



## REFERRAL REPORT

Report Date: March 17, 2020  
Contact: Neil Hrushowy  
Contact No.: 604.829.9622  
RTS No.: 13654  
VanRIMS No.: 08-2000-20  
Meeting Date: April 28, 2020

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: Amendments to the False Creek Area Development Plan for Area 10B

### **RECOMMENDATION**

THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make an application to amend the False Creek Area Development Plan for Area 10B (By-law No. 5478) in order to create a new Development Area for the site located at 1595 West 2nd Avenue (1700 Fir Street) [*Parcel A, False Creek Plan, BCP19152; Parcel 1, Block 220 District Lot 526, Group 1, New Westminster District Plan, LMP27720; Parcel 2, Block 220, District Lot 526, Group 1, New Westminster District Plan LMP27720; PIDs: 026-380-641, 023-378-085, 023-378-093 respectively*];

FURTHER THAT the application, together with the draft by-law amendments, be referred to a Public Hearing;

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

### **REPORT SUMMARY**

This report proposes amendments to the False Creek Area Development Plan for Area 10B ("Area Development Plan") By-law No. 5478, to create a new Development Area for the site located at 1595 West 2nd Avenue (1700 Fir Street). The amendments, attached as Appendix A, would allow for the future development of a six-storey affordable rental residential building with local-serving commercial retail uses on the ground floor.

The proposed Area Development Plan amendments are the final step in planning for the Option Lands (more particularly defined below), which process began in 2018. Establishing the development potential of the site is being done to fulfil an obligation of the City of Vancouver

(the “City”) set out in the Arbutus Railway Line Purchase and Sale Agreement between the City and Canadian Pacific Railway Company (“CPR”).

### ***COUNCIL AUTHORITY/PREVIOUS DECISIONS***

- False Creek Official Development Plan (1974)
- Area Development Plan for Area 10B By-law No. 5478 (1981)
- False Creek South Provisional Vision Statement & Guiding Principles (2018)
- Arbutus Greenway Design Vision and Implementation Strategy (2018)
- Arbutus Railway Line Purchase Agreement (2016)
- Arbutus Corridor Official Development Plan (2000)
- Zoning and Development By-law No. 3575 (1956, last amended 2020)
- Greenways Plan (1995)
- Transportation 2040 (2012)
- Housing Vancouver Strategy (2017)
- Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements and Available Incentives (2017)
- High-Density Housing for Families With Children Guidelines (1992)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- Vancouver Development Cost Levy By-law No. 9755 (2008, last amended 2019)
- Vancouver Utilities Development Cost Levy By-law No. 12183 (2018)
- Broadway Planning Program and Associated Interim Policies (ongoing)

### ***REPORT***

#### ***Background/Context***

The subject site is located within the traditional territories of the Musqueam, Squamish and Tsleil-Waututh (“MST”) Nations. False Creek, including the area adjacent to the subject site, was the site of an ancient village known in the Squamish language as Sen’ákw and in the Musqueam language as sən’a?qʷ. The MST Nations have a strong connection to the False Creek area. Historically, there were MST settlements located along False Creek, and their fishing, hunting, and harvesting grounds. The Nations’ people were displaced from the Kitsilano Reserve – located just west of the subject site – in the early 20th century and transported to reserves on Burrard Inlet. Each Nation continues to have their own relationship with the False Creek area, including their own place names and historical uses for the lands and resources. This land was never ceded, or relinquished to Canada or British Columbia through a treaty or any other means.

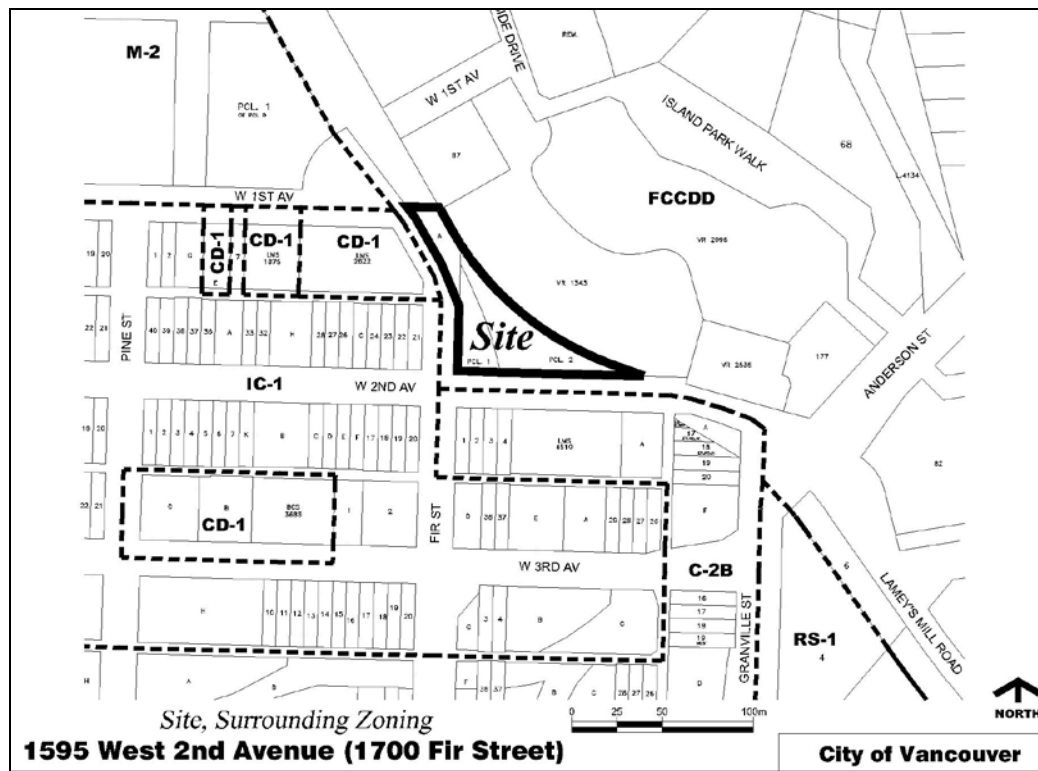
The Area Development Plan comprises an 8.4 acre development area located within the False Creek Official Development Plan (“False Creek ODP”) boundary. It provides policy direction for development that is consistent with the policies and guidelines in the False Creek ODP. One of the Option Lands sites, which is the subject of this report, is located within the Area Development Plan boundary. The proposed amendments to the Area Development Plan are to create a new development site (refer to Appendix A) to allow for development on the triangle-

shaped Option Lands site (referred to as the subject site), located at the corner of West 2nd Avenue and Fir Street (see Figure 1).

**Figure 1 – Area Development Plan Boundary and Subject Site Location**



The subject site is 3,273 sq. m (35,230 sq. ft.) in area and is located at the corner of West 2nd Avenue and Fir Street (see Figure 2). The site was formerly used by CPR as part of their railway serving the Molson Brewery. In 2016, the City purchased the Arbutus railway corridor to enable development of the Arbutus Greenway as a transportation corridor, which is a 9 km section of railway track spanning from West 1st Avenue to the Fraser River, including the subject site. Currently, the site is zoned FCCDD limited to transportation functions and is currently used for public parking. To the south, the site is adjacent to commercial and residential buildings of up to five storeys. Light industrial buildings front the site to the west and a number of residential buildings are adjacent to the north that range in height from three to six storeys (see Figure 2).

**Figure 2 – Site and Surrounding Zoning**

The origins of the Arbutus Greenway can be traced back to the City's 1995 Greenway Plan within which Arbutus Way (now known as the Arbutus Greenway) was identified as "the most desirable Greenway route next to the waterfront routes". Twenty-one years later, in 2016, the City of Vancouver purchased the Arbutus railway corridor from CPR for the purpose of creating a high-quality public space for walking, cycling, and for a future streetcar/light rail line that connects people, parks, and places from False Creek to the Fraser River (see Figure 3).



**Figure 3 – Arbutus Greenway Context**

On March 4, 2016, the City entered into an agreement of purchase and sale with CPR for the purchase of the Arbutus railway line from CPR (the “Purchase Agreement”) to enable the City to create the desired greenway connecting the Fraser River with False Creek. As outlined in the Purchase Agreement, the City was required to commence a planning process to design portions of the corridor for light-rail use, and for walking and cycling use. Since then, the City has implemented temporary greenway transportation facilities and initiated a planning and design process for the permanent design of the Arbutus Greenway.

Prior to finalizing the Purchase Agreement, the City identified that lands located south of 1st Avenue and north of 5th Avenue on the east side of Fir Street were not suitable for greenway purposes, due to engineering and safety constraints. These lands are identified as the “Option Lands” (see Figure 4) within Article 11 of the Purchase Agreement because CPR was granted an option to purchase these lands under the terms of the Purchase Agreement. Transportation facilities in the area south of 1st Avenue and north of 5th Avenue will be provided to the extent

possible in adjacent street rights-of-way. Details of these connections will be further developed as part of the update to the citywide streetcar network plan.

**Figure 4 – Arbutus Option Lands Sites**



Article 11 of the Purchase Agreement reads as follows:

“In light of engineering and safety constraints, the City acknowledges that it intends to design areas for a light-rail line and walking or cycling use without using any part of the Lands set out in Schedule "F" (the "**Option Lands**"). If the Regulatory Authority approves enactment of a by-law to amend the Arbutus Corridor Official Development Plan and approves subdivision and rezoning, as applicable, in respect of the Option Lands, CPR will have the right to re-purchase the Option Lands from the City for \$1.00 on the terms of the option attached as Schedule "G" (the "**CPR Option**") which the City shall grant to CPR on Closing.”

The first step in planning for the potential development uses for the Option Lands took place on July 10, 2018, when Council approved amendments to the Arbutus Corridor Official Development Plan (the “Arbutus Corridor ODP”) to remove lands which were not required for transportation or greenway purposes from the Arbutus Corridor ODP. This step partially fulfilled the terms set out in the Arbutus Railway Line Purchase and Sale Agreement between the City of



Vancouver and CPR. As a result of this amendment, the Option Lands sites were removed from the Arbutus Corridor ODP and retained their existing zoning entitlements, currently zoned FCCDD, C-2B and IC-1. The 2018 report to Council identified that, in order to conclude planning work for the Option Lands, further planning would be needed for the subject site. This site is currently included in the Area Development Plan but is identified for transportation use only. The Area Development Plan provides no direction for redevelopment of the site. The proposed amendments to the Area Development Plan in this report are the final step in planning for development on the Option Lands.

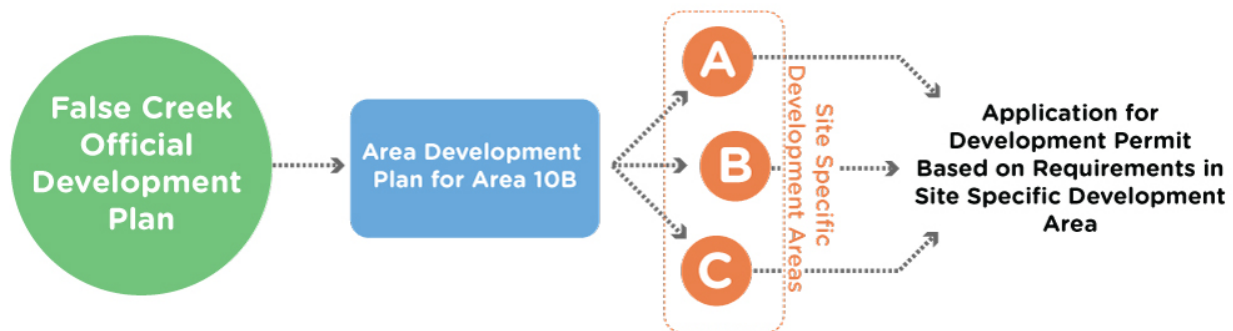
### ***Policy Context***

**False Creek Official Development Plan (1974)** – The False Creek ODP regulates development in the False Creek Comprehensive Development District (“FCCDD”). The intent of the False Creek ODP is to encourage high standards of design and development throughout the False Creek Basin. The False Creek ODP provides a framework for the preparation of development plans in two stages as follows:

1. Area Development Plans are prepared for all or parts of the area zoned FCCDD based upon the policies and regulations set out in the False Creek ODP.
2. Following the creation of Area Development Plans, Development Permit applications can be made, in accordance with normal procedures as set out in the Zoning and Development By-law. Consideration of any Development Permit application will be based upon both the policies and regulations of the False Creek ODP By-law, and upon such additional information as is included in the approved Area Development Plan for the area within which the application is made.

The development process within the False Creek ODP area is illustrated by Figure 5 (below). The amendments to the Area Development Plan propose to create a new site-specific development area within Area 10B.

**Figure 5 – False Creek ODP Development Process**



**False Creek Area Development Plan for Area 10B (1981)** – includes development guidelines for the area where the subject site is located. The Area Development Plan includes direction on development character, land use, building heights, public open space and pedestrian circulation, vehicular circulation and parking, and water area. There are a number of Areas which include

more specific requirements for individual sites related to height, uses, density, dwelling unit breakdown, community facilities, form of development, etc.

**Arbutus Corridor Official Development Plan (2000)** – Is a Council-approved by-law that designates all of the land within the Arbutus Corridor for use only as a public thoroughfare for the purpose of transportation (including rail, transit and cyclist paths) and greenways (including pedestrian paths, urban walks, environmental demonstration trails, heritage walks and nature trails, and cycling paths). The Arbutus Corridor ODP was last amended in 2018 to remove the Option Lands sites, including the subject site, which are no longer required for greenway purposes.

**Housing Vancouver Strategy (2017)** – The Housing Vancouver Strategy (2018-2027) and the 3-Year Action Plan (2018-2020) seek to shift the supply of new homes toward the right supply, with targets for new units along a continuum of housing types. The Housing Vancouver targets were based on the core goals of retaining diversity of incomes and households in the city, of shifting housing production towards rental to meet the greatest need, and of coordinating action with partners to deliver housing for the lowest income households. Overall, 72,000 new homes are targeted for the next 10 years, including 12,000 social, supportive and non-profit co-operative units and 20,000 purpose-built rental units.

**False Creek South Provisional Vision Statement and Guiding Planning Principles (“False Creek Vision and Principles”)** – The Provisional Vision Statement and Guiding Planning Principles (approved by Council in 2018) were developed to inform long-term comprehensive planning for False Creek South. The False Creek Vision and Principles are an outcome of an extensive 10-month consultation process with residents, surrounding communities, and the broader public.

**Broadway Plan (ongoing)** – The Broadway Plan process launched in March 2019 and will consider land uses, connections and amenities within the study area. The Broadway Plan provides a timely opportunity to advance urgent City priorities and leverage opportunities for senior government partnerships through a comprehensive review of land use, transportation, amenities, services and infrastructure throughout the study area. The draft Broadway Plan will be considered by Council by the end of 2020.

### ***Strategic Analysis***

More than 40 years ago, a unique objective for the redevelopment of False Creek was to create a socially mixed community. To help achieve this, the False Creek ODP set out targets for household mix, and stated that the age and income mix should reflect the proportions evident in the broader region. To attract and support that mix, the neighbourhood was designed with a diversity of housing tenures (e.g. strata leasehold, co-op and non-market housing), unit mixes (one- to four-bedroom homes) and building typologies (townhomes, midrise and apartments).

The False Creek Vision and Principles (2018) builds on the direction from the False Creek ODP with the intention to create provisional guidance for a renewed False Creek South that enhances the living legacy of the community in realizing incremental growth in an equitable, innovative manner. Council also approved a pause in the neighbourhood planning process so that strata, co-op, and non-market lease negotiations can take place with residents before further detailed planning work for the area takes place.



While future planning for the Broadway Plan and False Creek South may result in changes in the neighbourhood, current Council policies (False Creek ODP and False Creek Vision and Principles) are the basis for determining an appropriate use and form for the subject site. In addition to approved Council policy, which is the result of many years of consultation with the False Creek community, four development planning goals were established at the outset of the planning process. These goals (below) were used to envision an appropriate future for the site.

### **Site Specific - Development Planning Goals**

*Consider Context* – Respond to the site's unique context by providing land uses that are complementary to the surrounding service uses and residential community to the north. The development should be designed to respond to local neighbourhood character.

*Utilize Vacant Land* – Based on an understanding that the site is no longer required for transportation purposes related to the current and future Arbutus Greenway, seek to optimize development of the site in keeping with the intent of the False Creek ODP while achieving current City objectives related to housing affordability.

*Increase Housing Options* – Provide new affordable rental housing units to address current housing needs identified in the 'Housing Vancouver Strategy'. A portion of the residential units will have rents that will be geared towards households with incomes below \$80,000 per year, consistent with the *Moderate Income Rental Housing Program*.

*Integrate into the Community* – Redevelopment of the site will ensure integration with the surrounding community by responding to the False Creek South Provisional Vision Statement & Guiding Principles, and design guidelines set out in the False Creek ODP and Area Development Plan. Provide space that supports strong social connections including an active public realm, on-site amenities for building residents, and connections through the site.

### **Proposed Amendments**

The amendments to the Area Development Plan would allow for a future development of a six-storey rental residential building with local-serving commercial-retail on the ground floor. To meet the housing objectives of the False Creek ODP, at least 20% of the rental housing floor area will be targeted to below market rents generally consistent with the City's Moderate Income Rental Housing Pilot Program ("MIRHP Program").

#### **1. Land Use and Density**

The proposed land use and density is consistent with the surrounding context and buildings adjacent to the site. The proposed commercial uses are complimentary to adjacent commercial/light industrial and mixed-use zoned areas (C-2B and IC-1) located to the south and west of the site. FCCDD zoned residential buildings are located to the north and east (see Figure 2).

The surrounding C-2B and IC-1 zoned sites have a maximum density of 2.5 and 3.0 FSR, with building heights up to 15.3 m and 18.3 m, respectively.

C-2B zoning allows for residential developments up to five storeys (15.3 m) with commercial uses on the ground floor and a maximum density of 2.5 FSR. The primary intent of IC-1 zoning

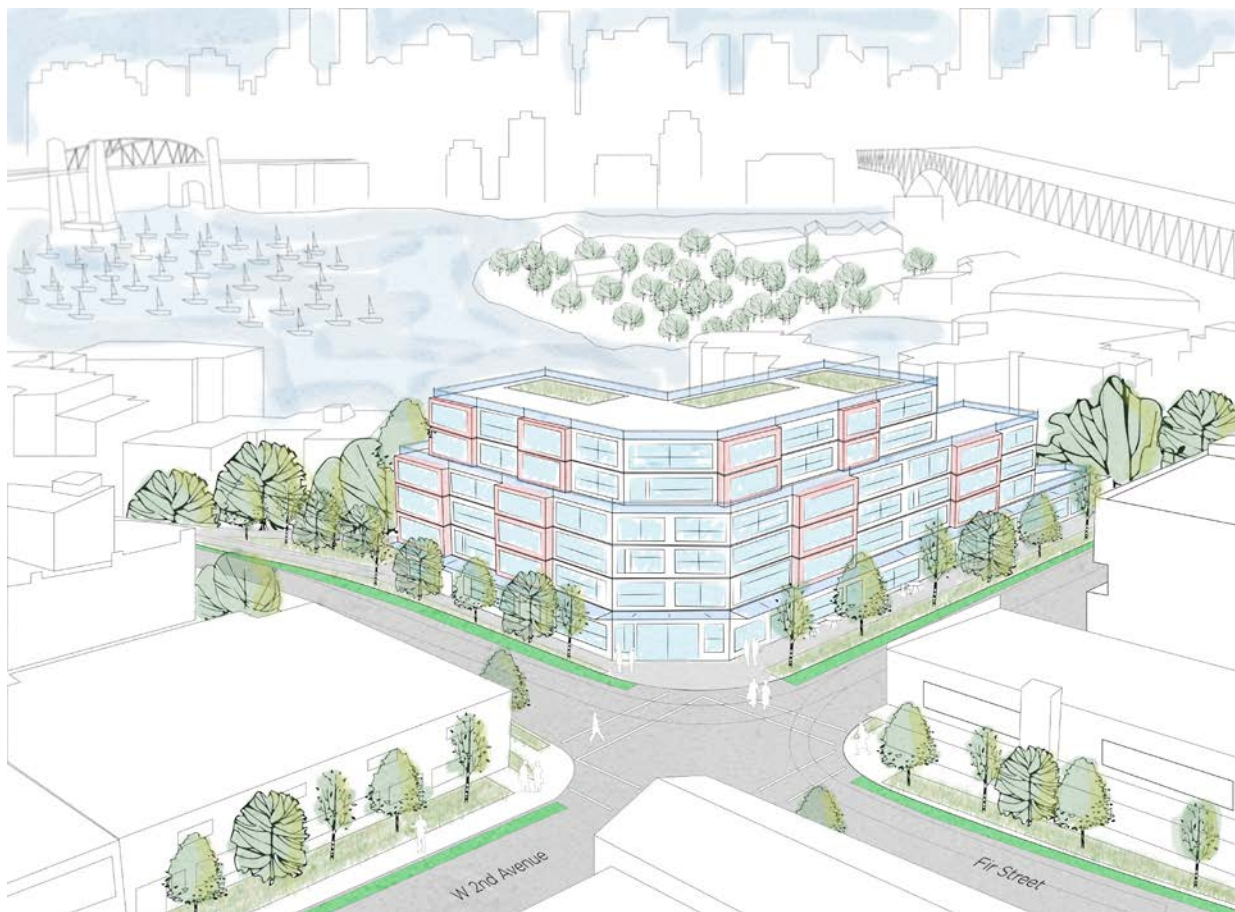
is to permit light industrial uses that are generally compatible with one another and with adjoining residential or commercial districts. IC-1 zoned sites allow for development heights up to five storeys (18.3 m) with a maximum density of 3.0 FSR. The FCCDD zoned residential buildings to the north of the site range in heights from three to six storeys.

As a response to the surrounding context and land use, as well as the development planning goals, the proposed amendments would allow for a six-storey rental residential building (approximately 20 m) with commercial uses on the first floor. The total floor area, at and above the ground level, would be approximately 7,618.05 sq. m (82,000 sq. ft.), this equates to approximately 2.3 FSR.

## 2. Form of Development

The proposed amendments would allow for local-serving commercial uses on the first floor and rental housing units above. Through the Development Permit process, the building will be designed with upper levels terraced and stepped back to reduce the scale of the building, provide outdoor opportunities and minimize shadowing impacts on adjacent buildings (see Figure 6 for an illustrative development concept).

**Figure 6 – Illustrative Development Concept**



*Note: Artist rendering for illustrative purposes only*

The following building setbacks are required (see Figure 7):

- Approximately 1.5 m (4.9 ft.) from the property line on 2nd Avenue to provide enhanced public realm and allow for patio furniture for the commercial frontage
- 0.61 m (2 ft.) from the property line on Fir Street
- 3.66 m (12 ft.) along the northern property line intended to provide a pedestrian connection and to enhance urban design performance

**Figure 7 – Illustrative Site Plan and Setback Requirements**



The buildings should be designed to activate and enhance the streetscape. Further, future development on this site should integrate any on-site open space and maximize tree retention. Development proposals will include public realm improvements including street trees, landscaping, street lighting, street furniture, etc.

### 3. Housing

As a way to satisfy the intent of the site planning guidelines in the False Creek ODP, as well as the False Creek Vision and Principles, related to increased housing capacity and more affordable housing options in the area, the proposed amendments require that 100% of the residential floor area on this site be secured rental, with a minimum of 20% of the residential floor area secured at below-market rental rates targeted for households with incomes below \$80,000 annually.

As the future development timeline for the subject site is uncertain and City policies such as the MIRHP Program are subject to change, staff propose that 20% of the residential floor area be below-market rental, with the rates to be determined through the Development Permit process.

**Target Rents and Income Thresholds** – In 2016, the median renter household income in the Fairview neighbourhood was \$69,337. The proposed amendments to the Area Development Plan would allow for 7,618.05 sq. m (82,000 sq. ft.) of residential floor area, which would deliver approximately 75 units, of which approximately 15 units would be rented at below-market rates that meet the affordability requirements of households earning below \$80,000 annually.

To be eligible for below market rental housing, a household must have a gross annual income that meets the requirements in place at the time for the specific unit type, and there must be at least one household member per bedroom.

**Security of Tenure** – All units in the project will be secured as rental through a Housing Agreement and a Section 219 Covenant for the longer of 60 years or the life of the building. The agreement is to be enacted by Council by by-law and registered on title to secure starting rents for the moderate income units, and will prohibit the stratification and separate sale of individual units. The agreement will also limit the rates at which rents for the moderate income units may be increased, even on a change in tenancy. Annual reporting on the operation of the moderate income units will be required and will contain information including rents and verification of tenant eligibility.

**Housing Mix** – On July 13, 2016, Council adopted the *Family Room: Housing Mix Policy for Rezoning Projects* policy which includes family housing requirements set at 35%. Redevelopment on this site will need to be designed in accordance with the *High Density Housing for Families with Children Guidelines*.

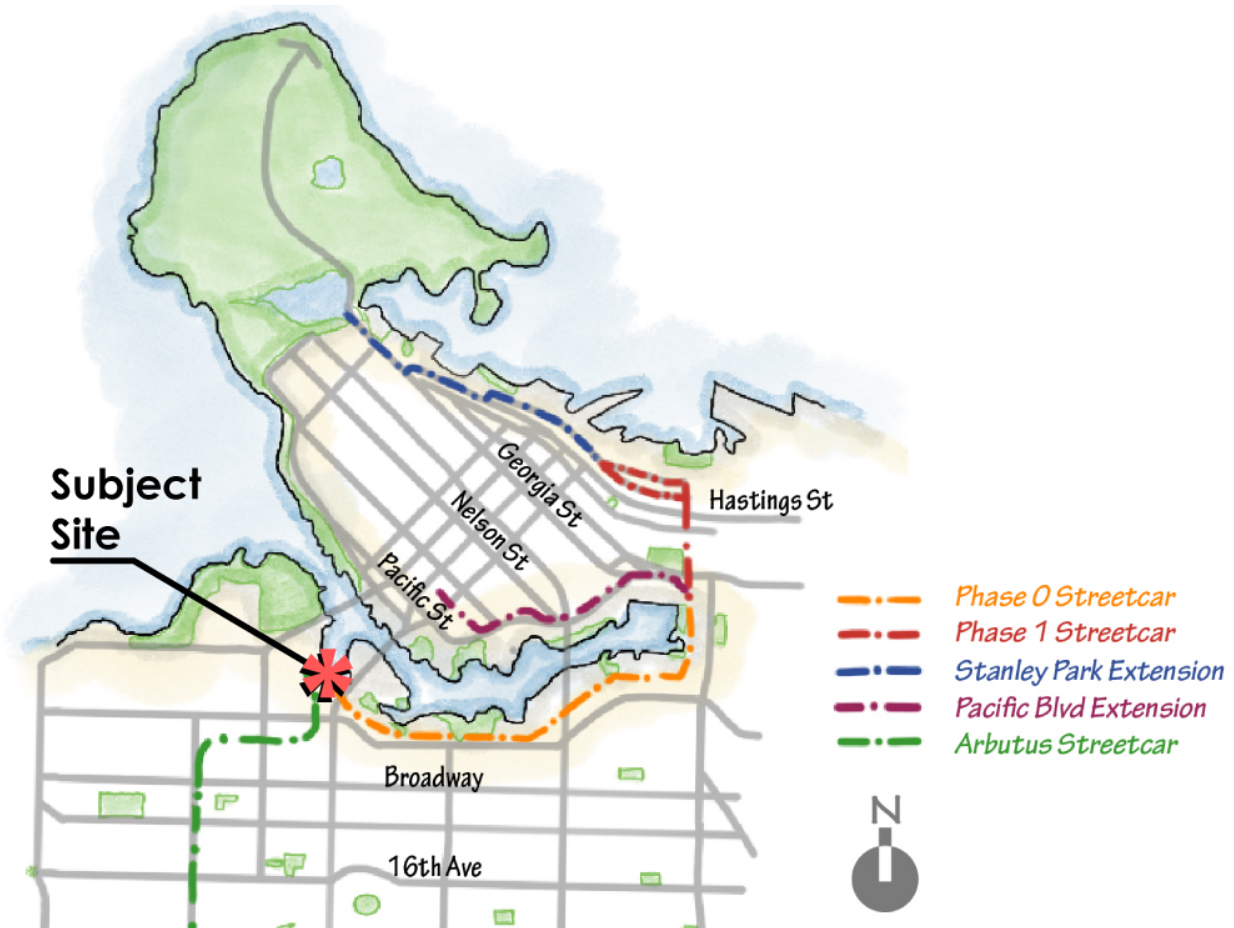
**Not for profit Housing Cooperative** – Through public engagement, members of the community expressed concern about the future of existing cooperatives. False Creek South was designed and developed with a unique residential housing profile. Mixed-income housing accommodates a broad spectrum of income levels and age groups, with an emphasis on family housing. Tenure types are diverse, and include nonmarket social housing, market rental housing, cooperative housing, and strata leasehold. In False Creek South, a large number of non-market social and co-operative housing exists (over 900 units).

In response to community comments and to enable redevelopment of cooperative housing in the area, the proposed amendments to the Area Development Plan will also allow for non-profit coop housing as an alternative housing tenure.

#### 4. Transportation and Parking

The subject site is at the intersection of West 2nd Avenue and Fir Street. Since the last major Downtown Streetcar Study was completed in 2005, the City has been securing right-of-way opportunities for future streetcar implementation. It is anticipated that the streetcar will travel along 2nd Avenue to Fir Street (see Figure 8). At Fir Street the streetcar is expected to branch north and south. To facilitate this movement a corner cut will be required measuring a total of 17 m by 17 m (55.77 ft. by 55.77 ft.). This may be achieved through future redevelopment as a Statutory Right of Way ("SRW"), dedication, or combination of the two.



**Figure 8 – Proposed Streetcar Network Map**

Fir Street has a non-standard width of 13 metres between the existing lane north of 2nd Avenue and West 1st Avenue. A standard minimum street width is typically 20 metres. In order to accommodate the future streetcar as well as to facilitate pedestrian, bicycle and vehicle movements, a widening of Fir Street to a minimum of 20m is required. This additional width would be secured through an SRW.

Vehicle and visitor parking, loading, and bicycle parking are to be provided in accordance with the Parking By-law. The location and design of a future driveway access to the site will be determined at the time of development permit application.

### ***Public/Civic Agency Input***

#### **Vancouver City Planning Commission**

Both the False Creek ODP and Area Development Plan require that staff consider advice from the Vancouver City Planning Commission ("VCPC") for any modifications to the specific policies and regulations set out in the By-law. As a result, on January 8, 2020, staff provided information about the proposal to VCPC. A memorandum in support of the report was shared by VCPC, which included recommendations for staff to explore the opportunity to include not-for-profit

housing cooperative as an alternative tenure to market rental, as well as incorporating indigenous engagement and acknowledging/honouring indigenous history.

### ***Public and Stakeholder Input***

#### **Public Notification**

An information sign was installed on the site on November 9, 2019. A community open house was held on November 19, 2019. A total of 2,618 notifications were distributed within the neighbouring area on or about November 5, 2019. Recipients on the False Creek South, Broadway Plan, and Arbutus Greenway email lists received notification of the open house on November 12, 2019. Notification and details of the proposal, as well as an online comment form, was provided on the City of Vancouver Arbutus Greenway webpage ([vancouver.ca/arbutus-greenway](http://vancouver.ca/arbutus-greenway)).

#### **Community Open House**

A community open house was held from 5:00-8:00 pm on November 19, 2019, at the False Creek Community Centre – Lind Hall, 1318 Cartwright Street. Staff and a total of approximately 110 people attended the open house.

#### **Presentation to Community Groups**

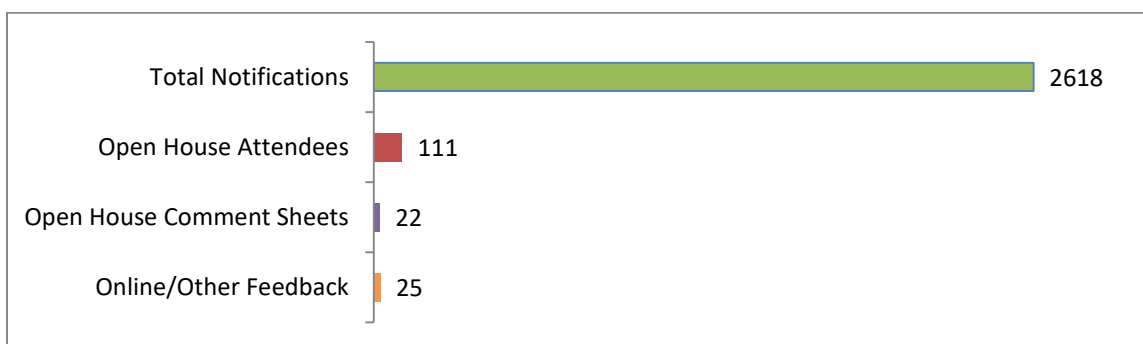
On Wednesday, December 11, 2019 staff presented information about the proposal to the False Creek South RePlan Housing Coop Subcommittee. Verbal comments received from members of the subcommittee were generally in support of the proposal. Members of the group expressed interest in allowing coop housing as an alternative use to rental. Also, staff received feedback regarding concerns about solar performance on existing buildings, parking, future streetcar and ensuring a future development on this site responds to the changing context around it.

#### **Public Response**

Public responses to this proposal have been submitted to the City as follows:

- 22 comment sheets, and 25 letters, emails, online comment forms, a petition containing 35 signatures and other feedback were received from the public in response to the open house on November 19, 2019.

Respondents expressed a mix of support and concern for the proposal. Those in support felt that the proposal was an appropriate form and density for the neighbourhood, preferred the prospective land use, and supported the on-site rental housing. Concerns included current and future traffic congestion, the height of the development, and the loss of existing public parking. Additional comments spoke to variations in the building height to improve solar performance, providing on-site transportation opportunities for increasing neighbourhood connectivity, considering this development in context with future nearby large sites (the Molson's Brewery site and Sen'ákw), and looking to provide additional community amenities on-site.

**Figure 9: Notification and Public Response**

\* Note that all reported numbers above are approximate

**Note:** Each comment form or online response can include a number of comments which may reference points in support, potential concerns and questions or neutral/general statements; therefore, staff focused on qualitative theming of comments. Overall percentages are not provided.

Some duplication of responses may result where respondents chose to provide feedback to a rezoning application more than once using a number of mediums (open house comment sheet, online feedback, form letter, petition, etc.).

Below is a summary of all feedback received from the public by topic, and ordered by frequency:

*Generally, comments of support fell in the following areas:*

- **Building form and density:** Respondents were in favour of the proposed mix of land uses on-site and the use of the guiding planning principles for the site's design.
- **Rental housing:** Respondents favoured the on-site affordable rental housing. Several recommendations were provided for the allocation and number of affordable housing units on-site, including an increase to the number of rental units offered and providing subsidized housing for low-income residents.

*Generally, comments of concern fell into the following areas:*

- **Transportation:** Respondents were concerned with current and future traffic associated with the development, including impacts to available parking on and around the site. Several suggestions were provided for how to improve parking. Respondents were also interested in increasing neighbourhood connectivity through the further development of on-site transportation opportunities for pedestrians, cyclists and transit riders.
- **Building heights:** Respondents were concerned with the development's height as being either too tall or not tall enough. Several suggestions were provided for how to vary the building height and form.

The following miscellaneous comments were received from the public (note: these were topics that were not ranked as highly as above).

General comments of concern:

- *Concerned with shadowing on nearby developments to the north.*
- *Concerned with the loss of green space.*

Neutral comments/suggestions/recommendations:

- *Consider this development in context with future nearby redevelopments, including the Molson's Brewery site and Senakw.*
- *Look to provide additional community amenities on-site, including a common rooftop amenity.*

#### Petition

A petition in support of the proposed amendments to the Area Development Plan was received containing 35 signatures from members of the community who live and/or work near the subject site. While the majority of comments from respondents to the petition were in favour of the proposal, some suggested that the building should be taller than six storeys.

#### Waterfall Building (1540 West 2nd Avenue)

City staff had multiple meetings with residents who live in the Waterfall building (1540 W 2nd Avenue), directly south of the subject site. While feedback was generally positive, concerns about the relationship to the Waterfall building were raised. A study was created by residents within the building to provide feedback to City staff, with an emphasis on insuring that development on the subject site respect the "historic and iconic" nature of the Waterfall building. Suggestions related to building setbacks and shadow performance were included in the study.

Additionally, a number of concerns related to another Option Lands site located directly west of the Waterfall Building were raised. The site was removed from the Arbutus Corridor ODP in 2018 and the C-2B zoning was re-established. Due to the re-established development potential along the western edge of the Waterfall building, residents are concerned about access to sunlight and setback requirements related to a future development. This concern is best addressed through the Development Permit process, as it is not directly related to the proposed amendments in this report.

### **PUBLIC BENEFITS**

As a response to City policies which address changes in land use and density, this application offers the following public benefits:

**Development Cost Levies (DCLs)** – 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.

This site is subject to City-wide DCLs and City-wide Utilities DCLs on the residential and commercial floor area, to be determined at the time of development permit application. In accordance with section 3.1A of the DCL By-law, this site currently qualifies for a waiver of both the DCLs and Utilities DCLs attributed to the residential floor area qualifying as for-profit affordable rental housing. MIRHP Program projects for which applications are submitted before September 30, 2020 will remain eligible for a Utilities DCL waiver, provided that a building permit is issued within 12 months of the effective date of the Utilities DCL By-law change. Should an application not be received by September 30, 2020 then the project will be required to pay the utilities DCL, to be determined at the time of development permit issuance.



**Public Art Program** – The proposed floor area is below the minimum threshold of 9,290 sq. m (100,000 sq. ft.), therefore no public art contribution will arise from this ODP amendment.

**Community Amenity Contributions (CACs)** – Within the context of the City's Financing Growth Policy, an offer of a Community Amenity Contribution (CAC) to address the impacts of rezoning can be anticipated from the owner of a rezoning site. This proposed Area Development Plan amendment is not a rezoning and therefore a CAC is not anticipated.

**Rental Housing** – As part of the Development Permit process, all of the residential units will be secured as rental housing (non-stratified) for the longer of 60 years and the life of the building of which no less than 20% of the residential floor area will be secured as moderate income rental units. The public benefit accruing from this application is the contribution to the City's secured rental housing stock serving a range of income levels.

**Arbutus Greenway** – Enabling development on the Option Lands, including the subject site, was a key step in facilitating the purchase of the Arbutus Corridor from CPR to construct the Arbutus Greenway. The Arbutus Greenway will be a defining element of Vancouver's urban landscape as a vibrant and beautiful public space for walking, cycling and streetcar.

### ***Financial Implications***

Should Council approve the proposed amendment to the Area Development Plan, in accordance with Article 11 of the Purchase Agreement, CPR will have the right to re-purchase the Option Lands from the City for \$1.00.

This site is subject to City-wide DCLs and City-wide Utilities DCLs on the residential and commercial floor area, to be determined at the time of development permit application.

No CAC or public art contribution is anticipated for the ODP amendment.

### ***CONCLUSION***

Continuing with the actions being taken to deliver the Arbutus Greenway and to meet commitments under the Purchase Agreement, this report recommends amendments to the False Creek Area Development Plan for Area 10B. These amendments are the final step in planning for the Option Lands and if approved, would allow for development at 1595 West 2nd Avenue. The amendments would provide policy direction for a 6-storey rental residential building with small scale local serving commercial-retail on the ground level.

\* \* \*

Draft for Public Hearing

**BY-LAW NO. \_\_\_\_\_**

**A By-law to amend False Creek Area  
Development Plan for Area 10B By-law No. 5478**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of Schedule A of the False Creek Area Development Plan for Area 10B By-law No. 5478.
2. Council strikes out the table under the Land Use and Development section and substitutes the following:

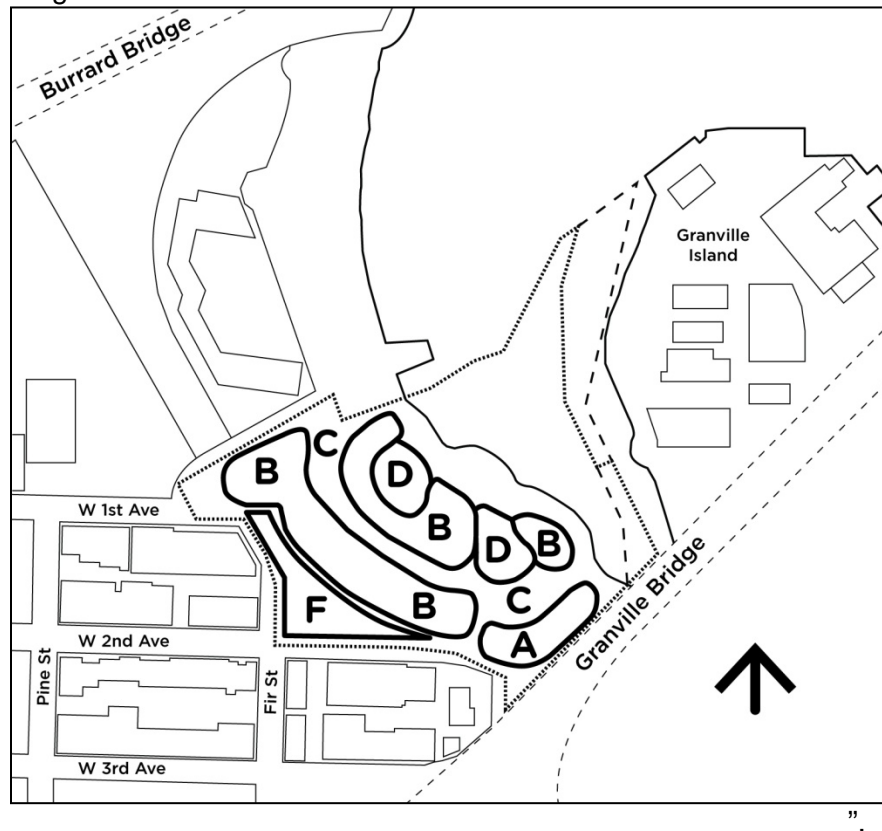
“

<b>Sites</b>	<b>Site Area (Acres)</b>	<b>Site Area (Hectares)</b>	<b>Built Area (Acres)</b>	<b>Built Area (Hectares)</b>	<b>Uses</b>
A	1.0 max.	(0.405) max.	0.83 max.	(0.336) max.	Mixed Use
B	3.5 max.	(1,416) max.	2.30 max.	(0.931) max.	Residential/ Community
C	1.8 min.	(0.728) min.	0	0	Public Open Space
D	1.0 min.	(0.405) min.	0	0	New Water Bay
E	0.291 max.	(0.118) max.	0	0	Rights of Way and other Residual Areas
F	0.809 max.	(0.327) max.	0.512 max.	0.21 max.	Mixed Use

”

3. Council strikes out Diagram 2 and substitutes the following:

“ Diagram 2



4. Following the View of Development Plan section, Council adds the following:

“Site F Development

Notwithstanding the sections entitled “Building Heights”, “Public Open Space and Pedestrian Circulation”, “Vehicular Circulation and Parking”, “Water Area”, “Development Plan”, and “View of Development Plan”, development on Site F must meet the following regulations and requirements:

- (1) The following uses may be permitted:
  - (a) Dwelling uses, limited to dwelling units used for secured market rental housing or for social housing limited to rental housing owned by a non-profit co-operative association, with a minimum of 20% of the total dwelling unit area used for Moderate Income Rental Housing Units, where “Dwelling Unit Area” is the floor area of each dwelling unit, measured to the inside of all perimeter walls excluding any floor area as permitted by (4) below, and “Moderate Income Rental Housing Units” means dwelling units that meet the requirements of approved Council policies and guidelines for Moderate Income Rental Housing, as secured by a housing agreement registered on title to the property;
  - (b) Institutional Uses, limited to Child Day Care Facility;

- (c) Cultural and Recreational Uses, limited to Artist Studio and Fitness Centre – Class 1;
  - (d) Manufacturing Uses, limited to Clothing Manufacturing, Furniture or Fixtures Manufacturing, Miscellaneous Products Manufacturing – Class B, Printing or Publishing, Shoes or Boots Manufacturing;
  - (e) Retail Uses, limited to Farmers' Market, Grocery or Drug Store, Grocery Store with Liquor Store, Liquor Store, Retail Store; and
  - (f) Service Uses, limited to Animal Clinic, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Production or Rehearsal Studio, Restaurant – Class 1, School – Arts or Self-Improvement, School – Vocational or Trade.
- (2) Commercial uses are permitted on the first floor only.
- (3) The design and layout of at least 35% of the dwelling units must:
- (a) be suitable for family housing;
  - (b) include two or more bedrooms, though inclusion of three-bedroom units is encouraged; and
  - (c) comply with Council's "High Density Housing for Families With Children Guidelines", including provision of indoor and outdoor amenity space.
- (4) The gross floor area for all uses must not exceed 7618.05 m<sup>2</sup> (82,000 sq. ft.). The gross floor area includes all above grade interior floor spaces for all uses and all typical floor area exclusions such as storage areas, and amenity rooms. Where floor area associated with storage space is excluded, a minimum of 20% of the excluded floor area must be located within the Moderate Income Rental Housing Units.
- (5) A building up to 6 storeys is permitted.
- (6) The following street improvements and setbacks are required:
- a minimum 7 m (22.97 ft.) SRW along the northern portion of Fir Street between West 1st Avenue and the lane to the south for street and transportation purposes.
  - a 17 m x 17 m (55.77 ft. x 55.77 ft.) corner-cut truncation from the existing property line in the southwest corner of the site, secured as an SRW and/or dedication;
  - a 1.5 m (4.92 ft.) setback from the property line on West 2nd Avenue;
  - a 0.61 m (2 ft.) setback from the property line on Fir Street; and
  - a 3.66 m (12 ft.) setback along the northern property line to enhance urban design performance and create a pedestrian connection.
- (7) Vehicle and visitor parking, loading, and bicycle parking must be provided in accordance with the Parking By-law.



- (8) Upper levels of any buildings on this site must be terraced and stepped back to reduce the scale of the building, provide outdoor opportunities and minimize shadowing impacts on adjacent buildings.
  - (9) Any development must integrate on-site open space and maximize tree retention. The development proposal must include public realm features (i.e. street trees, landscaping, street lights, and street furniture, as required).
  - (10) The building must be designed to activate and enhance open space and streetscape.
  - (11) At Development Permit application, the applicant is encouraged to engage with the Squamish Nation to ensure compatibility of plans with the adjacent Senakw development.”.
5. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.
6. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this                      day of                      , 2020

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk