



REFERRAL REPORT

Report Date: April 14, 2020
Contact: Theresa O'Donnell
Contact No.: 604.673.8434
RTS No.: 13811
VanRIMS No.: 08-2000-20
Meeting Date: April 28, 2020

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Text Amendment: 650 West 41st Avenue (Oakridge Centre)

RECOMMENDATION

A. THAT the application by Henriquez Architects, on behalf of 7503059 Canada Inc., the registered owner, to amend the text of CD-1 (Comprehensive Development) District (1) for 650 West 41st Avenue (Oakridge Centre) [*PID: 003-128-687, Lot 7, Block 892, District Lot 526, Group 1, New Westminster District, Plan 20424, except Air Space Plan 20425 and Plan EPP85694*], to:

- (i) update the Sub-areas and Height sections;
- (ii) add floor area exclusions for interior public space providing access to the Oakridge-41st Canada Line Station, exterior overhangs, rooftop solar panels and covered amenity areas, accessory buildings and structures for park or playground use, and an existing above-grade parkade;
- (iii) update the family housing requirements in the Conditions of Use section,
be referred to a Public Hearing, together with:
 - (iv) draft by-law provisions to amend the CD-1 By-law, generally as presented in Appendix A; and
 - (v) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application;

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

- B. THAT, subject to enactment of the CD-1 By-law in Recommendation A, the Parking By-law be amended to provide parking regulations for the site, generally as set out in Appendix B;

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.

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

REPORT SUMMARY

This report assesses an application to amend the CD-1 (Comprehensive Development) District (1) for 650 West 41st Avenue (Oakridge Centre) to update miscellaneous by-law provisions in order to bring the CD-1 into alignment with the approved Preliminary Development Permit (PDP) and reflect the current form of development.

No changes to land uses, floor area or density are proposed. Staff recommend that the application be referred to a public hearing with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it, subject to the Public Hearing.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- *CD-1 (1) By-law No. 3568, (enacted April 23, 1956 and last amended September 19, 2018)*
- *Oakridge Centre Policy Statement (2007)*
- *Family Room: Housing Mix Policy for Rezoning Projects (2016)*
- *High-Density Housing for Families With Children Guidelines (1992)*

REPORT

Background/Context

Oakridge Centre is situated at the southwest corner of Cambie Street and 41st Avenue, immediately adjacent to the Oakridge-41st Avenue Canada Line station. The site is 11.45 hectares (28.3 acres) in size, roughly equivalent to eight city blocks (see Figure 1).

Developed in 1956, Oakridge Centre, also known as the Oakridge Mall, was the first auto-oriented shopping centre in Vancouver and the first site to be regulated under a Comprehensive Development (CD-1) By-law. This CD-1 (1) District originally included some adjacent apartment areas in addition to the shopping mall site.

In 2007, Council adopted the *Oakridge Centre Policy Statement* which envisioned a mixed-use, sustainable redevelopment, with a greater intensity of housing, retail and office uses that takes advantage of Oakridge Centre's excellent transit accessibility and adjacency to parks and public amenities.

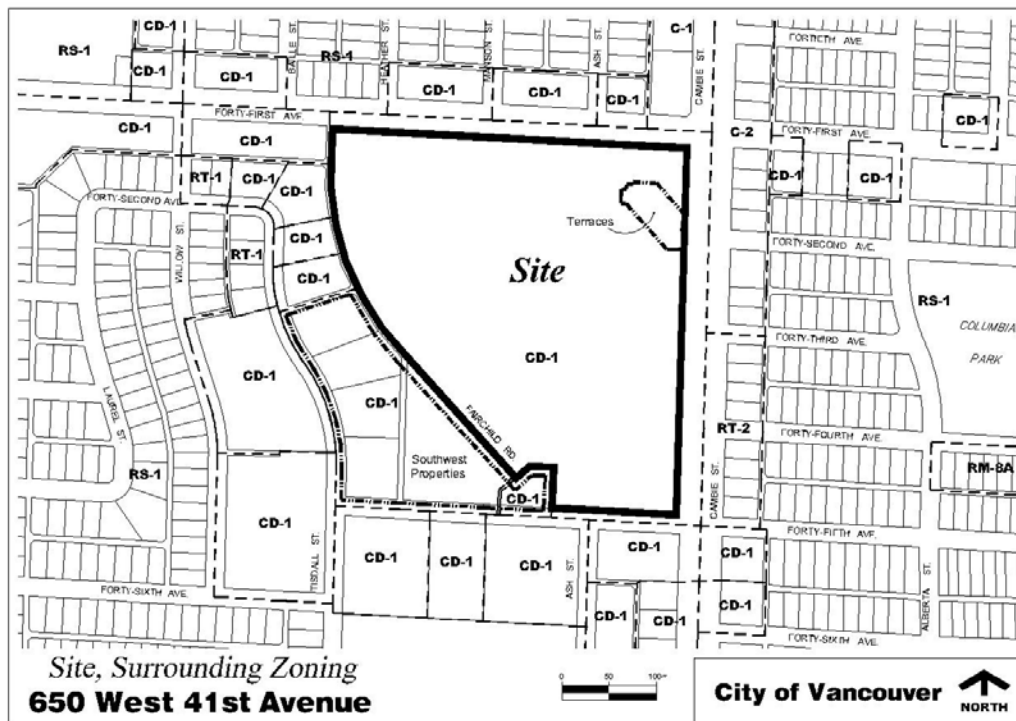
In 2014, Council approved amendments to CD-1 (1) to enable a substantial redevelopment of the site in accordance with the Policy Statement. The proposed redevelopment reconstructs retail, service, office and civic uses totalling up to 168,059 sq. m. and adds residential uses up to 256,541 sq. m. It includes proposed buildings at a range of heights up to 45 storeys. The proposed civic centre includes child daycare, library and a new community centre, with a fitness centre, performance space, artist-in-residence studios, a seniors' centre, and a youth centre. The amended CD-1 (1) provisions established at a high-level, the density, height and form of development for the site. Further, as part of this rezoning, CD-1 (712) and CD-1 (713) were created to accommodate the adjacent apartment areas, separate from the shopping mall site.

On July 23, 2018, a Preliminary Development Permit (PDP) for the site was approved. Following the 2014 rezoning, this PDP process took place to work out details of the form of development in different sub-areas of this large site.

On September 19, 2018, the amendments approved by the 2014 rezoning were enacted.

Given the large scope of the project, it has been the intent that there would be subsequent minor amendments to bring Oakridge's CD-1 into alignment with the PDP. These minor amendments, as well as other "housekeeping" amendments to CD-1 (1) and consequential amendments to the Parking By-law, are the subject of this report.

Figure 1: CD-1 (1) Site and Surrounding Zoning



Strategic Analysis

1. Proposal

To bring the CD-1 (1) into alignment with the approved PDP and allow the current form of development, this application includes amendments that include:

- updating the sub-areas diagram and corresponding height table;
- adding floor area exclusions for interior public space providing access to the Oakridge-41st Canada Line Station, exterior overhangs, roof-mounted solar panels and rooftop trellis and glass covered amenity areas, accessory buildings and structures for park or playground use, and an existing above-grade parkade; and
- updating the family housing provisions to bring the overall project into alignment with the current requirements of the *Family Room: Housing Mix Policy for Rezoning Projects*.

In addition, a consequential amendment to the Parking By-law is proposed to add a minimum parking requirement applicable to all commercial uses across the site, and to correct a minor housekeeping error.

The amendments are discussed in the following sections.

2. Sub-areas and height

The PDP included refinements that changed the form and public realm of the project, including the elimination of one tower and changes to the locations of some towers. In order for the current by-law to reflect these modifications, the “Figure 1 - Sub-Areas” diagram in Section 3 needs to be revised (see proposed diagram in Appendix A). The sub-areas are used to regulate building height, so the table in Section 7.2 also requires modification to remove sub-area 4, which was the sub-area for the tower now eliminated.

3. Floor area exclusion for interior public space providing access to transit

This amendment exempts the floor space occupied by a public corridor in the retail level of the development from calculation of maximum permitted floor area under the CD-1. Previous versions of the CD-1 (1) had provided a separate maximum floor area for “enclosed public pedestrian circulation, service and exit corridors”; however, the 2014 rezoning omitted this stipulation and all retail corridor space was shown as excluded floor area in the architectural drawings. Following public hearing, it was noted by staff that the retail corridor exclusion had not been correctly addressed and would be dealt with in a text amendment following enactment of the by-law.

This text amendment provides for a retail corridor exclusion that is consistent with precedents for other commercial developments, where exclusions have been limited to public space providing access to transit stations that is secured by a statutory right-of-way and to internal public features such as atria. The proposed maximum excluded area of 3,000 sq. m is consistent with the size of the corridor for which a right-of-way agreement was secured in the 2018 enactment to provide public access through the mall to the transit station.

4. Other miscellaneous floor area exclusions

The application also includes miscellaneous floor area exclusions meant to bring the CD-1 up to date with the approved PDP and to permit design and structural elements that are generally consistent with overall City practice.

Building overhangs – All building overhangs that relate to building design elements and that remain unenclosed for the life of the buildings would be exempt from being counted towards total floor area permitted under the CD-1.

Roof-mounted solar panels and rooftop amenity areas – A floor area exemption for rooftop structures for mounting solar panels is included to encourage environmentally beneficial practice. Similarly, trellised rooftop amenity areas (for both private and public uses) provide significant benefits to the wellbeing of users. A floor area exclusion for outdoor amenity areas is also included in this text amendment. This exemption provision would apply to buildings that have been approved by the Development Permit Board and can also be applied to buildings in future phases. These structures must remain unenclosed for the life of the building and are subject to design approval by the Director of Planning.

Public park or playground use – Redevelopment of Oakridge Centre will create a new 3.6-hectare (9-acre) City park, with recreational areas at both street level and on the mall’s roof. A number of structures are proposed throughout the park, including structures to permit all-weather use of outdoor spaces (i.e. covered pavilions for performance and group activities, covered seating areas and roof overhangs for performance and community garden purposes)

and dedicated interior spaces to support park and community garden uses. A provision to exclude structures located on City property for public uses is proposed to encourage provision of public amenities.

The proposed exclusion areas include structures that have been reviewed and approved by the Development Permit Board, as well as structures for future development phases. Pavilion and community garden structures planned for future phases are supported by Park staff and will be reviewed for siting, form and materiality through future Development Permit applications.

Existing above-grade parkade – An existing above-grade parking structure will be retained in the redevelopment of Oakridge Centre. The two below-grade and two above-grade levels in the parkade will be retained for vehicle parking, while existing rooftop parking will be converted to public community garden uses. A provision to exclude the above-grade portion of the parking structure from floor area is proposed, as the retention of an existing building structure would not be considered new development. The below-grade portion of the parkade is already excluded in the existing CD-1.

The proposed exclusion is consistent with a previous version of the CD-1 which allowed the above-grade parking and excluded it from regulation. However, this floor area exclusion for parking and loading was omitted in the 2014 rezoning application for redevelopment of Oakridge Centre, which was enacted in 2018.

5. Family housing requirements

The *Family Room: Housing Mix Policy for Rezoning Projects* has been updated since the 2014 rezoning. Current policy requires that with respect to market housing, at least 35% of the total units must be two- and three-bedroom units suitable for families and designed in accordance with the *High Density Housing for Families with Children Guidelines*, and with respect to social housing, 50% of units must be housing suitable for families. An amendment to section 5.2 of the By-law is proposed to bring it into alignment with current standards for family housing mix.

6. Blended commercial parking rate

Based on the large number of commercial land uses intended to be present on the site, including uses such as retail, office, health care office, grocery, restaurant and fitness center, there are opportunities to consider time-variated demand for vehicle parking. Based on analysis provided by the applicant and reviewed by staff, a vehicle parking requirement of one parking space per 65 metres is appropriate for the mix of commercial uses on the site. In order to achieve the current form of development, Traffic Demand Management (TDM) measures are anticipated to be provided and have been factored into the development of this overall rate. The combination of reduced vehicle parking requirements and TDM will provide for more efficient use of non-residential parking, and support more sustainable modes of transportation for this transit-oriented development.

In summary, staff have assessed all the proposed amendments and support them. The amendments are contained in appendices A and B.

PUBLIC INPUT

Information about the application, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage www.vancouver.ca/rezapps. There has been no public feedback in response to the rezoning application.

PUBLIC BENEFITS

Development Cost Levies (DCLs) – Development Cost Levies (DCLs) collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and engineering infrastructure. The proposed amendments do not alter the maximum floor area in the CD-1 By-law and the addition of floor area exclusions would have a marginal impact on the DCLs paid. The amount of floor area that is excludable, and therefore not subject to DCLs, relative to the total floor area in this project is typical for a mixed-use development combining residential and commercial uses.

Public Art Program – The Public Art Policy for Rezoning Development requires that rezonings involving a floor area of 9,290 sq. m (100,000 sq. ft.) or greater allocate a portion of their construction budgets to public art as a condition of rezoning. A public art agreement was secured as part of the enactment of the amendments approved in 2014. The proposed amendments would have a marginal impact on the project's \$8 million public art budget.

Community Amenity Contribution (CAC) – Within the context of the City's Financing Growth Policy, an offer of a Community Amenity Contribution to address the impacts of rezoning can be anticipated from the owner of a rezoning site. CACs typically include either the provision of on-site amenities or a cash contribution toward other public benefits and they take into consideration community needs, area deficiencies and the impact of the proposed development on City services.

For this site, a CAC was secured as part of the amendments to the CD-1 By-law enacted on September 19, 2018, including in-kind contributions towards social housing, a Civic Centre containing a new Community Centre, Library, Seniors' Centre, Performance Spaces, and a Child Daycare Facility, a nine-acre Park and other needs as identified through the *Cambie Corridor Plan*.

As this application proposes no change to the maximum permitted floor area for this site, no additional CAC contribution is anticipated.

Financial Implications

As noted in the public benefits section above, the proposed amendments to the provisions for floor area exclusions would have a marginal impact on the Development Cost Levies and public art contributions associated with the development and there is no additional Community Amenity Contribution.

CONCLUSION

Staff have reviewed the application to amend the text of CD-1 (1) for 650 West 41 Avenue (Oakridge Centre) and support the updates to the sub-areas and height sections; the addition of floor area exclusions for public access to transit, exterior overhangs, roof-mounted solar panels

and rooftop trellis and glass covered amenity areas, accessory buildings and structures for park or playground use, and an existing above-grade parkade; and the update to the family housing requirements. Staff have also reviewed and support a consequential amendment to the Parking By-law by adding a minimum parking requirement applicable to all commercial uses across the site. Approval of these amendments would not have any implications for the approved floor area and density, and they enable the form of development approved as part of the Preliminary Development Permit for the site. The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing, together with the draft by-law provisions generally as set out in appendices A and B, and that it be approved, subject to the Public Hearing.

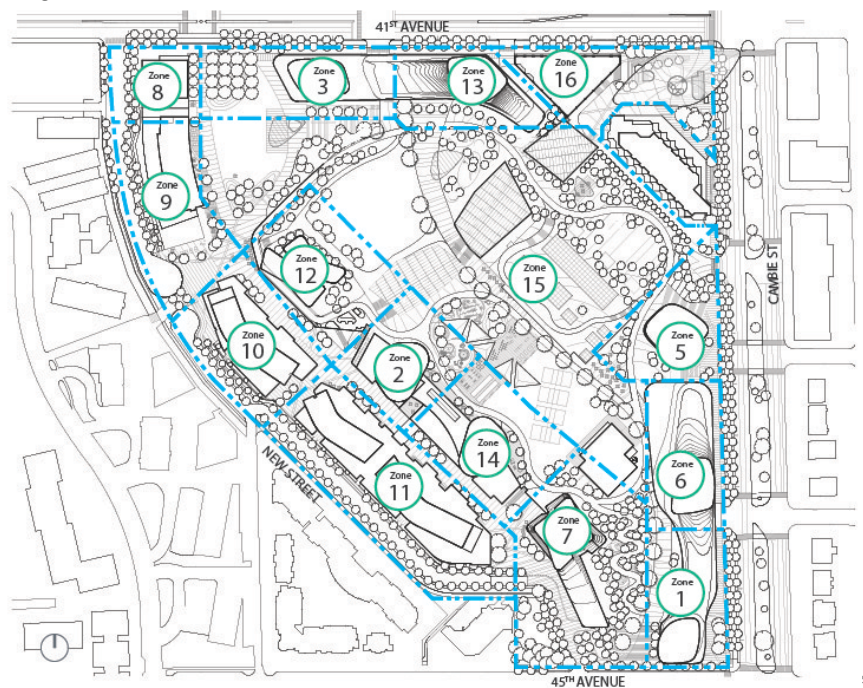
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**650 West 41st Avenue (Oakridge Centre)
PROPOSED BY-LAW PROVISIONS
to amend CD-1 (1) By-law No. 3568**

Note: A By-law to amend CD-1 (1) By-law No. 3568 will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

1. This By-law amends the indicated provisions of By-law 3568.
2. In section 3, Council strikes out “16 sub-areas” and substitutes “15 sub-areas”.
3. In section 3, Council strikes out Figure 1 – Sub-Areas and substitutes the following:

“Figure 1 – Sub-Areas



4. Council strikes out section 5.2 and substitutes the following:

“5.2 The design and layout of at least 35% of the dwelling units not used for social housing must:

- (a) be suitable for family housing;
- (b) comply with Council’s “Family Room: Housing Mix Policy for Rezoning Projects” requiring:
 - (i) a minimum of 35% family units (units having two or more bedrooms) in residential strata housing, including a minimum 25% two-bedroom units and a minimum 10% three-bedroom units; and

- (ii) a minimum of 35% family units with two or more bedrooms in secured market rental housing;
 - (c) comply with Council's "High-Density Housing for Families with Children Guidelines". "
- 5. Council renumbers section 5.3 as section 5.4, and adds a new section 5.3 as follows:

"5.3 The design and layout of at least 50% of the dwelling units used for social housing must:

 - (a) be suitable for family housing;
 - (b) include two or more bedrooms; and
 - (c) comply with Council's "High Density Housing for Families with Children Guidelines". "
- 6. Council strikes out section 6.9 and substitutes the following:

"6.9 Computation of floor area may exclude:

 - (a) indoor amenity areas, except that the total exclusion for indoor amenity areas must not exceed 2,600 m²;
 - (b) interior public space providing access to the Oakridge-41st Canada Line Station, except that:
 - (i) the excluded area must not exceed 3,000 m², and
 - (ii) the Director of Planning must first consider all applicable policies and guidelines adopted by Council;
 - (c) outdoor areas underneath building overhangs at grade or park level, except that they must remain unenclosed for the life of the building and the Director of Planning must first approve the design of the building;
 - (d) roof-mounted solar panels, and rooftop trellis and glass covered outdoor amenity areas, except that they must remain unenclosed for the life of the building and the Director of Planning must first approve the design of the structure;
 - (e) accessory buildings and structures for Park or Playground use, or uses which in the opinion of the Director of Planning are similar to the foregoing, including canopies and mechanical screening, except that the Director of Planning must first approve the design of the accessory building or structure; and
 - (f) 8,781 m² of the portion of the Parking Garage above geodetic mall elevation existing as of [date of enactment], used for off-street parking and loading, except that the rooftop portion may be used for Park or

Playground uses.”.

7. Council strikes out the table in section 7.2 and substitutes the following:

“

Sub-Area	Maximum building heights (in meters)
1	143.9 m
2	166.3 m
3	191.9 m
5	213.2 m
6	186.3 m
7	191.9 m
8	149.0 m
9	116.0 m
10	127.2 m
11	115.4 m
12	194.9 m
13	221.5 m
14	184.2 m
15	112.9 m
16	118.2 m

”

* * * * *

**650 West 41st Avenue (Oakridge Centre)
DRAFT CONSEQUENTIAL AMENDMENTS**

DRAFT AMENDMENTS TO THE PARKING BY-LAW NO. 6059

1. Council amends Schedule C (CD-1 Districts Parking Requirements) by striking out the entry for 650 West 41st Avenue and substituting the following:

Address	By-law No.	CD-1 No.	Parking Requirements
650 West 41st Avenue	3568	CD-1 (1)	<p>Parking, loading and bicycle spaces in accordance with by-law requirements on September 19, 2018, except that:</p> <p>(a) there shall be a minimum of 0.40 residential parking spaces per dwelling unit plus one space for each 285 m² of gross floor area and a maximum of 0.55 residential parking spaces per dwelling unit plus one space for each 220 m² of gross floor area;</p> <p>(b) the General Manager of Planning and Development Services or General Manager of Engineering Services may allow for substitution of shared vehicles and shared vehicle parking spaces for required parking spaces at a ratio of 1:5, on conditions satisfactory to that city official;</p> <p>(c) Class A residential loading spaces shall be provided at a rate of 0.01 space per dwelling unit up to and including 300 dwelling units and at a rate of 0.008 space per dwelling unit for any number of units greater than 300 units; and</p> <p>(d) for Commercial Uses under section 4.2.5, a minimum of one vehicle parking space for each 45 m² of gross floor area shall be provided, except that where a Traffic Demand Management Plan has been approved for those Uses, a minimum of one vehicle parking space for each 65 m² shall be provided.</p>

* * * * *

**650 West 41st Avenue (Oakridge Centre)
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

APPLICANT AND PROPERTY INFORMATION

Street Address	650 West 41st Avenue
Legal Description	PID: 003-128-687, Lot 7, Block 892, District Lot 526, Group 1, New Westminster District, Plan 20424, except Air Space Plan 20425 and Plan EPP85694
Applicant/Architect	Henriquez Partners Architects
Property Owner	7503059 Canada Inc.

DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed																																																																				
Zoning	CD-1 (1)	amended CD-1 (1)																																																																				
Uses	Cultural and Recreational Uses, Dwelling Uses, Institutional Uses, Manufacturing Uses, Office Uses, Parking Uses, Retail Uses, Services Uses	No change																																																																				
Max. Density	3.71	No change																																																																				
Floor Area	<u>Maximum permitted</u> Dwelling use: 256,541 m ² Non-residential use: 168,059 m ² <u>Minimum required</u> Grocery or drug store: 3,716 m ² Office use: 39,000 m ²	Add exclusion for interior public space serving as access to the Oakridge-41st Canada Line Station, exterior overhangs, roof-mounted solar panels and rooftop trellis and glass covered amenity areas, accessory buildings and structures for park or playground use, and an existing above-grade parking garage																																																																				
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