



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: September 19, 2017
Contact: Kent Munro
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RTS No.: 12193
VanRIMS No.: 08-2000-20
Meeting Date: October 17, 2017

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 3681 Victoria Drive and 1915 Stainsbury Avenue

RECOMMENDATION

- A. THAT the application by Yamamoto Architecture Inc., on behalf of DVRM Investments Ltd., to rezone 3681 Victoria Drive [*PID: 009-420-185; Lot A, Block A, District Lot 195, Plan 10286*] and 1915 Stainsbury Avenue [*PID: 009-420-240; Lot 8, Block A, District Lot 195, Plan 10286*] from MC-1 (Industrial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 2.50 to 2.57 and the building height from 13.8 (45.3 ft.) to 19.6 m (64.3 ft.), to permit the development of two six-storey residential buildings with a total of 153 secured market rental housing units, including artist live-work studios, be referred to a public hearing, together with:
- (i) plans prepared by Yamamoto Architecture Inc., received August 8, 2016 and revised October 31, 2016 and March 10, 2017;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
 - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to conditions contained in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A for consideration at the public hearing.

- B. THAT, if after public hearing, Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement

By-law for enactment, after the Housing Agreement has been agreed to and signed by the property owner(s) and their mortgagee(s) prior to enactment of the CD-1 By-law contemplated by this report.

- C. THAT, if the application is referred to a public hearing, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C, be referred to the same public hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law, generally as set out in Appendix C, for consideration at the public hearing.

- D. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule A, generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the amending by-law.

- E. THAT Recommendations A to D 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 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 bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

This report evaluates an application to rezone a site located at 3681 Victoria Drive and 1915 Stainsbury Avenue from MC-1 (Industrial) District to CD-1 (Comprehensive Development) District to permit the development of two six-storey residential buildings with 153 secured market rental housing units, including four artist live-work studios. The application has been made under the *Secured Market Rental Housing Policy* (Rental 100) and, in accordance with that policy, the application seeks increased height and density in return for all proposed housing units being secured as market rental housing for the life of the building or 60 years, whichever is longer. The application also seeks a parking reduction incentive that is available for secured market rental housing.

Staff have assessed the application and conclude that it is consistent with the Rental 100 policy with regard to the proposed uses and form of development. The application is also

consistent with the Parking By-law definition of “Secured Market Rental Housing” and is eligible for a reduced parking requirement.

The application also seeks to reconfigure the existing lane access on Stainsbury Avenue to a new location further west between the properties of 1851 Stainsbury Avenue (BCS 2959) and 1915 Stainsbury Avenue. Subject to public hearing and prior to enactment of the rezoning by-law, the General Manager of Engineering Services will bring forward a further report to Council to obtain authority to stop up, close and convey a portion of the lane located between the properties of 1915 Stainsbury Avenue and 3681 Victoria Drive.

If approved, the application would contribute 153 secured market rental housing units towards achieving the City’s affordable housing goals as identified in the *Housing and Homelessness Strategy* and the emerging directions of the *Housing Vancouver Strategy*. 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, along with the conditions of approval outlined in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council policies for this site include:

- Secured Market Rental Housing Policy (2012)
- Rental Incentive Guidelines (2012, last amended 2016)
- Housing and Homelessness Strategy (2011)
- Housing Vancouver Emerging Directions (2017)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992)
- Cedar Cottage MC-1/Welwyn Street Planning Policies (1996)
- MC-1 and MC-2 Guidelines for Cedar Cottage, Hudson Street, and East Hastings (Clark to Semlin) Areas (1998, last amended 2003)
- MC-1 and MC-2 Districts Schedule (last amended 2015)
- Kensington-Cedar Cottage Community Vision (1998)
- Green Buildings Policy for Rezonings (2010, last amended 2017)
- Community Amenity Contributions – Through Rezonings (1999, last amended 2016)
- Cultural Facilities Priorities Plan (2008)

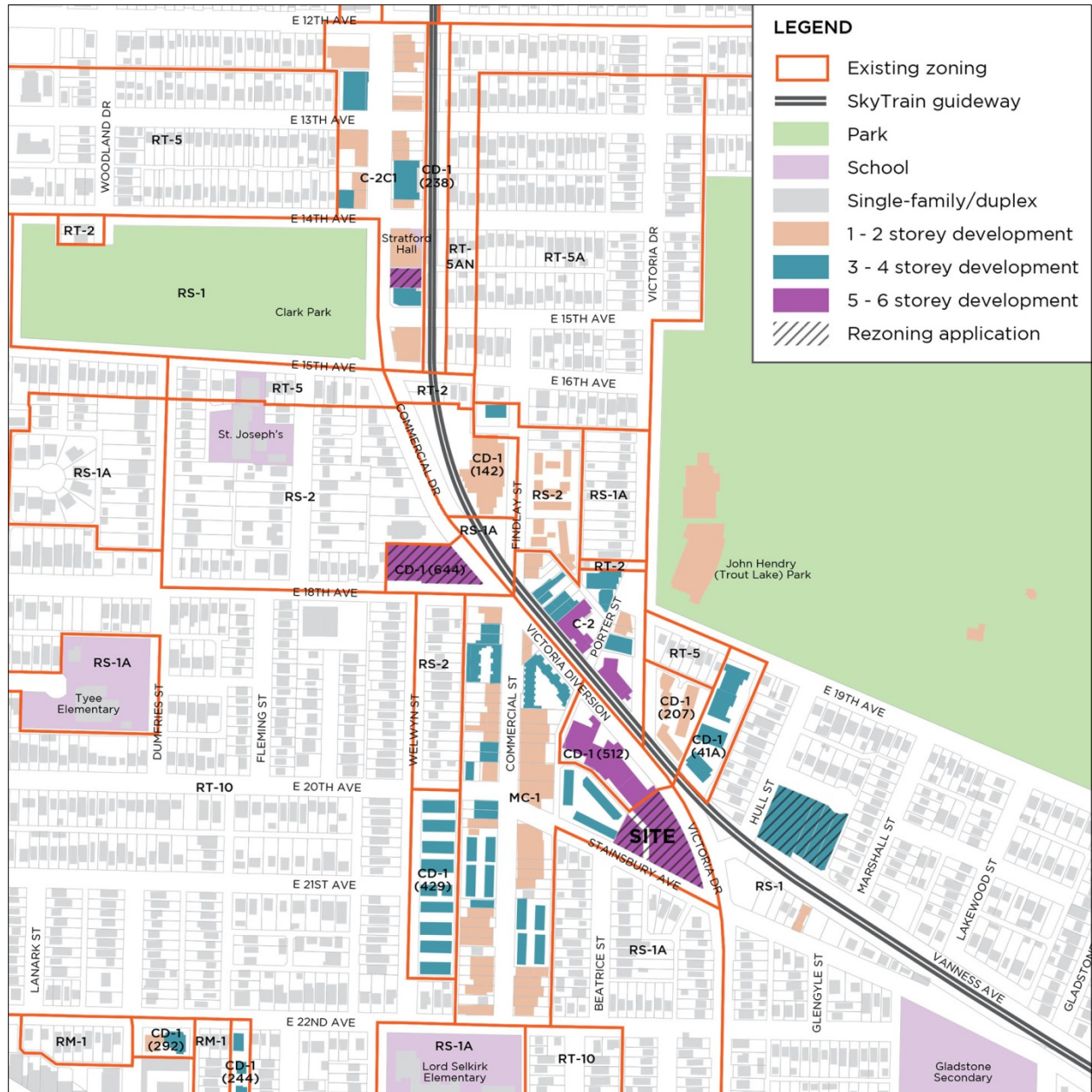
REPORT

Background/Context

1. Site and Context

The subject site is a triangular lot located at the northwest corner of Victoria Drive and Stainsbury Avenue in the Kensington-Cedar Cottage local area (see Figure 1). It is located west of the elevated Expo Line SkyTrain guideway and is within 800 metres of Nanaimo Station. The site is comprised of two legal parcels separated by a lane, with a total site size of 4,122.8 sq. m (44,379 sq. ft.), and a frontage of 111.9 m (367 ft.) along Victoria Drive and 97.2 m (318.9 ft.) along Stainsbury Avenue.

Figure 1: Surrounding Context and Zoning



The site is currently developed with two-storey industrial buildings occupied by an auto body shop and a wholesale distributor. Sharing a property line, the adjacent site to the north fronting Victoria Drive is a five-storey apartment building known as the “Porter”, which was rezoned to CD-1 in 2011 and constructed in 2013. A four-storey strata building, known as “The Works”, is located to the west fronting Stainsbury Avenue. The developments east of Victoria Drive and the SkyTrain guideway include a six-storey long-term care facility and a two- and three-storey social housing development. The areas directly to the east and south of the site are zoned RS-1/1A and mainly consist of single-family homes.

2. Policy Context

Secured Market Rental Housing Policy (Rental 100) – In May 2012, Council approved the *Secured Market Rental Housing Policy*, which provides incentives for new developments where 100 per cent of the residential floor space provided is non-stratified rental housing. The *Final Report from the Mayor’s Task Force on Housing Affordability*, adopted by Council in October 2012, further endorsed the importance of incentivizing market rental housing through a focus on strategies to repair, renew and expand market rental stock across all neighbourhoods. Rezoning applications considered under this policy must meet a number of criteria regarding affordability, security of tenure, location and form of development.

Rental Incentive Guidelines – The intent of the *Rental Incentive Guidelines* is to inform the way in which rental incentives, taken at the applicant’s discretion, are applied to specific projects. Applications made under Policy 1.2 of the *Secured Market Rental Housing Policy* (Residential Rental Projects Requiring a Rezoning for Projects where 100% of the Residential Floor Space is Rental) are eligible for additional floor area (subject to urban design review), parking relaxations, a DCL waiver for the residential rental floor area of the project, and relaxation of unit size provided that the design and location of the unit provides satisfactory living accommodation. For sites zoned MC-1, the guidelines provide general direction for consideration of modest increases in height and density.

Housing and Homelessness Strategy 2012-2021 – In July 2011, Council endorsed the *Housing and Homelessness Strategy 2012-2021*, which includes strategic directions to increase the supply of affordable housing, encourage a housing mix across all neighbourhoods that enhances quality of life, and provide strong leadership and support partners to enhance housing stability. The priority actions identified to achieve some of the strategy’s goals relevant to this application include refining and developing new zoning approaches, development tools and rental incentives to add to the supply of purpose-built rental housing and use financial and regulatory tools to encourage a variety of housing types and tenures that meet the needs of diverse households.

Housing Vancouver (2017) – A new 10-year strategy known as *Housing Vancouver* is currently in preparation with the aim of improving housing affordability by creating the right supply of homes to meet the needs of the people who live and work in Vancouver. An *Emerging Directions* report was presented to Council in spring 2017 outlining initial proposals and priority actions. A further update was provided to Council in July 2017 detailing proposed targets of 72,000 new homes in Vancouver over the next 10 years. Of the 72,000 new homes target, 20,000 units are targeted for purpose-built rental. This application will make a significant contribution towards the City’s rental housing target. The completed *Housing Vancouver Strategy* is expected to be considered by Council in December 2017.

Cedar Cottage MC-1/Welwyn Street Planning Policies – In April 1996, Council approved the *Cedar Cottage MC-1/Welwyn Street Planning Policies*, which guided amendments to the MC-1 zoning based on the vision of continuing the area’s long history of mixed residential, commercial and industrial uses and buildings. This policy allows for residential and retail uses to be permitted in the area identified as the Stainsbury Triangle, allows for an increase in residential floor area for secured rental, and encourages the accommodation of live/work use in the area. The policy limits residential floor area to a maximum of 1.8 FSR of the total 2.5 FSR to retain the mixed use nature of the area. Although this application proposes an increase in density and building height beyond that allowed by the existing MC-1 regulations,

the building form and the inclusion of secured rental housing with artist live-work studios is considered to be in keeping with the land use intent for the area.

MC-1 and MC-2 Guidelines for Cedar Cottage, Hudson Street, and East Hastings (Clark to Semlin) Areas - In March 1998, Council approved the *MC-1 and MC-2 Guidelines for Cedar Cottage, Hudson Street, and East Hastings (Clark to Semlin) Areas*, which follow the policy directions of the *Cedar Cottage MC-1/Welwyn Street Planning Policies* with respect to Cedar Cottage. The guidelines aim to ensure livability, neighbourliness, compatibility of uses and building massing, quality design and materials, and an attractive street-level treatment. In the Cedar Cottage area, the guidelines aim to continue the frontage scale and streetwall where possible, and identify residential uses as appropriate on any site and at grade along the north side of Stainsbury Avenue.

Kensington-Cedar Cottage Community Vision – In July 1998, Council approved the *Kensington-Cedar Cottage Community Vision*, which recognizes the potential for mixed-use developments to provide housing, strengthen local shopping areas and improve safety by adding “eyes on the street”. The vision also allows for rezoning consideration of affordable housing, including rental housing (Table 2.1 under the Rezoning Policy).

Family Room: Housing Mix Policy for Rezoning Projects – In July 2016, Council approved *Family Room: Housing Mix Policy for Rezoning Projects*, which increased the requirement for family units with two or more bedrooms in rental housing projects from a minimum of 25 per cent to 35 per cent. This application proposes 41 per cent of the overall residential units as two or more bedrooms.

High-Density Housing for Families with Children Guidelines – The intent of the guidelines is to address key issues of site, building and unit design to achieve livability objectives for families with children. The guidelines provide direction on project planning, project design and unit design.

Cultural Facilities Priorities Plan - In May 2008, Council approved the *Cultural Facilities Priorities Plan*, which provided a framework for developing cultural facilities. One of the ‘global’ priorities was to maximize opportunities to maintain and develop affordable artist live/work studios, which is included as a component of this application.

Strategic Analysis

1. Proposal

The application was initially submitted on August 8, 2016, which the applicant chose to amend with minor modifications to the courtyard entry off Victoria Drive. The revised drawings were submitted on October 31, 2016 and were presented at the November 2016 open house and to the Urban Design Panel. In response to community feedback, and advice from the Urban Design Panel and staff, the applicant revised the application and submitted the revised drawings on March 10, 2017.

This application proposes to consolidate the two parcels and relocate the lane to the west, to develop two six-storey residential buildings over 1.5 levels of underground parking accessed from the relocated lane (see Figure 2). The proposal includes a total of 153 secured market rental housing units, of which four units fronting Victoria Drive are to be artist live-work (see

Figure 3). Staff supports the application with minor design changes, which will result in a density of 2.57 FSR and a building height of 19.6 m (64.3 ft.) (see Urban Design conditions in Appendix B).

Figure 2: Existing Sites and Proposed Consolidated Site

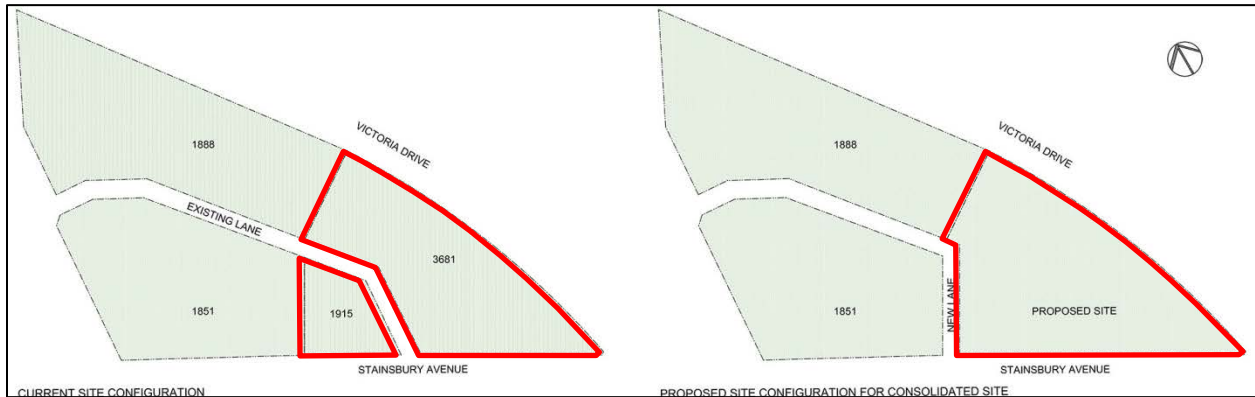


Figure 3: Rendering of Victoria Drive Frontage



2. Housing

The *Housing and Homelessness Strategy* strives to enhance access to affordable housing and sets a number of short- and long-term rental housing targets. The Rental 100 program plays a critical role in the achievement of those targets by helping to realize secured market rental housing. Rental housing provides a more affordable housing option than home ownership for nearly half of Vancouver's population and contributes to a number of City initiatives intended

to create diverse and sustainable communities. This application meets the requirement of the Rental 100 program by proposing 100 per cent of the residential floor area as secured market rental housing. The proposal, if approved, will deliver 153 secured market rental housing units in the form of studio, one-, two- and three-bedroom units. On July 13, 2016, Council adopted the *Family Room: Housing Mix Policy for Rezoning Projects*. The policy requires secured market rental projects to include a minimum of 35 per cent family units with two or more bedrooms, to be designed in accordance with the *High-Density Housing for Families with Children Guidelines*. This application proposes 35 two-bedroom and 27 three-bedroom units (41 per cent of the overall units), thereby exceeding the policy.

All 153 units would be secured through a Housing Agreement and/or a Section 219 Covenant for the longer of the life of the building or 60 years. Conditions related to securing the units are contained in Appendix B. Since the establishment of affordable housing targets in the *City's Housing and Homelessness Strategy* in 2011, a total of 6,846 secured residential rental units have been approved. The long-term goal was to achieve 5,000 new units by 2021, which has been achieved. If approved, this application would contribute an additional 153 market rental units.

Figure 4: Progress Toward the Secured Market Rental Housing Targets as set in the Housing and Homelessness Strategy 2012-2021 (June 30, 2017)

	TARGET	DELIVERY - CURRENT PROJECTS*				GAP
	2021	Completed	Under Construction	Approved	Total	Above or Below 2021 Target
Secured Market Rental Housing Units	5,000	1,841	3,005	2,000	6,846	1,846 above target

*Unit numbers exclude the units in this proposal, pending Council's approval of this application

Vancouver has one of the lowest rental vacancy rates in Canada. In October 2016, the vacancy rate in the City was 0.8 per cent¹ and in the Kensington Cedar Cottage neighbourhood, it was also 0.8 per cent. That means only eight out of every 1,000 market rental units were empty and available for rent. A vacancy rate of three per cent is considered to be a balanced rental market.

The Rental 100 program provides various incentives to be taken at the applicant's discretion to assist with project viability. These incentives include increased height and density, parking reductions and a Development Cost Levy (DCL) waiver. Housing staff have evaluated the application and have determined that it meets the objectives of the Rental 100 program. The applicant has not sought a DCL waiver. As such, starting rents will not be secured and a DCL will be payable on the new floor area constructed.

3. Land Use

The Cedar Cottage MC-1 planning policies envisioned the continuation and enhancement of the unique community character that resulted from the area's history of varied uses and artists working out of their living spaces. To support the area's mixed-use character, the policy recommends non-residential uses at grade throughout the MC-1 area (except on the

¹ Canada Mortgage and Housing Corporation (CMHC) Rental Market Report, October 2016

north side of Stainsbury Avenue) and the accommodation of live/work use. As part of the evaluation of the Porter rezoning, staff concluded that the location under the SkyTrain guideway along the Victoria Diversion was not suitable for local-serving commercial uses and that adhering to the policy to require non-residential uses at grade may be unviable. However, the inclusion of artist live-work studios was seen as an opportunity to provide pedestrian interest and flexible spaces with the capacity to support small-scale commercial activity in the future if demand increased. In keeping with the Porter development and to retain the potential Victoria Drive/Diversion mixed-use character, artist live-work studios are included in this rezoning application.

4. Density, Height and Form of Development (see application drawings in Appendix E)

The Rental 100 policy and *Rental Incentive Guidelines* provide direction for the consideration of additional height and density to facilitate the provision of rental housing. The guidelines suggest that an MC-1 site may be eligible for a modest increase in height and density beyond the base zoning, if criteria for urban design performance and neighbourliness are met. The existing zoning allows a floor space ratio up to 2.5 for mixed-use buildings, with a 1.5 FSR cap for residential use. Non-residential uses are required at grade, to preserve job space in the area. The zoning allows a four-storey form (45 ft. height), with the fourth storey set back to relate to the historic, predominantly three-storey building scale of the area. Staff conclude that a density of 2.57 FSR and a height of six storeys (64.3 ft.) are appropriate for this site, subject to the *Rental Incentive Guidelines* and to the design conditions noted in Appendix B.

The proposed development includes two buildings on this triangular lot—one parallel to Victoria Drive and the other parallel to the new lane—separated by a courtyard that fronts on Stainsbury Avenue. A small forecourt between the two buildings on Victoria Drive provides access to both residential entries and a generous exterior stair to the courtyard. Staff have recommended an increased front yard setback of the east building on Victoria Drive, increased upper storey setbacks on both buildings, and refinements to the “flatiron” element at the southern corner of the east building, in order to reduce the bulk of the development. It is anticipated that these conditions will result in a density of 2.57 FSR, a small reduction from the proposed 2.59 FSR. Other conditions sought by staff are refinements to the public realm, including the entry forecourt and lane, and improvements to the livability of the dwellings units. See Urban Design conditions in Appendix B.

The Urban Design Panel reviewed and supported this application on November 16, 2016 (see Appendix D). Staff conclude that the design generally responds well to the intent of the Rental 100 policy and design guidelines, and support this application, subject to the conditions outlined in Appendix B.

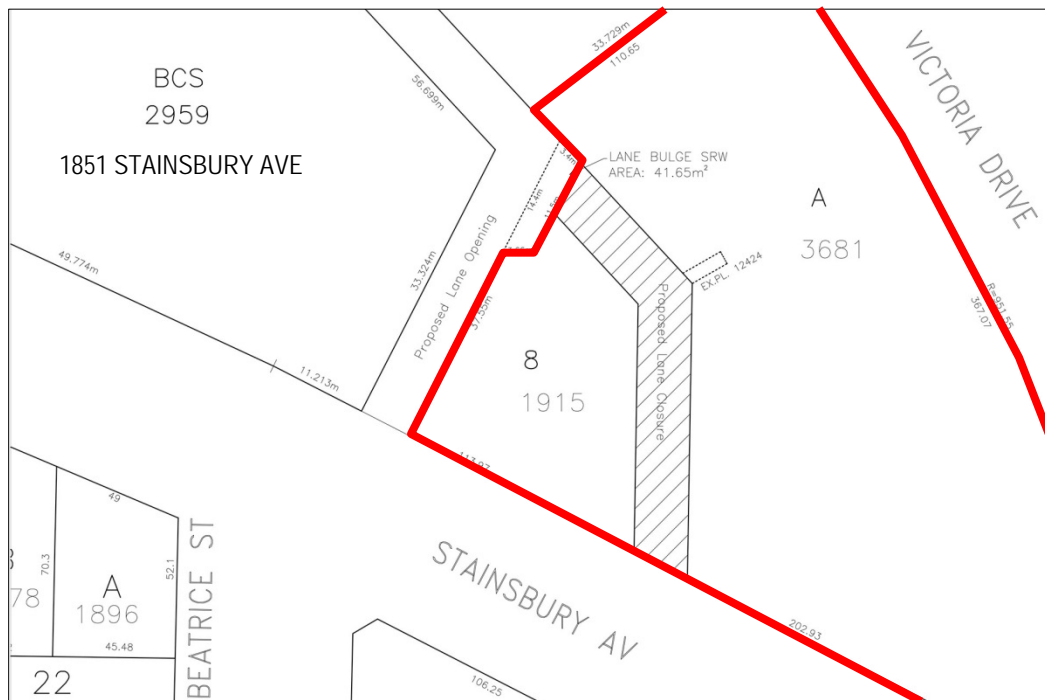
5. Lane Closure and Conveyance

A portion of the lane will be purchased by the owner in order to facilitate consolidation of the two lots for a more cohesive development. A new lane will be provided along the western edge of the site adjacent to the neighbouring townhouse development (The Works), which will require a subdivision application to complete the consolidation and lane dedication. The process to purchase the City lane requires the approval of the General Manager of Engineering Services. An application to purchase the lane has been made to the City Surveyor as part of the rezoning process. Real Estate Services has determined the value of the subject portion of lane to be closed and the owner has agreed to the lane sale. The sale and closure of the lane

would be subject to Council’s approval of the proposed rezoning. Any existing services in the City lane will be required to be relocated at the owner’s expense.

Should this application be approved, staff will return to Council for approval to stop up and close the existing portion of City lane that passes between 1915 Stainsbury Avenue and 3681 Victoria Drive. These lands would be conveyed to the applicant and consolidated with the development. A 6.1 m (20 ft.) wide dedication would be provided on the western portion of the development site to redirect the lane further west, adjacent to 1851 Stainsbury Avenue (BCS 2959) (see Figure 5). This would ultimately result in the creation of a consolidated lot of 4,122.8 sq. m (44,379 sq. ft.).

Figure 5: Proposed Lane Reconfiguration (with subject site outlined in red)



6. Transportation and Parking

The application proposes two levels of underground parking accessed from the new lane. A total of 106 parking spaces, 196 Class A bicycle spaces and a Class B loading space are provided. Parking, loading and bicycle spaces are to be provided in accordance with the Parking By-law. Engineering Services have reviewed the rezoning application and have no objections to the proposal provided the applicant satisfies the rezoning conditions included in Appendix B.

7. Environmental Sustainability

The *Green Buildings Policy for Rezoning*s (amended by Council on November 29, 2016) requires that residential rezoning applications satisfy either the near zero emission buildings or low emissions green buildings conditions within the policy. These new requirements are mandatory for all rezoning applications received on or after May 1, 2017. Applications

received prior to May 1, 2017 may choose to meet this updated version of the policy or the preceding version.

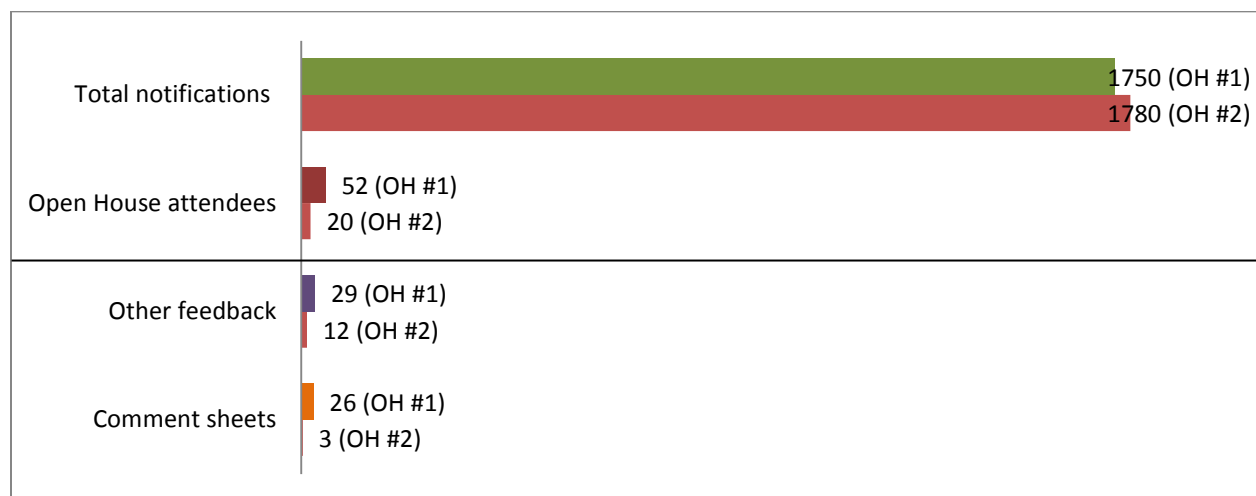
This application, received August 8, 2016, has opted to satisfy the preceding version of the *Green Buildings Policy for Rezonings*, which requires that rezoning applications achieve a minimum of LEED® Gold rating, with targeted points for water efficiency, stormwater management and a 22 per cent reduction in energy cost as compared with ASHRAE 90.1 2010, along with registration and application for certification of the project. The applicant submitted a preliminary LEED® for Homes - Multifamily Mid-Rise scorecard, which generally conforms to the *Green Buildings Policy for Rezonings*, indicating that the project could attain the required LEED® points and, therefore, would be eligible for a LEED® Gold rating.

PUBLIC INPUT

Public Notification – A rezoning information sign was installed on the site in September 2016. Approximately 1,780 notifications were distributed within the neighbouring area on or about October 18, 2016. In addition, notification, application information and an online comment form were provided on the City’s Rezoning Applications webpage (vancouver.ca/rezapps). A community open house was held on November 1, 2016. Staff, the applicant team and a total of approximately 52 people attended the open house.

The proposal was revised in response to community feedback, and advice from the Urban Design Panel and staff, with specific concerns over the proposed lane reconfiguration, “aperture” on Stainsbury Avenue and “flatiron” corner. The revised application was received on March 10, 2017. Staff updated the City’s website to include the new revisions and held a second open house on April 19, 2017 to share the changes with the community, in which approximately 20 people attended.

Figure 6: Notification and Public Response



Public Response and Comments – Staff received a total of 55 comments in response to the first open house and 15 comments in response to the second open house. The majority of the

comments are in support of the application, citing the need for more rental housing in the city and more affordable housing overall, especially in areas close to amenities and transit.

Comments noting concerns with the proposed rezoning were directly related to the impact on the strata residential development at 1851 Stainsbury Avenue (BCS 2959) (The Works), which is to the west of the subject site and adjacent to the proposed new lane alignment. The building at 1851 Stainsbury Avenue (BCS 2959) was constructed without a setback to their east property line and relies upon the existing building on the proposed rezoning site to provide a safety barrier to their exterior exit stair at the northeast corner of their site. Redevelopment of the rezoning site will require the owners of 1851 Stainsbury Avenue (BCS 2959) to construct a safety barrier for the exit stairs and confirm this can be accommodated on their own property. Secondly, the existing lane is heavily used by the multiple dwellings on this block and businesses along Commercial Street. The proposed lane configuration would result in a sharper turning radius, and create a blind corner turn to a private garage at 1851 Stainsbury Avenue (BCS 2959). To address these issues, a buffer and 'lane bulge' condition have been added to the rezoning to provide a wider lane dedication with a larger turning radius and more manoeuvring room for pedestrians, cyclists and drivers utilizing the lane (see Engineering conditions in Appendix B).

Other concerns expressed included:

- Lack of parking in the area, which is further impacted by residents not utilizing underground parking due to high costs to rent parking spaces;
- Height should not exceed surrounding buildings;
- Industrial-zoned land or commercial space should be retained to encourage local employment, economic growth and community interaction;
- Increased development in the area but lack of amenities (e.g. childcare) and street improvements;
- Schools have exceeded capacity; and
- Loss of magnolia tree.

PUBLIC BENEFITS

In response to City policies concerning changes in land use and density, this application addresses public benefits as follows:

Public Benefits – Required By By-law or Policy

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 various engineering infrastructure. This site is subject to the City-wide DCL rate, which as of September 30, 2017, is \$168.13 per sq. m (\$15.62 per sq. ft.). The applicant has not sought a DCL waiver. Based on the proposed new floor area of 10,597 sq. m (114,065 sq. ft.), a DCL of approximately \$1,781,695 is anticipated.

DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment which takes place on September 30 of each year. When a DCL By-law with higher rates is introduced, a number of rezoning, development permit and building permit applications may be at various stages of the approval process. An application may qualify as

an in-stream application and therefore may be exempt from DCL rate increases for a period of 12 months from the date of the DCL By-law rate amendment, provided that it has been submitted prior to the adoption of annual DCL By-law rate adjustments. If a related building permit application is not issued within the 12-month period, the rate protection expires and the new DCL rate will apply. See the City's [DCL Bulletin](#) for details on DCL rate protection.

Public Art Program – The *Public Art Policy for Rezoned Developments* requires rezoning's having a floor area of 9,290.0 sq. m (100,000 sq. ft.) or greater to contribute public art or provide 80 per cent cash in lieu as a condition of rezoning. Public art budgets are based on a formula (2016) of \$21.31 per sq. m (\$1.98 per sq. ft.) for areas contributing to the total FSR calculation. Based on the proposed new floor area of 10,597 sq. m (114,065 sq. ft.), a public art contribution of approximately \$225,850 is anticipated. The Public Art rate is finalized at the development permit stage and is subject to periodic adjustments to address inflation.

Public Benefits – Offered by the Applicant

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. CAC offers typically include either the provision of on-site amenities or a cash contribution towards other public benefits and they take into consideration community needs, area deficiencies and the impact of the proposed development on City services. No CAC has been offered for this rezoning.

Rental Housing – The applicant has proposed that 153 residential units be secured as market rental housing (non-stratified). The public benefit accruing from these units is their contribution to the City's rental housing stock for the longer of the life of the building or 60 years. Covenants would be registered on title to preclude the stratification and/or separate sale of individual units.

The public benefit achieved for this application is secured market rental housing. Real Estate Services staff have reviewed the applicant's development pro forma and have concluded that, after factoring in the costs associated with the market rental housing units for the longer of the life of the building or 60 years, no further contribution towards public benefits is anticipated in this instance. See Appendix F for a summary of all of the public benefits for this application.

FINANCIAL IMPLICATIONS

As noted in the Public Benefits section, there are no CACs associated with this rezoning.

Should Council approve the rezoning application:

- The site is within the City-wide DCL district and the proposed new floor area is anticipated to generate approximately \$1,781,695 in DCLs.
- The applicant will be required to provide new public art on site or make a cash contribution for off-site public art, at an estimated value of approximately \$225,850.
- The market rental housing, secured by a Housing Agreement for the longer of the life of the building or 60 years, will be privately owned and operated.

CONCLUSION

Staff have reviewed the application to rezone the site located at 3681 Victoria Drive and 1915 Stainsbury Avenue from MC-1 to CD-1 to permit development of market rental housing, and conclude that the application is consistent with the *Secured Market Rental Housing Policy*. Staff further conclude that the application qualifies for incentives provided for market rental housing, including additional height and density, and a parking reduction. If approved, this application would make a contribution to the achievement of key affordable housing goals of the City. The proposed form of development represents an appropriate urban design response to the site and context, and is supportable. The General Manager of Planning, Urban Design and Sustainability recommends that the rezoning application be referred to a public hearing, together with a draft CD-1 By-law generally as set out in Appendix A and that, subject to the public hearing, the application including the form of development as shown in the plans in Appendix E, be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B.

* * * * *

3681 Victoria Drive and 1915 Stainsbury Avenue
DRAFT CD-1 BY-LAW PROVISIONS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Zoning District Plan Amendment

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

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

Uses

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 ().
- 2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Cultural and Recreational Uses, limited to Artist Studio – Class A and Arts and Culture Indoor Event;
 - (b) Dwelling Uses, limited to Dwelling Unit, Multiple Dwelling, and Residential Unit associated with and forming an integral part of an Artist Studio; and
 - (c) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

Conditions of use

- 3.1 Dwelling units are in an “activity zone” as defined by the Noise Control By-law and, as a result, are subject to noise from surrounding land uses and street activities at levels permitted in industrial and downtown districts.
- 3.2 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; and

- (c) comply with Council's "High-Density Housing for Families with Children Guidelines".

Floor area and density

- 4.1 The maximum floor area for all uses must not exceed 10,600 m².
- 4.2 Computation of floor area must include all floors, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.
- 4.3 Computation of floor area must exclude:
 - (a) open residential balconies or sundecks and any other appurtenances, which in the opinion of the Director of Planning are similar to the foregoing, except that:
 - (i) the total area of all such exclusions must not exceed 12% of the permitted floor area; and
 - (ii) the balconies must not be enclosed for the life of the building;
 - (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
 - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment or uses, which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
 - (d) amenity areas, including recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10% of the total permitted floor area; and
 - (e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.
- 4.4 The use of floor area excluded under section 4.3 must not include any use other than that which justified the exclusion.

Building height

- 5. Building height, measured from base surface, must not exceed 19.6 m.

Horizontal angle of daylight

- 6.1 Each habitable room must have at least one window on an exterior wall of a building.
- 6.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.
- 6.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if:
 - (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
 - (b) the minimum distance of unobstructed view is not less than 3.7 m.
- 6.5 An obstruction referred to in section 6.2 means:
 - (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted under the zoning on any site adjoining CD-1 ().
- 6.6 A habitable room referred to in section 6.1 does not include:
 - (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².

Acoustics

- 7. A development permit application for dwelling uses must include an acoustical report prepared by a licensed professional acoustical engineer demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

3681 Victoria Drive and 1915 Stainsbury Avenue
PROPOSED CONDITIONS OF APPROVAL

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

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Yamamoto Architecture Inc. and stamped "Received City of Vancouver, March 10, 2017", subject to the following conditions, provided that the General Manager of Planning, Urban Design and Sustainability may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning, Urban Design and Sustainability, who shall have particular regard to the following:

Urban Design

- 1. Design development to reduce the apparent bulk, massing, and height of the building, as follows:
 - (i) Increase the front yard setback for the west building by 4 ft. (to approx. 15 ft. total). (The 8 ft. setback on Levels 5 and 6 should be maintained.);
 - (ii) Increase the setback on Levels 5 and 6 of the east building to 8 ft., on the north and west elevations, and 10 ft. on the south (Stainsbury Ave) elevation. (The setback on the courtyard elevation may be maintained at 6 ft.);
 - (iii) Increase the setback on Levels 5 and 6 of the west building to 10 ft. on the south (Stainsbury Ave) elevation;
 - (iv) Reduce the width of the 6-storey "prow" facing Stainsbury Ave by approx. 9 ft. (full-building height); and
 - (v) The courtyard opening should be maintained at approx. 99 ft. on Stainsbury Ave, and approx. 34.5 ft. on Victoria Dr, as proposed.

Note to applicant: It is anticipated that this condition will result in a reduction in density, to a maximum of 2.57 FSR.

- 2. Design development to improve the entry forecourt and its contribution to the public realm, as follows:

- (i) Improve the legibility of the building entries;

Note to applicant: This can be achieved with improved canopies, increased fenestration, material/colours, lighting, and/or signage elements.

- (ii) Provide an enhanced design treatment of the walls flanking the exterior stair, consider cladding, landscape and lighting opportunities;
- (iii) Relocate the gate to create a more inviting public realm condition; and
- (iv) Explore opportunities for public art.

3. Design development to improve the building's interface with the public realm, as follows:

- (i) Remove the exit stair from the lane setback, and relocate into the building footprint;
- (ii) Expand landscaping in the front yard of the west building, on Victoria Dr (refer to condition 1 regarding an increase to this setback);
- (iii) Improve the design treatment of the lane elevation, to mitigate the impact of the exposed parkade wall;
- (iv) Provide a 6 ft. fence and robust landscaping (outboard) in the buffer at the west side of the lane (refer to Engineering condition (c)3); and
- (v) Improvement of the private patios on Stainsbury Ave.

Note to applicant: It is anticipated that condition 3(i) and 3(iv) will result in a reduction in density. Improvement to the patios on Stainsbury Ave can be achieved by eliminating the walkway from the patios to the courtyard, and increasing landscape screening.

4. Design development to improve livability of dwelling units, as follows:

- (i) Provide bulk storage for every unit, per the *Bulk Storage and In-Suite Storage - Multiple Family Residential Developments* bulletin (<http://bylaws.vancouver.ca/bulletin/b004.pdf>);
- (ii) Provide a minimum depth of 6 ft. for all at-grade patios (including on Stainsbury Ave); and
- (iii) Provide at minimum 5 ft. clear depth for all balconies for units with one or more bedrooms. Provide at minimum 3 ft. balconies (clear depth) for balconies for studios.

5. Identification on the architectural and landscape drawings of any built features intended to create a bird friendly design.

Note to applicant: Refer to the *Bird Friendly Design Guidelines* for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.)

Crime Prevention through Environmental Design (CPTED)

6. Design development to consider the principles of CPTED, having particular regard for:
 - (i) theft in the underground parking;
 - (ii) residential break and enter;
 - (iii) mail theft; and
 - (iv) mischief in alcoves and vandalism, such as graffiti.

Landscape Review

7. Design development to the slab and structural design to provide adequate soil volumes and depths for planting.

Note to applicant: To ensure the long-term viability of planting in non-continuous growing medium, soil depths must meet or exceed BCLNA planting standards. At the edges, new slabs may need to angle down to provide deeper soils. Within the site at the plaza level, the slab to be lowered below to avoid the necessity for above-grade planter walls that would impede pedestrian flow.

8. Design development to explore rainwater management solutions and related grey water/mechanical systems to be scaled and integrated with full infiltration from hard and soft surfaces within the site, to the greatest extent practicable.

Note to applicant: The applicant is encouraged to reference the *Integrated Rainwater Management Plan* (IRMP), Volume II, Best Management Practises, supported by Council in April 2016. At the development permit stage, further details may be requested.

9. Design development to locate site utilities and vents on private property and integrated discreetly into the building, avoiding landscaped and common areas.
10. Design development to reduce potable water consumption in the irrigation systems by using drought-tolerant plant species, efficient irrigation rainwater technology and rain water harvesting methods (to the greatest extent practicable).

Note to applicant: Potable water may be needed for urban agriculture areas and patios. Individual hose bibs to be provided for all patios of 100 sq. ft. or greater in size, to encourage patio gardening.

11. Further coordination with Engineering and Park Board Urban Forestry with regard to review of trees located on City property.

Note to applicant: Further design development may be necessary at the development permit stage, where applicable.

12. Provision of new street trees adjacent to the development site, where applicable, to be confirmed prior to the issuance of the building permit, at the discretion of the General Manager of Engineering Services.

Note to applicant: Contact Eileen Curran, Streets Engineering (604-871-6131) to confirm tree planting locations and Park Board (604-257-8587) for tree species selection and planting requirements. Provide a notation on the plan: "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion."

13. At time of development permit application, the following:

- (i) Provision of a detailed landscape plan illustrating soft and hard landscape treatment;

Note to applicant: The landscape plan should include a planting plan listing common and botanical name, size and quantity of all existing/proposed plant material. Plant material should be clearly illustrated on the landscape plan and keyed to the plant list. Illustrate and clarify all outdoor surface/paving materials, site furniture, bicycle racks, lighting, trash receptacles, hose bibs, signs, retaining wall treatment, parking vents, at-grade utilities, and public realm (building edge to the curb, street trees, lamp posts, fire hydrants, sidewalk treatment).

- (ii) Provision of large-scale sections [typical] through landscaped areas, including the ground-oriented interface, the slab-patio-planter relationship, street trees, the lane interface, common areas and upper storey planters;

Note to applicant: The sections should include the planter materials, tree canopy, tree stem, outline of the root ball, voiding, built up membrane and dimensions.

- (iii) Provision of spot elevations to all outdoor areas (including top/ bottom walls), including off-site context spot elevations in proximity (public sidewalks, inner boulevards and lanes);

- (iv) Provision of adequate soil volumes and depths for planting on slabs and in planters;

Note to applicant: Refer to rezoning condition (b)7. To ensure the long-term viability of planting in non-continuous growing medium, soil depths must meet or exceed BCLNA planting standards. At the edges, new slabs

should angle down to provide deeper soils. Within the site at the plaza level, the slab may need to be lowered below or create tree planting pits to avoid the necessity for above-grade planter walls that would impede pedestrian flow.

- (v) Provision of universal design principles in the outdoor spaces;

Note to applicant: Special consideration should be given to the ground plane, including paving materials, grade changes, benches near entrances on site and at reasonable intervals for public use along shared circulation routes.

- (vi) Provision of a "Tree Removal and Protection Plan" in coordination with arboricultural services, including the assessment of existing trees and retention feasibility;

Note to applicant: Provide a large-scale tree plan that is separate from the landscape plan. The plan should clearly illustrate all trees to be removed and/or retained, where applicable, including any tree protection barriers and important construction management directives drawn out of the arborist report(s). Tree replacements are best located on the proposed phased landscape plans.

- (vii) Provision of a partial irrigation plan to demonstrate efficient irrigation system for all common outdoor planters (existing and new) and individual hose bibs for larger-sized patios to encourage patio gardening; and

Note to applicant: Specification notes and irrigation symbols should be added to the drawing.

- (viii) Provision of all necessary infrastructure to support urban agriculture, including hose bibs, tool storage, work tables and seating.

Sustainability

14. Confirmation that the application is on track to meeting the Green Buildings Policy for Rezonings including a minimum of LEED® Gold rating, with 1 point for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to applicant: Provide an updated LEED® checklist and sustainable design strategy at time of Development Permit application outlining how the proposed points will be achieved, a letter of confirmation from an accredited professional confirming that the building has been designed to meet these goals, and a receipt including registration number from the CaGBC. The checklist and strategy should be incorporated into the drawing set. Application for certification of the project will also be required under the policy.

Engineering

15. The lane-bulge design is to provide adequate overhead clearance (25 ft. minimum), for all expected trucks that will use the lane-bulge area, in particular waste haul vehicles, is to be designed to accommodate the weight of the expected trucks and the surface to be asphalt or concrete. Provision of drawings sections confirming the overhead clearances are required.
16. Clearly show the lane-bulge dimensions on all relevant plans and ensure there are no encroachments in the lane-bulge right-of-way and that parking ramps, loading bays, PMTs etc. do not encroach into the bulge area.
17. The parkade ramp should meet City building grades at the property line and not exceed 5% slope or crossfall should it encroach into the lane-bulge area.
18. The owner or representative is advised to contact Engineering Services to determine the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
19. Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right-of-way.
20. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.
21. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.

Note to applicant: Pick-up operations should not rely on bins being stored on the street or lane for pick up, bins are to be returned to storage areas immediately after emptying.
22. Confirmation that the latest building grades include confirmed building grades along the new lane alignment as there appear to only be architectural design grades shown.

23. Provide additional design grades opposite each building entry at the property lines clearly showing entries meet City building grades.
24. Delete 2nd row of trees shown on public property along the Victoria Dr frontage.
25. Delete pavers from public property and show standard broom-finished concrete sidewalks.
26. Show 1st risers of all entries a minimum of 1'-0" behind the property line.
27. Gates/doors are not to swing more than 1'-0" over the property lines (see Victoria Dr entries on landscape plan).
28. Provision of a landscape plan that reflects the improvements sought for this rezoning. Please place the following statement on the landscape plan: "*A landscape plan is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Engineering Services for details.*" Please note that the civil design process and landscape plans are to be coordinated prior to the start of any work on public property.

Please submit a separate copy of the landscape plans to Engineering Services for review following updating.

29. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
 - (i) Provision of truck-turning swathes by a qualified Transportation Engineer to be shown on the drawings.

Note to applicant: Show the largest truck manoeuvring from Stainsbury Ave, down the lane, into and out of the loading bay towards Porter St.
 - (ii) Provision of additional design elevations of both sides of the main parkade ramp, loading bay, throughout the parking level and at all entrances to calculate the slope and crossfall.
 - (iii) Provision of section drawings showing elevations, vertical clearances, and security gates for the main ramp, through the loading bay, the 12.5% ramp from P1 to P2 and the parking levels.
 - (iv) Label minimum clearance for the parking ramp, the loading bay and the parking levels on the section drawings, including overhead gate and mechanical projections.
 - (v) Confirm requirements for an overhead gate between the visitor and the residential parking and show on the drawings.

- (vi) Confirm if the main ramp overhead gate will be wireless FOB activated.

Note to applicant: Additional ramp width is required for enterphones or card readers located on the ramp.

- (vii) Provision of additional parking stall width for stalls adjacent to walls.
- (viii) Modify column alignment to comply with by-law. Refer to Section B, between Section C and D on drawing A2.1.
- (ix) Provision of all stalls to be numbered and labelled on the drawings.
- (x) Provision of all columns and column setbacks to be dimensioned on the drawings.
- (xi) Remove tree and landscaping shown in the Class B load throat on drawing L1.1 to provide unobstructed manoeuvring.
- (xii) Provision of an updated plan showing the access route from the Class A bicycle spaces to reach the outside.

Note to applicant: The route must be 'stairs free' and confirm the use of the parking ramp, if required.

- (xiii) Modify the bicycle parking to meet by-law and design supplement requirements.

Note to applicant: Bicycle room(s) must not contain more than 40 bicycle spaces except where the additional bicycle spaces are comprised of lockers.

- (xiv) Provide automatic door openers on the doors providing access to the bicycle room(s).
- (xv) Provide an alcove for bike room access off the vehicle maneuvering aisle.

Note to applicant: Refer to drawing A2.0, the parking stall adjacent to the bottom of the ramp, north side from P1 to P2.

Note to applicant: Sewer connections are to be to Stainsbury Ave only.

- 30. Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.

Housing

- 31. The proposed unit mix, including 45 studio (29%), 46 one-bedroom units (30%), 35 two-bedroom units (23%), and 27 three-bedroom units (18%), is to be included in the Development Permit drawings.

Note to applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the dwelling units designed to be suitable for families with children.

32. The development is to comply with the *High-Density Housing for Families with Children Guidelines*, and include a kitchenette and accessible washroom in the indoor common amenity rooms.

Note to applicant: Indoor and outdoor common amenity areas should be adjacent to one another and have direct visual and physical connection between them. The outdoor amenity area should be designed to accommodate a range of children's play activities.

CONDITIONS OF BY-LAW ENACTMENT

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

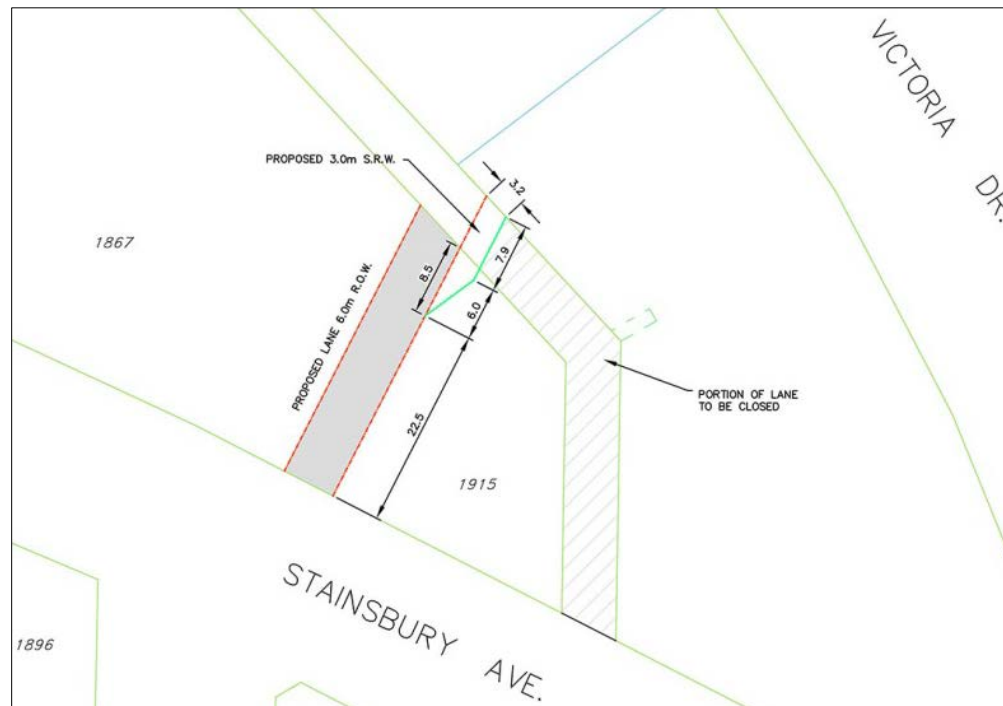
Engineering Services

1. The closing of, stopping up and conveying to the owner the required portion of the lane west of Victoria Dr north of Stainsbury Ave, subsequent to Council approval; and the relocation or decommissioning of any utilities within this area.
2. Provision of written confirmation and agreement from all affected utility companies that services can be relocated or removed from the existing lane right-of-way.
3. Consolidation of the closed portion of lane, Lot A and Lot 8 to form a single development parcel, and subdivision of that site to result in the dedication of the westerly 20 feet of Lot 8 for lane purposes and an additional dedication to accommodate a buffer adjacent the eastern edge of 1851 Stainsbury Ave (BCS 2959). The buffer dimension to be minimum 1.5 m with design to be determined in consultation with the Director of Planning.

Note to applicant: A subdivision application will be required.

4. Provision of a Statutory Right-of-Way ("SRW") for a lane-turning bulge over a portion of the development site adjacent to the easterly limit of the new lane bend for vehicle manoeuvring purposes. The bulge design/dimensions are to be to the satisfaction of the General Manager of Engineering Services and at minimum allow for turning of garbage trucks through the lane. The bulge dimensions to be refined during the development permit process (see sketch for general configuration). Parking levels P1 and P2 and those portions of the

building structure at and above the 3rd floor level located within the SRW area are to be accommodated within the SRW agreement.



5. Registration of a temporary SRW agreement in favour of the City over the portion of lane to be closed for public utility purposes, to be discharged once all utilities impacted by the lane closure have been abandoned, relocated or otherwise protected, as necessary, and any associated lane and street reconstruction works have been completed or arrangements for their completion to the satisfaction of the General Manager of Engineering Services are established.
6. Provision of building setback and a surface SRW to achieve a 5.5.m distance from the back of the City curb to the building face along the Victoria Dr frontage of the site. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback/SRW dimension.
7. Release of Easement & Indemnity Agreement 428545M (commercial crossings) prior to building occupancy.

Note to applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition.

8. Confirmation of arrangements with BC Hydro for the release of Easement B64363.

9. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
- (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, sprinkler demand, hydrant load, and domestic water demands to determine if water main upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
 - (ii) Provision of a stormwater and rainwater management plan that meets the objectives of the Citywide Integrated Rainwater Management Plan and complies with the Sewer and Watercourse By-law. The plan shall achieve the following:
 - (a) retain or infiltrate the 6-month storm event volume (24 mm) onsite;
 - (b) treat the 2-year event (48 mm) onsite; and
 - (c) maintain the pre-development 5-year storm event rate. The pre-development estimate shall utilize the 2014 IDF curve, whereas the post development estimate shall use the 2100 IDF curve to account for climate change.
 - (iii) Provision of new concrete curb and gutter, 1.83 m minimum broomed-finished concrete sidewalk with sawcut control joints, 1.5 m sod boulevard, street trees where space permits, upgraded or new street lighting and pavement on Stainsbury Ave adjacent the site. Work to include adjustment or installation of all related infrastructure to allow for the proposed road construction and improvements.
 - (iv) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work.

Note to applicant: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.

- (v) Provision of new 1.83 m broomed-finished concrete sidewalk with sawcut control joints and minimum 1.2 m sod boulevard adjacent the site.

Note to applicant: Sidewalk should align with the sidewalk to the north.

- (vi) Provision of upgraded and/or new street lighting adjacent the site to current LED standards. A lighting study is required to determine the extent of street lighting upgrading necessary.
- (vii) Removal of the old lane entry and related works and installation of a new concrete curb and gutter lane entry with commercial concrete lane crossing at the entry to the new lane.
- (viii) Provision of a new lane constructed to current standards within the new lane dedication area. Work to include all infrastructure to accommodate the new lane including drainage and reprofiling of portions of the existing lane west of the development site to accommodate the construction of the new lane.
- (ix) Provision of upgraded curb return at Stainsbury Ave and Victoria Dr adjacent the site, including new curb ramps to meet current standards.
- (x) Provision of a signed and marked crosswalk and two curb ramps at the intersection of Commercial St and Stainsbury Ave, subject to a detailed review of the crossing proposal with implementation of the crosswalk work fully at the discretion of the General Manager of Engineering Services.
- (xi) Confirmation that any relocated/removed wood poles in the lane adjacent the site will not impact existing lane lighting, should any relocated pole impact existing lane lighting then upgrading or new lane lighting to current standard will be required.
- (xii) Provision of street trees adjacent the site where space permits.

- 10. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but not limited to System Vista, Vista switchgear, pad mounted transformers, LPT and kiosks (including non-BC Hydro kiosks) are to be located on private property with no reliance on public property for placement of these features.

In addition, there will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the

existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch.

Note to applicant: Please ensure that in your consultation with BC Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met.

Housing

11. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter into a Housing Agreement securing all residential units as market rental housing units for the longer of 60 years or the life of the building, subject to the following additional conditions:
 - (i) a no separate-sales covenant;
 - (ii) a no stratification covenant;
 - (iii) that none of such units will be rented for less than one month at a time; and
 - (iv) such other terms and conditions as the General Manager of Community Services and the Director of Legal Services may in their sole discretion require.

Note to applicant: This condition will be secured by a Housing Agreement to be entered into by the City, by by-law, enacted pursuant to section 565.2 of the *Vancouver Charter*.

Public Art

12. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager.

Note to applicant: Please call Karen Henry, Public Art Planner (604-673-8282), to discuss your application.

Environmental Contamination

13. If applicable:
 - (i) Submit a site profile to Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such

agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and

- (iii) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have been provided to the City.

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as registered charges pursuant to the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject sites as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-laws.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

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**3681 Victoria Drive and 1915 Stainsbury Avenue
DRAFT CONSEQUENTIAL AMENDMENTS**

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

SIGN BY-LAW NO. 11879

Amend Schedule A (CD-1 Zoning Districts Regulated by Part 9) by adding the following:

"3681 Victoria Drive and 1915 Stainsbury Avenue CD-1 (#) [By-law #] MC-1"

NOISE CONTROL BY-LAW NO. 6555

Amend Schedule A (Activity Zone) by adding the following:

"[CD-1 (#)] [By-law #] 3681 Victoria Drive and 1915 Stainsbury Avenue"

* * * * *

3681 Victoria Drive and 1915 Stainsbury Avenue
URBAN DESIGN ANALYSIS

URBAN DESIGN PANEL

The Urban Design Panel reviewed the application on November 16, 2016 and supported it.

EVALUATION: SUPPORT (3-2)

Introduction: Michelle Yip, Rezoning Planner, introduced the project. The site for this rezoning application is comprised of two parcels on the northwest corner of Victoria Drive and Stainsbury Avenue, in the Kensington-Cedar Cottage local area. The developments adjacent to the site include a four-storey strata building and a five-storey rental building known as the Porter. The developments east of Victoria Drive and the SkyTrain guideway include a six-storey long-term care facility and some two to three-storey social housing developments. The areas directly to the east and south of the site are zoned RS-1 and mainly consist of single-family homes.

This site is currently zoned MC-1, which is intended to reinforce the mixed use nature of this area, permitting residential, commercial and light industrial uses. The existing MC-1 zone permits a maximum of 45 feet in height and a density of 2.5 FSR. The rezoning proposal is being considered under the Secured Market Rental Housing Policy (Rental 100), which allows for consideration of modest increases in height and density.

The proposal includes a consolidation of the two lots and moving the lane for a six-storey development containing 149 rental housing units with five live-work units, at a height of 60.67 feet and an FSR of 2.45.

Danielle Wiley, Development Planner, noted that the lane is proposed to be relocated to allow consolidation of two sites. The lane relocation creates some unusual conditions in terms of urban design:

- The street frontage and lane are diverging, rather than parallel;
- The triangular site with greater site depth than neighbouring development (Porter);
- The opposing development on Stainsbury will have exposed flank wall.

The proposed development itself is broken into two buildings. The East Building is a five storey building with 0' lot line condition with adjacent existing development. Due to change in grade, its height ranges from five to four-storeys on the lane. The building steps down from four to two storeys along Stainsbury, facing one-family dwellings. The West Building is six storeys. The greatest height is at the south-east corner, at the "gap" between the two buildings. Due to the site slope, the building is five-storeys at the "flatiron" corner at Victoria/Stainsbury. It is five-storeys along Stainsbury, with setbacks for 4th and 5th storeys.

Both buildings "wrap" around the internal courtyard. Due to a one-storey drop across site depth, the courtyard is at-grade on Stainsbury, but a full storey above the street on Victoria. Parkade access and PMT (pad mounted transformer) is at the lane. There are ground-oriented "artist" studios at the Victoria side of the site. Townhouses are along Stainsbury Street and

ground-oriented flat at lane, and apartments are above. There is an amenity space at-grade, facing into the courtyard.

The “Cedar Cottage MC-1 Planning Policies” contain urban design guidelines which include:

- Maintain the height and density at four-storeys and 2.5 FSR, in keeping with existing context. Express the 3rd storey cornice by setting back the 4 th storey.

In response, the proposed FSR is 2.5, per the policy. The proposed heights range from five to six storeys. The 5th and 6th storeys are set back.

- No residential uses at grade (seeks commercial and light industrial job space);

In response, artist studios are at grade along the Victoria frontage. This portion of the building is concrete construction, with tall ceilings and ventilation. A small amount of retail was requested by staff, but the current proposal does not have any included.

- On long frontages, express development as series of smaller buildings;

In response, the design is expressed as two buildings.

- Improve pedestrian realm by designing at-grade building frontages with “permeability”; also planting trees of sufficient scale/size.

Staff has concerns regarding the compressed front yard setback along Victoria, with a double row of trees and sunken patios. A “gap” between buildings provides a visual break, but there is no physical connection through the site due to a one-storey retaining wall.

- Create a pedestrian-oriented “mews”/enhanced lane behind Victoria Diversion.

In response, there are ground-oriented units along the lane and a parking entry. However, a redirected lane creates challenges for an improved pedestrian realm: a blind corner and a tight “V” condition at juncture of subject property and an adjacent ‘Porter’ development.

- Activate the pedestrian realm by creating small open spaces in larger private developments. In response, a setback at Victoria/Stainsbury creates a small open space. A mature tree is to be retained.

Advice from the Panel on this application is sought on the following:

1. Is the overall height and density on the site appropriate?
2. Is the policy goal of an enhanced and “permeable” public realm achieved? (Please consider design of courtyard and open space on street frontages.)
3. Does the reconfiguration and design of the lane succeed in creating a pedestrian-oriented “mews” and functional interface to neighbouring developments?
4. Is the interface with the adjacent north-west development (the ‘Porter’) successful? (Consider Victoria frontage and “V” juncture at lane.)

5. Is the “flatiron” corner of the development successful? (Victoria & Stainsbury intersection, with retained mature tree)

Applicant’s Introductory Comments: The applicant introduced the project as a rental project with 149 units, with many being two-bedroom or larger. One of the first concerns was the streetwall along Victoria Drive; the height is intended to relate to the adjacent Porter building. There are over-height live-work units on Victoria. The streetwall was broken into three elements to help compensate for the façade length along Victoria Drive. On Stainsbury, the intention was to create a small-scale streetscape that relates to the townhouses to the west. The project was designed as two separate buildings with a courtyard between, with a 24-foot separation at the narrowest point. The indoor amenity is located next to the outdoor amenity for ‘spill out’ access as well as solar exposure.

The corner of the building at Victoria and Stainsbury was pushed back to retain a mature tree. At the separation between buildings, there is a forecourt, which creates an opportunity for a water feature and public art.

The materiality proposed is dark brick with simple massing and punched windows. The central portion of the east building would be cement board, whereas each corner would be brick.

Landscape on the lane is intended to be a “lush” treatment. On the street frontages, the landscape is designed as simple layered buffers, and relates to the neighbourhood character of surrounding areas. The intention was to create a buffer between patios and the sidewalk using greenery. The entry courtyard relates to the forecourt on Victoria through the use of ‘patterns’ to connect them. In the courtyard, there is ample space to create a functional urban agriculture area and amenity space as well a children’s play space.

Panel’s Consensus on Key Aspects Needing Improvement:

- The permeability of the open space needs improvement; in particular, the “forecourt” on Victoria and courtyard should be connected;
- The “aperture” on Stainsbury should be increased (block of townhouses should be deleted);
- There is a concern about the ‘knuckle’ between the East Building and the adjacent Porter development, including “orphaned” units beside the parking ramp;
- The building entries should be improved, and possibly relocated to the “forecourt”.

Related Commentary: The Panel generally supports the height and density of the project. However, a stronger architectural position would inform a better design of the grade change across the site, and to the entrances to the two buildings. The aperture would be an ideal place for an entry court that serves both buildings according to some of the panel. The relationship to the neighboring developments is relatively successful. The flat iron corner of the building requires significant design development; it is good to retain the tree, but the architectural expression is too subdued. There could be more public art opportunities throughout the project. The artist studios were welcomed, as were the larger family units. The expression of a “long building” along Victoria is supported. The brick and other materials

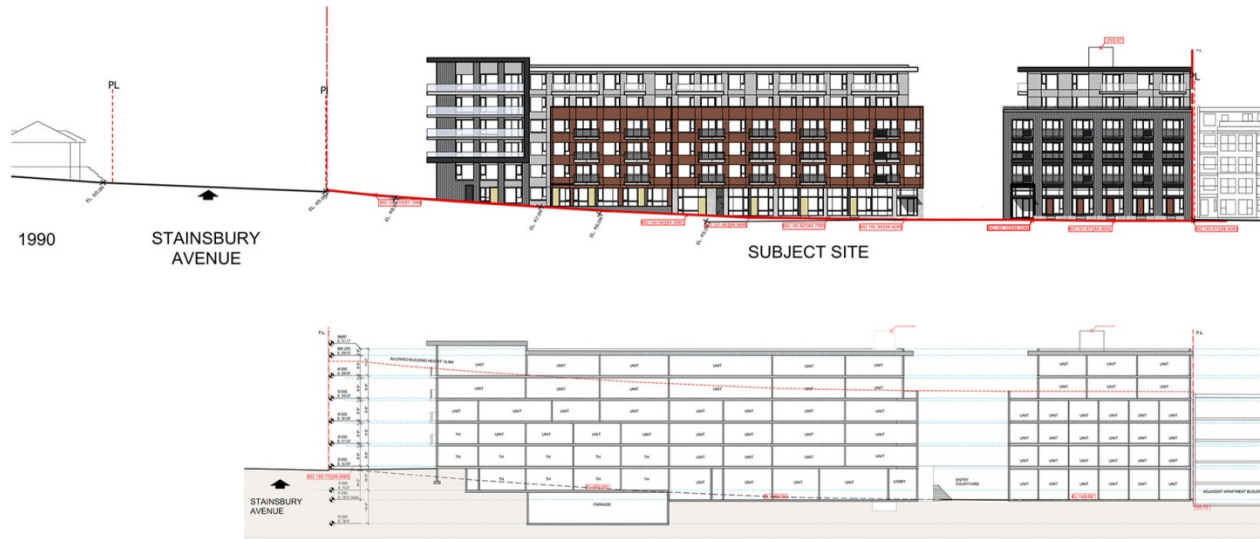
are welcomed. Panel members expressed concern about the amount of hardie panel, due to poor weathering performance over time.

Applicant's Response: The applicant appreciated the comments from the panel. The ramp location was studied and was placed there because of the grade. The approach to security in the courtyard was due to public consultation.

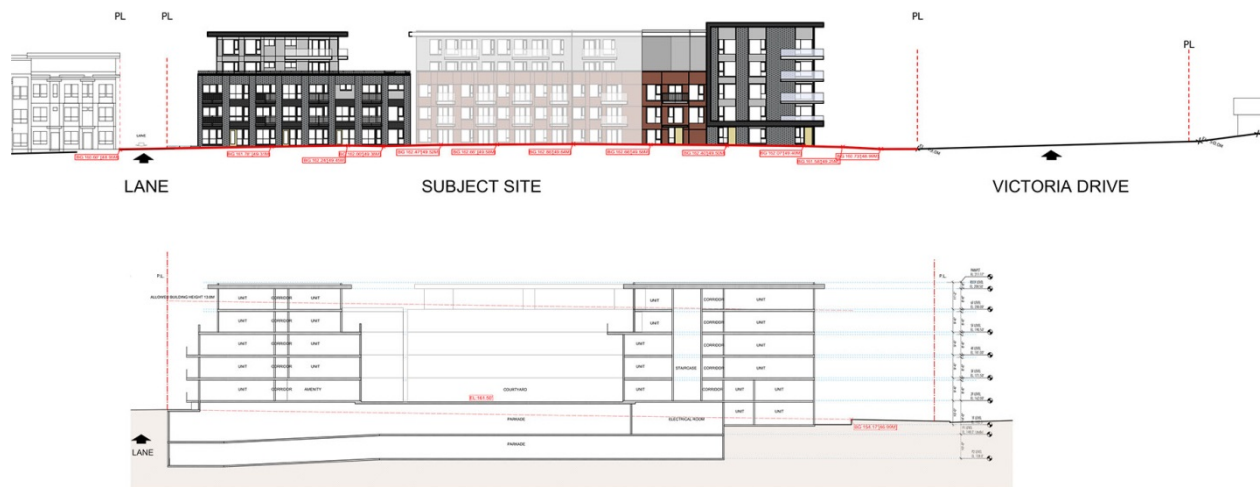
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3681 Victoria Drive and 1915 Stainsbury Avenue FORM OF DEVELOPMENT

Victoria Drive – Streetscape Elevation and Section Elevation



Stainsbury Avenue – Streetscape Elevation and Section Elevation



Lane – West Elevation and Section Elevation



Level 1



Level 2



Level 3



Level 4



Level 5



Level 6



Landscape Plan



3681 Victoria Drive and 1915 Stainsbury Avenue
PUBLIC BENEFITS SUMMARY

Project Summary:

Two six-storey residential buildings containing secured market rental housing units.

Public Benefit Summary:

The proposal would provide 153 dwelling units secured as market rental housing for the life of the building or 60 years, whichever is longer.

	Current Zoning	Proposed Zoning
Zoning District	MC-1	CD-1
FSR (site area = 4,122.8 m ² (44,379 sq. ft.))	2.50	2.57
Floor Area (sq. ft.)	110,948	114,065
Land Use	Commercial/Residential	Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide)	\$1,733,010	\$1,781,695
	Public Art		\$225,850
	20% Social Housing		n/a
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver site)		
	Affordable Housing		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS			\$2,007,545

Other Benefits (non-quantified components):

153 units of rental housing secured for the longer of the life of the building or 60 years.

* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification. For the City-Wide DCL, revenues are allocated into the following public benefit categories: Replacement Housing (36%), Transportation (25%), Parks (18%), Childcare (13%) and Utilities (8%).

3681 Victoria Drive and 1915 Stainsbury Avenue
APPLICANT AND PROPERTY INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
3681 Victoria Drive	009-420-185	Lot A, Block A, District Lot 195, Plan 10286
1915 Stainsbury Avenue	009-420-240	Lot 8, Block A, District Lot 195, Plan 10286

Applicant Information

Applicant/Architect	Yamamoto Architecture Inc.
Developer/Owner	DVRM Investments Ltd.

Development Statistics

	Permitted Under Existing Zoning	Proposed	Staff Recommendation
Site Area	4,122.8 m ² (44,379 sq. ft.)		
Zoning	MC-1	CD-1	CD-1
Land Use	Commercial/Industrial/ Residential	Residential	Residential
Floor Space Ratio	2.50	2.59	2.57
Floor Area	10,307 m ² (110,947 sq. ft.)	10,678 m ² (114,942 sq. ft.)	10,597 m ² (114,065 sq. ft.)
Maximum Height	13.8 m (45.3 ft.)	19.6 m (64.3 ft.)	19.6 m (64.3 ft.)
Parking, Loading and Bicycle Spaces	As per Parking By-law	As per Parking By-law	As per Parking By-law

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