



P5

POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: June 5, 2012
Contact: Kevin McNaney
Contact No.: 604.871.6851
RTS No.: 09599
VanRIMS No.: 08-2000-20
Meeting Date: June 12, 2012

TO: Vancouver City Council
FROM: Director of Planning
SUBJECT: CD-1 Rezoning: 800 Griffiths Way (Rogers Arena)

RECOMMENDATION

- A. THAT the application, by Walter Franci Architecture, on behalf of Aquilini Development and Construction Inc. to amend CD-1 (311) By-Law No. 7201 for 800 Griffiths Way (PID 018-500-374 Lot 221, Plan LMP 12038 (the "Rezoning Site"), to permit a mixed-use development with 37,319 m² (401,698 sq. ft.) of residential floor area, 25,624 m² (275,814 sq. ft.) of commercial floor area, and 37,735 m² (406,176 sq. ft.) of arena floor area be referred to a Public Hearing, together with:
- (i) plans received April 13, 2012;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
 - (iii) the recommendation of the Director of Planning to approve, subject to conditions contained in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law, generally in accordance with Appendix A, for consideration at Public Hearing.

- B. THAT, if the application is referred to a Public Hearing, the application to amend the False Creek North Official Development Plan, By-law No. 6650, be referred to the same Public Hearing.

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary By-law, generally in accordance with Appendix C, for consideration at Public Hearing

- C. THAT, if the application is referred to a Public Hearing, the application to amend Schedule H of the Sign By-law, generally as set out in Appendix C, be referred to the same Public Hearing;

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

- D. THAT, subject to enactment of the rezoning by-law, the Noise Control By-law be amended to include this CD-1 in Schedule G, generally as set out in Appendix C;

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

- E. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended to include this CD-1 and to provide parking regulations generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the necessary amendments to the Parking By-law at the time of enactment of the CD-1 By-law.

- F. THAT Council approve in principle a Housing Agreement pursuant to section 565.2 of the Vancouver Charter securing 614 residential units (with a total area of 37,919 m²) as rental for the life of the building or 60 years, whichever is longer, including a no separate sales and a no stratification covenant and such other terms and conditions as the Director of Legal Services may require in respect of such units, to the satisfaction of the Director of Legal Services and Managing Director of Social Development; and THAT the Director of Legal Services be instructed to bring forward a by-law to authorize such Housing Agreement, and after by-law enactment, to execute and register the Housing Agreement;

- G. THAT Recommendations A through F be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

This report evaluates an application to amend the existing CD-1 bylaw for 800 Griffiths Way, the location of Rogers Arena (the “Rezoning Site”). The proposed rezoning would allow for three towers with an additional 215,000 square feet of job space and 614 market rental units. The proposal is generally consistent with the Northeast False Creek Directions for the Future, as well as Council housing priorities for the creation of purpose-built market rental housing, which contributes to the City’s affordable housing goals identified in the Housing and Homelessness Strategy. Staff has concluded that the application is an acceptable urban design response to the site and context, subject to the design development and other conditions outlined in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Housing and Homelessness Strategy (2011)
- Green Building Policy for Rezoning (2009)
- Northeast False Creek Directions for the Future (2009)
- Metro Core Jobs and Economy Land Use Plan: Issues and Directions (2007)
- View Protection Guidelines (1990)
- False Creek North Official Development Plan (1990)
- Vancouver Noise Control Bylaw (1989)

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The proposal for 614 rental units aligns with the emerging directions from the Mayor’s Task Force on Housing affordability, which will be reporting back on how we can further enhance the inventory of different forms of housing for modest income families and individuals in our City. The proposal also aligns with the emerging directions on the Viaducts strategy.

The Deputy City Manager recommends APPROVAL of the foregoing.

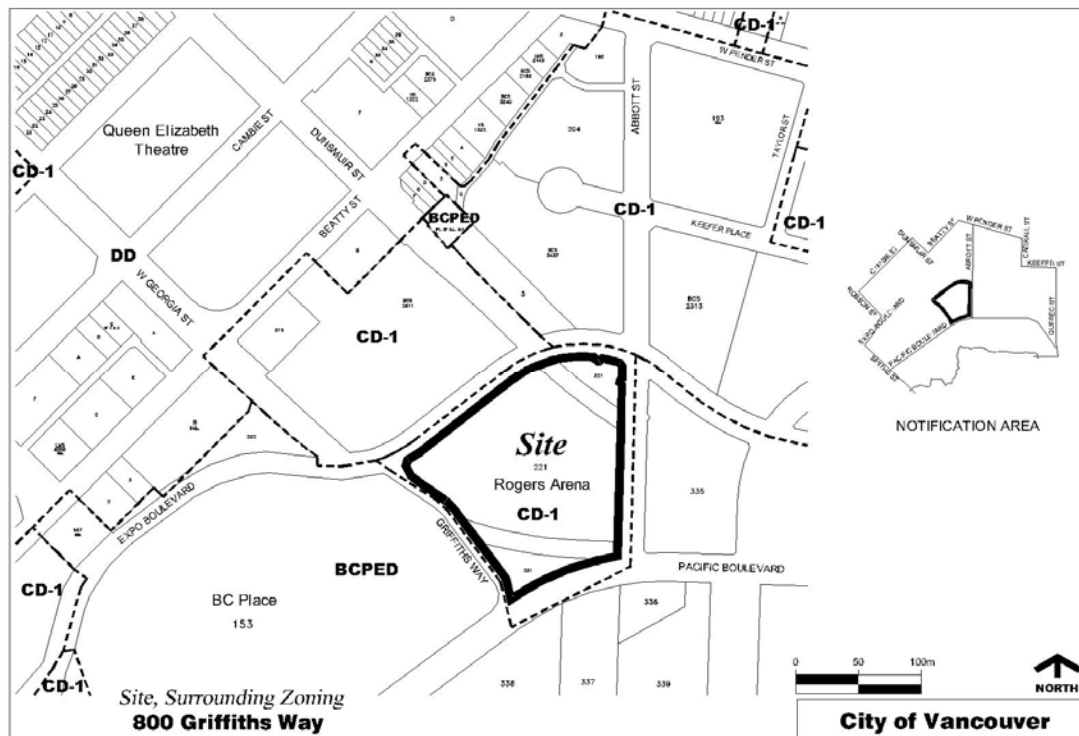
REPORT

Background/Context

1. Site and Context

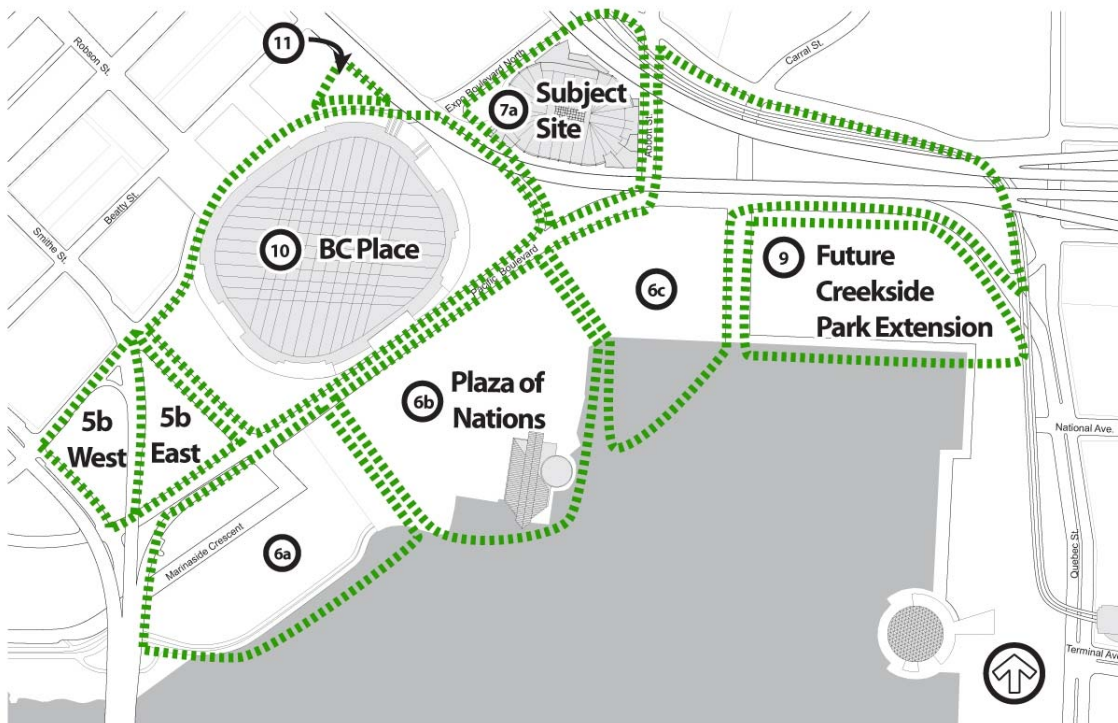
Rogers Arena (formerly GM Place) is the subject of this rezoning proposal. The proposal utilizes residual spaces adjacent to the arena. North of the site are high density residential towers, and the Stadium/Chinatown SkyTrain station. South of the site is vacant land and the Plaza of Nations, west of the site is BC Place, and east of the site is vacant land. The Georgia and Dunsmuir viaducts, as well as the SkyTrain guideway transverse the site.

Figure 1 - Site and Context



The map below shows the various present and future development parcels in Northeast False Creek.

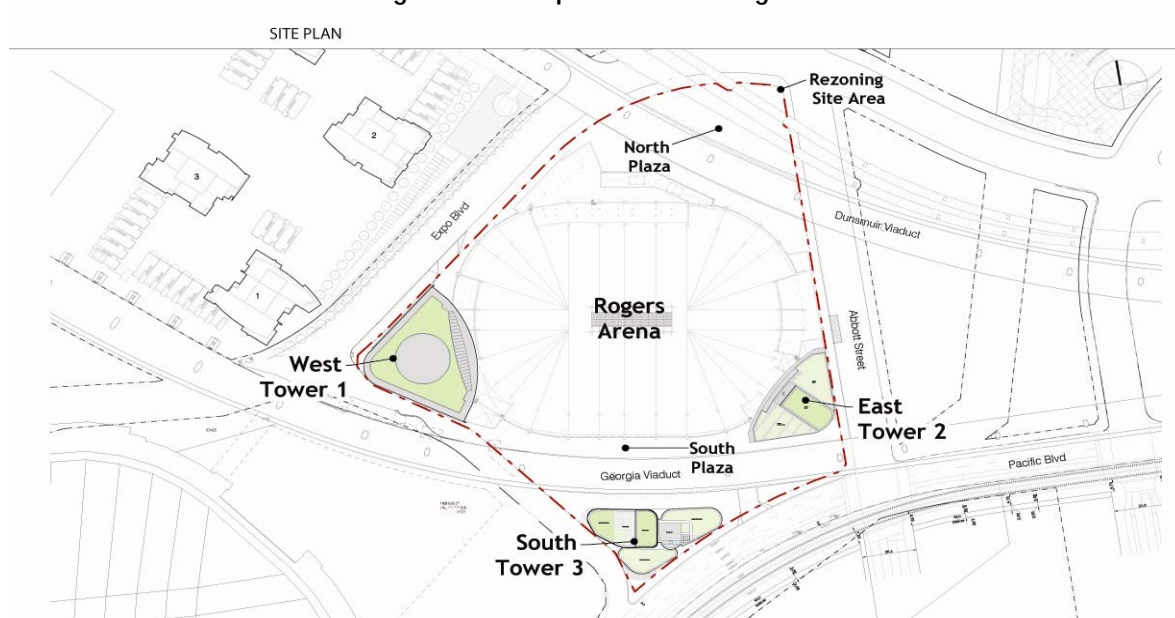
Figure 2 - Northeast False Creek Development Parcels



The site was rezoned in 1993 to accommodate a 20,000 seat arena, a 22-storey office tower, a training/fitness centre, a media centre, commercial use on Abbott Street, and a restaurant. The arena construction was completed in 1996. A development permit for the west office tower was issued in 2011; it is currently under construction.

The proposed rezoning is for three towers. The west and east towers would be integrated into the existing arena, with the south tower constructed south of the Georgia Viaduct, adjacent to Pacific Boulevard. The west tower under construction would be converted from a purely office building to a mixed-use office/residential building. The proposed east tower would be a mixed-use office/residential building as well, with the south tower proposed to be a fully residential building. Two plaza spaces are provided for “crush space” for pedestrians before and after events at Rogers Arena and in the area: the north plaza receives the largest number of pedestrians pre and post events and is across the street from the SkyTrain station, with the south plaza providing space for pedestrians walking from the Canada Line or from the Seawall.

Figure 3 – Proposed Rezoning Site Plan



2. Background

When the original proposal was submitted in October 2010, a fourth tower on the plaza situated to the north of Rogers Arena above the SkyTrain guideway was included in the proposal. This portion of the plaza is part of the Rogers Arena site and TransLink has been granted a right-of-way over it for the SkyTrain guideway. The fourth tower is not supported by staff and was removed from the rezoning application in January 2011. Staff's non-support for a tower over the north plaza is based on the following reasons:

- a. **Size and Utility of Existing Plaza** -The North Plaza is the second busiest entrance/exit point for the arena, with over 5,700 patrons utilizing the entryway before and after events. The plaza also plays an important role in the management of large volumes of SkyTrain riders during event times, especially at the end of an event when large crowds are queuing for the SkyTrain. The applicant has advised that the north plaza is also used extensively for plaza parties prior to playoff games, media broadcasts before games and concerts, and as a meeting and gathering area. Even with a small footprint similar to the proposed south tower, a tower located on the north plaza would compromise both the amount and functionality of this important open space.
- b. **Balance Population and Open Space** - When the *Northeast False Creek: Directions for the Future* were endorsed, Council expressed considerable concern about the balance between population and open space and asked staff to look creatively for ways to increase the provision of open space. The tower on the Rogers Arena north plaza would add more residents to the area and would reduce the existing available open space negatively impacting the balance between population and open space. The north plaza is an important public celebrations and gathering space that supports the role and identity of NEFC as a vibrant City and regional focus of sports and events.
- c. **Minimize Shadow Impact** - The proposed fourth tower would increase the shadow impact on Livingstone Park in the afternoon (already affected to some degree by adjacent tower). It will also cast shadows on the intersection at Abbott and Expo exacerbating the limited light penetration to the street and sidewalks in this area. In addition to the impact on public spaces, the 4th tower would have significant shadow impacts on two immediately adjacent residential towers located at 689 Abbott Street (Espana) and 688 Abbott Street (Firenze).

3. Policy Context

Development of this site is governed by the False Creek North Official Development Plan (FCN ODP). The FCN ODP provides for commercial density of 235,000 sq. ft. and does not allow residential for the Rezoning Site (Area 7a).

In 2009, Council approved *Northeast False Creek: Directions for the Future* (NEFC Directions) as policy to guide the future development of lands in NEFC that are governed by the FCN ODP and which remain to be developed. A key aspect of the NEFC Directions is the achievement of 167,225 m² (1.8 million sq. ft.) of non-residential floor area or “job space”. This target reflects the Metro Core Study’s direction that NEFC assist in making up the shortfall of commercial capacity in the downtown. The NEFC Directions also support consideration of up to 371,612 m² (4 million sq. ft.) of residential floor area throughout all of NEFC, the provision of new public open spaces, and public benefits and amenities to be delivered through future rezoning applications in NEFC. Amendments to the FCN ODP and the CD-1 are required to allow residential development as contemplated in the recommendations of the NEFC Directions.

In November 2010, Council approved policies requiring the preparation of acoustic and thermal comfort studies as part of rezoning applications in Northeast False Creek. The policy also requires measurement and monitoring protocols for event noise generators within NEFC at the time of each rezoning.

The proposed rezoning application (together with the proposed ODP amendments) is supported and informed by the following NEFC Directions:

- a) The proposed mix of uses, sustainability features and downtown event focus of the application supports Direction 3.1.1 “Significantly advance the environmental, economic, social and cultural sustainability in the city, exceed the achievements reached in Southeast False Creek and support the goal of becoming the Greenest City in the World by 2020.”
- b) The NEFC Direction 3.1.3 “Reduce car use and ownership by: providing a complete community with local shopping, service and recreation opportunities; improving connections to and from rapid transit stations; improving connections to and from surrounding neighbourhoods; implementing minimum and maximum parking standards as part of a transportation demand management strategy; and giving clear priority to walking, cycling and transit improvements over auto mode infrastructure.”
- c) The proposed undulating architecture and improvements to the public realm are in line with the NEFC Direction 3.2.3 “Make NEFC more attractive with a distinctive identity, vibrant public spaces and lively venues and streets.”

4. Land Use and Density

This application proposes three towers flanking the Arena. The west tower under construction, originally approved as an office tower, is proposed to be a mixed-use building. The first 13 floors of the building would be a mix of office, retail, and restaurant uses related to the Arena. Floors 14 – 25 would be residential units. The east tower would also be a mixed-use building. The first five floors would be a renovation of the existing concourse area for the arena, with floors 6 – 14 comprised of office space. Floors 15 – 28 would be residential units. The south tower is proposed as a residential tower. The overall total floor space proposed for the site is 100,678 m² (1,083,689 sq. ft.) with a proposed FSR of 5.38.

A key objective of the NEFC Directions is the achievement of 1.8 million sq. ft. of non-residential use or “job space” as an end state. The Directions identify Area 7a as a site to provide a significant amount of job space reflective of the amount contemplated in the site’s current ODP requirement of 235,000 sq. ft. which anticipated a single office tower (at Georgia Street and Griffiths Way). The NEFC Directions also allocate 400,000 sq. ft. of residential floor space to Area 7a. As the vision for NEFC is that the area will remain a city and regional hub for cultural and sporting events, all of the new residential floor space contemplated in close proximity to event venues is conditional upon the applicant’s ability to demonstrate the compatibility of residential use and event noise through careful design measures.

The applicant is proposing a mix of job space and residential uses in line with the NEFC Directions advice for the future development of the site. The application includes 215,000 sq. ft. of office, retail and cultural recreation space. The proposed amount of job space is 20,000 sq. ft. less than the amount anticipated for this site in the NEFC Directions. However, the applicant is not proposing a reduction in the job space target in order to achieve more residential floor space than anticipated on this site. The housing component is limited to 400,000 sq. ft. as per the NEFC Directions. All of it is proposed as market rental housing providing an opportunity to secure 15% of the housing in NEFC as market rental housing

exceeding the 10% market rental housing target for NEFC. Given the significant market rental housing proposed for this Rezoning site which addresses a major public policy goal; staff are prepared to support the reduced provision of job space and commit to ensuring we achieve our 1.8 million sq. ft. of job space target across the rest of NEFC. The market rental housing proposal is discussed further in the section on public benefits and amenities.

5. Form of Development

The proposal is for three towers adjacent to Rogers Arena. The massing of each tower utilizes a triangular form, with broad faces oriented toward the arena, framing the arena with the tall tower forms. The placement of the towers respects the minimum 80-foot tower separation guideline used in many areas of Vancouver. The tower heights of 24, 28, and 32 storeys are the maximum heights permitted under the Council approved view cone from Cambie Street to the North Shore Mountains.

The west and east towers share a similar massing but distinct design character, with triangular tower forms attached and integrated into the existing arena building. The west tower has been designed to allow for access from both the Georgia Viaduct and Expo Boulevard.

The south tower is a stand-alone residential building located adjacent to Griffiths Way and Pacific Boulevard. The building on this site utilizes a triangular form, but with rounded corners and oversized balcony overhangs, setting the building into a gentle visual oscillation. The combination of extensive balconies and glass railing details aid in reducing solar gain for the building. By utilizing the premise of “no net loss of open space” on the south plaza area, the ground floor of the south tower has a minimum footprint for the lobby, elevator core, and the underground parkade access ramp, with the structural columns located to allow for movement in between. The first full floor of this tower is raised 9.5 metres above the plaza to ensure sun access and a comfortable pedestrian scale.

6. Public Realm

There are two existing public plazas affected by this proposal, located north and south of Rogers Arena. Development and redesign of the south plaza (including the tower placement) was predicated on no net loss of functional open space, as this is a highly used area during events at the arena. To achieve this goal, the applicant has narrowed the driveway from the arena onto Pacific Boulevard to increase the plantable area. Grades have been altered to eliminate the existing stairs on Griffiths Way, providing for enhanced areas for “crush” space after events. Design development conditions have been added to further reduce the water features located on the south plaza, thereby increasing amount of public useable space.

The North plaza, while not impacted by the three towers, will be impacted by a future pedestrian bridge over Expo Boulevard, located on this plaza to directly link Rogers Arena to the SkyTrain platform (See part 10 of this report). Rather than provide upgrades to this plaza in the short term, provisions will be included in the services agreement to require plaza upgrades at time of construction of the future pedestrian link (See Section 10 below).

The Urban Design Panel supported the application at its meeting of May 18, 2011 (see the Panel’s comments in Appendix E). Staff conclude that the public realm, building height and

form of development are supportable and recommend the design development conditions contained in Appendix B.

7. Event Noise Mitigation and Thermal Comfort

In November 2010, Council endorsed the preparation of acoustic and thermal comfort studies as part of rezoning applications in Northeast False Creek to address the unique challenges associated with event-related noise. Noise is measured for the purposes of the Noise Control By-Law in two ranges: broad spectrum (dBA) and broad spectrum plus deep bass levels (dBC). The policy directs applicants to mitigate noise within the range of 40 to 50 dBC (deep bass noise). The deep bass noise on the sound spectrum is the most challenging to mitigate but also the most intrusive and annoying for residents. Other building facades not impacted by event noise will primarily be designed to address traffic noise from the surrounding streets, in accordance with the provisions of the Zoning and Development By-law.

The proposed residential towers are required to mitigate event-related noise to no greater than 50 dBC (measuring deep bass levels) for the interior of those apartments that have facades that will be impacted by event noise from three locations:

- All noise-generating events at Rogers Arena (hockey games and concerts);
- The proposed Civic Plaza on the Plaza of Nations site (750 Pacific Boulevard); and
- Crowd cheering from the open air BC Place Stadium. (It is anticipated that concert noise from BC Place Stadium will be infrequent, as most concerts are held in Rogers Arena).

The applicant is also required to design the buildings so that residents can shut their windows on warmer days so that they can enjoy quieter living spaces at a comfortable room temperature.

The applicant has provided an acoustics report to demonstrate that 50 dBC can be achieved (target of 40-50 dBC) within the residential units during a concert at the arena. The proposal uses enclosed balconies, and external operable shutters (accordion windows) for the open balconies to meet this target. While staff recognize they have met the upper end of the target range for noise (i.e. 50 dBC), staff are encouraging the architect to utilize other measures to bring this number down to 47 dBC. Because the acoustics report has a margin of error of 3dBC, mitigating the noise further allows for some adjustments when further noise testing is done at the development permit stage. By using triple-glazed windows, the applicant can further mitigate the deep bass noise from events and improve the liveability of the units.

A memo from a mechanical engineer has been provided by the applicant outlining possible options for exploration to address thermal comfort in units given that windows will need to be frequently closed to address event noise. An air conditioning system is likely to be needed to meet performance targets given the high number of event days that will prevent residents from opening windows in the evening. The performance of other possible options will be assessed and rezoning conditions have been included to ensure satisfactory solutions prior to enactment of the rezoning by-law.

In addition to the necessary acoustic and thermal comfort studies needed to address liveability standards and policies, pursuant to amendments to the Noise By-law enacted in November 2010, Council requires event venues to develop noise measurement and monitoring

protocols at the time of rezoning involving residential use. Residents within NEFC will be impacted by noise that is louder, more frequent and for longer periods of time than most locations in Vancouver. The purpose of the protocols is to allow for the continued operation and viability of the event venues and address livability for new residential development in the area, especially where residential uses are proposed on sites in proximity to event venues.

Rogers Arena has the greatest number of events generating extended deep base noise in the area including 50 to 55 Canucks games and 30 to 40 large concerts each year. Rogers Arena has provided a summary of their current practices in the management of the arena. A condition of by-law enactment requires Rogers Arena to enter into a “good neighbour” agreement. Similar to the agreements used with liquor primary establishments for business licenses, these protocols will include the following:

- Event hours of operation
- Guidelines on loading and unloading the facility
- Requirements for noise levels from concert noise measured at the roof (to ensure that noise levels do not exceed that modelled and that mitigation for adjacent residential buildings is effective)
- On-going noise measuring and performance monitoring

An additional change to the Noise Control By-law is recommended in Appendix C. Similar to the process used for noise generated from BC Place, an exemption for noise is being provided for Rogers Arena. While most of the noise in the event zone is restricted to 70 dBC (up to 11 p.m.), a special exemption is being given for the Rezoning Site to provide for 82 dBC at the point of reception from the roof (where the noise from the arena hits the residential buildings). A level of 82 dBC more accurately reflects the noise level for the loudest 15 minutes on a concert (as measured by the applicant during concerts by Bryan Adams, Rihanna, Bruno Mars, and Supertramp), and is also the threshold that the applicant used as a benchmark for noise mitigation for the tower design. This also provides clarity to the users of Rogers Arena and any new residents about the guidelines for noise from the arena.

8. Market Rental Housing

The applicant has proposed to build 614 units of market rental housing (unstratified). The public benefit accruing from these units is their contribution to the city’s rental housing stock for the life of the building or 60 years, whichever is greater.

Staff have reviewed the market rental proposal and are supportive. The development of rental housing aligns with the Housing and Homelessness Strategy and Council’s priorities to encourage strong, safe and inclusive communities that are sustainable, affordable, and environmentally sound. On July 29, 2011 Council endorsed the Housing and Homelessness Strategy 2012-2021 which includes a target for 5,000 units of secured market rental housing by 2021. As per City policy, a minimum of 25% of the total number of units contain two or more bedrooms.

Rental housing is an extremely important part of the housing continuum — it meets the needs of a diverse population and provides housing that is affordable to key workers that are vital to the economy of the city. Rental housing provides a more affordable housing option for nearly half of Vancouver’s households and helps sustain socially, economically and environmentally thriving communities. This project will add to the availability of market rental housing in an

area that is highly suitable for increased density within walking distance of downtown and in close proximity to transit. It provides an opportunity for the city to surpass the near-term (2014) market rental target for NEFC (providing 15% of units as market rental rather than the targeted 10%) and to improve housing affordability in a timely manner.

The table below summarizes the City's market rental housing targets. It includes the 614 units proposed for 800 Griffiths Way.

Table 1 - Market Rental Housing Targets

	TARGETS ¹		CURRENT PROJECTS				Progress Against 2014 Target
	Long Term (2021)	Near Term (2014)	In Progress Completed	Under Construction	In Progress ²	Total	
Market Rental Housing Units	5,000	1,500	0	347	1,935	2,282	+782

(1) Targets are established in the 2011 City of Vancouver Housing and Homeless Strategy.

(2) "In Progress" projects are defined as projects with a rezoning or development permit application.

9. Parking, Loading, and Transportation

At the time of construction of Rogers Arena, a total of 562 Parking spaces were provided for the project. 412 parking spaces were to be provided for the Arena operations and the proposed office tower. An additional 150 spaces were provided as part of the obligation for development sites near BC place to provide parking for BC Place Stadium. This obligation for the 150 spaces is set out in an agreement between Aquilini Developments and the City (known as the "Stadium Parking Agreement").

A parking study provided with the development permit proposal for the office tower indicated the demand for parking under the Arena for the existing use to be 170 spaces outside of event times. With the addition of the residential uses, staff are recommending that the parking requirements for the site meet by-law standards for the new office and residential units, as follows:

Existing Arena Demand	170 stalls
Office/Retail West and East	134 stalls
Residential West	104 stalls
Residential East and South	200 Stalls
Residential Visitor Parking Stalls	31 Stalls
<u>Stadium Parking</u>	<u>150 Stalls</u>
Total	789 Stalls

The applicant proposes to provide a total of 742 parking stalls on site, which is a deficiency of 47 parking stalls. The Parking By-law allows for the substitution of shared vehicles and shared vehicle parking spaces for required residential parking spaces at a ratio of 1 stall for every five deficient. To accommodate the deficiency within the number of parking stalls provided on site, by-law requirements could be met by supplying approximately twelve car-share vehicles with their associated parking spaces. Conditions of Approval have been added in Appendix B to secure this car-share provision.

The proposal would utilize the existing parking for Rogers Arena to provide parking for the Arena, the office and retail space in the west and east towers, and the residential units in the west tower. An additional 205 stalls would be provided in an underground parkade under the south tower, which would be utilized by the residential units in the south and east towers as well as accommodating the car-share parking spaces.

The proposal utilizes the existing loading spaces under Rogers Arena for the west tower, and provides separate loading spaces within the South and East tower. A loading management plan is required to ensure that these shared loading spaces are properly managed.

The Parking By-law requires a total of 708 bicycle spaces for this proposal, which are provided in separate rooms within the existing Rogers Arena parkade and the proposed south tower.

A Transportation Study completed by BWW Consulting, and dated October 2010, was submitted with the application. The study analyzed the impact of the proposed development on traffic in the vicinity and concluded that the impacts would be minimal. Staff accept this assessment and do not anticipate significant traffic issues with this development.

10. Pedestrian Circulation and SkyTrain Bridge

Pedestrian circulation and movement was analyzed for the three proposed towers as well as the existing Rogers Arena development. The study showed that the north plaza is an important space before and after events, with over 5,700 people entering the two arena gates located adjacent to the Plaza.

As part of the original proposal for the arena, the need for a pedestrian bridge to connect the site to the Stadium-Chinatown SkyTrain Station was identified. Currently, Expo Boulevard and Abbott Street are barricaded and traffic control is used during event days to allow for the large volumes of pedestrians to access the SkyTrain after event completion. A fence prevents pedestrians from crossing the street mid-block at other time periods, which has negative impacts on the urban design. A condition of the Services agreement associated with this application would require construction of a pedestrian bridge linking Rogers Arena and the SkyTrain to alleviate the need to close down the streets.

11. Sustainability

a) Environmental Sustainability

Council's Green Building Policy requires that rezoning applications achieve a minimum of LEED® Gold with target points for energy performance, water efficiency, and stormwater management. The rezoning application included a commentary on sustainability and a preliminary LEED® Scorecard, which proposes to meet the City's LEED® Gold Standard. Rezoning applications made between August 1, 2010 and January 31, 2011 are required to register the project with the Canada Green Building Council, but not to make application for certification. This application was received in October 2010.

Council's rezoning policy for *Larger Greener Sites* aims to achieve higher sustainability outcomes on large site development through strategies that implement opportunities for: district energy; sustainable site design; green mobility and clean vehicles; sustainable rainwater management; enhanced solid waste diversion; and, housing affordability and mix.

These matters will be addressed either through the design of the development, or will be provided for through required plans or strategies, with all to be implemented through the requirements contained within the recommended Conditions of Approval in Appendix B.

As part of the implementation of the NEFC Directions and energy planning studies conducted for the area, Council approved changes to the False Creek North ODP (Spring 2011) that introduced energy related sustainability requirements for all sites yet to be developed. The FCN ODP now requires that all new development connect to the low carbon district energy system for the area. A low carbon district energy approach enables significant GHG reductions for the entire neighbourhood that could not be cost effectively achieved by individual buildings.

Rezoning conditions ensure connection of the South and East towers to the low carbon energy system that will serve the neighbourhood (the West tower is under an existing district energy contract with Central Heat approved as part of the previous rezoning for the arena). Rezoning conditions have also been put in place to capitalize on the opportunity to recover and reuse waste heat from Rogers Arena's refrigeration equipment - further reducing energy demands of the development.

b) Social Sustainability

An Inner-City Local Employment and Procurement Agreement (in accordance with the requirements in the FCN ODP) will be required to ensure that 10% of the employment generated by construction on site is sourced from inner-city neighbourhoods where residents may experience barriers to employment. The Agreement will also include a "local procurement" provision, requiring 10 percent of the construction materials to be purchased locally.

The applicant has provided a letter outlining their intentions to partner with Blade Runners to fulfill the requirements for inner city local employment on the construction of the future towers on the Rogers Arena site. Rezoning conditions in Appendix B will ensure appropriate agreements are developed covering both employment and procurement.

12. Proposed Amendments to the False Creek North Official Development Plan

The False Creek North Official Development Plan (FCN ODP) currently allows for the existing arena and an office tower on Area 7a.

The amendments to the FCN ODP required to allow for this proposed rezoning of Area 7a (Rogers Arena site) are described in detail in Appendix C and are summarized as follows:

- Increase the number of dwelling units by 614;
- Increase the amount of residential floor space by 400,000 sq. ft.;
- Reduce the percentage (%) of the total number of dwelling units designated for affordable housing from 12.53% to 11.81%. (See Below);
- Change the description of the permitted use on the site to mixed use;
- Change figures to reflect mixed use, housing units on Area 7a, location of towers and tower heights as necessary; and
- Make housekeeping changes to reflect the name change of the arena (now Rogers Arena).

Although the proposal includes 614 new market rental housing units, there is no correlating increase in the number of “affordable housing” units (as expressed by the FCN ODP). This decreases the percentage of “affordable housing” units provided within the FCN ODP from 12.53% to 11.81%. The FCN ODP was adopted in 1990 and incorporated the Council policy requiring 20% of the housing units in new neighbourhoods be developed for non-market housing (20% policy). The purpose of the policy was to ensure that low- and modest-income households, especially families with children, could live in new neighbourhoods. The effectiveness of the policy was premised on the availability of Federal and Provincial affordable housing programs. In 1993 the Federal Government ceased funding for new social housing. Although the City has an inventory of sites within the False Creek North ODP area on which it can exercise its options to purchase, over the last decade it has been unable to attract partners to fund the construction component.

While the proposed rezoning and construction of 614 market rental units in this project will not increase the number of “affordable housing” units as defined in the FCN ODP, it provides an opportunity to exceed the market rental target for the area and improve housing options and accessibility in a timely manner where senior government funding is uncertain. In line with the public benefits strategy for NEFC, staff will also continue to pursue the addition of affordable housing sites and/or units on the larger sites in NEFC (Area 6b and Area 6c).

13. Public Input

Notification and Open House – The City of Vancouver Rezoning Centre webpage included notification and application information as well as an on-line comment form. Notification signs were also posted on the site.

An open house was held for the rezoning application on February 20, 2012, with staff and the applicant team in attendance. Approximately 110 people attended the event, which was comprised of a drop-in session, walking tour of the site, and presentations by staff and the applicant. While there was a robust discussion session after the presentations, only 12 comment forms were received after the open house, with a variety of positive, neutral, and negative comments. In addition, eight individual e-mails have also been sent to the City regarding this project, with concerns focusing on height and density in this location.

The Northeast False Creek Joint Working Group (JWG) consists of representatives from each of the major land developers in NEFC, area residents and other representatives from the community. The NEFC Joint Working Group discussed issues pertaining to the Rezoning Site (Parcel 7a) on several occasions in the past two years.

The project has changed over this time period from a four tower scheme to a three tower scheme (fourth tower on the north plaza was eliminated in January 2011) and from a condominium project to a full market rental project.

The following is a summary of the key discussion and commentary:

- The representative from the False Creek Residents Associations (FCRA) expressed support for the proposed north tower as a good example of what can be achieved without the incentives associated with the STIR program, and support the plan to take pedestrians over Expo Boulevard via new walkways and refurbishing of SkyTrain station platform.

- Some members expressed concerns about the negative impacts of the fourth tower citing concerns about reduced open space, impacts on entering and exiting the arena, event crush space and truck loading for major events.
- The JWG strongly supported the addition of a sports and community centre to NEFC expected to be jointly funded by CACs from the rezoning of the Plaza of Nations (Area 6b) and Rogers Arena (Area 7a).
- The FNC ODP amendments needed to implement this rezoning were generally supported by the joint working group as was the CAC allocation initially recommended by staff when the project was proceeding as a market condominium development.
- The JWG generally supported the proposal with the FCRA expressing opposition to the removal of the north tower from the rezoning application.
- The change to market rental housing was explained at the JWG on May 3, along with the implications to the public benefits strategy for NEFC.

14. Public Benefits

In response to City policies which address changes in land use and density, this rezoning application offers the following public benefits.

Required Public Benefits:

Development Cost Levies (DCLs) – Because public amenities were secured and negotiated as part of the approval of the original FCN ODP, there are no DCL's payable on development of the Rezoning Site.

Public Art Program – The Public Art Program requires that rezonings involving a floor area of 9,290 m² (100,000 sq. ft.) or greater allocate a portion of their construction budgets (\$1.81/sq. ft.) to public art as a condition of rezoning. With 37,319 m² (401,698 sq. ft.) of new development proposed in this rezoning (the additional residential development), a public art budget of approximately \$727,074 would be anticipated.

Offered Public Benefits:

Community Amenity Contribution (CAC): In the context of the City's Financing Growth Policy, the City anticipates receiving community amenity contributions from the owner of a rezoning site to address the impacts of rezoning. Contributions are negotiated and evaluated by staff in light of the increase in land value expected to result from rezoning approval, community needs, area deficiencies and the impact of the proposed development on City Services. There is a limited capacity to achieve all city aspirations with every project, especially when there are other significant identified priorities.

Real Estate Services staff have reviewed the applicant's development proforma. The review concluded that after factoring in the costs associated with the provision of the 614 market rental housing units, there was no increase in the land value generated by the rezoning (i.e., the additional density improves the economic viability of the rental housing but does not create any lift in land value).

A financial analysis was completed in 2009 to test out alignment between the needed public benefits and amenities for the area and the land value created through the future rezoning and build out of 3.3 million sq. ft. of residential floor space (excluding BC Place). The

analysis concluded that future development of the area could support the needed public benefits and amenities including the provision of 10% market rental housing. Approximately 274,000 sq. ft. of residential floor space would need to be secured for market rental purposes to achieve the 10% market rental target for NEFC. This rezoning proposes to construct all 400,000 sq. ft. of residential floor space as market rental housing units and would achieve 15% market rental housing.

In October 2011, Council approved in principle a joint proposal from Aquilini and Canadian Metropolitan Properties Corporation (CMP) to build and operate a new sports and recreation facility as part of the CAC offering from the rezoning of Area 7a and Area 6b. At that time Council agreed to consider reducing the 10% target for market rental units in NEFC and other adjustments to the public benefits package, if necessary, to off-set the additional cost of providing the sports and recreation centre.

The previous proposal to have CACs from the rezoning of Area 7a contribute to the construction costs of the proposed sports and recreation facility on the Plaza of Nations Site (Area 6b) is no longer anticipated. It is now anticipated that the CAC's from the future rezoning of the Plaza of Nations site will fund the majority of the sports and recreation facility. However, if CAC's from the Plaza of Nations do not cover the full costs, Canucks Sports and Entertainment has indicated they will provide direct financial support for the Sports and Recreation facility through cash contributions as necessary for both the construction and long term operation of the facility.

Further analysis will be needed to determine whether the proposed increase in the provision of market rental housing in NEFC will necessitate other changes to the proposed public benefits package for the area.

Implications/Related Issues/Risk (if applicable)

Financial

As noted in the section on Public Benefits, there is no Community Amenity Contribution (CAC) associated with this rezoning, and development on this site is exempt from paying Development Cost Levies (DCLs).

Ongoing maintenance of on-site open spaces, public art and two pedestrian bridges will be the responsibility of the property owner and/or other parties.

The proposed market rental housing, although secured via a Housing Agreement for the life of the building will be privately owned and operated.

CONCLUSION

Staff assessment of this rezoning application has concluded that the proposed form of development represents an acceptable urban design response to the site and context, and is therefore supportable. Planning staff conclude that the application is consistent with the NEFC Directions with regard to land use, density, height and form.

The Director of Planning recommends that the application be referred to Public Hearing together with a draft CD-1 By-law as generally shown in Appendix A and with a recommendation of the Director of Planning that, subject to the Public Hearing, these be approved, subject to the conditions of approval listed in Appendix B, including approval in principle of the form of development as shown in plans included as Appendix E.

* * * * *

800 Griffiths Way
DRAFT CD-1 BY-LAW AMENDMENTS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Zoning District Plan amendment

1. This By-law amends the indicated provisions of By-law No. 7201.
2. Council repeals section 2, 3, 4, 5 and 6 and substitutes:

"2. Definitions

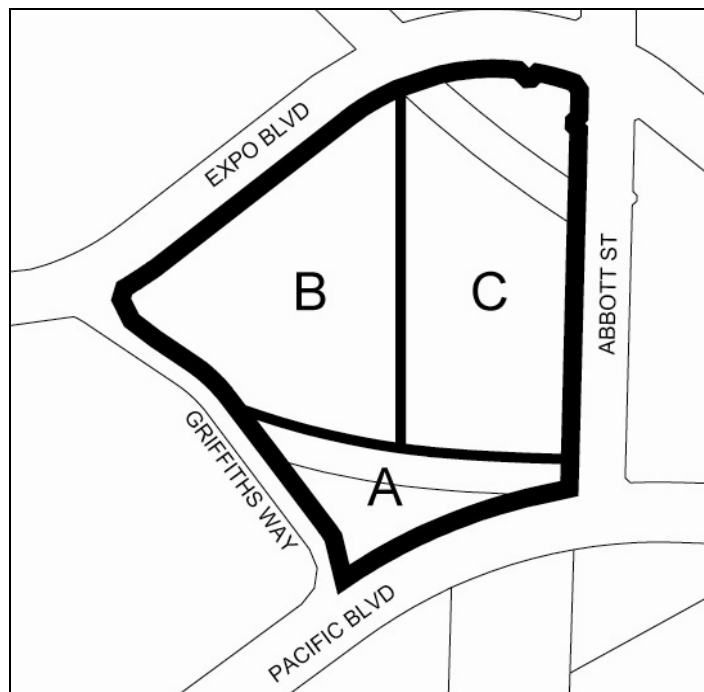
Words in this By-law have the meanings given to them in the Zoning and Development By-law except that:

Geodetic Datum, which means the current vertical reference surface adopted and used by the City of Vancouver.

3 Sub-areas

Portions of the site are to consist of sub-areas A, B, and C, illustrated in Diagram 1 for the purposes of determining building heights and floor area exclusions in those sub-areas.

Diagram 1



4 Uses

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 (311), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, limited to Arcade, Artist Studio, Billiard Hall, Club, Fitness Centre, Hall, Museum or Archives, Rink, Stadium or Arena, Swimming Pool, and Theatre;
- (b) Dwelling Uses;
- (c) Institutional Uses;
- (d) Manufacturing Uses, limited to Brewing or Distilling;
- (e) Office Uses;
- (f) Parking Uses;
- (g) Retail Uses, limited to Farmers Market, Grocery or Drug Store and Retail Store;
- (h) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Repair Shop – Class B, Restaurant, School – Arts or Self Improvement, School – Business, School – Vocational or Trade;
- (i) Utility and Communication Uses, limited to Radiocommunication Station; and
- (j) Accessory Uses customarily ancillary to the uses listed in this section 2.

5 Conditions of use

5.1 All commercial uses must be carried on wholly within an enclosed building except for:

- (a) Farmer's Market;
- (b) Restaurant;
- (c) Neighbourhood Public House; and
- (d) Display of flowers, plants, fruits, and vegetables, in conjunction with a permitted use.

5.2 Dwelling units are in an “event zone”, as defined in the Noise Control By-law, and, as a result are subject to noise from surrounding land uses and street activities at levels permitted in an event zone.

5.3 A minimum of 25% of the dwelling units must include two bedrooms.

5.4 The floor area of each dwelling unit, measured from the inside of the outer walls, must be at least 37 m².

6 Floor area and density

6.1 Computation of floor space ratio must assume that the site consists of 18,700 m², being the site size at the time of the application for rezoning evidenced by this by-law, and before any dedications.

6.2 The total floor area for the uses listed in the following table must not exceed the floor area indicated beside that use.

Table 1 - Maximum Floor Areas

Use	Maximum Floor Area
Cultural and Recreational Uses	38,600 m ²
Office Uses	21,000 m ² , except that there must be a minimum of 13,000m ²
Retail and Service Uses	6,560 m ²
Residential Uses	37,919 m ²

6.3 Computation of floor space area must include all floors having a minimum ceiling height of 1.2 m, both above and below ground level, measured to the extreme outer limits of the building.

6.4 Computation of floor space ratio must exclude:

- (a) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
- (b) 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; and
- (c) 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.

6.5 Computation of floor space ratio 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, except that the total area of all such exclusions must not exceed the percentages allowed in Table 2;

Table 2 - Balcony Exclusions

Sub-Area	Open Balconies
A (South Tower)	23%
B (West Tower)	14%
C (East Tower)	10%

- (b) enclosed residential balconies provided for noise mitigation, if 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, except that the total area of all enclosed balcony exclusions must not exceed 10% of the total residential floor area;
- (c) amenity areas, except that the total excluded area must not exceed the lesser of 20% of the permitted floor area or 1,400 m²;
- (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;
- (e) unenclosed green or landscaped outdoor areas, similar to an open balcony or sun deck, recessed into or projecting from the exterior envelope of a building, if:
 - (i) in the opinion of the Director of Planning or Development Permit Board, the areas contribute to energy performance, character or amenity of the building, and
 - (ii) the area excluded does not exceed 2% of the total floor area; and
- (f) interior public space, including atria and other similar spaces, if:
 - (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council,

- (ii) the area excluded does not exceed 600 m², and
- (iii) the area excluded is secured by a covenant and right-of-way in favour of the City of Vancouver which provides for public use and access.

6.6 The use of floor space excluded under section 6.4 or 6.5 must not include any purpose other than that which justified the exclusion."

7 Building height

- 7.1 Building height must be measured in metres referenced to Geodetic Datum.
- 7.2 The maximum building height, measured above base surface, must not exceed the maximum heights set out on the table below, except that the building must not protrude into the view corridors approved by Council, as set out in the City of Vancouver View Protection Guidelines.

Table 3 - Building Heights

Sub-Area	Maximum Building Height (referenced to Geodetic Datum)
A (South Tower)	102.76 m
B (West Tower)	105.04 m
C (East Tower)	105.10 m

- 7.3 Section 10.11 of the Zoning & Development By-law applies to this site, except that the Director of Planning may allow a greater height than otherwise permitted for mechanical appurtenances such as elevator machine rooms.

8 Horizontal Angle of Daylight

- 8.1 Each habitable room must have at least one window on an exterior wall of a building.
- 8.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 8.3 Measurement of the plane or planes referred to in section 8.2 must be horizontally from the centre of the bottom of each window.
- 8.4 If:
 - (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
 - (b) the minimum distance of the unobstructed view is not less than 3.7 m,
 the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.

- 8.5 An obstruction referred to in section 8.2 means:
- (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted under the zoning on any site adjoining CD-1 (311).

- 8.6 A habitable room referred to in section 8.1 does not include:
- (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².

9 Acoustics

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

* * * * *

800 Griffiths Way
PROPOSED CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Walter Franci Architects and stamped "Received Planning Department, April 13, 2012", provided that the Director of Planning or the Development Permit Board, as the case may be, may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) THAT, prior to final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning or Development Permit Board, who shall consider the following conditions:

Urban Design

- 1. South Plaza: Design development to improve pedestrian space and desire lines on the south plaza; delete the residential bridge and water feature wrapping the south sides of the lobby adjacent to the street corner, and reduce the width of the water feature on the east side of the lobby. Provide a 3 ft. maximum width planter or other privacy buffer outside the lobby glass walls. This results in the hardscape area remaining equal to existing.
- 2. South Plaza: Recess the parking exit stair glass box further north into the proposed planter, to minimize its visual and physical intrusion into the plaza.
- 3. North Plaza: Maintain the amount of integrated seating shown, and revise the new north planter to "capture" the obstructive SkyTrain column, and soften the sharp corner at the sidewalk.
- 4. North Plaza: NOTE regarding "Future Potential Seating" as labeled on some drawings; patio seating in the plaza must be submitted for separate permit and approval. Any mention or drawings that show such patio seating, anywhere in the application, are not to be construed as included in this rezoning application, and endorsement is not implied.
- 5. South Tower: design development to maintain all tower support columns as small and slender as possible, to not increase in number and remain rounded (as shown) to not become pedestrian obstacles. This is critical to allow the plaza function, and the cost of these special columns and other structural implications must be carried throughout the project.
- 6. South Tower: design development to maintain the 9.5 meter minimum clear height to the first soffit above the plaza, to ensure a comfortable scale and adequate sunlight reaches the public plaza.

7. South Tower: design development to maintain and enhance the undulating form, three-part floor plans, and colorful ground plane elements as shown, at this strategic and highly visible location.
8. South Tower: design development to relocate the south tower to accommodate the future road dedications/options to purchase as required by Engineering (see Appendix D)
9. West Tower: design development to maintain the material treatment of the residential floors, including the diagonal struts which add interest to the top 2 floors, and enhance the character, quality and potentially color of the tower top.
10. West Tower: design development to anticipate modifications to the Georgia Viaduct or its replacement, and adjustments needed to create safe, generous and smooth transitions from public sidewalks, ramps and/or concourses.
11. West Tower: design coordination and development of currently designed West Tower columns, to anticipate and accommodate structural beams/elements needed for any future changes to the Georgia Viaduct and connecting Rogers concourses. Note to Applicant: the tower columns (soon to be under construction) on the south edge along Griffiths Way (approximately 4), should include haunches or similar features at 2 levels to receive future beams that would support the 2 level concourse required of Rogers for arena access/exiting. The objective is to eliminate redundant columns that would encroach on the already minimal pedestrian sidewalks and street widths below. Applicant shall coordinate closely and with due urgency, with City Engineering and planning staff to design a rational column and beam placement that does not compromise pedestrian or vehicle flows at Griffiths way.
12. East Tower: design development to maintain the ground level loading turn-table, the recessed retail at the corner, and the minimal columns that intersect the existing stairs and public walkways.
13. All 3 Towers: design development to maintain the sustainable features conceptually shown (roof gardens, urban agriculture, parapet turbines, full-height green walls, etc) or equivalent features of same or better value. Integrate these features into the architectural expression so that each tower has a distinct identity and character, even if designed by the same firm(s).
14. All 3 Towers: design development to maintain and enhance the noise mitigation features shown (enclosed balconies, special double glass balconies, etc), especially on the facades facing the arena noise source. The south and west façade of the south tower must comply with noise criteria towards the noise source of BC Place.

Engineering

15. At the development permit stage, the following charges on title will be required to be modified or replaced:
 - a) Easement & Indemnity Agreement BG375438: To allow the numerous features proposed upon the two unopened streets (under the viaducts) and at other locations within the easement area.
 - b) Statutory Rights-of-Way BG375404 & BG375441: to allow the East & South Towers within the Rights-of-Way areas.
 - c) Statutory Right-of-Way BH343593: to allow the South Tower within the Right-of-Way area.
 - d) Statutory Right-of-Way BG375404 : to allow the South Tower underground parkade to be located a minimum of 1 metre back from the edge of the adjacent Georgia Viaduct
16. Provision of Class B loading to the satisfaction of the GMES, including the completion of a loading management plan and shared-use agreement for any loading shared between commercial and residential uses.
17. Parking and loading design must conform to the Engineering Parking and Loading Design Supplement;
18. Make suitable arrangements to the satisfaction of the GMES and DLS for the removal of concrete planters and restoration of pedestrian bridges which are over Expo Boulevard adjacent to the Georgia and Dunsmuir Viaducts, including amendments to any legal agreements.
19. Make arrangements to the satisfaction of the GMES for all off-site parking under Roger's Arena and the South Tower.
20. Provision of a Parking Study outlining how the parking for the site will operate. The study should include a detailed summary of the overall parking for BC Place and Roger's Arena in the surrounding area and the parking plan for Roger's Arena showing the proposed parking breakdown for this rezoning application.
21. Remove loading space on Griffith's Way shown on drawing 5.3.L31.
22. Provision of a maximum slope of 10% for the first 20' (6 m) of the ramp and provision of a transition ramp of 7.5%-10% for at least 13' (4 m) at the bottom of a 15% slope.
23. Provision of a cross section of the parking ramp and loading bay for the south tower showing the required 12'6" (3.8 m) loading vertical clearance and 7'6½" (2.3 m) disability clearance.

24. Provision of a Viaduct Deconstruction Plan showing construction vehicle manoeuvring within the proposed right-of-way between the existing Georgia Viaduct and the South Tower.

Note to Applicant: Portions of parkade within this right-of way must be designed to accommodate appropriate vehicular loading.

Sustainability

25. The heating and domestic hot water system for the East and South Towers shall be designed to be compatible with a hot-water distribution district energy system in order to connect to the City of Vancouver's Retail Franchise holder for Northeast False Creek Low Carbon Heating Services for supply of all heating and domestic hot water requirements of the buildings as required under the Northeast False Creek Official Development Plan. Design provisions related to district energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the *District Energy Connectivity Standards* for specific design requirements, which include provisions related to the location of the mechanical room, centralization of mechanical equipment, pumping and control strategy, and other hydronic heating and domestic hot water system minimum requirements. The applicant is encouraged to work closely with Staff to ensure adequate provisions for District Energy compatibility are provided for in the mechanical design. A declaration signed by the registered professional of record certifying that the district energy connectivity requirements have been satisfied will be required as a pre-condition to building permit.

26. Waste heat recovery and reuse from Rogers Arena's refrigeration equipment shall be incorporated into the HVAC design of the West Tower. Detailed design of the HVAC and mechanical heating system for each building, including the approach to heat recovery, must be reviewed and approved by the General Manager of Engineering Services.
27. Building designs shall include adequate space and design provisions to support connection to the district energy system to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Design shall provide suitable space for the installation of the district energy system equipment with adequate provisions for connection to outside district energy system distribution piping and communications conduit. District energy equipment may include, but is not limited to, energy transfer stations (ETS), a steam to hot water converter station sized for neighbourhood service provision, and/or boiler equipment. At the building permit stage, the applicant will be required to submit final detailed drawings, signed and sealed by a professional engineer where necessary, for review by Engineering Services to confirm final room dimensions, sleeve details, and servicing needs. The developer shall make available use of sewer and potable water piping. The

space provided for district energy system equipment shall be ventilated as required by the Vancouver Building By-law and heated during the winter to minimum 15°C. As required, the developer must provide dedicated electrical services required to service the district energy system equipment, to the satisfaction of the General Manager of Engineering Services.

28. No heat producing fireplaces are to be installed within buildings.
29. Provision of a Green Mobility and Clean Vehicles Strategy that includes how more sustainable travel will be achieved and includes the requisite infrastructure where appropriate to prioritize sustainable transportation modes including walking, cycling, public transit, and provisions for low carbon vehicles (e.g., electric vehicles), completed to the satisfaction of the General Manager of Engineering Services, and prior to Development Permit issuance the completion of any agreements required by this Strategy on terms and conditions acceptable to the General Manager of Engineering Services and the Director of Legal Services.
30. Provision of a Sustainable Rainwater Management Plan that utilizes sustainable strategies to allow for infiltration, retention, treatment and utilization of rainwater where applicable and appropriate on-site.
31. Provision of a Solid Waste Diversion Strategy that addresses waste diversion in all solid waste generating activities within the development.
32. Identification on the plans and elevation of the built elements contributing to the building's sustainability performance in achieving LEED® Silver equivalency, including at least three optimize energy performance points, one water efficiency point, and one storm water point.

Note to Applicant: Provide a LEED® checklist confirming LEED® Gold equivalency and a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development. Both the checklist and description should be incorporated into the drawing set.

Planning

33. Provide a report prepared by professionals in acoustic and mechanical engineering that demonstrates how using noise isolation design strategies and passive and/or mechanical cooling, the building will meet the following performance criteria:
 - a) mitigate event noise to achieve noise levels between 40 dBC and 50 dBC within the units during event periods; and
 - b) ensure summertime internal thermal comfort levels in line with ASHRAE 90.1 V. 2007 (with windows closed).

Note to Applicant: While the preliminary report provided with the rezoning application indicated noise within the units at 50dBC, the applicant should consider additional measures to reduce this noise level at the development permit stage, including but not limited to triple glazed windows.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the Director of Planning, the Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Clarification is required as to whether it is the applicant's intention to create airspace parcels for the East, South and West towers. If so, Section 143 (1)(b) of the Land Title Act states that "the land of which the air space parcels are part is shown as a single parcel on a subdivision plan or a reference plan deposited under this Act."
2. Registration of a Bridge Proximity Agreement over the Rezoning Site, including permitting the City and any permittee or licensee of the City to gain access to the Rezoning Site and any buildings and improvements located thereon, to conduct any required work including bringing materials on to the Rezoning Site to allow for the future removal of the Dunsmuir and/or Georgia Viaducts. The owner further acknowledges and agrees that if the Viaducts are removed in the future that vehicular and/or pedestrian access to the Rezoning Site from City streets may be restricted;
3. All legal notations, non-financial charges, liens and interests registered on title to the lands which may affect this application must be evaluated to determine whether they impact on the proposed development. The Conditions in this Appendix B(c) may be varied by the Director of Legal Services based on this determination. The applicant's lawyer must submit to the City a title summary containing the following information:
 - a) copy of the Land Title Office search for all lots involved in the application;
 - b) a summary of the contents of each notation, non-financial charge, lien or interest on title containing a general description of the issues addressed by the document. The summary must also provide the lawyer's opinion as to whether the notation, charge, lien or interest will impact on the rezoning of the Rezoning Site and if so, how; and
 - c) a copy of any of the notations, non-financial charges, liens or interests which may impact the rezoning of the Rezoning Site;

Note to Applicant: The letter enclosing the title summary must be addressed to the City of Vancouver.

4. Provide fire flow rates for this development to confirm the fire demands necessary for the site, complete with details for the scenario for which this was calculated. (Maximum GPM to meet fire protection needs as supplied by the applicant's mechanical consultants).

Note to Applicant: Once a review of this information is completed, Engineering Services will determine if water system upgrading is required for the Rezoning Site and if so required, detailed water system upgrading provisions will be included in the Services Agreement. The developer will be responsible for 100% of any water system upgrading that may be required.

5. Registration of a Statutory Right-of-Way and Option to Purchase Agreement for road purposes, at a nominal price, over a portion of the site adjacent to both Pacific Boulevard and Griffiths Way and a further 2.0 m wide Statutory Right-of-Way, all as shown in the plan attached in Appendix D.

Note to Applicant: The purpose of the above is to provide for the redesign of Pacific Boulevard if the Georgia Viaduct is altered as part of the Viaducts Review.

6. Dedication of an approximate 38 m² of the western portion of the site adjacent to Griffiths Way as shown on the plan attached in Appendix D.
7. Provision of Public Plaza Agreement, including Statutory Rights-of-Way, for public access and use over the proposed North Plaza and South Plaza, including 24 hour access, and obligations on the owner to maintain these spaces.
8. Provision of a Pedestrian Bridge Agreement, including a Statutory Right-of-Way for design, construction, public access and use of a grade separated pedestrian connection between the Rezoning Site and the Stadium-Chinatown SkyTrain Station. For those portions of the connection located off-site, the owner shall obtain from TransLink all such rights-of-way necessary for the construction and maintenance of the pedestrian connection.

Note to Applicant: Arrangements will need to be made for any modifications required to the existing Street Use Agreement between TransLink and the City to accommodate the proposed pedestrian connection.

9. Make arrangements for the proposed underground parking structure under City Street, subject to Council approval prior to enactment, to raise title to a portion of Griffiths Way between Expo Boulevard and Pacific Boulevard, and to close, stop up and lease from the City at fair market value, to be paid on an annual basis for the term of the lease, the volumetric portion thereof to contain that portion of the development located therein, including arrangements for any utility relocation or reconstruction required.

Note to Applicant: The lease is to be for the life of the proposed underground parking structure. The volumetric lease parcel configuration must respect public utility requirements. An application to the City Surveyor is required.

10. Execution of a Services Agreement to detail the delivery of all on-site and off-site works and services necessary or incidental to the servicing of the Rezoning Site (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. Without limiting the discretion of the General Manager of Engineering Services and the Director of Legal Services, this agreement shall include provisions that:
 - a) no Development Permit in respect of any improvements to be constructed on the Rezoning Site pursuant to this rezoning will be issued until the design of all of the Services is completed to the satisfaction of the General Manager of Engineering Services and security for the services is provided;
 - b) the design of all Services will be completed to the satisfaction of the General Manager of Engineering Services prior to tendering for the construction of any of the Services or any construction of the Services if the Owner decides not to tender the construction;
 - c) no occupancy of any building or improvements constructed pursuant to the rezoning will be permitted until all the Services are completed to the satisfaction of the General Manager of Engineering Services; and
 - d) in addition to standard utilities and utility extensions, necessary Services will include:
 - i) the design and installation of all storm, sanitary and water systems as required by the development (at this time, it has been determined that a sanitary sewer upgrade will be required on Pacific Boulevard from Abbott Street to Griffiths Way);
 - ii) design and construction of public realm improvements adjacent to the Rezoning Site in accordance with any required public realm plans or streetscape plans issued or required by the City and any other guidelines issued by the City which such work is to include, but is not limited to, installation of lighting, street trees, soil cells and/or structural soil and specialty paving. All existing utilities, electrical works, street lighting, trolley poles and bases, traffic signals and related infrastructure are to be relocated where curb adjustments are necessary;
 - iii) the design and construction of the proposed North Plaza and South Plaza including the installation of three public water fountains (in the North Plaza, South Plaza and near the West Tower);
 - iv) the design and construction of the weather protected pedestrian bridge proposed from the west side of the Rogers Arena to BC Place and the future Georgia Steps or Georgia Street;
 - v) the design and construction of a weather protected public pedestrian connection from the Rogers Arena site to the Stadium-Chinatown SkyTrain Station, including, but not limited to, the station entry building, stairs, elevator, covered bridge, and modifications to the

- existing station, as deemed necessary by the General Manager of Engineering Services; and
 - vi) the design and construction of a full two-way Griffiths Way, between Expo Boulevard and Pacific Boulevard, the length of the widening to be determined by the General Manager of Engineering Services.
11. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant which includes but is not limited to junction boxes, switch gear(vista switches) and pad mounted transformers and kiosks (including non BC Hydro kiosks) are to be located on private property with no reliance on public property for placement of these features. The development is not to rely on secondary voltage from existing overhead electrical network on street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.
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 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 all times;
13. Enter into a Stadium Parking Agreement with the City, in registerable form, to charge the Rezoning Site with the operation and maintenance of the existing 150 Stadium parking spaces on the rezoning site.
- Note to Applicant: Stadium parking stalls under this Agreement must be designated for shorter term (hourly and daily) public parking during daytime hours and will not count toward the minimum parking requirements for the site.
14. Execute a Floodplain Covenant for the rezoning site to the satisfaction of the Chief Building Official.

Planning

15. Execute an Inner-City Local Employment and Procurement Agreement between the applicant and the City for the construction of the project on the Rezoning Site;
16. Enter into a Good Neighbour Agreement with the City regarding liquor hours of operation and noise protocols for Rogers Arena.

Social Development

17. Execute a Housing Agreement to secure 614 residential units (with a total area of 37,319 m²) in this development as rental for the life of the building or 60 years, whichever is longer, and to include registerable covenants in respect of all such units prohibiting stratification, separate sales and rental for a term of less than one month at a time, and subject to such other terms and conditions as are satisfactory to the Director of Legal Services, the Managing Director of Social Development. Such number of housing units may be varied by the Managing Director of Social Development if the mix of units is varied to provide for more family units.

Note to Applicant: This Housing Agreement will be entered into by the City by by-law pursuant to Section 565.2 of the Vancouver Charter.

Sustainability

18. Make arrangements for appropriate agreements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for connection of the South and East Towers within the development to Northeast False Creek Low Carbon Heating Services to supply all heating and domestic hot water requirements of each building, in accordance with the Northeast False Creek Official Development Plan and the City's policies for low-carbon energy supply.

Note to Applicant: Unless and until the City has selected a retail Franchisee for NEFC low carbon district heating services, the Applicant will be prohibited from entering into any energy supply contract (other than for electricity, or natural gas required for processes not including space heating and domestic hot water) that does not give the Applicant and all future owners of the property the right to cancel such contract in whole or in part without cause or liability. No such energy supply contract will be entered into without the prior written approval of the General Manager of Engineering Services.

19. Provision of an option to purchase in favour of the City (with the right to assign the option to purchase to a utility operator) a minimum 93 m² suitable site on the Rezoning Site to be utilized for a neighbourhood scale steam to hot water converter station and any associated equipment. The site must be agreed upon and be to the satisfaction of the General Manager of Engineering Services.

Public Art Program

20. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager (a checklist will be provided).

Note to Applicant: Public art application and fulfillment options can be discussed with the Public Art Program Manager, Bryan Newson. (604.871.6002)

Soils

21. Submit a site profile to the Environmental Protection Branch (EPB).
22. As required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.
23. Enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance(s) satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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 rezoning site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

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.

* * * * *

800 Griffiths Way
DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE SIGN BY-LAW NO. 6510

Amend Schedule H (Comprehensive Development Areas) to change the title by deleting "General Motors Place" and substituting the words "Rogers Arena"

DRAFT AMENDMENTS TO THE NOISE BY-LAW NO. 6555

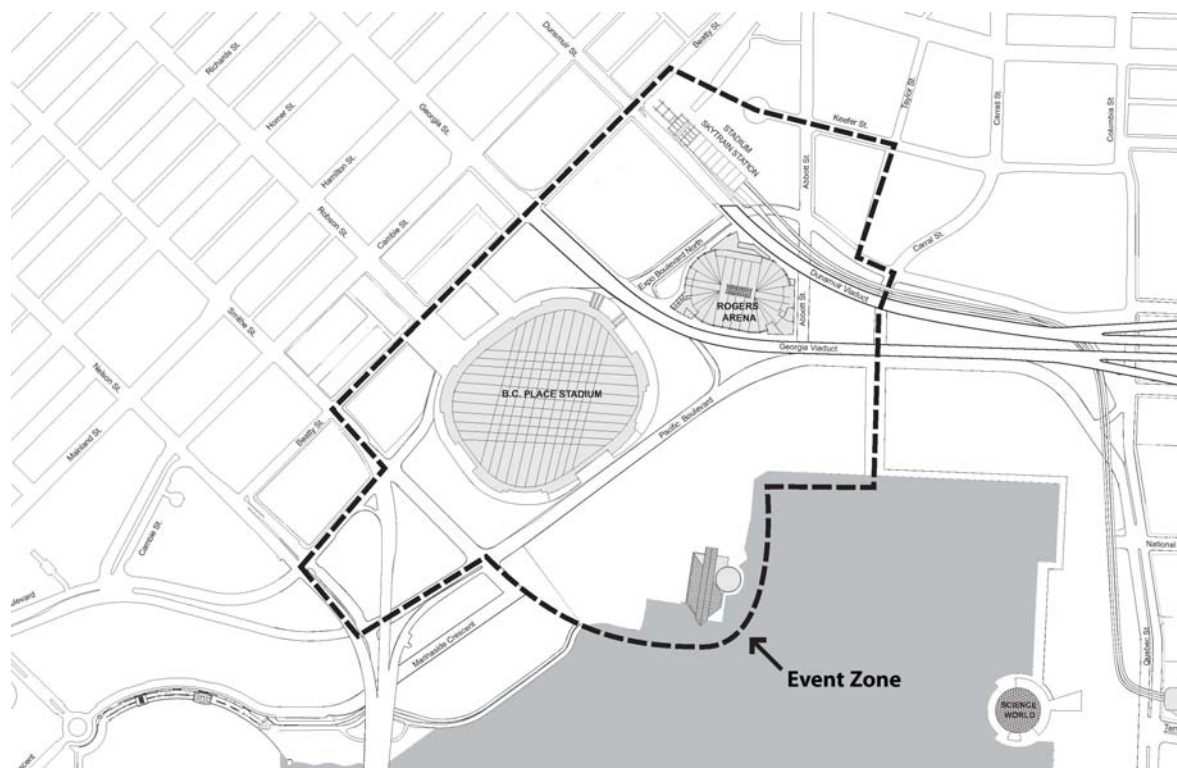
Amend Schedule G (Event Zone) by adding the following:

"CD-1 (311) [by-law #] 800 Griffiths Way"

Amend the definition of "Point of Reception" by striking out paragraph (c) and substituting the following:

- "(c) in the case of noise emanating from inside Rogers Arena, a point as defined in sub paragraph (a) or (b) or a point immediately adjacent to and outside of any dwelling unit located within the site legally described as PID: 018-500-374, Lot 221, Plan LMP 12038"; and
- (d) in any case at least 1.2 m above the surface of the ground."

Amend Schedule B.2 by revising the map as indicated below



Amend Section 14.B, adding a new section (d) reading as follows:

- d) emanates from Rogers Arena during a concert or sporting event, provided that the sound level does not exceed 82dBC (Leq) when measured using an approved sound meter at the point of reception for a continuous period of fifteen (15) minutes.

DRAFT AMENDMENTS TO THE PARKING BY-LAW NO. 6059

- 2. Council repeals section 4.1.5, and substitutes:

"4.1.5 CD-1 District Parking Requirements

Unless otherwise provided in Schedule C or in a CD-1 By-law, the parking requirements for a CD-1 District must be calculated using the standard set out in this by-law for the area in which the CD-1 District is located as shown on the maps which form part of this by-law."

- 3. In section 4, Council re-numbers sections 4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.1.11, 4.1.12, 4.1.13, and 4.1.14, as 4.1.8, 4.1.9, 4.1.10, 4.1.11, 4.1.12, 4.1.13, 4.1.14, and 4.1.15 respectively.
- 4. In re-numbered section 4.1.13, Council removes all references to section 4.1.12 within that section, and substitutes 4.1.13 in each case.
- 5. After section 4.1.6, Council adds:
 - "4.1.7 Mount Pleasant Industrial Area and Central Broadway requirements**
 - Non-Residential Uses (except Hotel) - Central Broadway and Mount Pleasant industrial area.
 - Non-residential uses (except Hotel) in Central Broadway and Mount Pleasant industrial area shall provide:
 - (a) at least one parking space for each 145 m² of gross floor area for the first 290 m² of gross floor area, and one additional space for each additional 70 m² of gross floor area; and
 - (b) not more than one space for each 40 m² of gross floor area."
- 6. In section 4.2, in the first sentence, Council strikes out the words "Map 4.3.1", and substitutes "Map 2B".
- 7. Council repeals section 4.3.9, and re-numbers section 4.3.10 as section 4.3.9.
- 8. In section 4.6.3, Council strikes out the words "number of".
- 9. In section 5.1.1, Council strikes out "In", and substitutes "Unless otherwise provided in Schedule C or a CD-1 By-law, in".

10. In section 6.1.1, Council strikes out "In", and substitutes "Unless otherwise provided in Schedule C or a CD-1 By-law, in".
11. In section 7.1.1, Council strikes out "In", and substitutes "Unless otherwise provided in Schedule C or a CD-1 By-law, in".
12. In section 16, after the words "Schedules A", Council strikes out "and", and substitutes ", ", and after the letter "B", Council adds "and C".
13. After Schedule B, Council adds:

**"Schedule C
CD-1 Districts Parking Requirements**

Address	By-law No.	CD-1 No.	Parking requirements
800 Griffiths Way		311	<p>Parking, loading and bicycle spaces in accordance with by-law requirements on (insert date of public hearing), except that:</p> <ul style="list-style-type: none">• a minimum of 170 parking stalls must be provided for arena use;• a minimum of one visitor parking space must be provided for each 20 residential units; and• the Director of Planning or General Manager of Engineering Services may allow for substitution of shared vehicles and shared vehicle parking spaces for required parking spaces at a ratio of 1:5, on conditions satisfactory to that city official.

**DRAFT AMENDMENTS TO THE FALSE CREEK NORTH OFFICIAL DEVELOPMENT PLAN
(BY-LAW NO. 6650)**

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.

[Deletions are ~~struck through and underlined~~. Additions are in **bold and underlined**.]

- Amend Sub- Section 2.2.2 as follows:
 - ~~General Motors Place Rogers Arena~~; and
- Amend Section 3.3 as follows:

3.3.1 Residential

It is intended that False Creek North be developed as a predominantly residential area to achieve regional and City objectives and recognize the special amenity of the area as a place to live. Several residential areas, as illustrated in Figure 4, shall be developed. In addition to dwelling uses, other complementary uses are also permitted to provide for the needs of residents.

Up to a maximum of ~~10,154~~ 10,768 dwelling units, having a total floor area up to a maximum of ~~946,417~~ 983,737 square metres are permitted. The maximum number of dwelling units and floor areas which may be permitted within each area shall be as illustrated in Figure 4.

Both the unit counts and floor areas permitted above are subject to satisfactory resolution of:

- (a) livability for various household types; and
- (b) compatibility with adjacent development

as determined prior to the enactment of each sub-area zoning.

The maximum number of dwelling units and maximum floor area which may be permitted within each area may be increased by up to 10 percent, provided that the total number of units and floor area are not increased, and subject to satisfactory resolution of (a) and (b), above.

Twenty-five percent of the total number of dwelling units shall be suitable for families with small children, as defined in Guidelines for High Density Housing for Families with Children adopted by City Council May 30, 1989.

~~12.53%~~ 11.81% of the total number of dwelling units shall be designated for affordable housing, with priority on housing for core-need households, with fifty percent of the affordable units to be suitable for households with children. The affordable units shall be integrated into each residential area, except that Council may permit alternate arrangements to provide some affordable units off-site. Council may also permit affordable housing programs or initiatives to include subsidized and market rental units or subsidized and market co-operative units.

The mix of dwelling unit types within each sub-area shall be generally as illustrated in Figure 4 with flexibility to vary from this mix by ~~5 percent~~ %, subject to the approval of Council, when considering a sub-area zoning, provided that the overall mix of dwelling units remains the same.

- Amend Sub-Section 3.5.2.2 as follows:

3.5.2.2 Cultural, Recreational, and Institutional Uses Serving the City and Region

The proximity of the Stadium, General Motors Place Rogers Arena and Science World, and their ready access to public transit, reinforces the role of the area as a centre for entertainment, sports, and cultural and public events, serving the City and region.

To enhance this role, Council may allow sub-area zonings to include other cultural and recreational facilities, including a major art gallery and a major casino, that will also serve the City and region.

- Amend Sub-section 3.9 as follows:

3.9 Building Height

~~No building shall exceed 91 metres in height, except for the tower located on the site in Sub-area 1B adjacent to the southwest corner of Pacific Boulevard and Homer Street which shall not exceed 110 metres in height.~~

Buildings must not exceed 91 metres in height, except that a tower located in Sub-Area 1B adjacent to the southwest corner of Pacific Boulevard and Homer Street, or located in Sub-area 7(a) must not exceed 110 metres in height.

Roof projections may be permitted to extend above these building height limitations, provided that they do not contain habitable space and are designed as capping elements complementary to the design of the building.

Building heights for specific locations will be determined with each sub-area zoning, having regard to the Illustrative Plan described in Section 7 and:

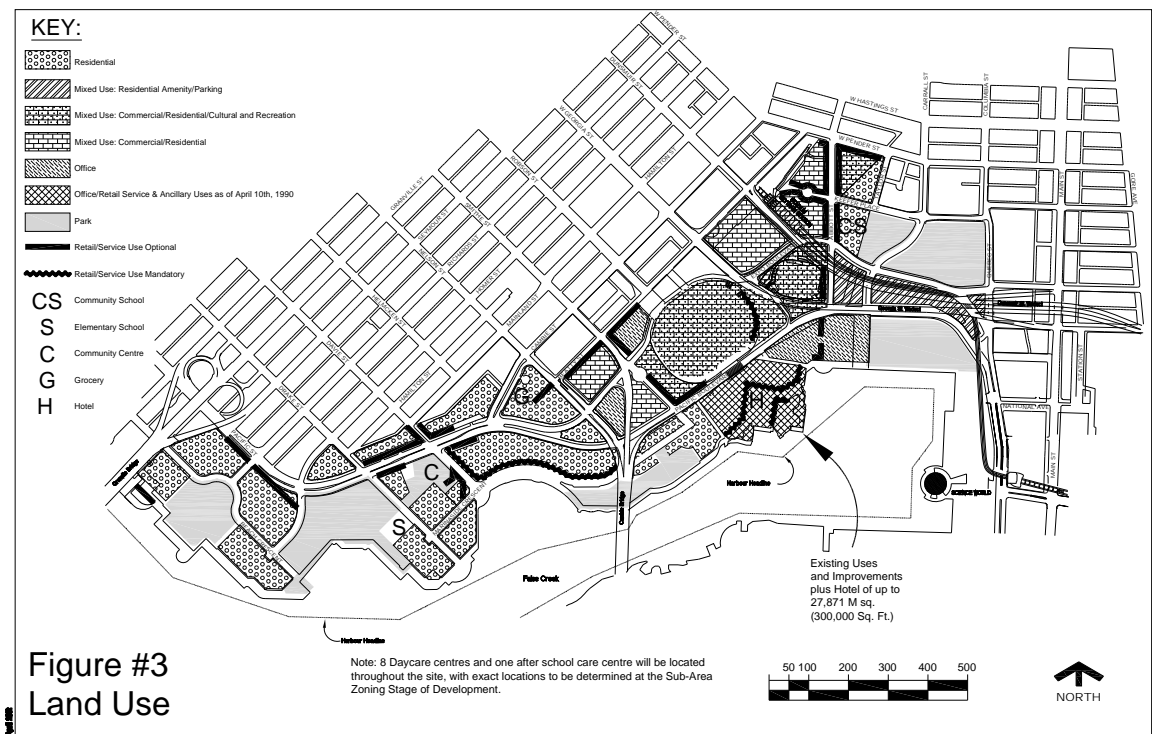
- (a) public and private views, including views created by the development form;
- (b) shadowing of public and private open spaces and streets;
- (c) privacy;
- (d) effects on the scale and character of open spaces; and
- (e) form relationships to nearby buildings.

- Amend Sub-Section 6.9 as follows:

6.9 Area 7(a)

~~In addition to office this area includes a stadium and arena facility, which facility may include manufacturing but limited to small scale brewing or distilling. This area includes Rogers Arena which is a city and regional venue for sporting and entertainment events. The development of adjacent mixed use towers is intended to integrate the arena in to the surrounding neighbourhood and provide commercial and residential uses in a central location. The site must include public open spaces to meet the public needs for celebration, gathering and access to and from arena events. Residential developments must be specifically designed to mitigate noise impacts arising from arena events and associated public activity.~~

- Substitute Figures 3, 4, 5, 9b, 12a, and 12c in Section 7 with the amended figures.



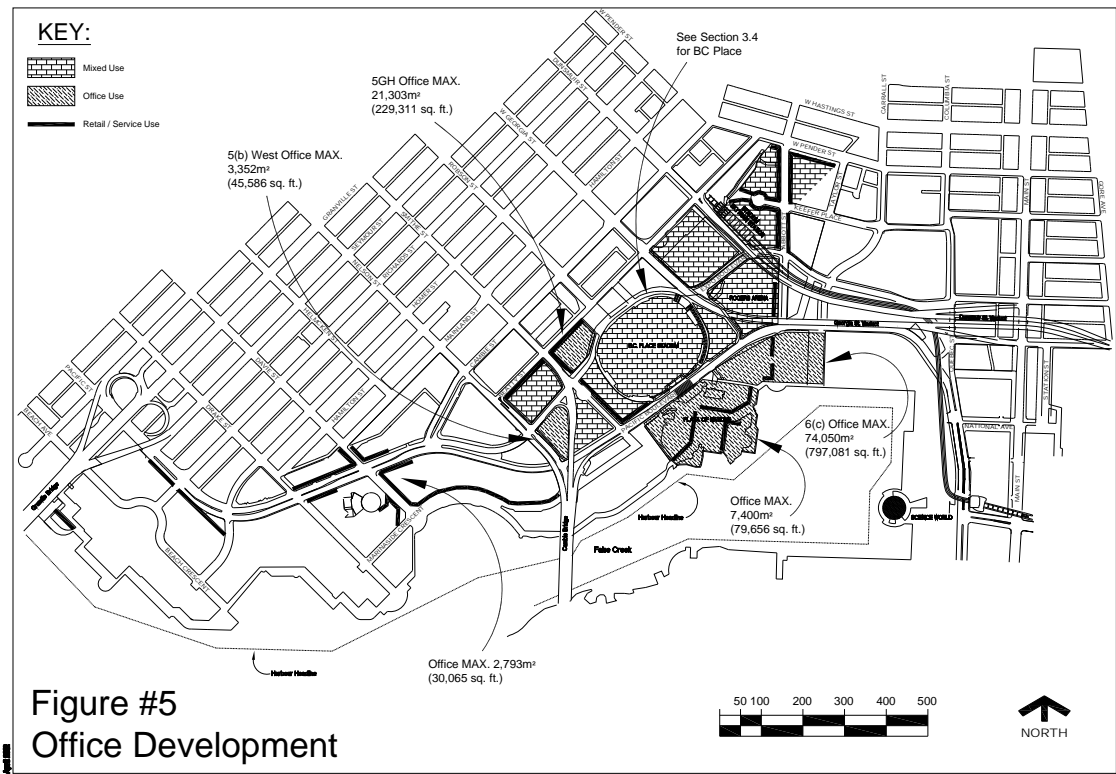
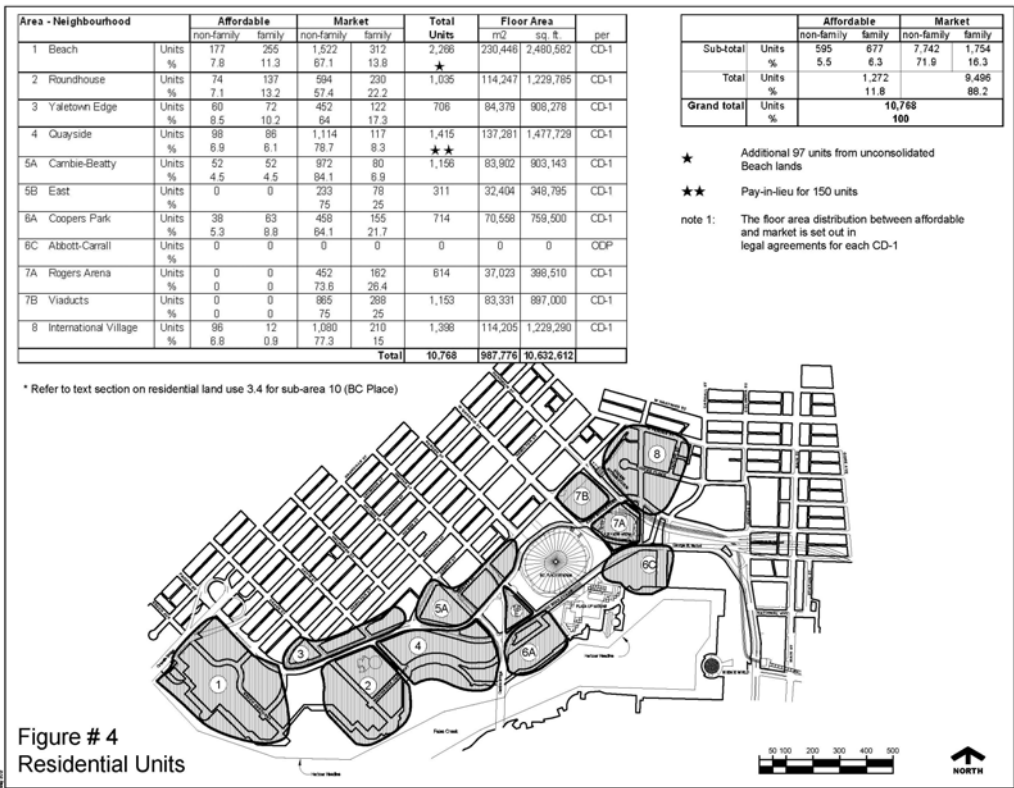
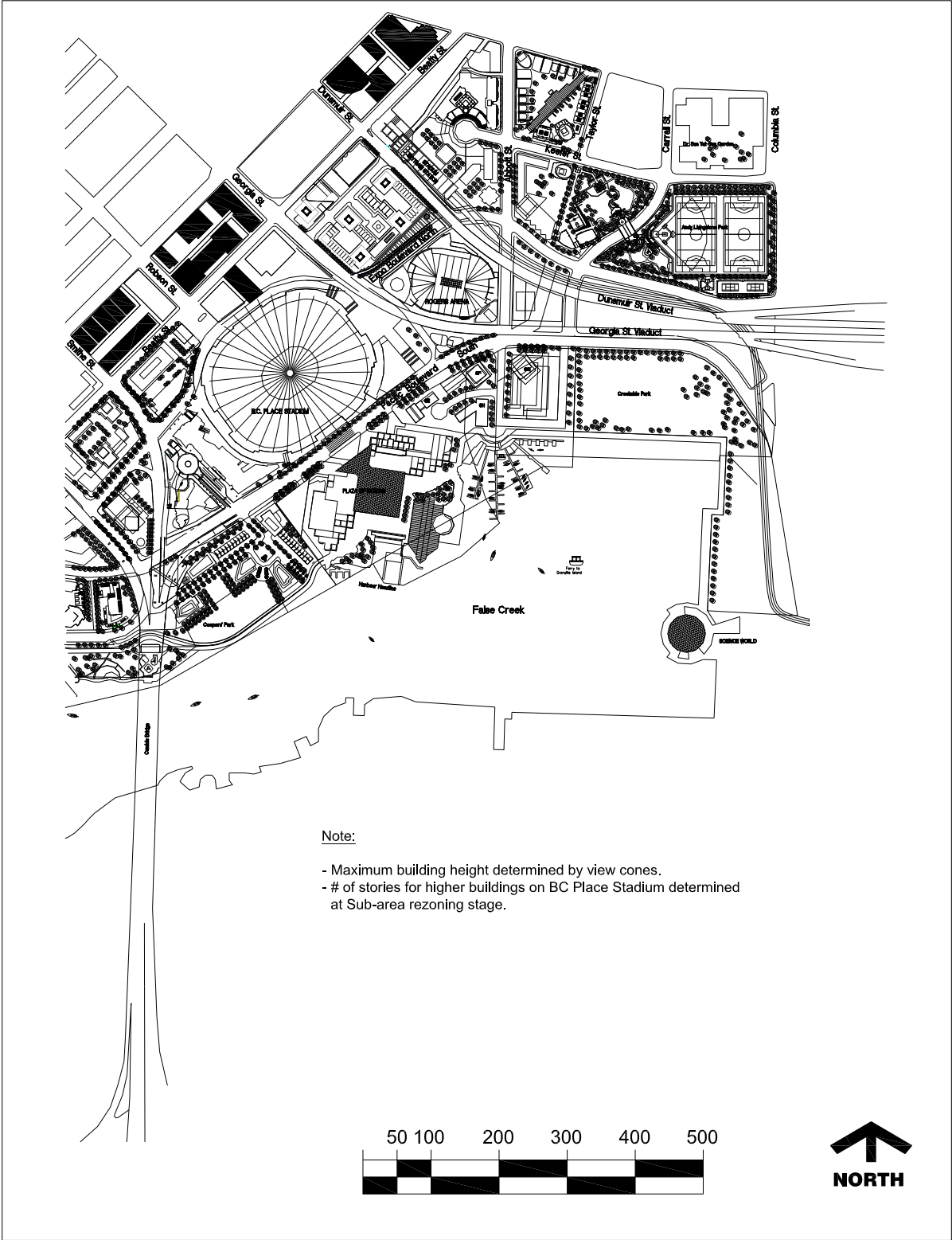






Figure #12a

Illustrative Plan

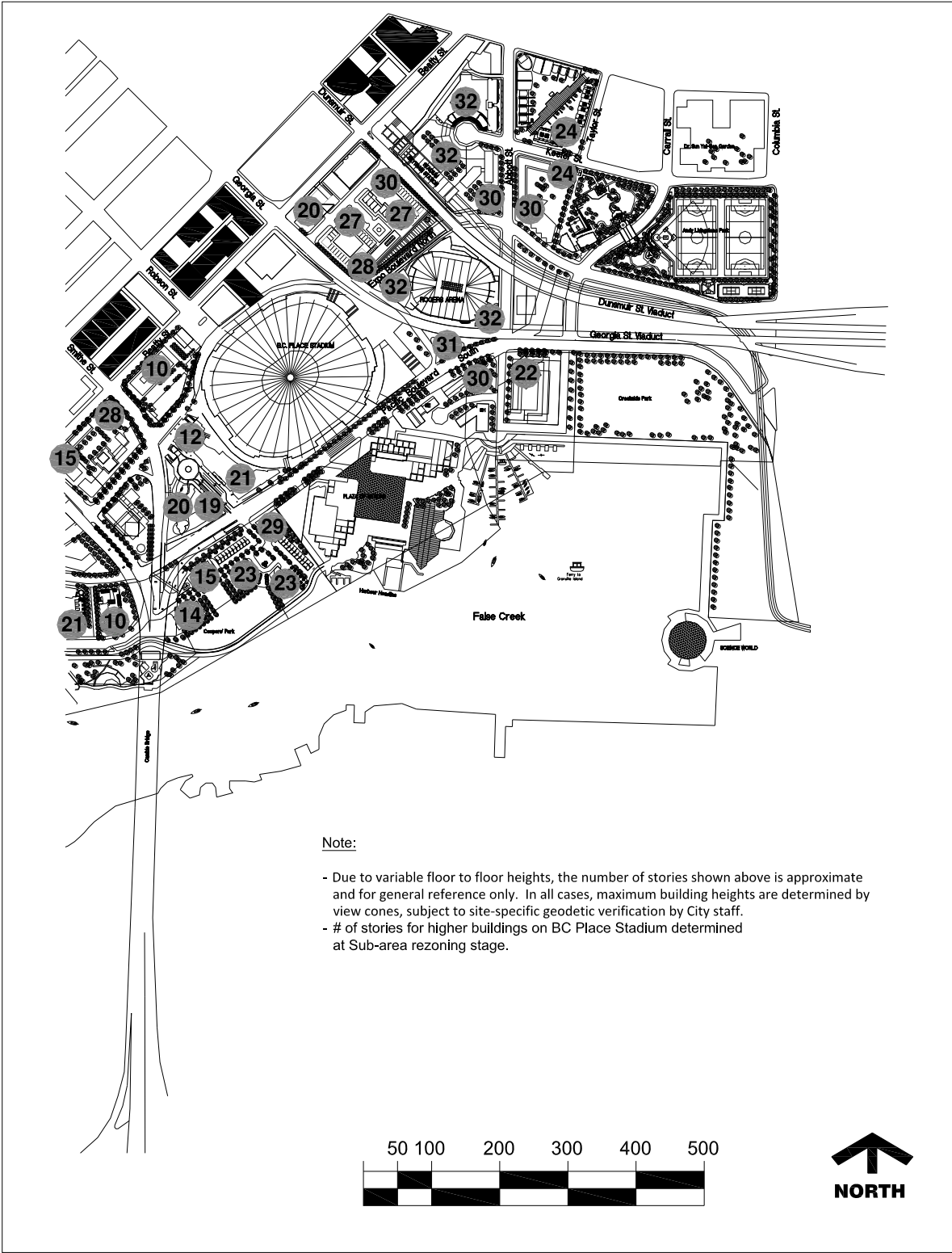


KEY:

23 Number of Storeys



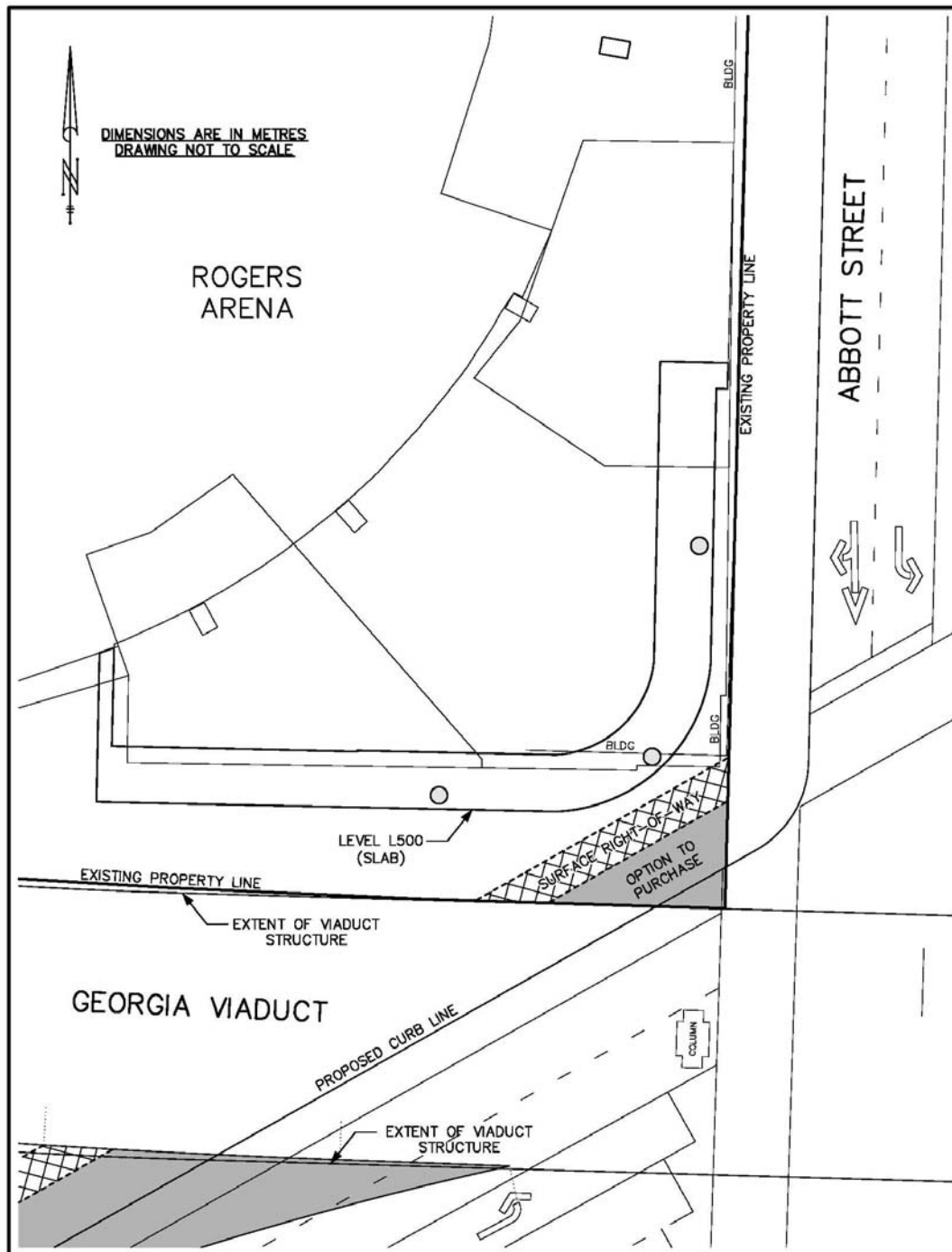
Figure #12c
Maximum Tower Heights



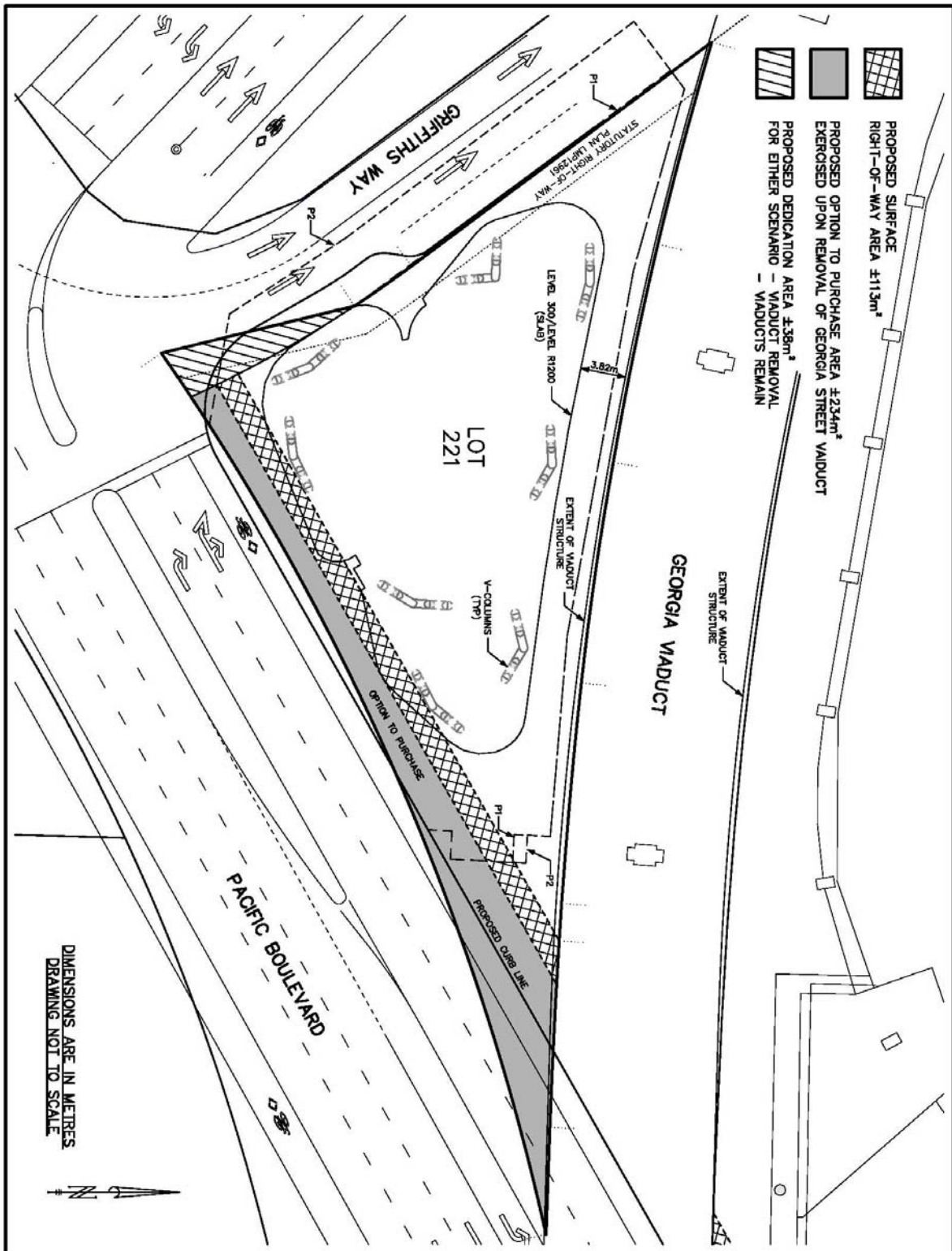
April 2012

800 Griffiths Way
ROAD AND RIGHT-OF-WAY REQUIREMENTS

East Tower



South Tower



800 Griffiths Way
ADDITIONAL INFORMATION

Applicant's Comments



AQUILINI
DEVELOPMENT AND
CONSTRUCTION INC.

STANDARD BUILDING
#200-510 WEST HASTINGS ST.
VANCOUVER, BC V6B 1L8
P: 604.687.8813 F: 604.684.1125

May 30, 2012

City of Vancouver
453 West 12th Avenue
Vancouver, B.C.
V5Y 1V4

ATTN: Dwayne Drobot, Rezoning Planner

Dear Dwayne,

RE: Rogers Arena Rezoning – Response to Draft Report

Thank you for your draft report for the rezoning of Rogers Arena dated May 24, 2012. We have reviewed the document and would like to offer four comments.

1. **North Plaza Pedestrian Bridge** – We would like to remain flexible in terms of the form and nature of the pedestrian link between Rogers Arena and the Skytrain. We will work with the City in order to alleviate issues regarding pedestrian movement; however, we request that the City be open to alternative designs that will accommodate the desired pedestrian circulation.
2. **Property Tax Break** – Our commitment to providing long term purpose built rental accommodation results in a significant decrease in value when compared to a condominium development. As a result, we kindly request that the City of Vancouver provide a permissive property tax exemption in order to help us address the specific housing goals and objectives of the City.
3. **Relaxation on Development and Building Permit Fees** – Again, due to our commitment to addressing housing affordability goals in Vancouver, we kindly request that a relaxation of development and building permit fees be given for this development.
4. **Community Amenity Contributions (CACs)** – As you are aware, we have requested that no CACs be charged for this rezoning as a market rental project. As is being requested, we are willing to sign a housing agreement that secures all the residential units as market rental for 60 years or the life of the building.

The sports and recreation facility will house public amenities ranging from a day care, public ice rink and community space. As a result, we believe that a portion of Canadian Metropolitan Properties Corp.'s CACs will be funding the facility. Should additional funding will be required; Aquilini/Canucks Sport and Entertainment will provide cash contributions for the construction of the facility. The partnership of Aquilini/Canucks Sport and Entertainment / Canadian Metropolitan Properties Corp. shall remain responsible for any cost overruns from the operations of the entire facility.

Thank you for your continued effort as we move towards the rezoning of Rogers Arena.

Yours truly,

David Negrin, President
Aquilini Development and Construction Inc.



AQUILINI
INVESTMENT GROUP

The Aquilini Investment Group holdings include:
the Vancouver Canucks, Rogers Arena, Golden Eagle Group, Golden Eagle Golf Courses, Aquilini Properties, Aquilini Development and Construction & Aquilini Renewable Energy

EVALUATION: SUPPORT (6-0)

Introduction: Dwayne Drobot, Rezoning Planner, introduced the proposal for a site in False Creek North ODP. The Northeast High Level Review called for this area to be a high density mixed-use area that is a place to play, work and live. The review also wanted to see innovative architecture that is distinctive from other waterfront areas. Council has directed staff to find creative opportunities for open space. Mr. Drobot described the physical context noting that the site is bounded by Pacific Boulevard, Expo Boulevard, Griffiths Way and Abbott Street. The proposal is for three towers on the Rogers Arena site. There is a 22-storey office tower already approved on the west corner and this proposal would shift some of the commercial space to the east tower, as well as add additional residential use to the west tower.

Garry Papers, Development Planner, further described the proposal noting that the west tower form has already been approved as a design application so the rezoning is dealing with an internal design or use change. The massing and proportions are part of the context. The exterior form, uses and the public realm are part of the rezoning. Mr. Papers described the context across Pacific Boulevard noting that there is a Council adopted direction to continue the Georgia Street view corridor and accessibility adjacent to the viaduct, down to Pacific Boulevard and continuing with a major public access to the water on axis with Science World which is called the Georgia Steps. There will be additional development at some point across Abbott Street in between the viaducts and will connect back along Abbott and Griffiths Streets to the SkyTrain station. He added that a future street car will run along Pacific Boulevard. Mr. Papers noted that the east tower is immediately adjacent to the arena and will be occupying a corner that presently has a four-storey structure with parts of it being retained. There will be a south tower in between the viaduct and the future Pacific Boulevard and Georgia Steps which is more free standing. He noted that the towers are right to the view cone so there isn't any room to add height to the buildings. He added that it is a challenging site because of the connections but they are trying to maintain as much public realm as possible.

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

- Are the tower forms appropriate to the site and provide supportive uses?
- Do the tower forms contribute to "a distinctive architecture" for this district?
- Is the public realm design appropriate to the emerging context and provides space for everyday pedestrian movements and connections and generous enough for large event surges?

Mr. Drobot and Mr. Papers took questions from the Panel.

Applicant's Introductory Comments: Walter Franci, Architect, further described the proposal and reminded the Panel that the site is in an entertainment district and is a place that is anticipated to get a lot of noise. This is a place for activity and will become a new heart for this type of activity in the city. He noted that the major faces of the towers don't look at each other and have a 100 foot separation corner to corner. Mr. Franci noted that the west tower will now have a residential component on the upper floors which is a new use for the building. The east tower is physically attached to the stadium and has a commercial floor that the Canucks will occupy as their office space with retail space at grade. The upper

floors are residential with the amenity space at the top of the tower and urban agriculture on the roof. Mr. Franci described some of the sustainable features noting the balconies and louvers on the horizontal surfaces to shade the southwest faces of the buildings. On some of the elevations the vertical fin louvers animate the façade. The south tower sits on the other side of the viaduct and is the more unique building. They are planning to minimize the footprint and are proposing to use the balconies for shade on the building and wall faces and provide character to the building. The roof top amenity spaces are for the residents and will include some urban agriculture. All of the buildings will be LEED™ Gold Standard and certified. Mr. Franci noted that they have paid a lot of attention to some of the solar shading features as well as a solution for the envelope design.

David Negrin, Aquilini Development, said he thought it was an exciting project because of the different types of spaces. He thought it would be important to create an area underneath the towers for both public and private use that will have excitement and lots of light. The bottom of the tower is taken up to the viaduct level so everything above will be residential. They also thought it was important to create really good commercial space. There will be uses in both buildings adjacent to the stadium that will tie into the building. They wanted to create a better open space than what was currently there. He added that they would like to do something at the top of the towers with lighting that might be used during games.

Margot Long, Landscape Architect, described the landscape plans noting the north plaza will be animated and where events happen and they are looking at potentially adding outdoor video screens. She noted at the south plaza, is a quieter space at the moment, with entries that are mostly used for exiting the building and does not relate very well to the street.

Ms. Long stated that they looked at this proposal as a new way to activate the space. The stairs have been reoriented coming down from the concourse and will face Pacific Boulevard with a water wall on both sides. The Rick Hansen monument, which is currently hidden under the viaduct, will be moved to the corner plaza. Ms. Long noted that they will be collecting rain water from the roofs which will be used in the water features. She also noted that they are planning to add LED lighting in the sidewalk.

The applicant team took questions from the Panel.

Panel's Consensus on Key Aspects Needing Improvement:

- design development to the plaza beneath the south tower with a view towards enhancing the sense of openness, perhaps reducing the amount of indoor amenity space to provide more pedestrian hardscape;
- consider more refinement to the design of the tower supporting columns; and
- consider the addition of office space or amenity space in the south tower on the first few levels adjacent to the viaduct instead of residential use to mitigate viaduct noise impacts.

Related Commentary: The Panel supported the proposal

The Panel had no major concerns with the form of development and thought the east tower was successful. As well they thought the architecture was distinctive especially in the south tower. Most of the Panel supported the residential use in the west tower however one Panel member suggested that the residential units start further up the tower to make them more

liveable. Also because of the original floor plate being designed for office use, there was some concern that the deeper core to glass dimensions may create challenges with unit layouts. They also liked the idea of separating the residential uses with a number of storeys of office space. A couple of Panel members were concerned with the residential entry of the west tower at the viaduct level noting that there was some challenges to be overcome regarding the public realm interface.

The Panel thought the west and east towers dealt well with circulation but felt that having the amenity space on the ground floor of the south tower might not be the right choice. They felt it was constrained already and thought that since it was a small lobby the amenity space should be moved up one or two levels. One Panel member suggested hanging the lobby from the underside of the building to free up more hard surface area.

The Panel agreed that the public realm connections were challenging but thought the redistribution of pedestrian traffic would open the stadium more to the public realm. They liked that the amenity space proposed for the roof as they felt that it would be further away from any noise associated with the activities that would take place in the stadium and would therefore be more useable. One Panel member suggested there be an indoor amenity attached to the outdoor amenity spaces on the roofs.

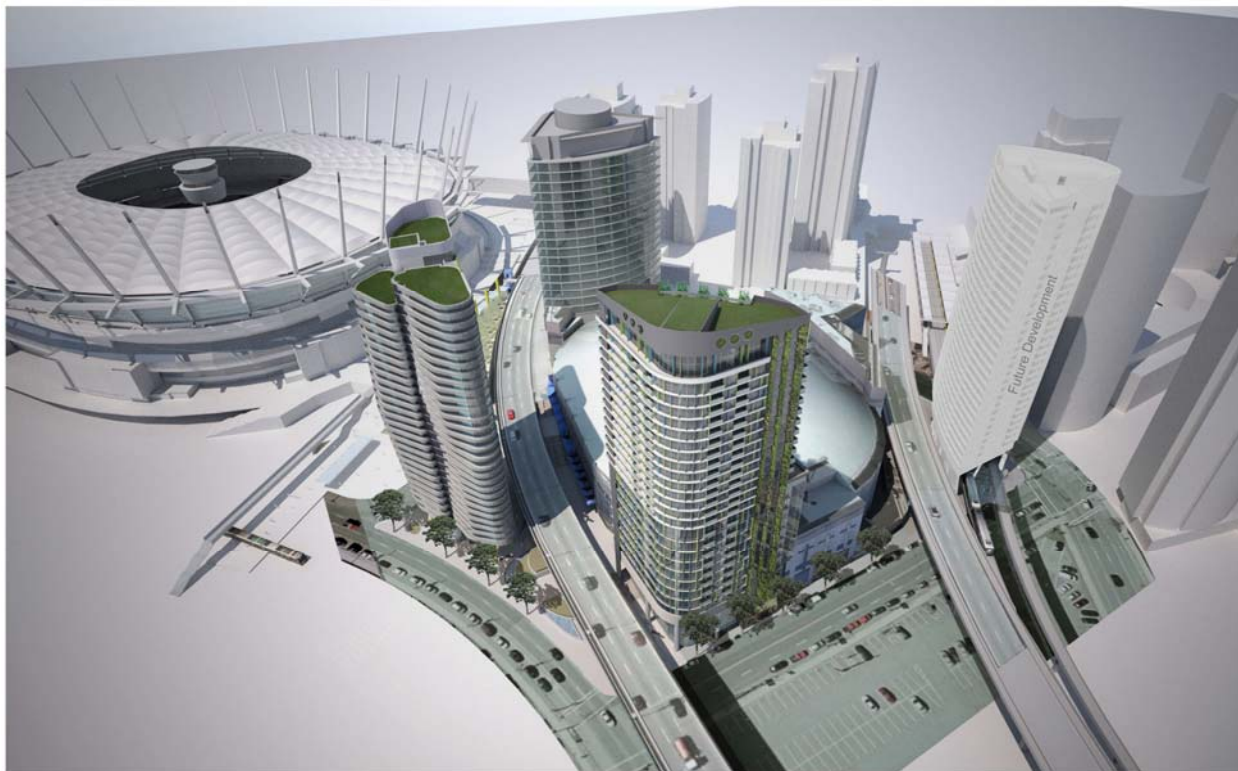
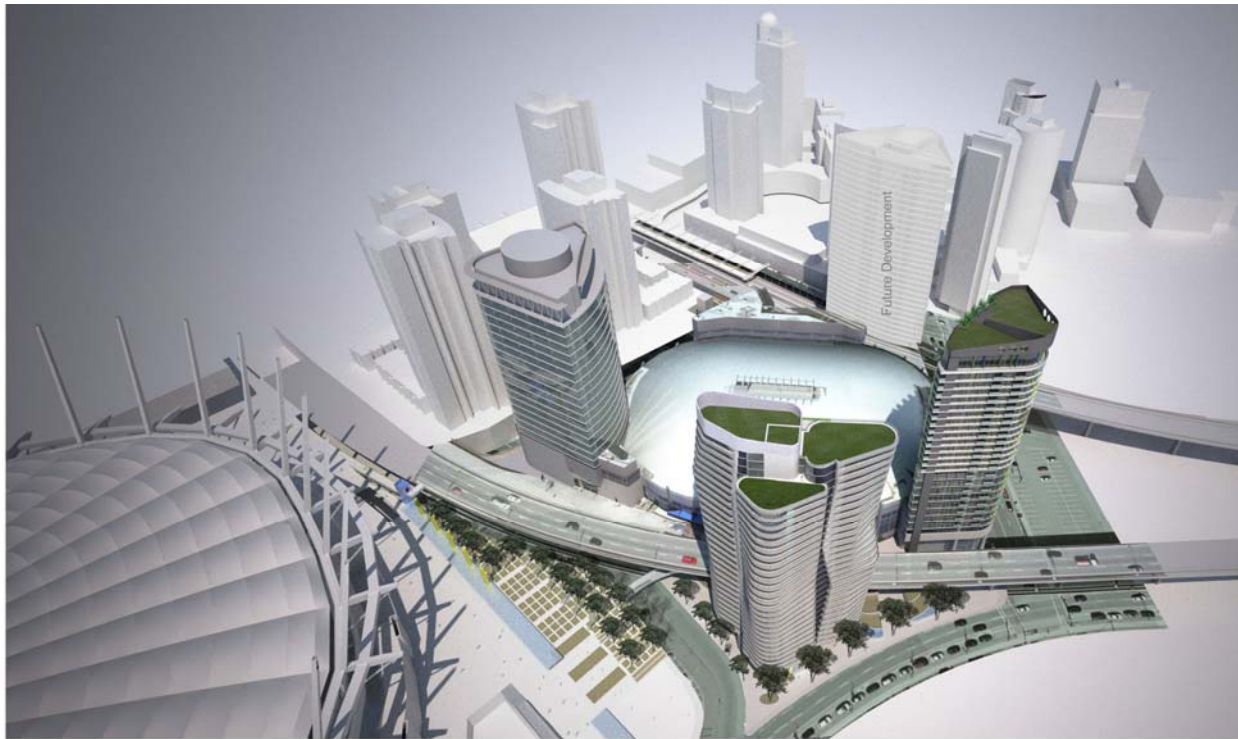
Several Panel members commented on the lighting plans with one Panel member asking the applicant to consider lighting the underside of the viaduct.

The Panel thought the south tower column structure was interesting but could use a little refinement. One Panel member suggested some design development to the soffits and suggested lighting them or making them more of a design element.

The Panel supported the visible expression of the sustainable design initiatives for the project and noted that it would be an energy efficient building.

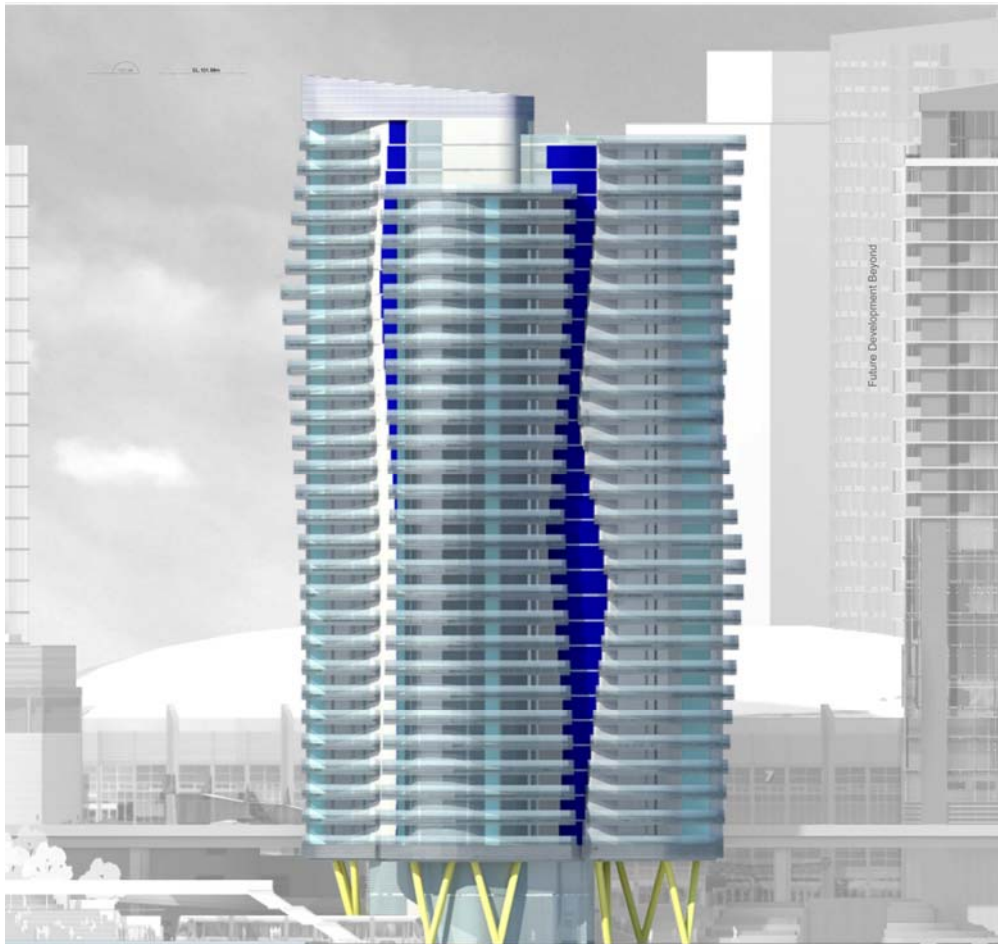
Applicant's Response: Mr. Franci said he appreciated the Panel's comments.

800 Griffiths Way
FORM OF DEVELOPMENT



5.0.10 Renderings: Aerial

South Tower Elevation



800 Griffiths Way
PUBLIC BENEFITS SUMMARY

Project Summary:

Two mixed-use towers and a third residential tower with 614 units of market rental, and 215,000 square feet of commercial space.

Public Benefit Summary:

614 Market Rental units secured for 60 years or the life of the building, and a public art benefit

	Current Zoning	Proposed Zoning
Zoning District	CD-1	CD-1
FSR (site area = sq. ft. / m ²)	1.52	5.38
Buildable Floor Space (sq. ft.)	701,087 sq. ft	1,083,689 sq. ft
Land Use	residential/commercial	residential/commercial

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL(See Note 1)	0	0
	DCL (Area Specific)		
	Public Art		\$727,074
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver site)		
	Affordable Housing		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		0	\$727,074

Other Benefits:

A total of 614 market rental units secured for the life of the building or 60 years, whichever is greater.

Note 1: No DCL's are required for this site under the False Creek North Official Development Plan

800 Griffiths Way
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Applicant and Property Information

Address	800 Griffiths Way
Legal Descriptions	Lot 221, Plan LMP 12038, PID 018-500-374
Developer	Aquilini Developments
Architect	Walter Francl Architects
Property Owners	Aquilini Developments

Development Statistics

	Development Permitted Under Existing Zoning	Proposed Development
ZONING	CD-1	CD-1
SITE AREA		18,700 m ²
USES	Cultural and Recreational/Office/Retail/Service	Residential/Cultural and Recreational/Office/Retail/Service
FLOOR AREA		Arena 37,735 m ² Residential 37,319 m ² Office 19,124 m ² Retail/Service 6,500 m ² <hr/> Total 100,678 m ²
HEIGHT	91 Metres	West tower 90.06 m East tower 98.49 m South Tower 97.48 m
PARKING, LOADING AND BICYCLE SPACES	562 Parking Spaces	Existing Arena Demand 170 stalls Office/Retail 134 stalls Residential West 104 stalls Residential East and South 200 Stalls Visitor Parking Stalls 31 Stalls Stadium Parking 150 Stalls Total Required 789 Stalls Total Provided 742 Stalls Required Car-Share at 1:5 12 Stalls