

SUMMARY AND RECOMMENDATION

3. TEXT AMENDMENTS: East Fraser Lands Official Development Plan 10-year Review Planning Program: Progress Update and By-law Amendments for a new Community Centre Site and Affordable Housing

Summary: To amend the East Fraser Lands (EFL) Official Development Plan (ODP) and related CD-1 By-laws to allow for redistribution of existing floor area from the community centre site to adjacent market development sites; to increase the maximum floor area to allow addition of 5,129 square metres (55,208 square feet) of affordable housing on Parcels 1 and 13; to remove EFL-specific parking requirements to create alignment with the Parking By-law; and to make minor miscellaneous amendments to the EFL ODP and related CD-1 By-laws.

Applicant: General Manager of Planning, Urban Design and Sustainability

Referral: This item was referred to Public Hearing at the Regular Council Meeting of July 24, 2018.

Recommended Approval: By the General Manager of Planning, Urban Design and Sustainability, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT Council approve the application to amend the East Fraser Lands Official Development Plan By-law No. 9393, generally in accordance with Appendix A of the Policy Report dated July 10, 2018, entitled "East Fraser Lands Official Development Plan 10-year Review Planning Program: Progress Update and By-law Amendments for a new Community Centre Site and Affordable Housing", to achieve the following:
- (i) A standalone site for a future community centre in East Fraser Lands; and
 - (ii) Increase the total density to allow for an additional 5,129 sq. m (55,208 sq. ft.) of Affordable Housing in Area 1 and Area 2.
- B. THAT Council approve the application to amend the Zoning and Development By-law, generally in accordance with the Policy Report dated July 10, 2018, entitled "East Fraser Lands Official Development Plan 10-year Review Planning Program: Progress Update and By-law Amendments for a new Community Centre Site and Affordable Housing" to:
- (i) Amend CD-1 (567) By-law No. 10943 for the East Fraser Lands Waterfront Precinct, to increase the maximum height from 19 to 24 storeys, to reduce the maximum floor area from 112,961 sq. m (1,215,902 sq. ft.) to 103,917 sq. m (1,118,552 sq. ft.) and to make housekeeping amendments, generally as presented in Appendix B of the above Policy Report, subject to the following conditions:

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT FOR CD-1 (567)

- (a) 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:

Urban Design

In addition to the design development conditions approved by Council for the CD-1 rezoning of East Fraser Lands (Town Square, Park and Waterfront Precincts), as recorded in the Public Hearing Minutes, Tuesday, September 16, 2008, the Director of Planning or the Development Permit Board shall consider the following conditions:

1. Submission of revised Design Guidelines for the parcels that are modified under this text amendment (i.e. Parcels 26, 27, 29/30, 31 and 32 in Area 1), to the satisfaction of the Director of Planning.

Note to Applicant: The draft design guidelines in Appendix E of the above Policy Report require further staff review, and will be subject to further revision and refinement.

2. Design development to improve the interface to mitigate the impact of above-grade parkades on the street elevation and improve the interface of private development with the public realm.

Note to Applicant: In cases where parkades must protrude above grade, increased setbacks to accommodate enhanced landscaping, breaks or terracing in the massing, stair access and/or views to internal courtyards, enhanced cladding treatments of exposed parkade walls, and other design treatments are recommended to achieve visual porosity and animation in the pedestrian realm.

Parcel 29/30

3. Design development to limit tower floorplate, above 21.3 m (70 ft.) in height, to 697 sq. m (7,500 sq. ft.), measured to the far extent of the building massing including inset or enclosed balconies, but excluding projecting balconies.
4. Design development to create consistent streetwalls along River District Crossing (High Street) and Mews G, with a minimum 2.4 m (8 ft.), above the 5th storey.

Parcel 31

5. Design development to animate key street frontages, by locating active uses along the plaza, River District Crossing (High Street) and Mews G.

Note to Applicant: Active uses may include multi-purpose and/or activity rooms, gymnasium, lobby, library reading rooms, etc.

Where possible, the rooms should have secondary entries onto the street and/or plaza, to create opportunities for indoor/outdoor programming.

6. Design development to provide a principle entry facing River District Crossing (High Street), and to provide a secondary entry and visual connection from Mews G to the plaza.
7. Design development to align the building frontage on North Arm Avenue with the massing on the adjacent Parcel 27, to create a consistent streetwall and framed view down the street end to the plaza.
8. Design development to locate childcare and associated outdoor spaces at Level 2 or above, and to rationalize the massing of the upper storeys to create larger, more functional outdoor play spaces.
9. Design development to optimize and rationalize the use of double-height spaces, to create views between key “public” spaces (i.e. lobby, mezzanine) and between spaces with related programs (i.e. fitness room and gymnasium).

Note to Applicant: To maximize efficiency, double- and over-height spaces should not be provided for back-of-house or administrative uses.

Design development to provide power and water to support events and activities in the Public Plaza area.

Parcel 32.1 and Parcel 32.2

10. Design development to align the building face to create a framed view, along Road B, to the riverfront down the street end.
11. Design development to accommodate a continuous waterfront pedestrian/bike facility (each path minimum 4.0 m wide, plus separation and clearance width), including a minimum 3.3 ft. (1.0 m) landscape setback where adjacent to the building face.

Note to Applicant: In the event that a lease cannot be secured for the foreshore, Parcels 32.1 and/or 32.2 may need to be adjusted to ensure the waterfront pathways can be accommodated on Public land or through statutory rights-of-way. Any affected density assigned to Parcel 32.1 or 32.2 will be shifted to another site within the CD-1 boundary.

12. Design development to achieve a high standard of architectural and urban design innovation and excellence, in which the buildings serves to frame, complement and animate the public plaza.

13. Design development to Parcel 32.1, as follows:
 - (i) align the building frontage on North-Arm Avenue with the massing on the adjacent Parcel 28, to create a consistent streetwall and framed view to the plaza;
 - (ii) terrace the massing down towards the plaza and towards the riverfront, and to sculpt the massing to maximize public views;
 - (iii) create active retail use at grade, with a primary frontage on the plaza to engage and animate the public realm; and
 - (iv) create an active, transparent building frontage on the plaza and street frontages, with a major retail space(s) at grade.

14. Design development to Parcel 32.2, to sculpt the massing and building height to maximize public and private views to the plaza and riverfront.

CONDITIONS OF BY-LAW ENACTMENT FOR CD-1 (567)

- (b) That, prior to enactment of the by-law amending CD-1 (567), the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services, and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Updated Subdivision Plan

1. Obtain approval of and deposit for registration of an updated subdivision plan that creates updated parcels and roads, generally as defined in the *East Fraserlands Design Guidelines* document and provides for delivery to the City, revised roads (which includes the waterfront walkway/bikeway) and lands for parks and open space.

Note to Applicant: Revisions to the subdivision plan and parcel locations must comply with Section 75 of the Land Title Act [RSBC 1996] with respect to access to water provisions. Further design development will be needed if waterfront tenure cannot be achieved.

Note to Applicant: Update existing legal agreements as required to append the updated subdivision plan and reflect any consequential amendments.

Amended Services Agreement

2. Revisions to the Services Agreements to account for impacts from the density re-allocation and revision to the subdivision plan, that 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-way for the Services are provided. The Services Agreements shall be revised to include:
 - (i) Revision of Road B to 20.0 m (65.6 m);
 - (ii) Revision of Mews G to be defined as Road G and width 23.0 m (75.5 ft.);
 - (iii) Provision of statutory right of way on each side of High Street to achieve 23.0 m (75.5 ft.) width; and
 - (iv) Amend item (e) : “the provision of a floating dock attached to the pier structure at the Waterfront Plaza, generally as shown in the *East Fraserlands Design Guidelines* subject to the execution of a maintenance agreement for the dock” to reflect the updated Area 1 Waterfront shoreline, parcel and plaza design (see condition 3).

Amended Shoreline Works Agreement

3. Revisions to the Shoreline Works Agreement to incorporate changes to the subdivision plan. Shoreline Works are to include structures, including a flood wall, if necessary in Area 1 Central Waterfront, to the satisfaction of the City Engineer.

Provision of Statutory Rights-of-ways (SRWs), minimum 7.5 m (24.6 ft.) clear width measured from the toe of the shoreline works or floodwall, in favour of City Engineer for shoreline works, maintenance and installation. Structures will be maintained by City Engineer; walkways will be maintained by the applicable owner under public access SRWs, where applicable.

Foreshore Tenure

4. Make arrangements to convey to the City such propriety rights in lands to be used for public open spaces, parks, roads, walkways/bikeways and the community centre as considered appropriate by the City Manager.
5. Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services in consultation with the Park Board to enter into a no development

covenant on Parcels 32.1, 32.2, 35 and 36 until such time as the City or Wesgroup Properties can secure tenure of the portion of park in the Provincial foreshore lease, at no cost to the City. The City and Wesgroup agree to collaboratively explore the benefits of a direct lease between the City and the Province for the foreshore park. However, the City acknowledges that this may not be achievable. Further, if tenure cannot be achieved by either party, an alternate parcel configuration may need to be considered to accommodate a continuous waterfront walkway/bikeway outside of the leasehold area.

6. Revision of statutory right-of-way agreements for public access to reflect:

- (i) Continuous waterfront bike and pedestrians connection, paths to be at least 4.0 m (13.1 ft.) wide each, plus additional width for separation and clearances.

Note to Applicant: the intent is for this walkway and bikeway to be primarily on public land; there may be constrained locations which require SRWs on private lands.

- (ii) Changes to parcel forms of development and passageways traversing parcels, as required, to meet the intent of the adopted design guidelines.

Conveyance of Closed Roads

7. Make arrangements to transfer ownership of lands as necessary to support the proposed draft subdivision plan, accompanying these CD-1 and ODP amendments.

Note to Applicant: The closure of North Arm Avenue between River District Crossing and Road A is proposed to expand waterfront plaza, it is anticipated that modifications to the subdivision plan will result in a net increase in lands dedicated to the City.

8. Provision of Statutory Rights of Way (SRW) in favour of City Engineer, at least 10m in width, center over the existing storm main in the Road B street end, south of North Arm Ave, for utility and public access purposes.

Updated Parks Agreements

9. Revisions to the Parks Agreements to account for impacts from the density re-allocation and revisions to the subdivision plan that detail provision of space in Area 1, as required by the East Fraser Lands Official Development Plan, including sections 3.5.7 and 6.1.1.

Note to Applicant: Required park space is to be calculated as outlined in section 3.5.7 of the East Fraser Lands Official Development Plan.

- (ii) Amend CD-1 (499) By-law No. 10195 for East Fraser Lands Area 2 South, to increase the maximum floor area from 106,743 sq. m (1,148,963 sq. ft.) to 115,787 sq. m (1,246,311 sq. ft.) and to make housekeeping amendments generally as presented in Appendix D of the above Policy Report, subject to the following conditions:

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT FOR CD-1 (499)

- (a) 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:

Urban Design

In addition to the design development conditions approved by Council for the East Fraser Lands – Area 2 and Kerr Street Properties rezoning, as recorded in the Regular Council Minutes, Thursday, January 21, 2010, the Director of Planning or the Development Permit Board shall consider the following conditions:

1. Submission of revised Design Guidelines for the parcels that are modified under this text amendment (i.e. Parcels 11, 13, 24, 25 and 28 in Area 2), to the satisfaction of the Director of Planning.

Note to Applicant: The draft design guidelines in Appendix E of the above Policy Report, require further staff review, and will be subject to further revision and refinement;

2. Design development to improve the interface to mitigate the impact of above-grade parkades on the street elevation and improve the interface of private development with the public realm.

Note to Applicant: In cases where parkades must protrude above grade, increased setbacks to accommodate enhanced landscaping, breaks or terracing in the massing, stair access and/or views to internal courtyards, enhanced cladding treatments of exposed parkade walls, and other design treatments are recommended to achieve visual porosity and animation in the pedestrian realm.

Parcel 11

3. Design development to relocate taller massing to the northwest corner of the site, to minimize shadowing on public parks and on-site open spaces.

Note to Applicant: Shadows on the Kinross Park and the playfield Park must not exceed those in the original rezoning.

4. Design development to shape the building massing, to create a strong, articulated edge to the Neighbourhood Park, and to terrace down to a lower building (not exceeding four storeys) at the waterfront.

Parcels 24, 25, 28

5. Design development to limit tower floorplate, above 22.9 m (75 ft.) in height, to 605 sq. m (6,500 sq. ft.), measured to the far extent of the building massing including inset or enclosed balconies, but excluding projecting balconies.
6. Design development to locate and shape taller building forms to mitigate shadowing on Playfield Park.

CONDITIONS OF BY-LAW ENACTMENT FOR CD-1 (499)

- (b) That, prior to enactment of the by-law amending CD-1 (499), the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services, and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

1. Obtain approval of and deposit for registration of an updated subdivision plan that creates updated parcels and roads, generally as defined in the *East Fraserlands Design Guidelines* document and provides for delivery to the City, revised roads and lands for parks and open space, if any changes are proposed in Area 2.

Note to Applicant: Revisions to the subdivision plan and parcel locations must comply with Section 75 of the Land Title Act [RSBC 1996] with respect to access to water provisions.

Note to Applicant: Update existing legal agreements as required to append the updated subdivision plan and reflect any consequential amendments.

- (iii) Amend CD-1 (566) By-law No. 10941 for East Fraser Lands Town Square Precinct, to add 1,770 sq. m (19,052 sq. ft.) of Affordable Housing on Parcel 13, to increase the height from 20 storeys to 25 storeys, and to make housekeeping amendments generally as presented in Appendix F of the above Policy Report;
- (iv) Amend CD-1 (498) By-law No. 10194 for East Fraser Lands Area 2 North, to add 3,359 sq. m (36,156 sq. ft.) of Affordable Housing on Parcel 1, and to make housekeeping amendments generally as presented in Appendix G of the above Policy Report;

- (v) Amend CD-1 (565) By-law No 10942 for East Fraser Lands Park Precinct to make housekeeping amendments generally as presented in Appendix H of the above Policy Report; and
 - (vi) Amend Schedule C, Streets Requiring Landscaped Setbacks, to remove the requirement for landscaped setbacks on sections of Boundary Road, Kerr Street, and Kinross Street, generally as presented in Appendix I of the above Policy Report.
- C. THAT, subject to enactment of the amendments to the respective CD-1 By-laws, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward the following for Council adoption:
- (i) Updates to the *Area 2 and Kerr Street Properties Design Guidelines*, generally as presented in Appendix J of the Policy Report dated July 10, 2018, entitled “East Fraser Lands Official Development Plan 10-year Review Planning Program: Progress Update and By-law Amendments for a new Community Centre Site and Affordable Housing”; and
 - (ii) Updates to the *Phase 1 Design Guidelines*, generally as presented in Appendix K of the above Policy Report.
- D. THAT A to C be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditures or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the sole 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.

**[TA – East Fraser Lands Official Development Plan 10-year Review Planning Program:
Progress Update and By-law Amendments for a new Community Centre Site
and Affordable Housing]**