressed concerns about:

- a reduction of “street friendliness” and views (from Mount Pleasant to the north, as well as views toward the southeast from Cambie Street Bridge);
- taller buildings creating a sense of social exclusion (of people who cannot afford to live inside the neighbourhood), particularly along the eastern boundary of SEFC (at Main or Quebec Streets);
- heights being already too tall, especially in the area east of Quebec Street; and,
- changes to the ODP being made soon after its adoption, hence reducing public certainty about its reliability.

Among those who were concerned about increased heights, some suggested that if taller buildings are to be allowed, the design guidelines should seek to:

- respect the existing urban design in SEFC;
- set back taller buildings (e.g. Quebec Street and Terminal Avenue) to allow for additional open space;
- sculpt the higher floors to create a more interesting “roofscape”; and
- allow additional height only for buildings which are currently under 10 to 13 storeys (i.e. taller buildings should not be allowed any additional height).

Alternatively, those in favour of the additional height cited the following reasons it should be supported:

- developer contributions are a fiscally prudent way for the City to provide public benefits without relying on property taxation;
- additional floor area supports sustainability (e.g. higher densities support more transit use); and,
- two storeys of additional height will not result in a significant negative impact.

All written comments that were received are included in Appendix C.

Staff carefully reviewed the community comments. In response staff further evaluated the urban form impacts and concluded that while some private views will be reduced by the modest additional height and floor area being proposed, the impacts will not be significant, and overall, the prevailing scale of the low- to mid-rise urban form and related “street friendliness” will not be compromised. Staff also note that any social impacts of the proposed amendments can be offset by the provision of amenities such as child care and affordable housing within SEFC.

#### ***FINANCIAL IMPLICATIONS***

There are no financial implications for the City’s operating budget.

#### ***PERSONNEL IMPLICATIONS***

There are no personnel implications as the review of applications for additional height will be handled with existing staff resources.

#### ***ENVIRONMENTAL IMPLICATIONS***

Environmental performance will be improved by enabling more residential floor area in a walking-, bicycling- and transit-oriented community complete with local services and located close to the major employment areas of Vancouver.

*CONCLUSION*

The SEFC neighbourhood is a model community demonstrating sustainability principles in a livable and attractive setting. Some modest, carefully-considered additional height and floor area is supportable if it meets urban design objectives and is able to help provide the high level of amenities for which SEFC is already well regarded. The neighbourhood can accommodate a modest level of additional growth (estimated to be an approximately seven percent increase) without compromising urban design or public service levels (e.g. streets, water service, parks).

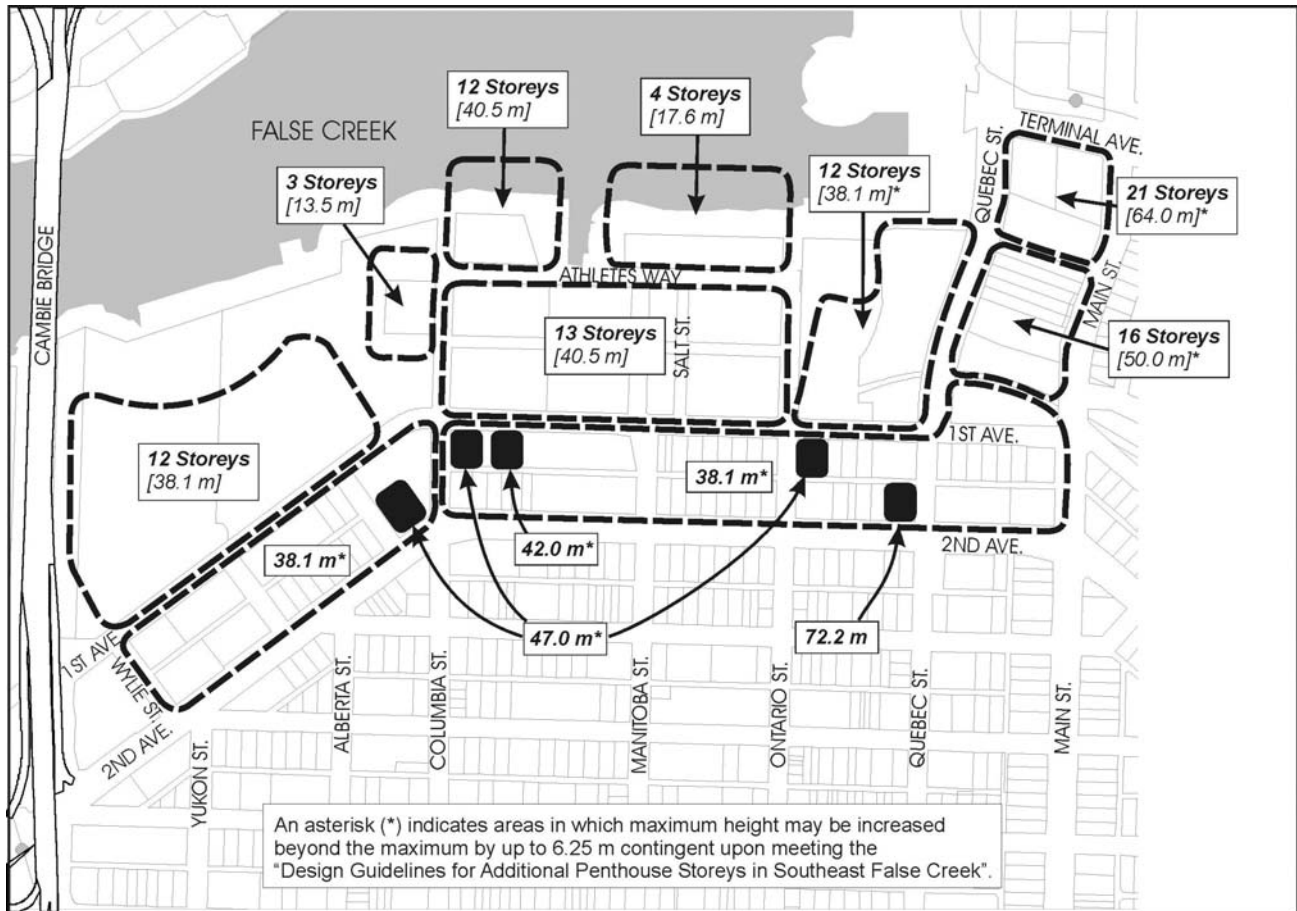
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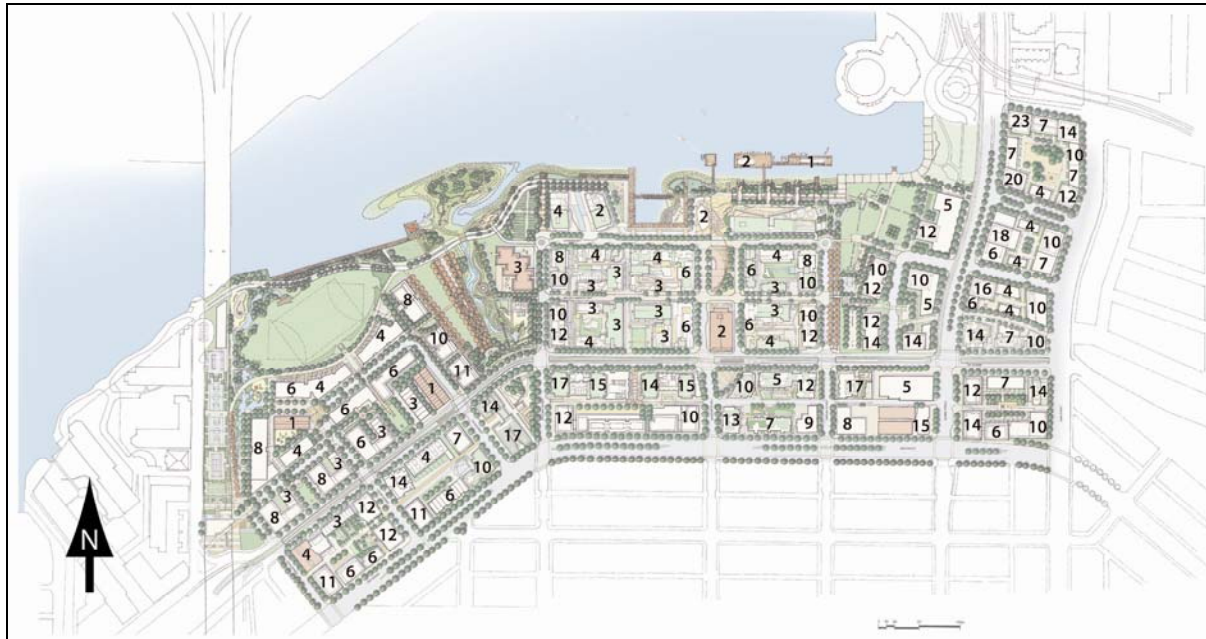
Southeast False Creek Official Development Plan (By-law No. 9073)  
PROPOSED AMENDMENTS

An amending by-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to by-law posting.

- Substitute Figure 9 in Section 6 with the following amended figure:



Substitute Figure 10 in Section 6 with the following amended figure:



## Design Guidelines for Additional Penthouse Storeys in Southeast False Creek

The City will consider applications for a modest amount of additional height and floor space provided that they meet the City's design guidelines (see below) and overall design intent by: a) reinforcing the neighbourhood's prevailing character; and b) reflecting the objectives of the Official Development Plan (e.g. with respect to urban form, neighbourhood livability and sustainability).

### Design Guidelines

1. Height increases up to two additional storeys will be considered for taller buildings; a one storey height increase may be considered for lower-scale buildings
2. The top floors shall be in partial floors (i.e. smaller than the standard floor plate of the lower floors and "sculpted" or terraced in on some or all sides), as appropriate
3. No intrusion into a view corridor will be considered
4. Applications will be evaluated against the following performance-based design criteria. The size, shape and expression of the additional height and floor space must:
  - a. provide very high quality architectural design;
  - b. contribute to an interesting and engaging roofscape;
  - c. reinforce the originally-intended scale of the building in the ODP (e.g. through use of setbacks, design integration and minimization of elevator overrides);
  - d. minimize negative impacts on- and off-site, including neighbouring buildings, view obstructions, privacy and shadowing. Shadow profile is determined by the sun declination angle taken at the spring and fall equinox at 10:00 a.m., 12:00 p.m., and 2:00 p.m.;
  - e. integrate well with the overall massing and expression of the rest of the building;
  - f. provide roofdecks in a useable shape and size;
  - g. ensure that the design and programming of roof areas meets the requirements of the ODP for green roofs and urban agriculture and can be effectively utilised for both private and semi-private (e.g. strata- oriented) activities;
  - h. employ a light and transparent material expression (e.g. glass);
  - i. support the sustainability values embodied in the SEFC ODP; and,
  - j. complement adjacent development.

## Comments Included on Feedback Forms

What do you think about proposed increases in height and floor space?

because the heights is already more than enough as we have to protect the view of the mountains and this is only to get more money for the city because all you care is about money!

Public benefits are most economically provided when provided by direct FSR support (i.e. Creating virtual land). Height impact will be minor, particularly when reviewed in the context of history.

Every bit of density allows development to proceed more effectively and allow developers to dedicate more effort towards sustainability

TransLink is supportive of the increase in height allowance as this will not only improve the value of the land but the increase in density will encourage more transit-supportive development in SEFC.

It is important to have the city make money from DCCs and CACs in the most desirable areas in order to keep costs (and thus real estate prices) down for the rest of the city. Also, with an area so close to transit (SkyTrain, Canada Line, Proposed Streetcar) high density is important to limit private automobile use as much as possible

I commend the city for the development of these lands thus far. Access to the waterfront feels open and possible for residents of the rest of the city. Please don't allow more height. The people of East Vancouver should feel that this is their city waterfront. If these tall buildings are allowed we will feel like a wall has been built to keep us out of an exclusive and expensive neighbourhood. Please consider the rest of the city. Thank you.

All buildings should be lower than the canopy of the forest i.e. no taller than 8-10 storeys - all costs of developing i.e. streets, sewers, healthcare schools, playgrounds etc. should be covered by the developer. The life cycle costs of the development should be covered by the developer.

There were revisions for the \_\_\_ ODP and the heights with it. Already too high. Views from Mt. Pleasant will be gone. Everyone knows this is green washing. The city is broke due to it's own mismanagement. Now they want development fees.

Heights between Terminal, 2nd, Quebec and Main are already too high. Tall buildings on Quebec create a barrier that accentuates the "have not" feeling on Main Street. Make the area east of Ontario St and extension of the look and feel of Olympic Village. No building higher than 10-12 storeys, some 14 storeys.

Already have a wall along Quebec Street which has created a "have" on Quebec and "have not" on Main. This continues a mistake if you add height. Take the time to walk along Quebec in front of high rises and then along Main and see for yourself.

The provision of private parks created by height does not enhance the life of the average citizen. The erection of a wall along 1st and 2nd avenue will only provide benefit for those living in the wall.

The additional height doesn't make sense for the potential increase in amenities. Why two floors on the east side and only one on the west side. If the parks proposed are provided what additional amenities will be needed? City needs to be more upfront of why they want to increase the number of storeys.

I feel the current density is adequate. Further increase in density could result in overpopulation for the neighbourhood causing a decrease in the high quality of living in the area - the last neighbourhood under development along waterfront. Therefore high quality of life and the environment should be the top priority.

What do you think about the proposed design requirements?

Within the existing context of SEFC there is a good control system. Any design requirements should be within this context, or correct those which do not/or are not appropriate.

Top floors should be "sculpted" to create more interesting 3D roofscape. Those that have a design that already provides this should be allowed a full 2 storeys

In general, TransLink is supportive of the proposed design requirements however prior to the open house it was perceived that two additional penthouse storeys would be permitted on all buildings instead of only on the high-rise buildings. The Design Requirements state that two additional storeys will be considered for taller buildings and a one storey height increase may be considered for low-rise buildings. TransLink's opinion is as follows: if stipulations regarding details such as floorplate size, view corridors, shadowing etc. are satisfied, two additional storeys should be allowed on all buildings regardless of whether they are low or high rise.

Supportive of the requirements, not the additional heights. The City of Vancouver seems to have listened to and cared about what the population had to say and they kept building heights down and access to the water open. I thank you for making rules for the developers. Set backs, transparent materials are better than solid concrete to the edges.

This additional light is a direct subsidy from the city to the developer. It should not happen

Allowing buildings 12 storeys and under to add two set-back storey would be okay, but no extra storeys for higher buildings.

Do not add height above 10-12 floors. Don not create a "canyon" along Terminal which the current proposal would do and do not continue the "wall" along Quebec. Find a way to make the transition on the east side of Main not on the east side of Quebec

(I did not see a copy of the design requirement). It is acceptable if the additional floors will be set back and if they are less than a full storey.

## Additional Comments

The city will never stop building tower higher and higher, look at the Downtown. In same street, the sunshine cannot be see a bunch because the tower are too high. It is for money, please increase the property tax because you can still get a lot of it.

The "2 partial floors" are misleading. A more appropriate response perhaps may be a % of existing FSR that can be placed on the most appropriate part of sites such as Pinnacle's

Good direction

I would like to thank the city for caring about the people of Vancouver and what we want. I thank you for putting the wishes of the people before the wishes of developers.

[Concern about amendment to ODP only a few years after it was adopted]

Require or encourage retail on Quebec St., not just on Main St. Make Main St retail more visually interesting. Retail across from Thornton Park is not successful - attracts vagrants & drug dealers. Also - new development on Terminal should be set back to provide a plaza for huge numbers using SkyTrain. Inner courtyard attracts bad element.

Create interesting retail space. Do not continue form of retail that already exists on Main north of Terminal. Look at the bars on the windows and the type of use of space that exists and I am sure you would not want to add more to it.

Please conserve the False Creek "basin" design principle with regard to building height as proposed on the ODP Section 2.1.1 and Section 5.2.1. Provides more beautiful cityscape along both sides of False Creek. Better visibility of the False Creek from buildings that are further from the water edge.

*\*Note: comments are reprinted verbatim except in cases of inappropriate language or matters not relevant to the height review.*