



POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: May 2, 2014  
Contact: Kevin McNaney  
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RTS No.: 10565  
VanRIMS No.: 08-2000-20  
Meeting Date: May 13, 2014

TO: Vancouver City Council  
FROM: General Manager of Planning and Development Services  
SUBJECT: CD-1 Rezoning - 998 Expo Boulevard (Concord 5B West)

**RECOMMENDATION**

A. THAT the application by One West Holdings Ltd. ("Concord") to rezone 998 Expo Boulevard (PID 028-725-930 Lot 303 False Creek Plan BCP49660), from BCPED (BC Place/Expo District) to CD-1 (Comprehensive Development) District to permit development of two residential towers with two floors of commercial development having a floor area of 38,871 m<sup>2</sup> and a height of 87.25m be referred to a Public Hearing, together with:

- (i) plans prepared by James KM Cheng Architects, received December 11, 2007;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
- (iii) the recommendation of the General Manager of Planning and Development Services 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 the 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 E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B of the Sign By-law (assigning Schedule "B" [DD]), 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 amending by-law, generally in accordance with Appendix C, for consideration at the Public Hearing.

- D. THAT subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule G, 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 amendment to the Parking By-law at the time of enactment of the CD-1 By-law.

- F. THAT should the application be referred to a Public Hearing, the registered property owner shall submit confirmation, prior to Public Hearing, in the form of "Letter A", that an agreement has been reached with the registered owner of the proposed donor site for the purchase of heritage bonus density.

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

- (i) THAT passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any appeal 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 rezone 998 Expo Boulevard from BCPED (BC Place/Expo District) to CD-1 (Comprehensive Development) District, to permit the development of two residential towers containing a total of 620 units above a podium of two floors of commercial uses. Staff have assessed the application and find that it meets the intent of the Northeast False Creek Directions for the Future (NEFC Directions 2009). Significant improvements to recreational facilities in the NEFC area are part of the public amenity package. Staff support the application, subject to rezoning conditions outlined in Appendix B. Staff recommend that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning and Development Services to approve it, subject to the Public Hearing, and subject to the conditions of approval outlined in Appendix B.

**COUNCIL AUTHORITY/PREVIOUS DECISIONS**

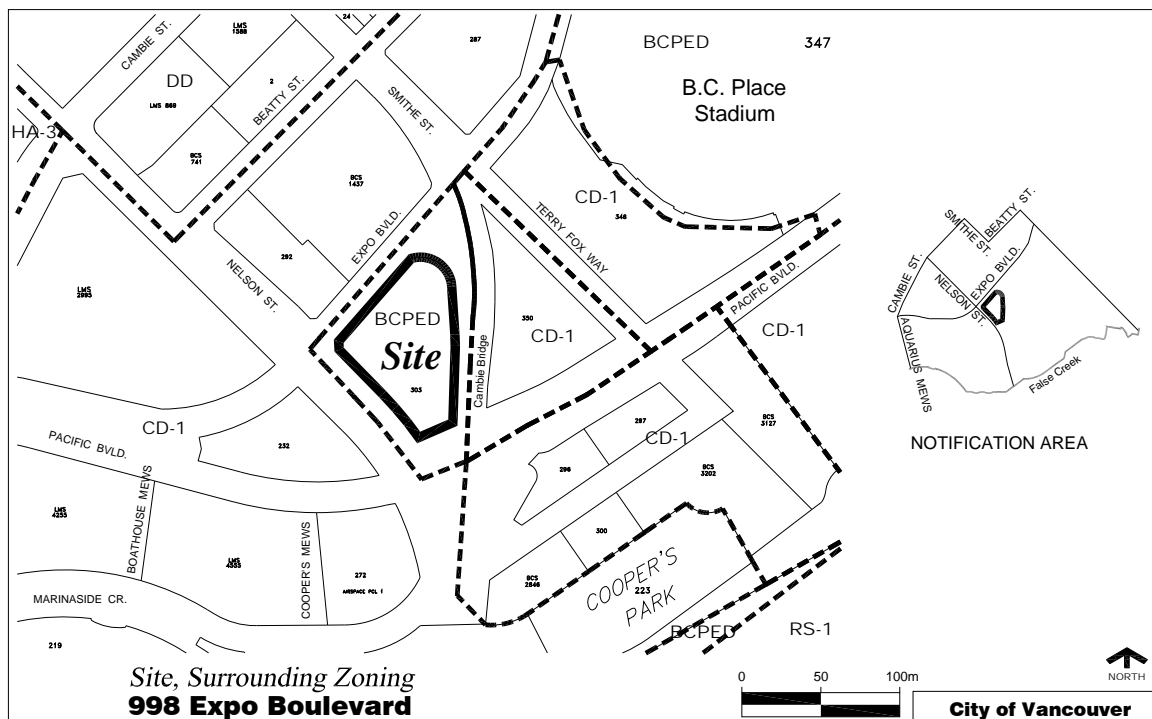
- Vancouver Noise Control By-law (1989)
- False Creek North Official Development Plan (1990)
- View Protection Guidelines (1990)
- Bridgehead Guidelines (1997)
- False Creek North: Land Use Policy for Special Events, Festivals and Entertainment Functions (2005)
- Metro Core Jobs and Economy Land Use Plan: Issues and Directions (2007)
- Northeast False Creek Directions for the Future (2009)
- Green Building Policy for Rezoning (2009)
- Housing and Homelessness Strategy (2011)
- Northeast False Creek: Issues Report (2011)
- Transportation 2040 (2012)

**REPORT**

**Site and Context**

The subject site is located in the False Creek North community, to the west of the Cambie Bridge and east of Nelson Street (See figure 1). The site is currently vacant. To the north of the Subject Site is office and residential development. South of the Subject Site is residential development (including two vacant sites identified for future affordable housing). East of the Subject Site is the Cambie Bridge off-ramp and a mixed use project now under construction. West of the Subject Site is residential development, including a vacant site identified for future affordable housing.

Figure 1 – Site and Context

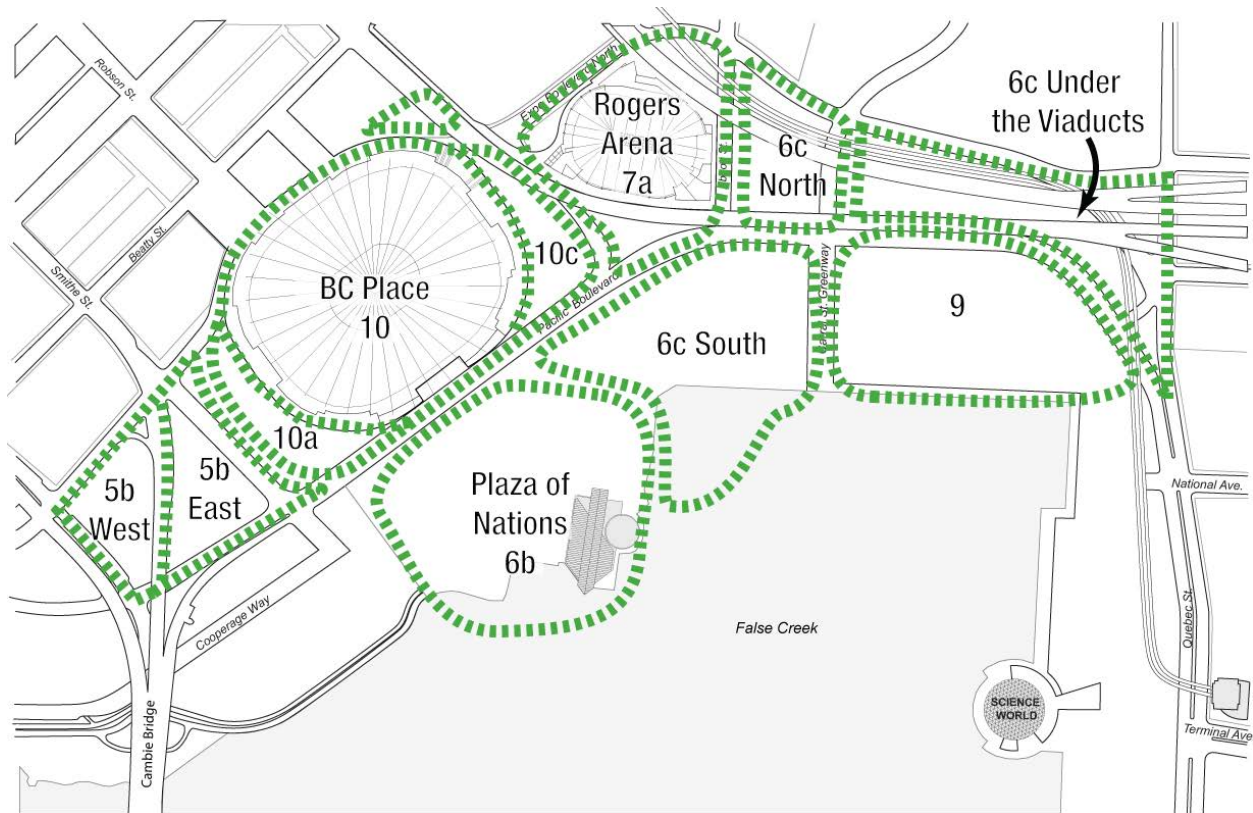


## Background

### 1. Northeast False Creek (NEFC)

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

Figure 2 – NEFC Land Parcels



Since 2009, three sites in Northeast False Creek have been approved for rezoning (Area 10a, Area 5b East and Area 7a) and two sites are currently in the process of rezoning (the Subject Site and Area 6b). Only the development site on the southeast corner of BC Place Stadium (Area 10c) and Concord's Area 6c have yet to submit for rezoning.

### 2. Previous Decision of Council

The application for the rezoning of Area 5b West was initially considered by Council at a Public Hearing on February 17, 2011. The application included the same form of development (two towers as shown in this report) and proposed a public benefits package that included a two acre temporary park (on Area 9), the transfer of two parcels of land in the Downtown Eastside to the City, and other greenway and under-bridge improvements. On March 15, 2011, Council referred the application back to staff for further work with Concord on the public benefits package to include a clear commitment from Concord for the development of the Creekside Park Extension (Area 9) within a reasonable timeframe. The topic of park timing is discussed fully in the section on Policy Considerations.

### *Policy Context*

In 2009, Council approved Northeast False Creek: Directions for the Future (NEFC Directions) as policy to guide the future development of lands that are governed by the False Creek North Official Development Plan (FCN ODP) and which remain to be developed. The NEFC Directions support the achievement of 167,225 m<sup>2</sup> (1.8 million sq.ft.) of non-residential floor area or “job space” and consideration of up to 371,612 m<sup>2</sup> (4 million sq.ft.) of residential floor area, the provision of new public open space and an array of public benefits and amenities to be delivered through future rezoning applications in NEFC. The proposed mix of residential and commercial on this site compiles with the new vision for the area and with the site specific advice on land use, sustainability, and design for this site.

Development of the Subject Site is also governed by the FCN ODP, which calls for rezonings to CD-1 for each sub-area in the ODP. An amendment to the FCN ODP is required to allow residential development and decrease the amount of commercial development required (see Section on Proposed ODP Amendments) which meets the anticipated policies in the NEFC Directions.

### **STRATEGIC ANALYSIS**

#### 1. Proposal

This application proposes to rezone the site located at 998 Expo Boulevard from BCPED (BC Place/Expo) District to CD-1 (Comprehensive Development) District. Two residential towers of 30 and 28 storeys are proposed with two floors of commercial development. In total, the application proposes 620 dwelling units with underground parking accessed off Nelson Street and Expo Boulevard. A plaza is proposed at the corner of Expo Boulevard and Nelson Street.

#### 2. Land Use and Density

The proposed land use is for a mixed use development with 1,948 m<sup>2</sup> (20,968 sq. ft.) of commercial uses in the podium floors of the building and 36 923 m<sup>2</sup> (397,435 sq. ft.) of residential development in two towers with a total of 620 dwelling units. Street-fronting retail and service uses are provided adjacent to Expo Boulevard and Nelson Street to animate the public realm. Staff have concluded that, based on the proposed built form, setbacks, and massing, the proposed density of 8.14 Floor Space Ratio (FSR) can be achieved on this site, subject to design conditions noted in Appendix B.

#### 3. Form of Development

From an urban design perspective, this site, along with the development on the site east of the Cambie Bridge, forms an important gateway into the downtown from the Cambie Bridge. The proposed two curving tower forms on this site with linking bridge elements, provides a unique form at this prominent location, and will create a memorable entry into the Downtown. While the proposed tower heights of 28 and 30-storeys are supported, design development, prior to Development Permit submission, is needed to finalize the exact shape of the curving form to better respond to the Cambie Bridge and to offset the westerly tower's Expo Boulevard façade from the neighbouring tower across this street. The strong podium provides positive street and open space definition along Expo Boulevard, Nelson Street and the Cambie Bridge ramp. The application was reviewed by the Urban Design Panel on June 18, 2008 and was unanimously supported. The form of the project has not changed since that time and no further review by the Urban Design Panel was required.

a) Height and Liveability

The height proposed for the taller North Tower is 87.25 m to the top of the mechanical penthouse; the South Tower is lower. Design review by staff and the Urban Design Panel concluded that the height and building form proposed responded well to the policy direction to create a gateway at this location. View Corridor guidelines apply to the towers on this site. In order to retain all protected views from Cambie Street, the maximum heights of the towers including the mechanical penthouses must be reduced slightly.

The adequate separation of buildings and windows of living areas in apartment towers is an important consideration of the City's review of residential liveability. While no standard exists in the False Creek North ODP, the Downtown ODP Guideline of an 80 ft. minimum separation above a 70 ft. height, has been widely used and accepted as necessary to achieve liveability in towers. The proposed buildings are more than 80 ft. from any existing buildings and meet this guideline.

b) Public Realm

The proposed plaza at the intersection of Nelson Street and Expo Boulevard connects with the pedestrian link next to the Cambie Bridge and various street interfaces. The plaza provides a positive, enhanced public realm around and through the site. The commercial storefronts around the perimeter and through the breezeway passage will help activate the streets and under-bridge areas, as well as provide high quality pedestrian spaces. Further design development is needed at the Development Permit stage to enhance and clarify the public realm treatment to ensure a high quality, safe pedestrian environment. The final public realm solution will be informed by the NEFC Public Realm Framework which is being developed as part of the on-going NEFC work program.

4. 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. The policy directs applicants to mitigate event noise so that the dBC level within the apartments does not exceed 50 dBC (deep bass noise) during an event. The subject site is fairly removed from the event noise generated at BC Place, Rogers Arena and the Plaza of Nations. The project acoustic consultant has provided confirmation that the project will be able to comply with the acoustic requirements.

The applicant will also be required to design the heating, ventilation and cooling system using a "windows closed" assumption so that residents can close their windows to enjoy quieter living spaces during events without becoming uncomfortably warm. The applicant has submitted a study from a mechanical engineer to address thermal comfort requirements.

## 5. Parking and Transportation

Vehicular and loading access for the Subject Site is proposed from both Nelson Street and Expo Boulevard. The location of the underground parkade access will be finalized at time of Development Permit. Parking for this development is proposed in four underground levels. A transportation study is required prior to enactment of the rezoning by-law to determine loading requirements.

To ensure a sufficient transportation network adjacent to the Subject Site, land is to be dedicated to the City to secure road allowances for sidewalks, streets, bike lanes and a possible future streetcar route on Pacific Boulevard. While there were dedications achieved during the subdivision of the site in 2012, an additional 5.5 metres is required for pedestrian and cycling activity. This area will be secured by statutory right-of-way rather than dedication. Staff have identified the area beneath the Cambie Street Bridge as a possible future streetcar station location. Conditions of Approval in Appendix B reflect the dedications required to allow for the future streetcar.

## 6. 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 storm water management. Because this application was received in 2007, there is no requirement to pursue the LEED rating system for this project. However, the applicant has indicated they will be pursuing a LEED® Silver standard for this project.

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 have been included that ensure connection to the low carbon energy system that will service the neighbourhood.

### b) Social Sustainability

An Inner-City Local Employment and Procurement Agreement (contemplated in the NEFC Directions and now a requirement 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.

## 7. Proposed Amendments to the False Creek North Official Development Plan

The False Creek North Official Development Plan (FCN ODP) currently allows 3,352m<sup>2</sup> (36,080 sq.ft.) of commercial floor space on Area 5b West. The amendments to the FCN ODP required to allow for the proposed rezoning of Area 5b West are generally as previously considered in 2011 except that the project unit count has increased from 543 to 620 market units with no change to the proposed residential floor area. The proposed 20,000 sq.ft. commercial/retail podium reflects the job space targets identified for this site necessary to

achieve the overall 1.8 million sq.ft. job space target for NEFC. The FCN ODP amendments are described in detail in Appendix C and are summarized as follows:

- Transfer 35,430m<sup>2</sup> (381,362 sq.ft.) of non-residential floor space from Area 6c to Area 5b West and convert to residential floor space.
- Convert 1,493m<sup>2</sup> (16,073 sq.ft.) of non-residential floor space on Area 5b West from commercial to residential floor space
- Update the land use for Area 5b West to mixed use including 620 market units in 36,923m<sup>2</sup> (397,435 sq.ft.) of residential floor space.
- Reduce the maximum amount of office, retail and service purposes permitted in all areas except Area 10 from 145,872m<sup>2</sup> to 108,949m<sup>2</sup>
- Increase the total number of dwelling units in the FCN ODP from 10,925 to 11,511.
- Reduce the percentage of affordable units of the total number of dwelling units designated for affordable housing from 11.64% to 11.05% (as a consequence of securing a new affordable housing site outside of the FCN ODP boundary area).

## POLICY CONSIDERATIONS

### 1. Creekside Park Extension and Timing Challenges

Creekside Park Extension is the one remaining park outstanding under the commitments made through the development of Concord's Pacific Place lands. The southern portion of Creekside Park (adjacent to Science World) has been operational since the early 1990's. The northern portion, also known as Area 9, is known as the Creekside Park Extension. Concord has a clear obligation and commitment to provide the Creekside Park Extension which has been a long-standing objective of staff, Council and the residents of False Creek. In March 2011, Council directed staff to provide a clear timeline for the development of the permanent Creekside Park Extension. However, the challenges with providing a clear commitment on timing of the park development are even greater today than they were in 2011. This section outlines the legal, technical and logistical challenges related to developing a permanent park.

#### a) Existing Legal Agreements - Development of Area 6c is the "Trigger"

Current legal agreements between the City, Concord and the Province set out the responsibilities for contamination management based on the existing legal parcels and roads in the area. The existing agreements which were signed in 1990 and amended in 2000, identify the development of Area 6C as the trigger event for the completion of the Creekside Park Extension. The rationale for this arrangement relates to the requirement for the Province, which is responsible for the management of contaminated soils, to relocate contaminated soils from the excavation and development of Area 6c and the excavation required to construct the Abbott Street Outfall (storm drain) to locations within the future Creekside Park Extension. Once the contaminated soils are in place in the proposed park area, and a barrier (cap) installed over the soils, Concord would then construct the Extension (on top of the barrier) to the City's specifications and the City would lease the park from the Province. Andy Livingstone, Coopers Park and George Wainborn are all similar in that the Province owns the land, was responsible for the management of the contaminated soils which are stored permanently in the Park, and the Park is leased on a long term lease to the City. The timing agreed to in the 2000 agreement between the City and Concord allows for the final park to be managed in a similar fashion to all other parks in the Concord lands. Any changes to this arrangement would have to provide an alternative cost neutral (to the Province) model for managing the soils and be agreed to by all parties.



## b) Creekside Park Extension Reconfiguration

Reconfiguration of Creekside Park Extension and the adjacent Area 6c development site to achieve an alternative model of development was explored in 2010 with City staff, Concord and area residents with a goal of earlier delivery of the Extension. Park reconfiguration could potentially allow for both an improved development scenario and reduced contamination management cost and risk by allowing the most highly contaminated soil on Area 6c to remain in place and be risk-managed within the site boundaries of a reconfigured park. This work continued in spring 2011, with City staff and Concord exploring possible technical solutions that might allow for park delivery in advance of the development of Area 6c. As part of the October 2011 Northeast False Creek: Issues Report, Council endorsed in principle the reconfiguration of Creekside Park Extension. In November 2011, the emerging opportunity presented by the replacement of the viaducts with an at-grade road network shifted the focus to the potential for an expansion of the park.

**Figure 3: Creekside Park Extension**



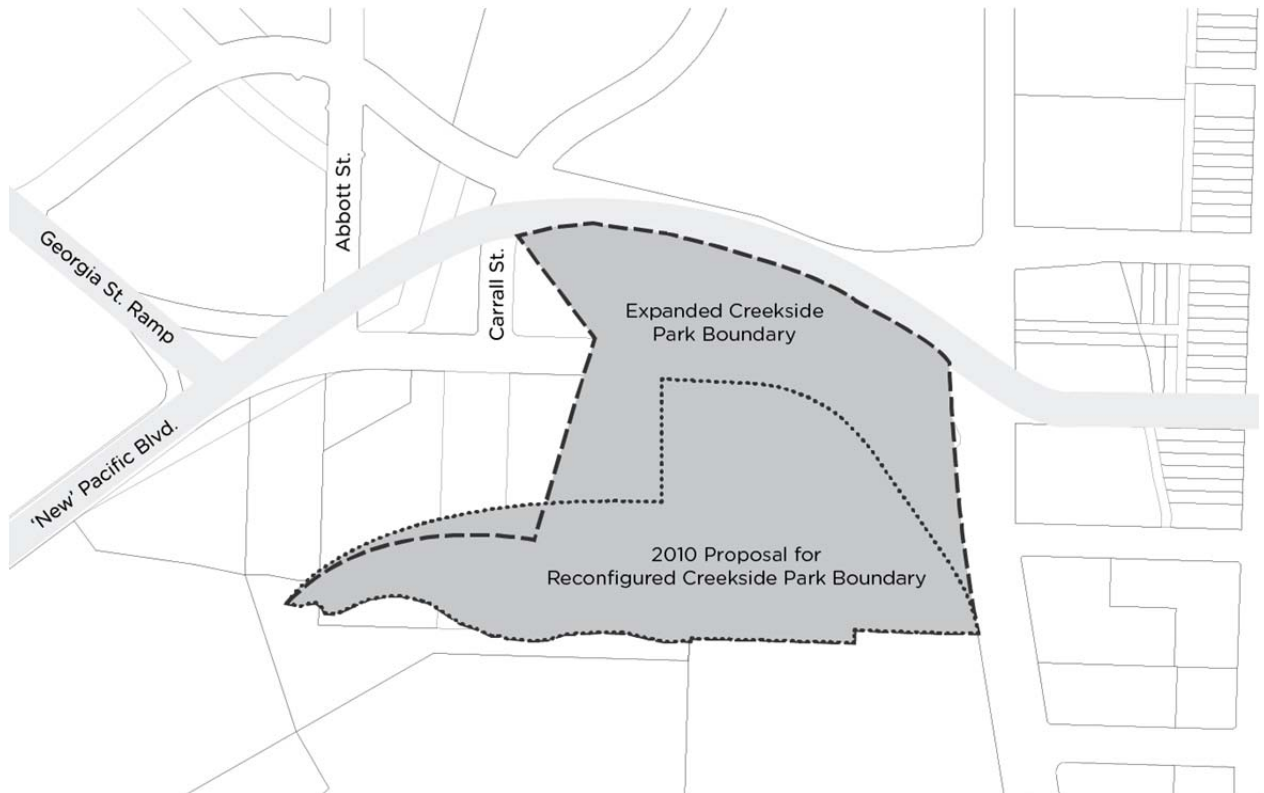
Note: The 2010 park reconfiguration concept was based on the current boundaries for the future park, Concord's development parcels and roads.

## c) Viaducts

Subsequent to Council's endorsement of the park reconfiguration concept, the City hosted a competition to gather ideas from the public and international design community on the removal of the Georgia and Dunsmuir viaducts (November 2011). The design competition yielded a solution for a new at-grade road network that would maintain east-west traffic movements and enable the removal of the viaducts.

On June 26, 2013 Council unanimously approved a report on the Dunsmuir and Georgia Viaducts and Related Area Planning (RTS 9300). The report discussed potential removal of the viaducts and presented a conceptual design for a replacement road network. Council directed staff to pursue a plan for the area that takes full advantage of the opportunities presented by viaduct removal namely: increased park area; improved connectivity of waterfront and the surrounding communities; reconnection of the blocks along Main Street; and improved housing opportunities including affordable housing.

Figure 4: Replacement Road Network and Increased Park Area



Note: Based on 2012 Concept Plan

The replacement of the viaducts with an at-grade road network will result in changes to the legal boundaries of the developable parcels of land in the area (currently owned by Concord, the City and the Province) and roads, adding complexity and more variables to park reconfiguration but creating the opportunity for a larger park. The idea of adjusting the park and development parcels so that residential development is built outside of the worst contaminated areas is a key principle in moving forward on the planning for the area.

In summary, considerable discussion and analysis has been undertaken over the last 3 years by City staff, Concord, the Province and members of the public and particularly the local community in the NEFC area. The option of moving ahead with an early park delivery has not been determined as feasible by the developer at this time due to the numerous complexities outlined above. However, if the rezoning of Area 5b West is approved, Concord will shift its planning focus to work with the City on the required land exchanges and creation of a new area plan to realize viaduct replacement, a

reconfigured and larger Creekside Park Extension and a revised development site. This collaborative process will advance the timing of park delivery.

However Concord remains strongly committed to both enhancing recreational opportunities in the area (see 2. below) and to continuing planning for the delivery of Creekside Park Extension. To demonstrate its commitment Concord has agreed to provide \$250,000 (incremental to the CAC associated with 5BW) towards environmental investigations and design work required to create a new area plan and new agreements to govern development timing and contamination management that would allow both viaduct replacement and the construction of some of Creekside Park Extension in advance of the development of 6c.

#### d) Sea Level Rise and Flood Risk

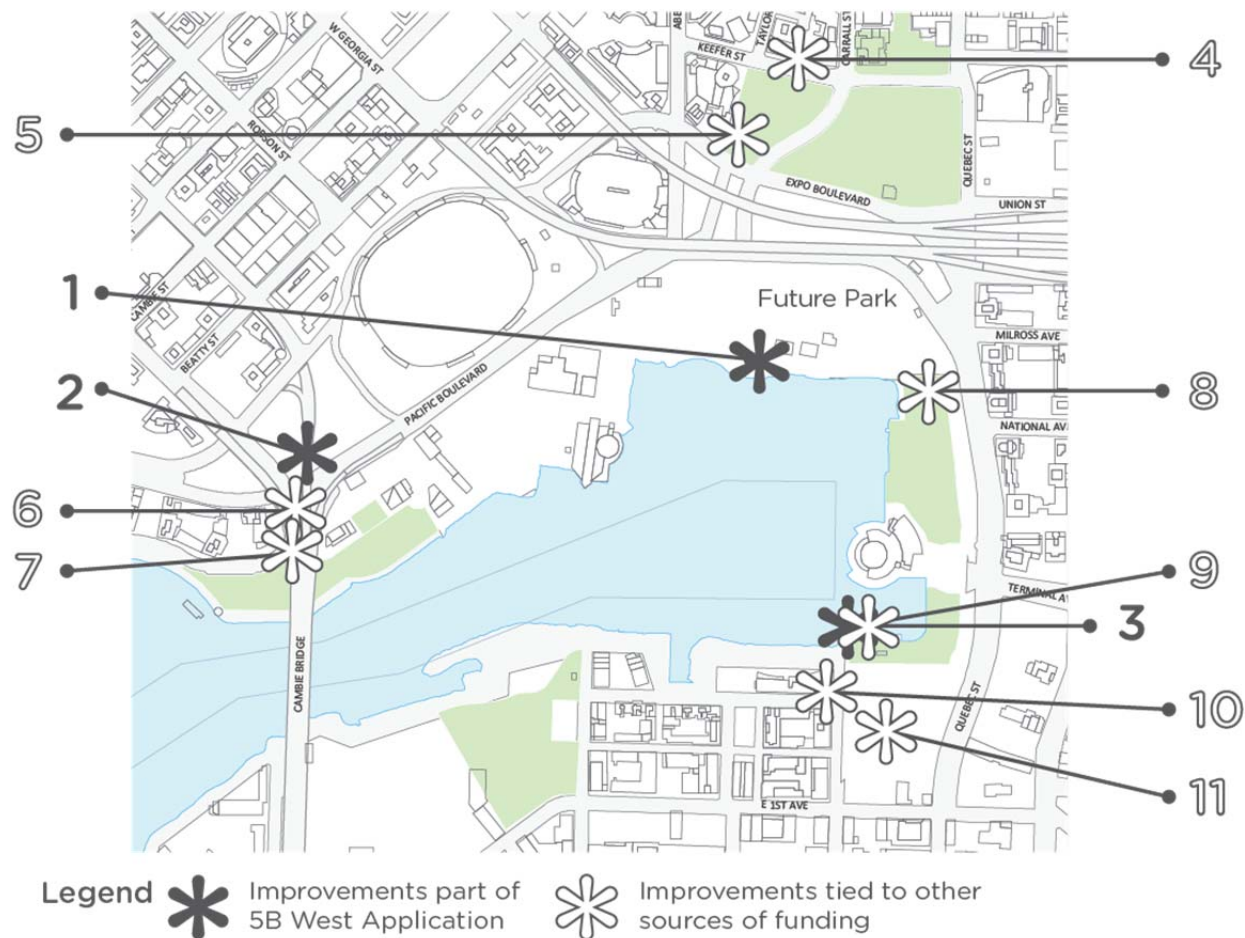
A Coastal Flood Risk Assessment is now underway to identify potential mitigation measures related to climate change and associated sea level rise, focusing on potential responses to sea level rise to the year 2100 and providing advice on a range of topics and decisions relevant to NEFC including waterfront park planning, sea wall height and building elevations. Outcomes of the study will include analysis of various approaches to increasing resilience in areas like False Creek and a comparison of flood attenuation provided by a naturalized shoreline versus seawall construction. The study findings will inform the design and program for the future park. The park design and grading will need to relate to the new buildings adjacent to the park all of which will be built to comply with the recently increased Flood Construction Level (FCL) of 4.5m or any appropriate new FCL determined as a result of a City study currently underway.

## 2. Park and Recreation Opportunities Around False Creek

In 2009, as part of the NEFC: Directions for the Future, Council approved a public benefits package for the area which placed a strong emphasis on recreation, park and open space improvements - an overall \$7 million proposed investment. In 2011, as part of the ongoing commitment, and recognizing the important role the Creek plays in both recreational and competitive paddling, Council passed a resolution supporting additional CAC funding for a future boating centre (non-motorized) in False Creek.

Over the past year, staff have been discussing a range of other potential park and recreation improvements with the North East False Creek Joint Working Group (a group consisting of representatives of each of the major land developers in the NEFC, area residents and other stakeholders formed during the NEFC High Level Review). The recommended improvements identified by the NEFC JWG and through other planning initiatives are illustrated on Figure 5. All of these projects would improve recreation opportunities for residents in the area and could be provided in the near future. Park Board will be responsible for profiling the timing and the ultimate funding package for these projects and consultations with community and key recreation stakeholders are already underway.

Figure 5: Park and Open Space Improvements Proposed in East False Creek



As noted above, there are a large number of enhancements and expansions of park and recreational infrastructure planned for the area, all receiving funding from CACs from local rezonings. These enhancements are illustrated in Figure 5 and are numbered to correspond with the list below:

- 1) Interim Seawall Widening and Improvements between Plaza of Nations site and Quebec Street (\$500,000)
- 2) Improvements to the Cambie Street Under-bridge Area (North of Pacific Boulevard) (\$898,850)
- 3) Contribution to an enhanced and enlarged Paddling Centre (\$4,200,000)
- 4) Sun Yat Sen Garden (\$700,000) - partial funding for renewal of the pond.
- 5) Andy Livingstone Park (\$1M) - Improvements to the children's play environment adjacent to the proposed new school.
- 6) Recreation Space Under the Cambie Street Bridge (\$500,000) - replacement of the the metal structure that was intended to provide boat storage.
- 7) Cooper's Park Washroom (\$50,000).

- 8) Creekside Park Playground (\$400,000) - Renewal of the playground at the north end of the existing Creekside Park.
- 9) A further phase of a Paddling Centre (\$1.625M)
- 10) Temporary community garden at Creekside Community Centre.
- 11) New 2.7 acre Waterfront Park in SEFC (1551 Quebec Street - SEFC Area 3A/3B).

**Source of funding for NEFC recreation projects 1) - 11) above:**

**CACs associated with the subject rezoning of 5B West - items 1), 2), and 3) above:** A portion of the CAC offering for the Subject Site is proposed for park and recreation purposes in items (the CAC is discussed fully in the Public Benefits section of this report).

**Possible allocation of CACs from Area 5B East (Future Report to Council) - items 4) to 9) above:** Of the \$6 Million CAC received from the rezoning of Area 5b East, \$4 Million is proposed for the several park and recreation improvements in the NEFC area all of which could be implemented over the next 3 years, subject to Council approval.

**Other Area projects (Future Report to Council) - items 10) and 11) above:** two other park projects are advancing through separate processes (and dependent on future decisions of Council).

***PUBLIC INPUT***

This rezoning application was originally submitted in 2007. The rezoning of the site was placed on hold pending the NEFC High Level Review (2008 -2009). Following Council's approval of the NEFC: Directions for the Future, the application was re-activated and reconsidered in light of the new policy advice and public benefits proposal contained in the Directions. In December 2010 Concord presented the project to the NEFC Joint Working Group (JWG). The group made clear their expectation that they would be involved in a public benefits discussion associated with the development and provided general commentary and some specific input regarding urban design and pedestrian and cycling movement, which was incorporated into the proposal.

In January 2010, the rezoning of the subject site was included as a group of 3 rezoning applications in NEFC for land west of BC Place. The public benefits package for 5b West, which included two acres of temporary park on the Creekside Park Extension lands, was discussed with the NEFC Joint Working Group on February 3, 2011, with the group expressing concern regarding the proposed CAC package. As there were complexities with the soils on the Extension lands, the temporary park was to be grass and soil overtop the existing asphalt until the permanent Extension could be delivered. A second public open house on the project was held in February, 2011. Objections were raised in regard to the lease cost and usefulness of the proposed 2 acre temporary park in the public benefits package, which ultimately led to the proposal being referred back to Staff in February 2011.

The revised public benefits package proposed as part of this application for rezoning of Area 5b West was presented and discussed at the NEFC Joint Working Group on May 1, 2014. Details were shared on the key elements of the new package including: an affordable housing site, new recreation opportunities in the area and purchases from the heritage

amenity bank. The JWG commentary on the revised package included discussion of their expectation that there should be more time to comment and provide input and as well specific input as follows:

- There was general support for the funding for a new paddling improvements at Creekside Community Centre
- The FCRA was pleased to see some elements that they support included in the package, but does not support the rezoning moving forward without any time certainty on the construction of Creekside Park Extension.

To address resident concerns about the delay in the construction of the Creekside Park Extension, staff will advance the planning work to be funded by Concord toward the permanent development of the Creekside Park Extension as well as move ahead with the other recreation improvements described earlier in this report, subject to Council approval. These projects were identified through discussions with the NEFC Joint Working Group in 2013.

Staff have scheduled an open house to discuss the project and the revised public benefits package on May 22, 2014. Staff will report out to Council prior to the Public Hearing on the community comments.

### ***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)** - All land within the FCN ODP area is exempt from DCL payments. Public amenities and other infrastructure improvements were negotiated and secured as part of the approval of the original FCN ODP.

**Public Art Program** - The Public Art Program requires that rezoning's involving a floor area of 9,290 m<sup>2</sup> (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 38,871 m<sup>2</sup> (418,403 sq. ft.) proposed for the Subject Site, a public art budget of approximately \$757,309 would be anticipated.

#### **Offered Public Benefits:**

**Community Amenity Contribution (CAC)** - In the context of Financing Growth Policy, the City anticipates the offer of a community amenity contribution from the owner of a rezoning site to address the impacts of rezoning.

Real Estate evaluated the proposed offering put forward initially as part of the 2011 rezoning application and concluded that the CAC value was appropriate.

**Figure 8 - Public Benefits Package considered at February 17, 2011 Public Hearing**

<b>Public Benefit Offering</b>	<b>Details</b>	<b>Value</b>
Non Market Housing Site	Applicant to transfer title to 58 West Hastings to the City	\$11,500,000
Non Market Housing	Applicant to transfer title to 117 East Hastings to the City	\$1,711,050
Carrall Greenway Completion	Cash contributions to provide bicycle infrastructure along greenway	\$1,214,882
Hard surface Recreation Space Under the Cambie Street Bridge	Improvements to land beneath the Cambie Street Bridge (north of Pacific Blvd.)	\$808,850
Creekside Park Extension	Lease to City of two acres of land for a 15 year term for Creekside Park Extension	\$3,893,309
Creekside Park Improvements	Cash contributions to temporary park improvements for Creekside Park Extension	\$500,000
<b>TOTAL BENEFITS</b>		<b>\$19,545,891</b>

In March 2011, Council was generally in agreement with the CAC value proposed and recommended by staff, but in response to resident concerns about the temporary park, referred the initial rezoning application back to staff and Concord for further discussion on the feasibility of expediting delivery of the Park.

Staff continue to support the value of the CAC offering established in 2011. Concord has been working to respond to the Council motion to revise the public benefits package to improve park and recreation opportunities in the area. The benefits offered generally reflect the public benefits proposal approved for NEFC in 2009 and a subsequent 2011 Council decision to partly fund a paddling centre in False Creek (NEFC Issues Report). The revised package addresses the key objectives of creating affordable housing opportunities, providing improved recreation opportunities in the area for the growing population and achieving absorption targets for heritage amenity bank purchases.

Figure 9 - Revised (2014) Public Benefits Package

Public Benefit Offering	Details	Value
Non Market Housing Site	Applicant to transfer title to 58 West Hastings to the City	\$11,500,000
Paddling Centre or other Marine Related Improvements	Cash contribution for Phase 1 Paddling Centre replacement and improvements at Creekside Community Centre or other marine- based recreation improvements	\$4,200,000
Recreation Space Under the Cambie Street Bridge	Improvements to land beneath the Cambie Street Bridge	\$808,850
Seawall Improvements	Interim Seawall Improvements between the Plaza of Nations and Quebec Street	\$500,000
Heritage Amenity Bank Purchase	40,000 sq. ft. of heritage density at \$65 per sq. ft.	\$2,600,000
<b>TOTAL BENEFITS</b>		<b>\$19,608,850</b>

#### 1. 58 West Hastings Street

The public benefit offering includes the transfer of the site at 58 West Hastings to the City. The site is located in Victory Square and is subject to the regulations in the Downtown Official Development Plan (DODP) and the recently adopted Downtown Eastside Local Area Plan (DTES Plan.) The DODP allows for residential development on this site to a maximum of 105 feet in height and FSR of 5.0 if the project includes either 2/3 social housing or 100% secured market rental housing. Changes to the DODP to allow for increased density of up to 6.0 FSR (subject to the inclusion of social housing or secured market rental housing) were approved on April 15, 2014. Staff have assessed the development potential of the site under the zoning changes and determined that it could include approximately 175,000 sq. ft. of residential floor area above street-fronting retail space with a potential unit yield between 250 - 300 units (depending on unit size). The value of this site to the City is estimated at \$11.5 million.

Staff recommend acceptance of this offer for the following reasons:

- With City and/or partner contributions towards the construction costs, the site at 58 West Hastings could deliver between 250 - 300 units (depending on unit size), of which 2/3 must be social housing in support of the City's affordable housing targets as well as those contemplated in the DTES Community Plan. By comparison, requiring the applicant to include the 20% affordable housing units within the 5b West project would yield approximately 120 turn-key units.
- The Hastings Street site is vacant, zoned for residential use and provides the City with significant flexibility in providing affordable housing including the potential to deliver SRO replacement units. The site was repeatedly identified throughout the planning process as a critical opportunity to achieve social housing in the DTES. The unit mix, level of affordability achievable on this site and the potential for partnerships with government and non-government partners will be determined through future analysis.
- The site is located within one block of the boundaries of the FCN ODP area (the northern boundary of the Plan area is Pender Street).



This rezoning represents the first time that the City has considered a public benefit offering of affordable housing sites outside an ODP area to which the 20% policy applies (FCN ODP Housing background is provided as Appendix D). This consideration represents an innovative application of the policy in response to specific circumstances (i.e. a unique opportunity to secure a high quality affordable housing site very near to the ODP area, to address the urgent housing priorities of the DTES Plan, and deliver a higher number of units than could be provided if housing was secured within the FCN ODP boundary area.

## 2. Paddling Centre or other Marine Related Improvements

The provision of a non-motorized boating facility east of the Cambie Street Bridge has been a long term planning objective for False Creek. In 2009 when the NEFC Directions report was approved it was anticipated that the Creekside Community Centre (CCC) would provide a new dock and facilities to support a range of non-motorized boating activities and a separate Dragon Boating facility would be accommodated at a location on the north side of the creek.

Dragon boating has been growing in popularity since its introduction to Vancouver at Expo '86 and False Creek has been the home for dragon boating. Since 2010, the Dragon Boat Festival Society (DBFS) has been operating a very successful dragon boating program and providing other paddling opportunities in collaboration with the Parks Board from the CCC. The DBFS is using the City-owned former ferry dock and has added floats to meet the program needs. The metal storage containers used by the DBFS for their operations are nearing the end of their life span and are subject to vandalism and theft. Administration and meeting space is currently provided within the Creekside Community Centre for the DBFS. In 2012, the City constructed a new ferry terminal with universal access immediately in front of the CCC, but the originally planned docks and sheds were deferred.

In July 2013, Council approved funding for a consultant study to advance the program, design, phasing and costs of a new non-motorized boating facility. Parks and Planning staff are working with consultants (McFarland Marceau) and a boating advisory group on the planning of a new non-motorized boating facility. While locations on both the north and south side of False Creek were initially considered, an early screening of these options led staff to focus on the south side of the creek as the best location in light of the availability of existing supporting services and public investment combined with the uncertainties and timing challenges on the north side of the Creek.

Phase 1 as proposed will address immediate needs and will replace and improve the existing dock, floats and equipment sheds at the Creekside Community Centre (estimated cost of \$3M and included as Appendix D). The City will own the facility and enter into service contract(s) with partner agencies for components of the operation. It is anticipated that the Dragon Boat Festival Society will continue to be a major partner agency in the delivery of paddling programs at the Creekside Community Centre.

Work on Phase 2 will proceed with the Boating Advisory Group once Parks staff complete a boating strategy for all city-owned non-motorized boating facilities (anticipated December 2014).

Funding for Phase 1 as proposed could be provided through existing unallocated NEFC CACs (approximately \$1.6M) from the rezoning of Area 5b East and pending Council approval a portion (\$1.4M) of the \$4.2M from this rezoning.

In addition to the CAC offering for this paddling facility, the CEO of Concord Pacific, as a long term corporate supporter of the Alcan Rio Tinto Dragon Boat Festival and dragon boating in Vancouver, has committed to an additional \$1,000,000 cash contribution towards the construction of the paddling centre.

Staff anticipate the Phase 1 paddling centre improvements would be constructed in 2015.

The balance of \$2.8M from this rezoning will be held in reserve for future water based recreation projects in False Creek.

An update on the non-motorized boating study completed to date and the proposed Phase 1 paddling centre improvements at the Creekside Community Centre will be considered by the Park Board on May 12, 2014. More work is required to complete the project definition report for Phase 1 including additional public engagement on the proposed concept and the operating model and associated financial implications

### 3. Other CAC items

- Heritage Density (\$2,600,000) - The applicant has offered to purchase approximately 40,000 sq. ft. of heritage amenity bank density. The purchase would support citywide heritage conservation efforts by contributing to the reduction of the Heritage Density Bank. Staff support the heritage density purchase and recommend that a letter of intent (Letter A) be submitted prior to the Public Hearing.
- Land under the Cambie Street Bridge (\$808,850) -Improvements are proposed to complete the public realm and provide rain-protected public space under the Cambie Street Bridge. While the bridge deck poses clearance issues which will limit how the space can be used, it is a highly visible location at a key connecting node for bikes and pedestrians. The program, design and construction costs will be developed over the coming months and be completed prior to enactment.
- Seawall Improvements (\$500,000) - The use of the temporary seawall on the north side of False Creek has grown significantly over the past 10 years. It will be several years before decisions on the viaducts are made and the park is built. Staff have been working with Concord and with the Canadian Metropolitan Properties and the Edgewater Casino (Plaza of Nations) to make cost effective interim improvements when opportunities arise. Staff support the allocation of up to \$500,000 to make the necessary improvements to meet growing use and improve safety in this location.

### *FINANCIAL IMPLICATIONS*

As noted in the section on Public Benefits, the applicant has offered a CAC package valued at \$19,608,850, comprised of:

#### **In-kind CAC**

- A site (58 West Hastings) to be transferred to the city (valued at \$11.5 million) with the potential to provide 250 - 300 units (depending on unit mix), of which 2/3 must be social housing
- Purchase of 40,000 sq. ft. of heritage density (valued at \$2.6 million)
- Improvements to land beneath the Cambie Street Bridge (valued at \$808,850)
- Interim Seawall improvements between the Plaza of Nations and Quebec Street (valued at \$500,000)

**Cash CAC to be allocated as follows**

- \$4.2 million towards a Paddling Centre or other Marine Related Improvements

Approval and timing of specific projects discussed in this report will be brought forward as part of the Capital Plan and Budget Processes.

**Affordable Housing** - Staff will provide a detailed report back on the housing opportunity provided through the site at 58 West Hastings including the unit count and unit mix that can be achieved, affordability target, construction costs and potential partnerships with senior governments and/or non-profit organization.

**Public Realm Improvements** - A provision will be established in the legal agreements requiring that Concord provide concept plans for the under-bridge improvements and the seawall improvements and verify cost estimates through a report provided by a Quantity Surveyor (QS). If these two items cost less to construct than now estimated, the difference between the estimated cost and actual construction costs (as estimated by the QS) would be provided to the City in cash. Once the public realm improvements are provided by Concord and accepted by the City, the on-going maintenance costs of the under-bridge improvements and the interim seawall will be the responsibility of the City.

If the rezoning application is approved, the applicant will be required to provide new public art on site, or make a cash contribution to the City for off-site public art, at estimated value of \$757,309.

The site is not required to pay DCLs as public benefits were negotiated as part of the False Creek North ODP.

In addition to the public benefits offered by this rezoning, Concord has offered \$250,000 to advance Viaducts work in the area. The CEO of Concord Pacific has offered an additional cash contribution of \$1 million towards the construction of the paddling centre.

**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 its context. The application is consistent with the NEFC Directions with regard to land use, density, height, form and public benefits. Completing this rezoning application will enable work on viaduct replacement and earlier park delivery to begin in earnest, provide a key affordable housing site in the Downtown East side and will achieve significant parks and recreation improvements in the area including the much needed replacement and improvement of the paddling centre at the Creekside Community Centre.

The General Manager of Planning and Development Services recommends that the rezoning application be referred to a Public Hearing, together with a draft CD-1 By-law generally as set out in Appendix A. Further it is recommended that, subject to the Public Hearing, the application, including the form of development as shown in the plans in Appendix E, be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B.

\* \* \* \* \*

998 Expo Boulevard (Concord Area 5B West)  
DRAFT CD-1 BY-LAW PROVISIONS

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

*[Note: Schedule A, not attached to this appendix, is a map that amends the City of Vancouver zoning map. Should the rezoning application be referred to Public Hearing, Schedule A will be included with the draft by-law that is prepared for posting.]*

**Uses**

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 ( ).
- 2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 ( ), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
  - a) Cultural and Recreational Uses, limited to Artist Studio, Club, Community Centre or Neighbourhood House, Fitness Centre, Hall, Library, Museum or Archives, Swimming Pool, or Theatre.
  - b) Dwelling Uses, in conjunction with any of the uses listed in this by-law.
  - c) Institutional Uses, limited to Child Day Care Facility, Church, Community Care Facility - Class B Public Authority Use, School - Elementary or Secondary, School - University or College, Social Service Centre.
  - d) Office Uses.
  - e) Parking Uses.
  - f) Retail Uses, limited to Farmers' Market, Grocery or Drug Store, Retail Store, Furniture or Appliance Store, Liquor Store, Pawnshop, Public Bike Share, Secondhand Store, and Small-scale Pharmacy.
  - g) Service uses, limited to Animal Clinic, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Cabaret, Catering Establishment, Laundromat or Dry Cleaning

Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop - Class B, Restaurant, School - Arts or Self Improvement, School - Business, School - Vocational or Trade.

h) Accessory Uses customarily ancillary to any use permitted by this section.

### 3. Conditions of Use

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

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

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

3.3 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.

### 4. Floor area and density

4.1 The floor area for all uses must not exceed 38 841 m<sup>2</sup> [418,404 sq. ft.].

4.2 The maximum floor area for residential development shall not exceed 36 923 m<sup>2</sup> [397,435 sq. ft.].

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

4.4 Computation of floor area must exclude:

- (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all such exclusions must not exceed 8 percent of the residential floor area;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses, which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length; and

- (d) all residential storage space above or below base surface to a maximum of 2018m<sup>2</sup> except that residential storage space above base surface shall exceed 3.7 m<sup>2</sup> per dwelling unit.
- 4.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:
- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, except that:
    - i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8 percent of the residential floor area being provided; and
    - ii) no more than 50 percent of the excluded balcony floor area may be enclosed;
  - (b) amenity areas, except that the total exclusion for amenity areas must not exceed the lesser of 20% of permitted floor area or 929 m<sup>2</sup>.
- 4.6 The use of floor area excluded under sections 4.4 and 4.5 must not include any purpose other than that which justified the exclusion.

## 5. Building height

- 5.1 The building height, measured above base surface and to the top of the roof slab above the uppermost habitable floor, excluding parapet wall, must not exceed 91.0 m, and the building must not protrude into the Cambie Street and Cambie Bridge view corridors approved by Council in the City of Vancouver View Protection Guidelines.

## Horizontal Angle of Daylight

- 6.1 Each habitable room must have at least one window on an exterior wall of a building.
- 6.2 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.
- 6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.
- 6.4 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.
- 6.5 An obstruction referred to in section 6.2 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 ( ).

6.6 A habitable room referred to in section 6.1 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 m<sup>2</sup>.

### Acoustics

7. 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

\* \* \* \* \*

998 Expo Boulevard (Concord Area 5B West)  
PROPOSED CONDITIONS OF APPROVAL

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for the public hearing.

**PROPOSED CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by James KM Cheng Architects, in revised plans stamped, and stamped "Received City Planning Department, December 11, 2007, provided that the Director of Planning 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 approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

**Design Development**

1. Provide verification of compliance with height limit set by Cambie Bridge View Corridor (View 3.2.1 and 3.2.2).
2. Delete the references to live-work from the drawings as this space shall be considered residential.
3. Design development to provide variety and interest to the architectural expression of the building(s) with high quality durable materials that will contribute to the character and quality of the area.

Note to applicant: A high quality development that establishes a robust compatible character with the existing neighbourhood fabric is required.

4. Design development to the tower's shape to create a less rigid curving form that responds better to the Cambie Bridge and provides a greater offset for the neighbouring residential tower across Expo Boulevard.
5. Design development to the treatment of the public realm around and through the site to enhance pedestrian interest and amenity.
6. Design development to the various ground level storefronts, residential entries and other frontages to provide an active public realm interface with "eyes on the street".
7. Identification on the plans and elevations 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® Silver 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. Pursuit of LEED® Gold rather than Silver is encouraged.

8. Design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard for:
  - a. design of the under-bridge area to reduce opportunities for mischief and vandalism,
  - b. ensuring that all pathways are clearly defined with defensible design,
  - c. reducing opportunities for graffiti and skateboarding, except where the latter may be intentionally accommodated,
  - d. providing full secure separation for residential uses and parking, and
  - e. mischief, such as graffiti.

## Engineering

9. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown. Note: pick up operations should not rely on bins being stored on the street or lane for pick up. Bins are to be returned to storage areas immediately after emptying.
10. Revise the tech table and referenced parking standard and recalculate the parking shown to reflect the current applicable standard.
11. Design development to relocate the driveway crossing on Nelson Street further north from Pacific Blvd., to the satisfaction of the Director of Planning and the General Manager of Engineering Services.

Note to Applicant: The parking and loading access on Nelson St. is to be located a minimum of 12.0 meters from the future south property line/SRW line and the two proposed crossings (loading and parking access) are to be combined to a single crossing, with all loading maneuvering taking place on-site. Engineering Services may support a second access off Expo Blvd. to facilitate movements into and out of the site.

12. Provision of a Parking and Loading Study by a qualified Transportation Consultant, including:
  - a. Clarifying the site's loading needs and how they will be met on-site
  - b. Providing a Loading Management Plan to the satisfaction of the General Manager of Engineering Services to ensure that trucks delivering to the site will not use the adjacent streets

- c. Providing recommendations to address and resolve any design issues with the proposed loading facility including review of on-site manoeuvring or independent ingress into and egress out of the loading spaces
  - d. Analyzing and providing recommendations to the design of the parking ramps and the overall parking layout to ensure a safe and functional design
  - e. Reviewing and making recommended changes to the design of the parking ramp at the P1 and P2 level where there is inadequate distance between the end of the ramp and the parking spaces and an unacceptable jog in the parking drive aisle.
13. Provide clarification of what is meant by “extending the bicycle network informally through the site” as noted in Transportation Innovations #2.4, Bicycle Facilities .

Note to applicant: if the intention is to create a public right-of-way/an open area for cyclists to travel through the site then a registered Statutory Right-of-Way to the satisfaction of the General Manager of Engineering Services is required.

14. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services. Note to applicant: Provision of good connectivity from loading to all retail spaces and residential units is required and should be carefully reviewed.
15. Please add the following note to the landscape plan and submit a copy directly to Engineering Services for review:

“A landscape plan is to be submitted for review by Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive “For Construction” approval and related permits are issued. Please contact Kevin Cavell at 604-873-7773 for details.”

### Planning

16. Provide draft text to be included in the disclosure statement for the development indicating that the area is an event district and event-related noise can be anticipated.
17. 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).

### Sustainability

18. An approach to Sustainable Site Design shall be taken and, where appropriate, incorporate layout and orientation approaches that reduce energy needs, facilitate

passive energy solutions, incorporate urban agricultural opportunities, and replicate natural systems where feasible.

19. Provide a Green Mobility and Clean Vehicles Strategy that 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.
20. Provide 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.

Note to Applicant: The requirements of the Sustainable Rainwater Management Plan should be coordinated/integrated with the required Landscape Plan.

21. Provide a Solid Waste Diversion Strategy that addresses waste diversion in all solid waste generating activities within the complex.

Note to Applicant: The Strategy must identify/provide space, infrastructure and an operational approach to divert organics and recyclables from the waste stream, and minimize the vehicle trips required for collection, 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.

### District Energy

22. The building(s) shall connect to the district heating system approved by the General Manager of Engineering Services to service new development in Northeast False Creek for provision of all building heating and domestic hot water service; except where the use of equipment to capture waste heat energy from the refrigeration or cooling system of a building is approved by the General Manager of Engineering Services for the purpose of supplementing the heat energy provided by the district heating system.

Note to Applicant: Unless and until Central Heat or an alternate energy supplier is the holder of The City of Vancouver's Retail Franchise for Northeast False Creek Low Carbon Renewable 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 provision) 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 upon the occurrence of the Retail Franchise for Northeast False Creek Low Carbon Renewable District Heating Services containing performance criteria for the Maximum Carbon Intensity of Delivered Heat and in any event no such energy supply contract will be entered into without the prior written approval of the General Manager of Engineering Services.

The City of Vancouver's Retail Franchise for Northeast False Creek Low Carbon Renewable District Heating Services shall be to the satisfaction of the GMES and described in the legal agreement regarding Sustainability required as a condition of by-law enactment. Maximum Carbon Intensity of Delivered Heat means that maximum amount of Co<sub>2e</sub> produced through the provision of space heating and hot water service as described in The City of Vancouver's Retail Franchise for Northeast False Creek Low Carbon Renewable District Heating Services, and referenced in the legal agreement regarding Sustainability required as a condition of by-law enactment.

23. Space heating and ventilation make-up air shall be provided by hydronic systems, without electric resistance heat, distributed heat generating equipment gas fired make-up air heaters, etc..

Note to Applicant: On a case by case basis, the General Manager of Engineering Services may approve limited use of electric resistance heaters, or other distributed heat generating equipment to heat difficult to access parts the complex such as remote mechanical rooms or crawlspaces.

24. Design development to the mechanical heating and domestic hot water systems to ensure a minimum supply temperature of 65 degrees Celsius and maximum return temperature of 50 degrees Celsius in order to facilitate district heating service.

25. The building design is to include adequate space and designs to support connection to the district energy system approved by the General Manager of Engineering Services.

Notes to applicant: 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. Provide suitable space for the installation of the district energy system equipment, with adequate provision 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, or boiler equipment. 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.

26. No natural gas fireplaces are to be installed within building suites;

Note to Applicant: On a case by case basis, the General Manager of Engineering Services may approve limited use of natural gas fireplaces for ornamental purposes. A letter from a professional engineer outlining any provision for ornamental fireplaces is to be submitted at the time of application for Building Permit to state that the fireplaces installed are not heat producing.

## PROPOSED CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the applicant shall, at no cost to the City, and on terms and conditions satisfactory to the Director of Legal Services, and to the Director of Planning, the General Manager of Engineering Services, the Manager of Sustainability, the Director of Real Estate Services, the Director of Cultural Services and the Approving Officer as necessary, make arrangements for the following:

Note: For the purpose of clarity, Nelson Street will be considered a north-south street while Pacific Boulevard and Expo Boulevard will be considered east-west streets.

### Planning

1. Execute an Inner-City Local Employment and Procurement Agreement between the applicant and the City for the construction of the project on the subject site.

### Engineering

2. Dedication as road of a portion of Lot 303 north of Pacific Boulevard and west of the Cambie Street Bridge (see attached sketch in Appendix D). A statutory right of way (which may be volumetric), over a portion of the cross hatched area, in favour of the City, for transit and road purposes may be acceptable in order to reduce the dedication area subject to the review of the required street car infrastructure. The resultant dedication area is to be clear of all structures.
3. Dedication as road along the west side of Lot 303 adjacent to Nelson Street to allow for the new design and construction of Nelson Street from Expo Blvd. to Pacific Blvd. (see attached sketch in Appendix D). A statutory right-of-way (which may be volumetric), over a portion of the cross hatched area, in favour of the City, for transit and road purposes may be acceptable in order to reduce the dedication area subject to the review of the street car infrastructure and active transportation facilities.
4. Dedication as road of the northernmost portion of the site along Expo Boulevard to achieve a 5.5m width between the building face and curb. A statutory right-of-way (which may be volumetric), over a portion of the cross hatched area, in favour of the City, for transit and road purposes may be acceptable in order to reduce the dedication area subject to the review of the active transportation facilities.
5. Dedication as road of the easterly 3.0 m. of Lot 303 (see attached sketch in Appendix D).
6. As part of the proposed dedications, all charges now on title must be reviewed and modified/discharged, as necessary, to reflect the subdivision. These charges may require additional agreements or replacement agreements prior to subdivision approval with emphasis on the following:

- Nelson Street Pump Station and Twin Force Main SRW R92185 as modified;

- various Equitable Charges and other agreements related to the above, and density and environmental issues.

Note to applicant: Arrangements are to be secured prior to zoning enactment, with release or modification to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition. All of the above is to be to the satisfaction of the Approving Officer, the General Manager of Engineering Services, and the Director of Legal Services.

7. Provision of a Statutory Right of Way agreement to secure public access over the plaza at the intersection of Nelson Street and Expo Boulevard.
8. Provision of a Statutory Right of Way agreement to secure public access connecting the plaza to the area under the Cambie Bridge.
9. Provision of a statutory right-of-way to accommodate a Public Bike Share Station (PBS).
  - Size: At minimum, the smallest sized station at 20 m x 4 m must be accommodated. The physical station with docked bicycles is 2m wide and has a required bicycle maneuvering zone of 2m for a total width of 4m. The 2m maneuvering space may be shared with pedestrian space.
  - Location: The station must be located on private property while still clearly visible to the public with 24/7 public access and allowing easy access to the street.
  - Surface treatment: A hard surface is required with no utility access points within 150mm. Acceptable surfaces include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.
  - Grades: The surface must be level with a maximum cross slope of 3% and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5%. At minimum, spot elevations at the four corners of the station must be provided.
  - Sun exposure: No vertical obstructions, to maximize sun exposure, as station operates on solar power. Ideally the station should receive five hours of direct sunlight a day.
  - Power: Provision of an electrical service and electrical power is to be available in close proximity to the PBS station with the development responsible for the on-going supply and cost of electricity to the PBS station.
10. Provision of a Stadium Parking Occupancy Agreement to require 49 pay-in-lieu parking stalls linked to the site.
11. Provision of \$25,000 for a City-led comprehensive study of pedestrian movement in Northeast False Creek.
12. Provision 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 subject 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:

- (i) no Development Permit in respect of any improvements to be constructed on the subject site pursuant to this rezoning shall be issued until the design of all of the Services is completed to the satisfaction of the General Manager of Engineering Services;
- (ii) 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;
- (iii) no occupancy of any building or improvements constructed pursuant to the rezoning shall be permitted until all the Services are completed to the satisfaction of the General Manager of Engineering Services;
- (iv) in addition to standard utilities and utility extensions, necessary services will include:
  - a. the design and installation of all storm, sanitary and water systems as required by the development

Note to applicant: Adequate water service to meet the fire flow demands of the project is required. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by your mechanical consultant to determine if water system upgrading is required.

- b. design and construction of public realm improvements to the under bridge area linking Expo Boulevard to Pacific Boulevard under the Cambie Bridge
- c. design and reconstruction of Nelson Street between Expo Boulevard and Pacific Boulevard including all infrastructure changes made necessary by the proposed changes. This includes separated cycling facilities and widened sidewalks as well as relocation and/or modification to the underground communications vault located at the eastern corner of Nelson Street and Expo Boulevard.
- d. modifications to Nelson Street between Beatty Street and Expo Boulevard as deemed necessary by the General Manager of Engineering Services to align the street segment with the new configuration of the block south of Expo Boulevard
- e. modifications to the traffic signals at Nelson Street and Expo Boulevard and Nelson Street and Pacific Boulevard to accommodate the new street configuration. Works may include but are not limited to the installation of new of new traffic signal poles and street lights, installation of bike signals and audible signals, and replacement of traffic signal controllers.

- f. provision of cycling facilities on Pacific Boulevard to connect the Nelson Street bike lanes with the Pacific Boulevard bike lanes, including but not limited to paint lines, bike boxes, signage, or other modifications, all to the satisfaction of the General Manager of Engineering Services
  - g. provision of a raised median and/or other mitigation measures, on Nelson Street, should, in the opinion of the General Manager of Engineering Services, turning movements into and out of the site become an issue all within 5 years of occupancy of the building
  - h. design and construction of the portions of Expo Boulevard, Pacific Boulevard and Nelson Street adjacent to the site are to be in keeping with the proposed Northeast False Creek Public Realm Plan, streetscape plan, or geometric designs issued or required by the City or any other guidelines issued by the City
  - i. design and construction of changes to the island, the left turn channelization and the site interface at the Cambie Bridge/Smithe Street /Expo Blvd. intersection to the satisfaction of the Director of Planning and the General Manager of Engineering Services.
  - j. design and construction of improvements to the temporary seawall walkway from Science World to the Plaza of Nations to the satisfaction of the Director of Planning and the General Manager of Engineering Services.
  - k. provision of a Cambie Bridge monitoring plan and completion of any interim or long term alterations to the Cambie Bridge required by the plan.
13. Undergrounding of all new utility services are 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 to be located on private property. In addition, any above ground kiosks required to service the area must be located on private property. 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;

#### **Soils Remediation**

14. Make arrangements to the satisfaction of the City Manager and the General Manager of Engineering Services for the remediation of contaminants on the Subject Site, including all lands within the rezoning site that are to be dedicated or transferred to the City, all in accordance with the Pacific Place Approach, including entering into of a Utility Design Agreement and such remediation agreements consistent with the Pacific Place Approach;



Note to Applicant: The Pacific Place Approach means the Provincial Government's agreement to remediate or conduct risk assessments and resultant risk management in respect of the Rezoning all on the same basis as the approach in respect of the lands within Concord Pacific Place that have been previously developed by Concord Pacific Group Inc. or its affiliates, which includes without limitation a Soils Agreement between the Provincial Government and Concord, a Provincial Guarantee and Indemnity Agreement among the Provincial Government, Concord and British Columbia Enterprise Corporation, a Utility Design Agreement among the Provincial Government, Concord and the City and a Remediation Agreement between the Provincial Government and the City.

15. Obtain and submit to the City copies of all soil studies and the consequential remediation plan(s), approved by the Ministry of Environment for the Subject Site. Enter into or cause to be entered into by the Province agreements, satisfactory to the City Manager, all in accordance with the Pacific Place Approach, providing for the remediation of any contaminants on the Subject Site, in accordance with a remediation plan approved by the Province and acceptable to the City, providing security satisfactory to the City Manager for the completion of remediation and indemnifying the City and the Approving Officer against any liability or costs which may be incurred as a result of the presence of contaminants on the Rezoning Site;
16. Submit to the City a remediation plan for all newly dedicated streets and other lands, utility rights-of-way required to serve the Subject Site, including providing utility construction plans compatible with the accepted Remediation Plan(s). Enter into or cause to be entered into by the Province any agreements deemed necessary by the General Manager of Engineering Services providing for the remediation of contaminants on the Subject Site, the construction and installation of remedial works, including monitoring systems for, among other things, water discharges and ground water flows, and other remedial works or systems, all to the satisfaction of the General Manager of Engineering Services and the City Manager, including a Utility Design Agreement and Remediation Agreement consistent with the Pacific Place Approach;
17. Execute an Indemnity Agreement, satisfactory to the City Manager, providing for security, protecting the City and the Approving Officer from all liability or damages arising out of or related to the presence of contaminants on the Subject Site, howsoever occurring, arising during the period commencing immediately following the Public Hearing until such time as the Ministry of Environment issues Confirmations of Compliance, in substantially the form appended to the Certificate of Remedial Process issued by the Province (as then represented by the Ministry of Environment) on September 7, 1990, certifying that the Subject Site, including all roads, utility corridors and open spaces contained therein, have been remediated to Provincial Standards as defined in the Confirmations of Compliance;
18. Execute a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the Subject Site constructed pursuant to this rezoning, until Confirmations of Compliance have been provided to the City by the Ministry of Environment for the Subject Site and a Utility Design Agreement and a Remediation

Agreement has been entered into by the Province with the City, in accordance with the Pacific Place Approach, on terms satisfactory to the General Manager of Engineering Services and the City Manager;

19. Do all things and/or enter into such agreements deemed necessary by the City to fulfill the requirements of section 571B of the *Vancouver Charter*;

#### **Public Art**

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: To discuss your public art application and fulfillment options please call Bryan Newson, Public Art Program Manager, at 604.871.6002;

#### **Sustainability**

21. 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.

#### **Heritage Density**

22. That the owner secure the purchase and transfer of heritage density valued at \$2,600,000 (a minimum of 40,000 sq. ft./12,192m<sup>2</sup>) from a suitable donor site;

Note to applicant: For this application, the City attributes a value of \$65 per buildable square foot density transferred to this site. This value is based on the analysis of current and prevailing market activity and the determination of the value is subject to periodic updating. The owner may negotiate its best price to secure the required density, however it is noted that for this application the City will only recognize the above attributed values for a resulting total value of \$2,600,000

Note to applicant: "Letter B" in the City's standard format is to be completed by both the owner of the subject site, also referred to as the "receiver" site, and the owner of the "donor" site, and submitted to the City together with receipt(s) of heritage density purchase, including the amount, sale price, and total cost of the heritage density.

#### Community Amenity Contribution (CAC)

23. Transfer title to the City for 58 West Hastings (Plan BCP39144, Block 29, Lot 1 PID: 027-736-032);
24. Pay the Community Amenity Contribution of \$5,508,850 which the developer has offered to the City.
  - \$808,850 to provide the hard surface recreation improvements to the City land under the Cambie Bridge; and
  - \$500,000 to provide interim improvements to the seawall walkway and bike path on the north side of False Creek between Quebec Street and the Plaza of Nations site;
  - \$4,200,000 as a contribution to the construction of a non-motorized boating facility at the Creekside Community Centre or other marine related improvements

Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act. The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the Subject Site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in form and contents satisfactory to, the Director of Legal Services.

The timing of all required payments, if not otherwise specified in these conditions, 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.

\* \* \* \* \*

10 TERRY FOX WAY (CONCORD AREA 5b West)  
DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE SIGN BY-LAW NO. 6510

Amend Schedule E (Comprehensive Development Areas) by adding the following:

[998 Expo Boulevard] [CD-1#] [By-law #] B (DD)”

DRAFT AMENDMENTS TO THE NOISE BY-LAW NO. 6555

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

“[CD-1 #] [by-law #] [998 Expo Boulevard]

\* \* \* \* \*

DRAFT AMENDMENTS TO THE PARKING BY-LAW NO. 6059

Address	By-law No.	CD-1 No.	Parking requirements
998 Expo Boulevard	( )	( )	Parking, loading and bicycle spaces in accordance with by-law requirements on <i>(date of enactment of CD-1 by-law)</i> except that:  a) Class A loading spaces provided at a rate of 0.01 spaces per dwelling unit up to and including 300 units, and at a rate of 0.008 spaces per dwelling unit for any number of units over 300;

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 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 ~~10,925~~ 11,511 dwelling units, having a total floor area up to a maximum of ~~984,336~~ 1,024,699 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%, 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 % 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.

~~11.64%~~ 11.05% of the total number of dwelling units shall be designated for affordable housing, with priority on housing for core-need households, with fifty % 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%, subject to the approval of Council, when considering a sub-area zoning, provided that the overall mix of dwelling units remains the same.

### 3.3.2 Office

It is intended that offices be focussed to sites which meet the following criteria for office locations in the Central Area:

- (a) enhance the success, livability, and attractiveness of the central business district -- access to waterfronts, views, and ease of face-to-face contacts;
- (b) have good transit access;
- (c) be a desirable office area;
- (d) not be a threat to areas with a major stock of heritage buildings;
- (e) not be an area with significant housing or with a high desirability for future housing; and
- (f) not be an area where support services would be displaced without alternate locations.

Small-scale offices may be permitted in mixed-use and retail/service areas.

In office areas, cultural, recreational and institutional uses and limited retail and service uses may be permitted. Residential uses may also be permitted, subject to livability analysis at the sub-area zoning stage and included within the overall floor area and dwelling unit count limitations contained in Section 3.3.1.

Giving consideration to the densities permitted in nearby commercial areas, up to a maximum of ~~145,872~~ 108,949 square metres of office and street- or pedestrian-oriented retail and service uses may be permitted, generally distributed as shown on Figure 5. Office uses existing as of April 10, 1990, in the Plaza of Nations complex, are permitted but their area shall be excluded from the maximum amount of permitted office use.

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

Figure 3

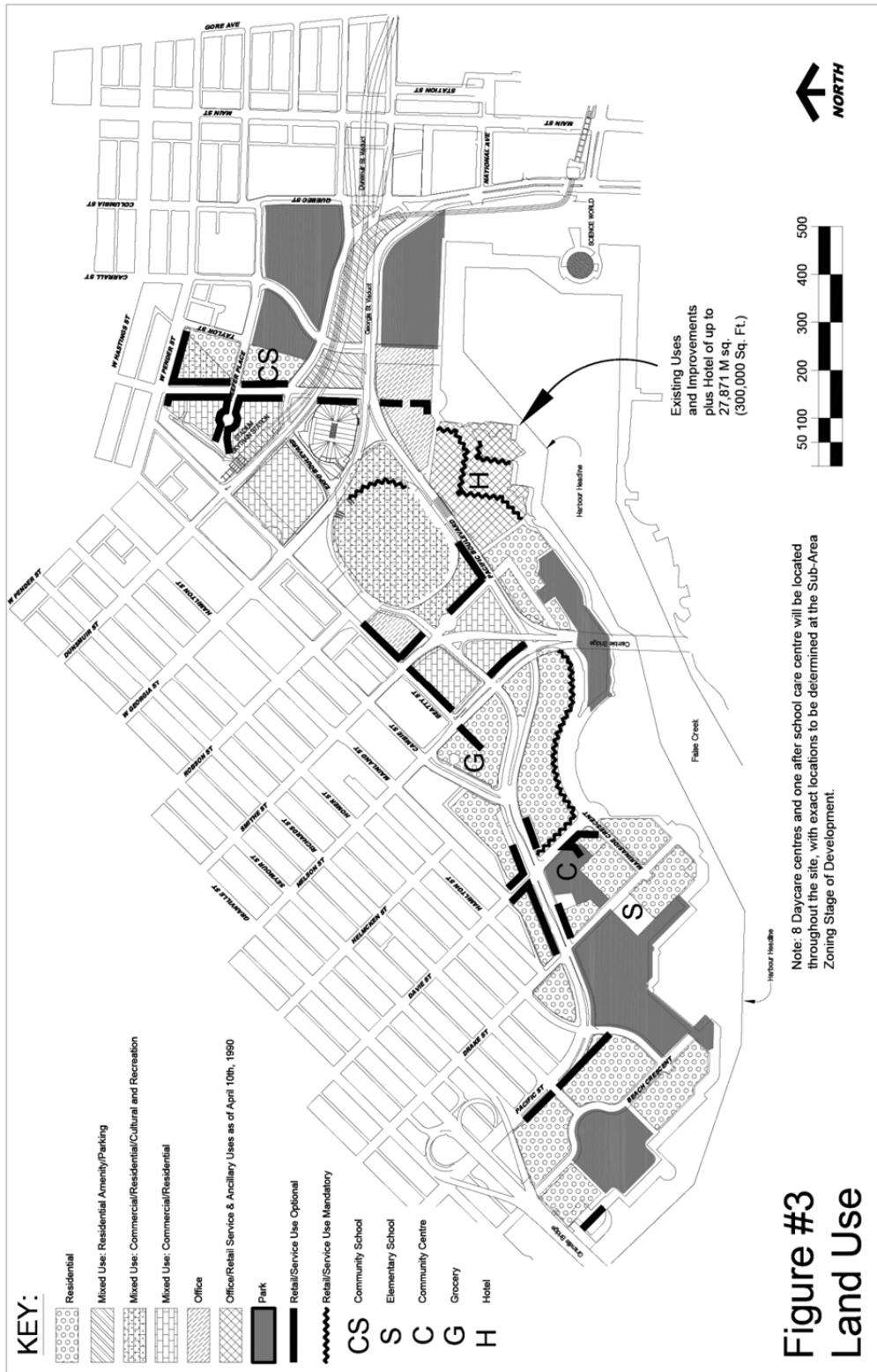


Figure 4

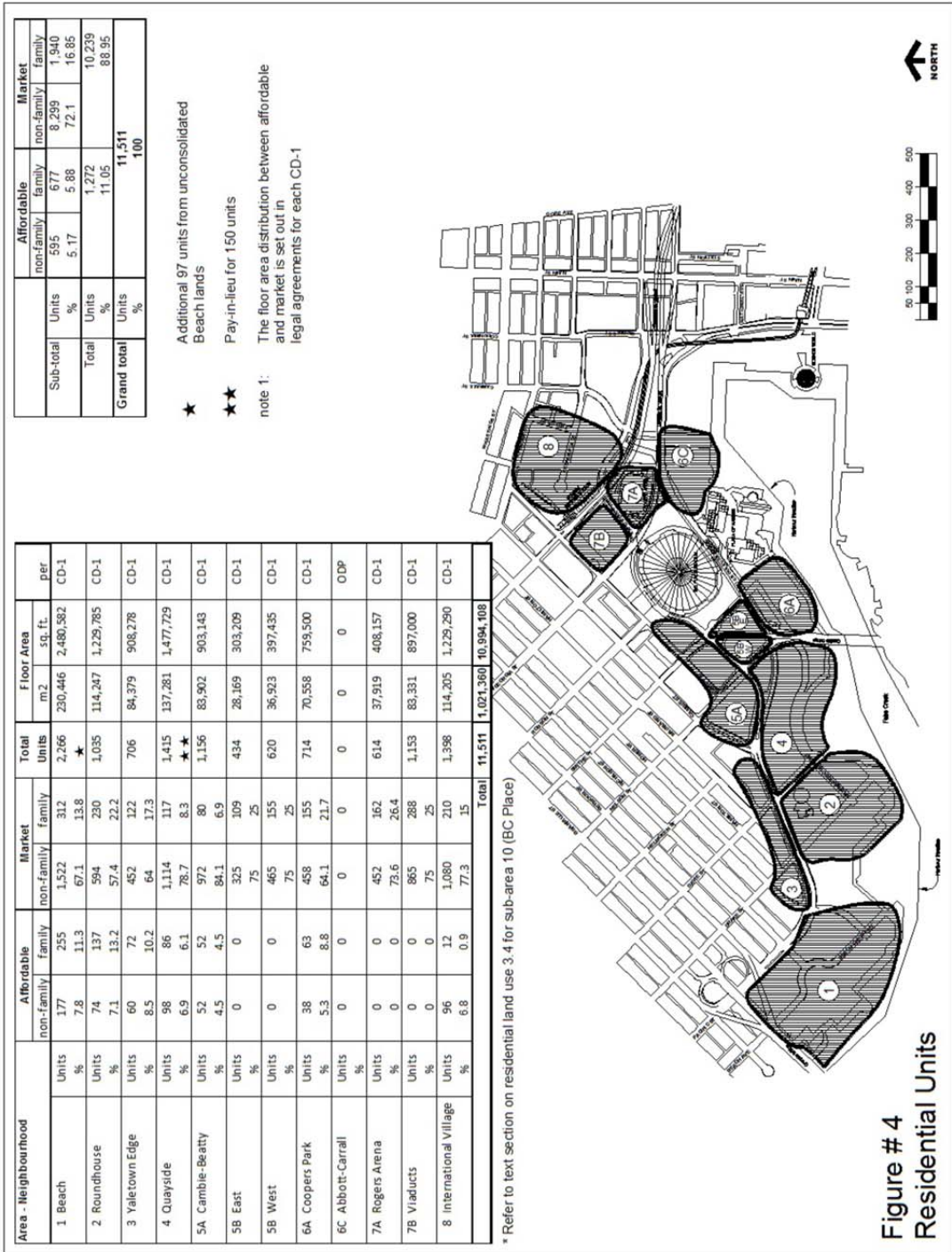
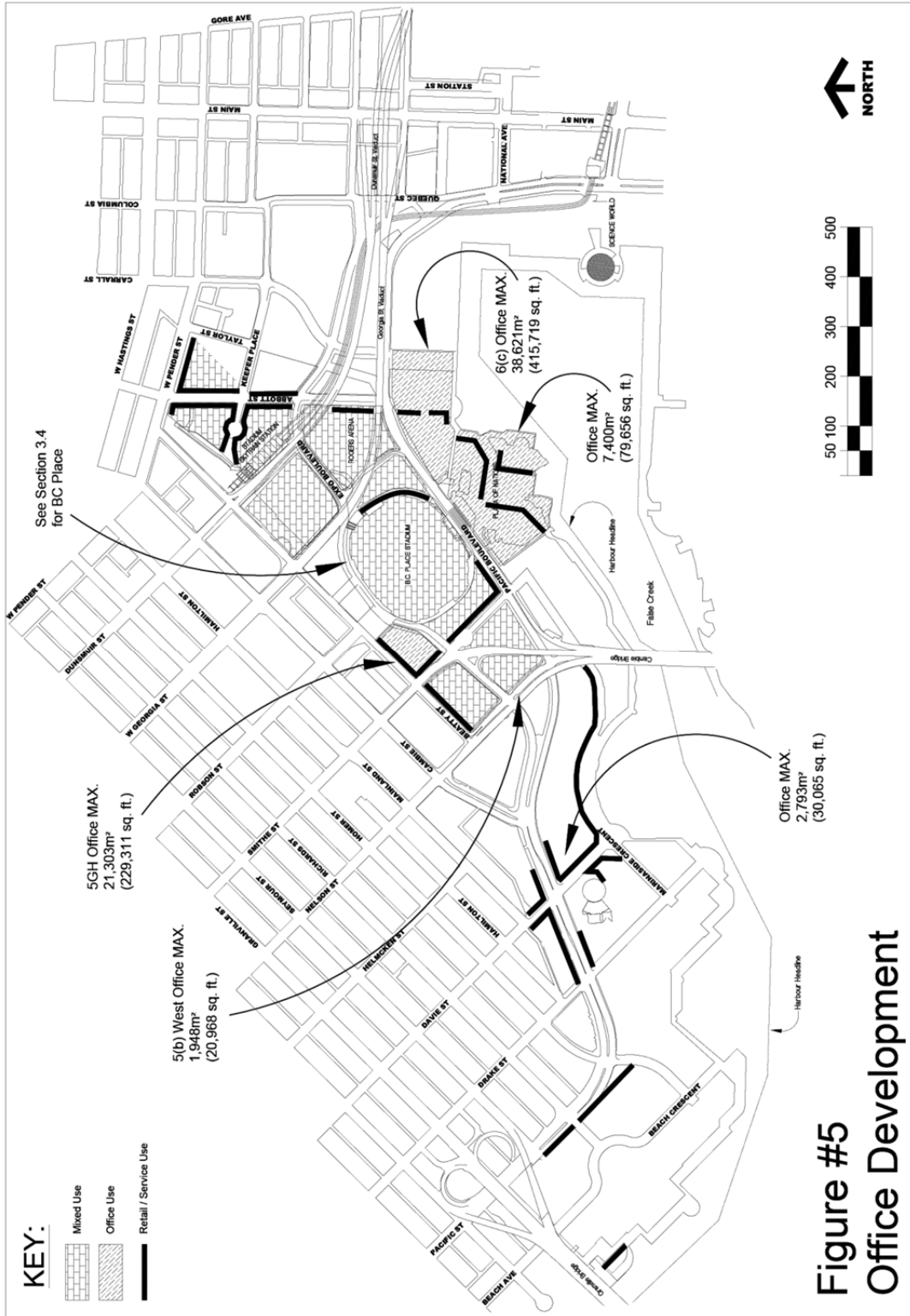


Figure # 4  
Residential Units

\* Refer to text section on residential land use 3.4 for sub-area 10 (BC Place)



Figure 5



APR 1 2014





Figure 9c

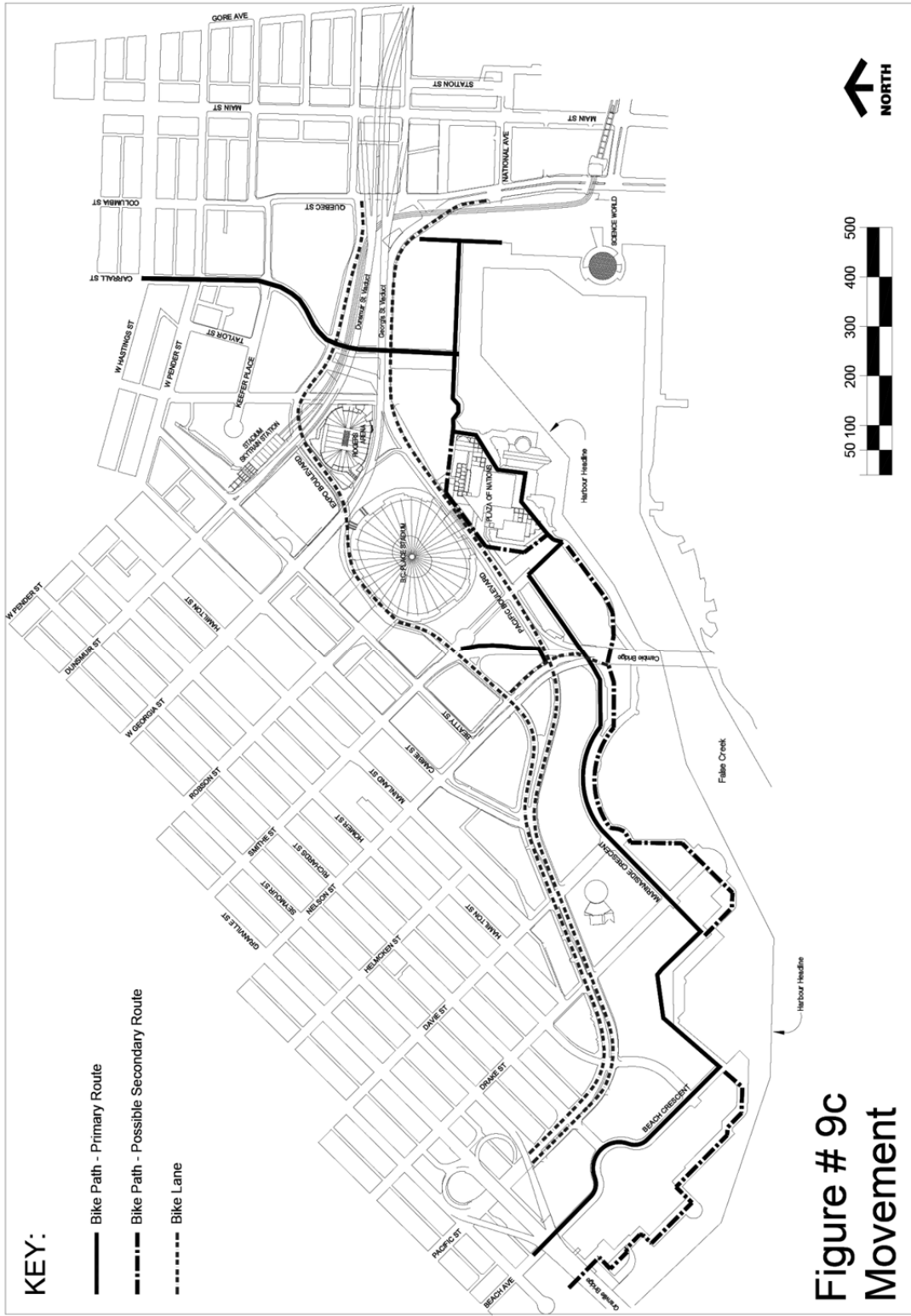


Figure # 9c  
Movement

Apr 1 2014

Figure 12a L



Figure 12a R

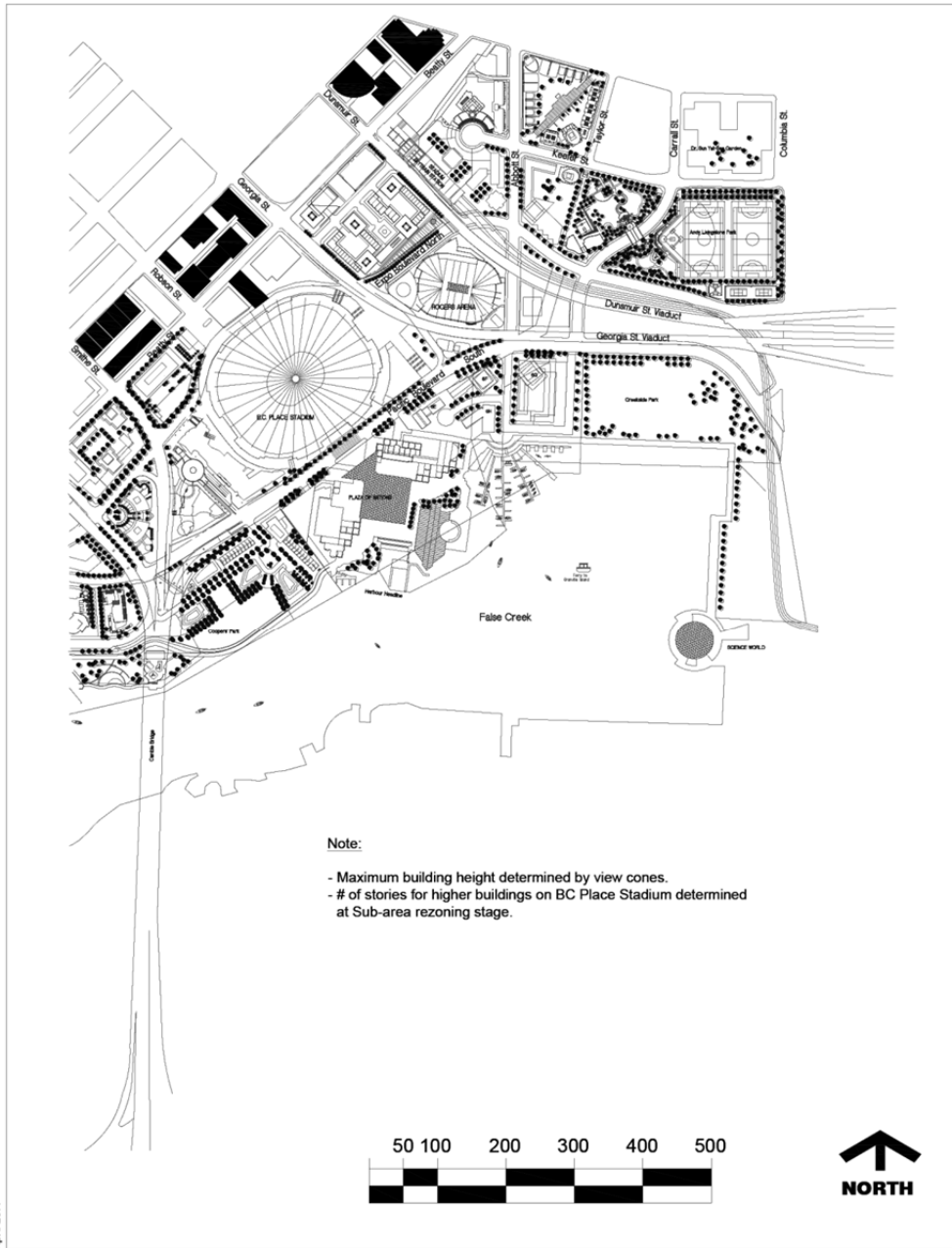
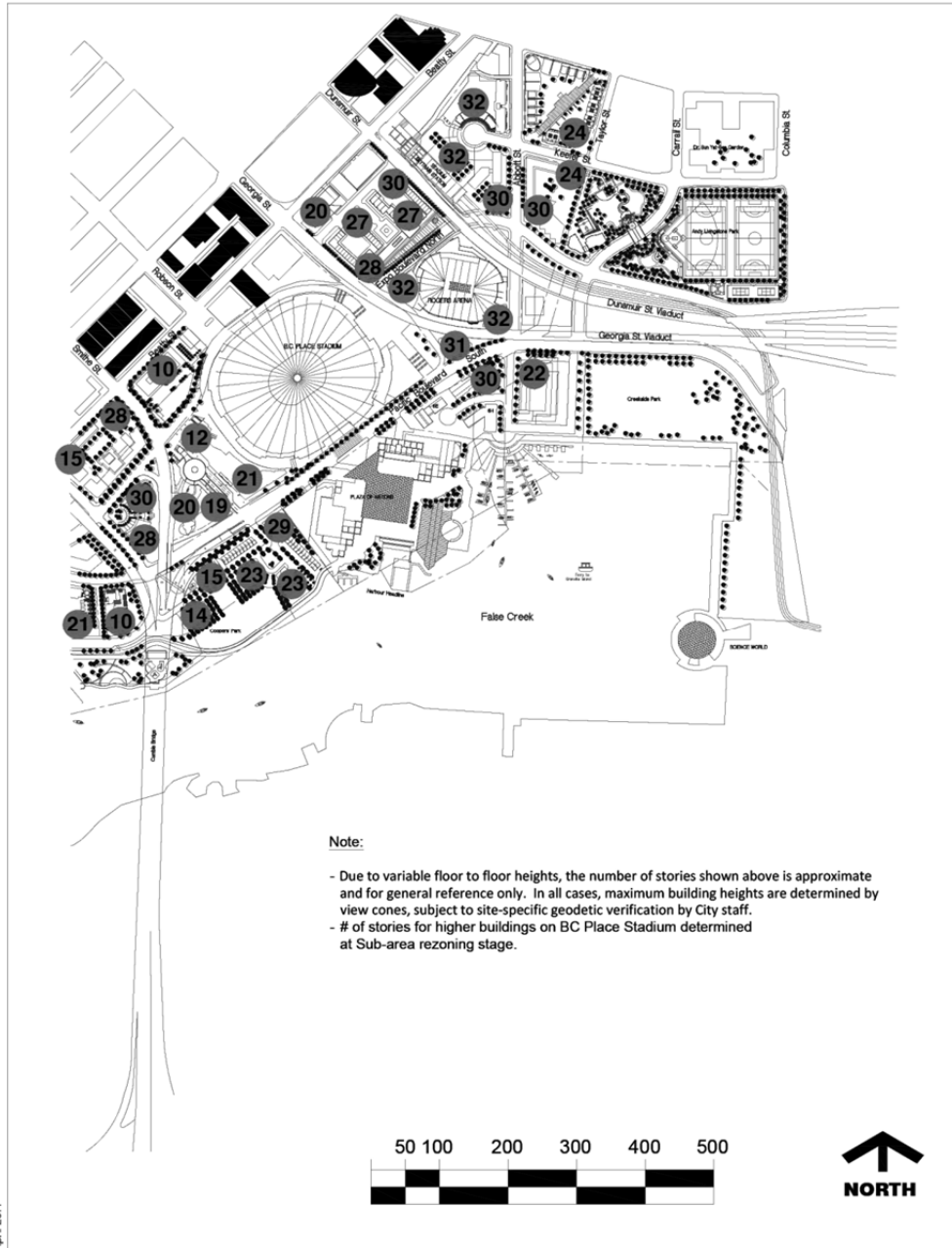


Figure 12c L



Figure 12c R





998 Expo Boulevard  
ADDITIONAL INFORMATION

1. Background - Affordable Housing in False Creek North ODP

The FCN ODP was adopted in 1990 and set aside 15 development sites with the capacity to create 20% of units in the ODP area as affordable housing. The City secured options to purchase the affordable housing sites in the new neighbourhoods at a greatly reduced price with the intent of making the sites available for development under Federal and Provincial affordable housing programs. Through the course of developing the Concord Pacific Place neighbourhoods since 1990 six sites have been developed. Six sites remain under the City's option to purchase with a current zoned capacity of approximately 600 units.

In 1993, the Federal Government ceased funding for new social housing. At that time the City amended its 20% policy to allow for the conversion of an Affordable Housing site to Market Housing in return for a payment-in-lieu. In FCN, two "affordable sites" have been converted to market sites through the payment-in-lieu option. The result of these conversions, the reduction in average unit size of market units (and therefore more market units) along with the approval of projects without affordable housing components, has been a reduction in the proportion of affordable housing units in the FCN ODP area from an original requirement of 20% to a current requirement of 11.64%. While the CACs from this project will be used to meet affordable housing objectives nearby, the project requires that Council approve a reduction in the percentage of affordable housing units provided within FCN from 11.64% to 11.05%.

In response to the challenges in delivering on the 20% affordable housing requirement in the FCN ODP, the City is developing alternative approaches to delivery of affordable housing in the area. In line with the public benefits strategy for NEFC, staff will continue to pursue the inclusion of 20% affordable housing in the remaining large sites in NEFC (Concord Area 6c and Plaza of Nations Area 6b). Rather than following the previous approach of securing sites that would be developed when senior level government funding programs become available, the City is seeking the delivery of completed affordable housing units in step with market development. The remaining six optioned sites in FCN also present an important opportunity to provide affordable housing in the area. Staff are pursuing a strategy to proceed with development on these sites in a way that will deliver (as a minimum), the 600 affordable housing units identified in the FCN ODP. Finally, in the event that Council approves viaduct replacement, additional affordable housing opportunities would become available on City-owned sites along Main Street (nearby but outside of the FCN ODP boundary).

In the absence of senior government housing programs, the City will be challenged to meet the affordable housing requirements of the FCN ODP. However, the inclusionary housing policies in the ODP remain one of our best opportunities to deliver social housing.

2. Urban Design Panel

The Urban Design Panel reviewed the application on June 18, 2008. The minutes are as follows:

## EVALUATION: SUPPORT (7-0)

**Introduction:** Phil Mondor, Rezoning Planner, introduced the proposal for a rezoning on Nelson Street in Area 5b West in False Creek North. Mr. Mondor noted that the Panel had reviewed the project in March 2005. He emphasized the policy and guidelines that staff will be utilizing in their review of the application. Mr. Mondor gave the Panel a Statistical Chart regarding the rezoning from BCPED to CD-1 and an overview of the False Creek North Official Development Plan approved in 1990. It was initially contemplated in 1990 that the Cambie Bridgehead Precinct would be an office district and the height contemplated was low-rise. In 2001 the area was reviewed again and although it was still seen as a commercial precinct, it was decided as a result of the successful area to the west, with a more pedestrian character, a public plaza would be required in this precinct with retail and commercial uses around the plaza. The application is different from what was originally contemplated being that the proposal is predominately residential. Mr. Mondor noted that there is new urban design plan for the northeast side of False Creek which contemplates a mixed-use of residential and commercial.

Mr. Segal, Senior Architect/Development Planner described the proposal using the context model. He referenced the area from the Northeast False Creek Review which includes the space between the BC Place and GM Place through to Quebec Street. Mr. Segal noted that at the rezoning stage they are looking at use, density and form of development. There has been a shift in the massing from one that pulls away from the bridge and creates open space around the ramping of the bridge deck and also under the bridge to one that faces the bridge and creates open spaces on the sides. Mr. Segal noted that the Panel was looking at an application for the west side of the bridge only. The landscape plans show the approach to how the grade level treatment and under bridge area is to be treated. Mr. Segal added the site is envisioned to be a strong gateway into the downtown area.

Advice from the Panel on this application is sought on the following:  
Rezoning reviews focus on Use, Density and Form of Development.

**1. Use:**

The appropriateness of the proposed mix of uses at this location.

**2. Density:**

Whether the amount of density has been successfully accommodated on this site.

**3. Form of Development:**

- Whether the overall built form creates an appropriate “fit” with the surrounding context;
- Whether the proposed massing and form reads as a “gateway” to the Downtown as seen from the Cambie Bridge;
- Whether the proposal contributes to the enhancement of the Public Realm and pedestrian experience in the area, including the under-bridge area.

#### 4. Sustainability:

Has there been a satisfactory response to sustainability.

Mr. Mondor and Mr. Segal took questions from the Panel.

**Applicant's Introductory Comments:** Joyce Drohan, Architect further described the rezoning proposal. She noted that they believe in the ODP comment about making the site a gateway to the city. They wanted a unique building form to have a landmark quality different than other tower forms in the general area. They have chosen to go to a purer form that might be iconic in terms of its read in coming over the bridge. There is significant public realm in both schemes. The huge difference between the two schemes is that the 2005 scheme embraced the public space in the centre with the bridge running through it. They felt it was more important to embrace the public space at the corners of the site where it could benefit the neighbourhoods. One other aspect of the form in terms of liveability was that the original scheme put a lot of units facing towards the bridge and they felt this wasn't reasonable for such a dramatic site. The new scheme puts many more units on the site that will enjoy spectacular views. Ms. Drohan described the unit layouts noting there are a number of live/work units planned as well as some retail around the ground floor. In terms of amenity spaces, they are trying to consolidate them on the third floor with a swimming pool, changing rooms and party rooms. From a sustainability point of view, they are targeting LEED® Silver for the building and would like to take it further. They are attempting to create moveable screens for all of the units to temper the solar gain. They are also investigating the use of photovoltaic glass, as well as some photovoltaic panels on the roof.

Chris Phillips, Landscape Architects noted that it is a unique site and they are looking at making it more of a social space by making the site permeable and including public art as a way to invite people to the site.

James Cheng, Architect added that hopefully this was the new generation of Concord's buildings.

The applicant team took questions from the Panel.

#### **Panel's Consensus on Key Aspects Needing Improvement:**

- Consider a less formal response for the massing and form of development of the building.
- Consider less massive bridging elements between the towers.

**Related Commentary:** The Panel supported the proposal and thought there was an improvement over the 2005 scheme.

The Panel appreciated some of the changes to the scheme including the use of the plazas and thought the site would be a good example of a complete community for living, working and playing. They also liked the use of office space being included. The Panel agreed that the site could read as a gateway to downtown but that they didn't see that at this time. One Panel member noted that the gateway condition was dependent on what happens on the east

site. The Panel also agreed that flipping the plaza was the right thing to do. One Panel member was concerned about moving so much commercial space away from the site and suggested adding a destination retail space as well as a grocery store, restaurant or liquor store. Another Panel suggested that the character of the retail would be important and that the applicant needed to make sure the right mix was there to ensure that the space is under the bridge is attractive to the public and well used.

One Panel member thanked the applicant for providing such a high level of information for a rezoning as it gave a good feeling as to where the project was going.

The Panel thought the density worked and that the form of development fit into the neighbourhood. One Panel member noted that the location calls for a dramatic response to the building form. The strongest element is the bridge and on-ramps and that the building form should respond to the sculptural nature of the bridge. A couple of Panel members were excited by the curved form and encouraged the applicant to consider relaxing the curve to create a more responsive solution that relates to the site context. Most of the Panel liked the idea of the sliding screens but one Panel member suggested looking for alternatives.

Most of the Panel thought the public realm was going in the right direction. One Panel member thought the swimming pool was not in the best location.

The Panel thought the sustainability concerns were important to deal with at the beginning of the design and encouraged the applicant to try something remarkable.

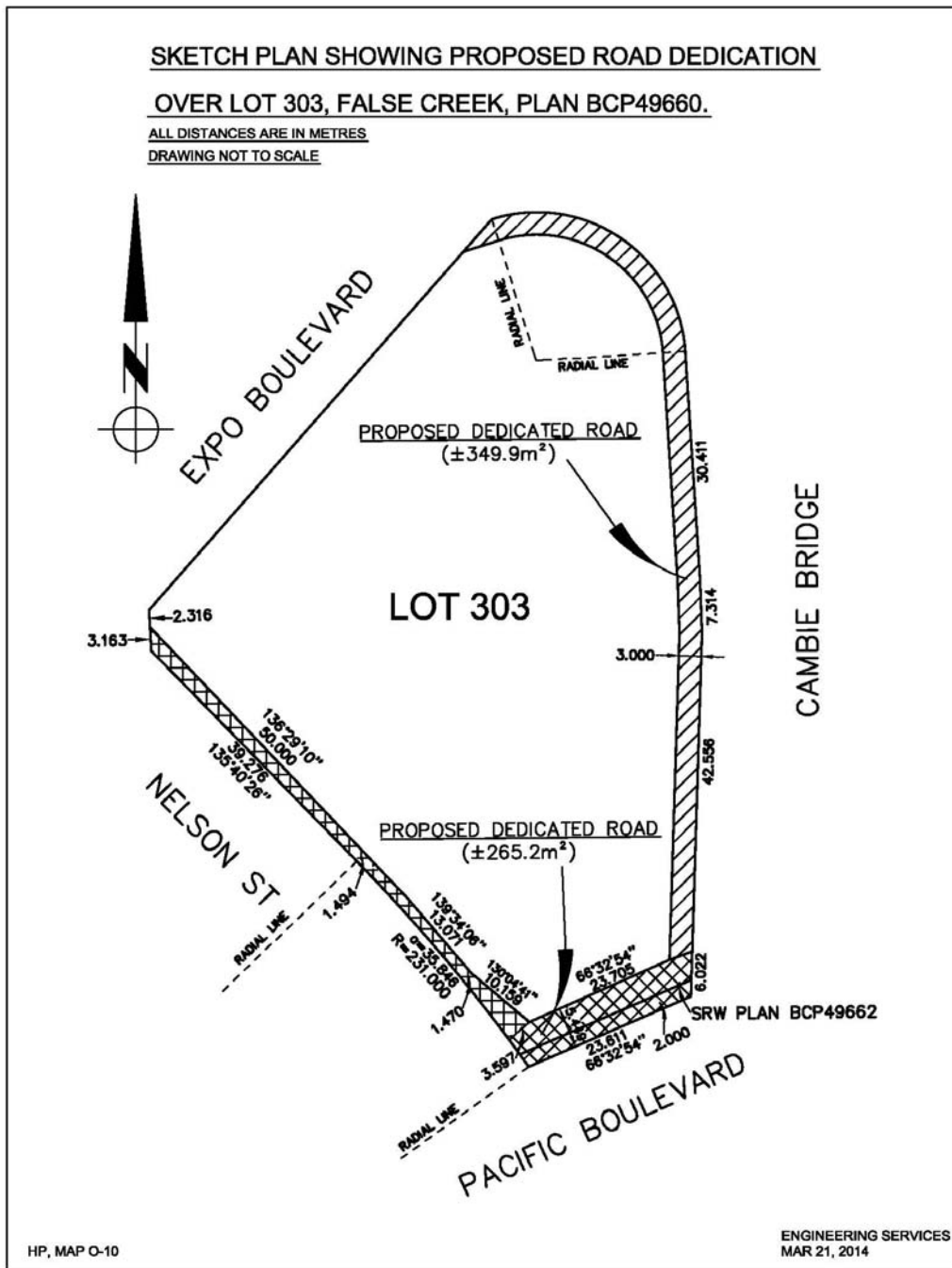
**Applicant's Response:** Mr. Cheng thought the Panel was perceptive and had offered some good suggestions. He said he was looking forward to the next.

### **3. Summary of Open House commentary February 2008**

As part of the rezoning process, an open house was held on February 20, 2008. Notification was sent to over 4,000 households adjacent to the Subject Site, and notification signs were posted on the Subject Site. In total, 48 emails and letters were received from the public - 31 in favour, 12 opposed and 5 not directly supporting or opposing this particular application. Staff has also received a petition signed by 44 people in support of the rezoning. While the majority of the comments were positive, the concerns identified at that time included:

- Development is premature without public benefits being offered and built,
- There will be parking spilling over into existing residential areas,
- Density is too high,
- More development will make traffic worse,
- Too much pressure on use of park space, not enough park space,
- Extra height, especially in residential use will create undesirable conditions regarding privacy, overlook and views to and from apartments in existing residential towers.

4. Road Dedications required



\* \* \* \* \*

# 998 Expo Boulevard FORM OF DEVELOPMENT

Drawing - 1 Building Massing - view from West

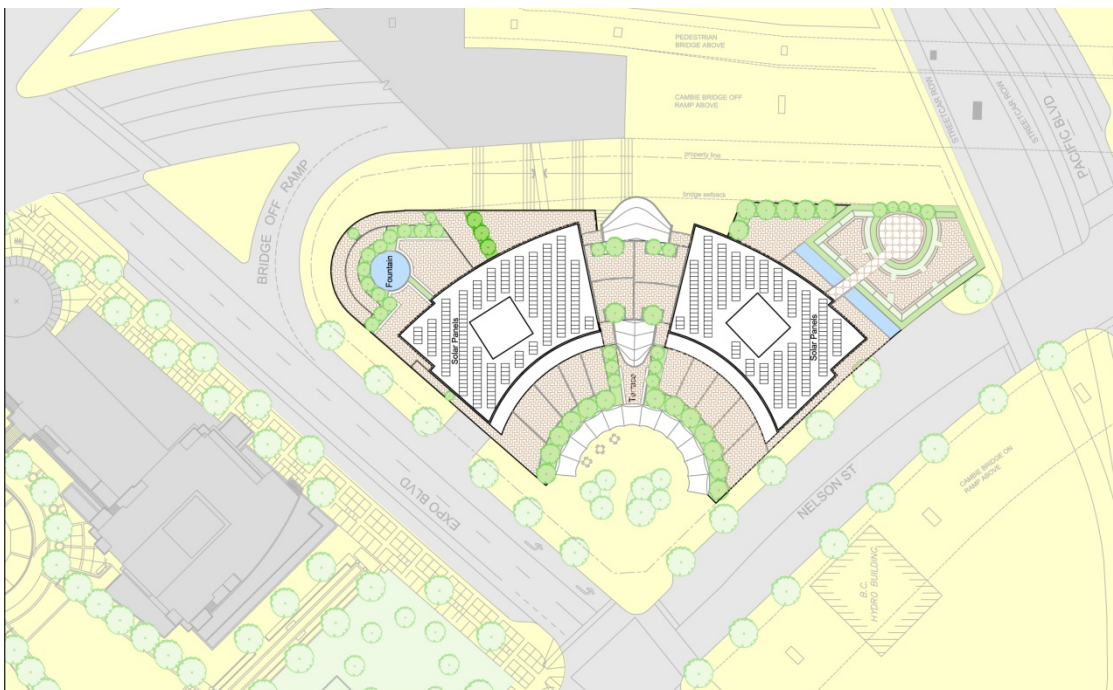


JAMES KM CHENG | ARCHITECTS

FINAL REZONING SUBMISSION - JUNE 2008  
AREA SB WEST - Concord Pacific Group Inc.

V2 VIEW FROM WEST

Drawing 2 - Site Plan



Drawing 3 - Parking Plan - first level below grade

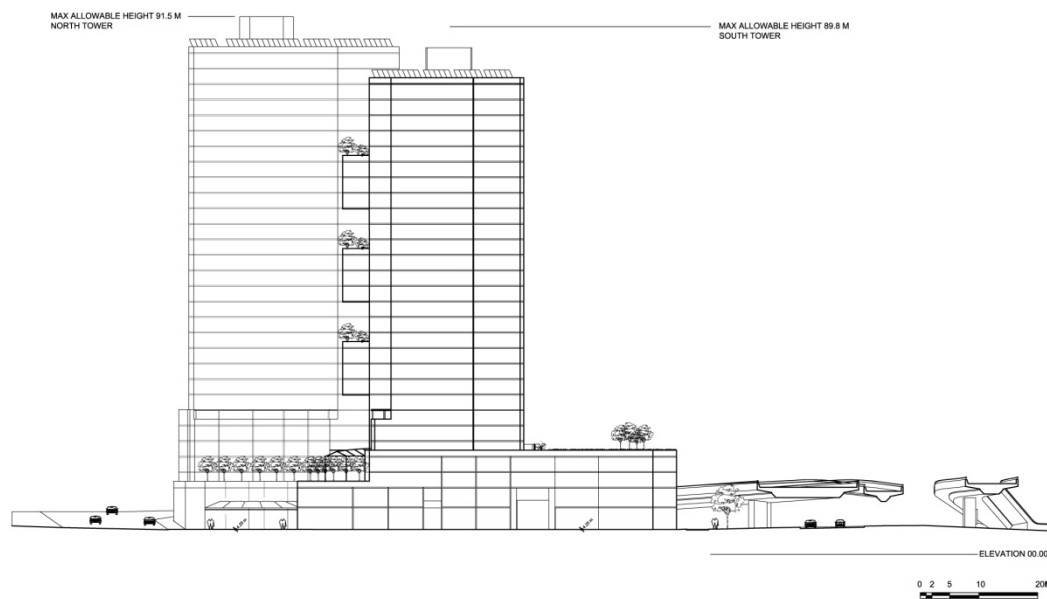


FINAL REZONING SUBMISSION - JUNE 2008  
AREA 5B WEST - Concord Pacific Group Inc.

PARKING -1  
PLAN  
SCALE 1:500

JAMES KIRCHENG ARCHITECTS

Drawing 4 - Southeast Elevation

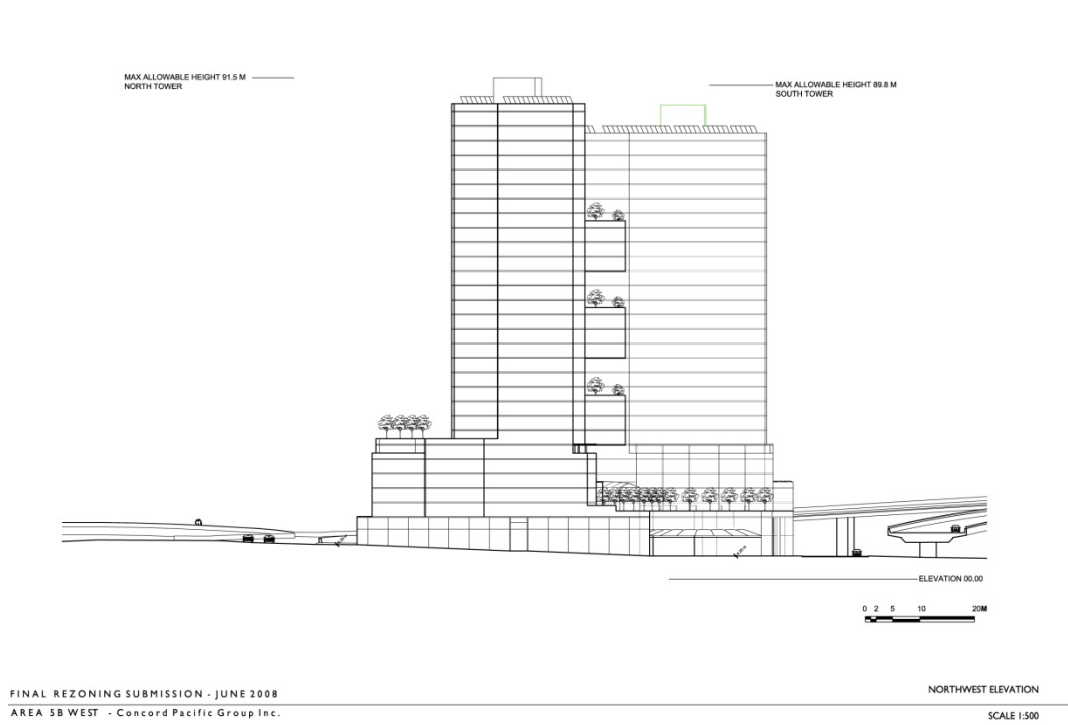


FINAL REZONING SUBMISSION - JUNE 2008  
AREA 5B WEST - Concord Pacific Group Inc.

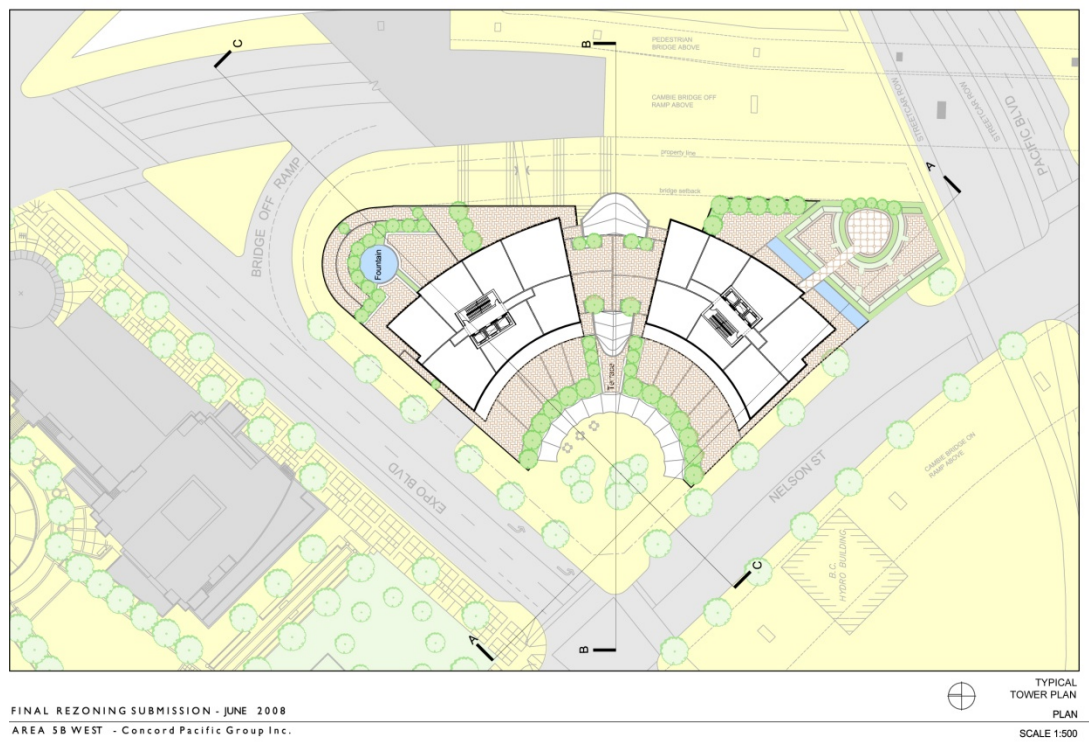
SOUTHEAST ELEVATION  
SCALE 1:500

JAMES KIRCHENG ARCHITECTS

Drawing 5 - Northwest Elevation



Drawing 6 - Typical Tower Plan





998 Expo Boulevard  
PUBLIC BENEFITS SUMMARY

**Project Summary:**

Mixed-Use development with two residential towers and two floors of Commercial.

**Public Benefit Summary:**

The project would generate a public art payment, and a CAC of \$19,608,850, including a non-market housing site, seawall improvements, construction of recreation space, purchase of Heritage Density, and cash CAC of \$4,200,000 to be allocated to a Paddling Centre or other Marine Related Improvements

	Current Zoning	Proposed Zoning
Zoning District	BCPED	CD-1
FSR (site area = 4773.48m <sup>2</sup> /51,381sq. ft.)	See Note 1	8.14
Buildable Floor Space (sq. ft.)	See Note 1	418,403 sq. ft.
Land Use	Commercial	Multiple Dwelling, Commercial

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide)		
	DCL (other)	\$0	\$0
	Public Art	\$0	\$757,309
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver site)		\$2,600,000
	Affordable Housing		\$11,500,000
	Parks and Public Spaces		\$1,308,850
	Social/Community Facilities		\$4,200,000
	Unallocated		
	Other		
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>		<b>\$0</b>	<b>\$20,366,159</b>

\* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification.  
Note 1: BCPED does not specify any allowable floor areas.

998 Expo Boulevard  
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

**Applicant and Property Information**

Address	998 Expo Boulevard
Legal Descriptions	Lot 303 Plan BCP49660 District Lot FC NWD
Developer	Concord Pacific
Architect	James K.M. Cheng Architects
Property Owners	One West Holdings Ltd.

**Development Statistics**

	Development Permitted Under Existing Zoning	Proposed Development
ZONING	BCPED	CD-1
SITE AREA		4,773.5m <sup>2</sup> (51,381 sq.ft.)
USES	Commercial-Institutional Uses	Dwelling Units Office Retail and Service Uses
FLOOR AREA		Residential 36,923 m <sup>2</sup> (397,435 sq.ft.) Commercial 1,948 m <sup>2</sup> (20,968 sq.ft.) Total 38,871 m <sup>2</sup> (418,403sq.ft.)
Floor Space Ratio (FSR)	N/A	8.14
HEIGHT		87.25m to top of roof
PARKING, LOADING AND BICYCLE SPACES		In accordance with the provisions of the Parking By-law