



The Corporation of **THE CITY OF NORTH VANCOUVER**
COMMUNITY DEVELOPMENT DEPARTMENT

REPORT

To: Mayor Darrell R. Mussatto and Members of Council

From: Emilie K. Adin, Deputy Director, Community Development

SUBJECT: DEVELOPMENT REVIEW UPDATE, REZONING APPLICATION, 801 -
925 HARBOURSIDE DRIVE, 18 FELL AVENUE (CONCERT
PROPERTIES LTD./HCMA)

Date: July 16, 2013 File No: 3360-20 REZ2012-00025 801 889 and 925

The following is a suggested recommendation only. Please refer to Council Minutes for adopted resolution.

RECOMMENDATION:

PURSUANT to the report of the Deputy Director, Community Development, dated July 16, 2013, entitled "Development Review Update, Rezoning Application, 801 – 925 Harbourside Drive, 18 Fell Avenue (Concert Properties Ltd. and Knightsbridge Properties Ltd./HCMA)":

THAT a Town Hall Meeting be scheduled for this rezoning application at such time as:

- a. A comprehensive and itemized Community Amenity Contribution package (including a significant cash contribution) has been negotiated; and
- b. An updated development proposal has been submitted showing a design that conforms to the applicant's proposal to meet a minimum 4.5 m Flood Construction Level now, with an ability shown within the design to adapt to Sea Level Rise over time.

PURPOSE:

The purpose of this report is to update Council on the rezoning application 801 – 925 Harbourside Drive and 18 Fell Avenue. Staff also seeks Council endorsement of further community amenity contribution negotiations, upon the conclusion of which there will be a scheduling of a Town Hall meeting.

BACKGROUND:

An OCP amendment application by Concert Properties and Knightsbridge Properties for the four lots at 801, 889, 925 Harbourside Drive and 18 Fell Avenue was processed by the City between 2009 and 2012, and was successfully completed in spring 2012.

During the OCP Amendment Process, by Council direction, a covenant was registered to title to codify various commitments from the applicants to the City, which would be delivered at future steps in the development review process, including:

- Detailed traffic and parking studies
- Commitment to traffic demand measures
- Kings Mill Park Plan
- Utility upgrades plan
- Commercial building as an industrial buffer to Seaspán
- Phasing Plan
- Community Amenity Contributions strategy
- Noise attenuation strategy
- Confirmation that the lands will not be sold without the purchaser being notified of the obligations contained within the covenant

On November 19, 2012, Concert Properties submitted a rezoning application. This application proposes amending the zoning for the subject property from the existing CD-359 and to a new Comprehensive Development Zone allowing for residential uses and densities consistent with the Official Community Plan Amendment adopted in July 2012. The development site includes 4 complete blocks combining to a total area of about 12 acres. A breakdown of uses proposed on the site includes 1.35 FSR of market residential floorspace (i.e., 1.35 times the lot area), 0.15 FSR of rental residential floorspace, and 0.70 FSR of commercial (office and retail) floorspace. The full rezoning submission can be found on the City's website, however as the application is anticipated to be updated soon to reflect new design directions as described below in the report, the current application package has not been attached to this report. The updated application package will be provided to Council in an information report prior to any Town Hall meeting.

A preliminary staff report on this rezoning application was provided to Council at the December 10, 2012, Council meeting, and the following resolution was adopted:

PURSUANT to the report of the Deputy Director, Community Development, dated December 5, 2012, entitled "Development Review Process, Rezoning Application, 801 – 925 Harbourside Drive, 18 Fell Avenue (Concert Properties Ltd. and Knightsbridge Properties Ltd./HCMA)":

THAT upon the receipt of a temporary 3 metre Right of Way over the property at 18 Fell Avenue to accommodate the Spirit Trail, that staff be directed to process the development application for the subject properties;

AND THAT the proposed public consultation and development approval process, outlined in said report, be endorsed by Council;

AND THAT a Town Hall Meeting be scheduled for this rezoning application in February 2013.

DISCUSSION:

Since receiving this direction from Council, the temporary Right of Way for the Spirit Trail has been accomplished, and the public and advisory body consultation has proceeded.

The development application for Harbourside Waterfront has been considered and ultimately recommended by five City advisory bodies over the course of four months (December 2012 to March 2013): the Advisory Design Panel, the Advisory Planning Commission, the Parks and Environment Advisory Committee, the Integrated Transportation Committee and the North Shore Advisory Committee on Disability Issues. It has also been brought to the public at an Open House on January 17, 2013 and to a Developer Information Session on January 24, 2013.

Draft Development Permit Guidelines have been created, and have been assessed with the assistance of the advisory bodies. These guidelines will control the form and character of the development, and also regulate the look and feel of the public realm inclusive of street width, parking access, public amenities, materials, and architectural styles. The Development Permit Guidelines will be considered with the Zoning Amendment Bylaw that will be presented for Council's consideration following a successful Town Hall Meeting. The guidelines are also now proposed to address how the development is to successfully achieve a minimum 4.5 m Flood Construction Level as well as the capacity to adapt over time to sea level rise.

Indeed, staff and the applicant's efforts to advance this application have been complicated due to the need to address flood control management and the potential for future sea level rise in a waterfront setting. These design challenges have in turn complicated community amenity contribution negotiations as well as other key aspects

of the development review process. These challenges have led, among other things, to a delay to the Town Hall Meeting that had tentatively been scheduled for February 2013.

A successful rezoning of this site would result in a number of changes to surrounding public infrastructure including but not limited to interface with the existing parkland, road realignment, on-street parking changes, public transportation service, Spirit Trail upgrades, and changes to grade to respond to flood control management. A previous proposal to set a flood elevation at 5.2 metres has recently been amended in order to offer a flood elevation at 4.5 metres, with additional capacity to adapt to sea level rise over time. The Harbourside Waterfront development, anticipated to be built in 4 phases over 10 to 15 years, would in effect act as a pilot project demonstrating best practices with regard to flood management and sea level rise, while still offering significant public benefits and community amenities, including a significant cash contribution. Should Council support this general direction with regard to flood control management, the development application package will be amended to reflect the proposed approach.

Staff are also working with the applicants to create a set of legal agreements that will regulate easements, right-of-ways, servicing, LEC connection requirements, as well as to solidify any commitments for community amenity contributions, off-site improvements and infrastructure upgrades that may be negotiated through the rezoning process.

Of note, this rezoning application does not finalize a City parks plan for the Kings Mill Walk / Harbourside area, but sets the groundwork for a City-led and developer-paid planning process that will follow. Funding for that park upgrade and the planning process that will determine any changes to Kings Mill Walk Park will be secured from the developer through the rezoning.

Community Amenity Contribution negotiations are ongoing. The City has retained a third party consultant (Sandra Cawley of Burgess, Cawley, Sullivan and Associates) to assist the City in determining an appropriate community amenity contribution package for this master planned 12 acre development. In particular, Ms. Cawley is assisting in advising the City on project costs and revenues of the development over time, and in determining the lift in value resulting from a successful rezoning. This consulting report has not yet been received by the City. It too will be shared with Council prior to a Town Hall meeting being held.

Several concerns have been raised by the Harbourside stakeholders and public about the on-street parking supply in conjunction with the Harbourside Waterfront development application. City staff hosted an Open House on July 18, 2013 in response to these concerns. During the course of 2013, City staff have engaged businesses and Kings Mill Walk users to get a better understanding of their concerns, and have received suggestions on how to improve the parking situation within Harbourside. The Open House presented options that have been developed to balance the supply of on-street parking for a range of users within the Harbourside area. A summary of public comments from that event and a preferred option will be presented to Council in the fall.

FINANCIAL IMPLICATIONS:

None. Public consultation costs will be borne by the applicant, and further financial analysis will be provided with the final proposal of a community amenity contribution package.

INTER-DEPARTMENTAL IMPLICATIONS:

The recommendation in this report was endorsed by the Civic Projects Team on [date].

SUSTAINABILITY COMMENTS:

None at this time.

CORPORATE PLAN AND/OR POLICY IMPLICATIONS:

None at this time.

RESPECTFULLY SUBMITTED:



Emilie K. Adin
Deputy Director

EA/skj