



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: September 21, 2015
Contact: Kent Munro
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RTS No.: 11087
VanRIMS No.: 08-2000-20
Meeting Date: September 29, 2015

TO: Vancouver City Council
FROM: General Manager of Planning and Development Services
SUBJECT: CD-1 Rezoning: 3063-3091 West Broadway

RECOMMENDATION

- A. THAT the application by Yamamoto Architecture Inc., on behalf of Orr Development (1980) Corp., to rezone 3063-3075 West Broadway [*Lots 15 and 16, except the north 10 feet now lane and part in Plan 4166 of Lot 3, Block 31, District Lot 192, Plan 1461; PIDs: 014-611-236 and 014-611-287 respectively*] and 3083-3091 West Broadway [*Lots 13 and 14, except portions in explanatory Plan 5765 and Plan 4166 now highways, of Lot 3, Block 31, District Lot 192, Plan 1461; PIDs: 005-722-713 and 005-723-027 respectively*] from C-2C (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 3.00 to 3.39 and the building height from 13.8 m (45.3 ft.) to 18.2 m (59.7 ft.) to permit the development of a five-storey mixed-use building with at-grade commercial uses and 70 secured for-profit affordable rental housing units, be referred to a public hearing, together with:
- (i) plans prepared by Yamamoto Architecture Inc., received May 20, 2015;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A;
 - (iii) the recommendation of the General Manager of Planning and Development Services 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 applicant and its mortgagee(s) and 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 Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B of the Sign-By-law [assigning Schedule B (C-2C)], 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 B, 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 the enactment of the CD-1 By-law.
- E. THAT Recommendations A through 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 by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner;
 - (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 3063-3091 West Broadway from C-2C (Commercial) District to CD-1 (Comprehensive Development) District to permit development of a five-storey mixed-use building with commercial retail units at grade and 70 secured for-profit affordable rental housing units above. 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 for-profit affordable rental housing for the life of the building or 60 years, whichever is longer. The application also seeks incentives available for for-profit

affordable rental housing, including a waiver of the Development Cost Levy (DCL) and a parking reduction.

Staff have assessed the application and conclude that it is consistent with the *Secured Market Rental Housing Policy* with regard to the proposed uses and form of development. The application is also consistent with the DCL By-law definition of “For-Profit Affordable Rental Housing” for which DCLs may be waived, as well as with the Parking By-law definition of “Secured Market Rental Housing” for which there is a reduced parking requirement.

If approved, the application would contribute 70 secured market rental units to the City’s affordable housing goals as identified in the *Housing and Homelessness Strategy* and the *Final Report from the Mayor’s Task Force on Housing Affordability*. Staff recommend that the application be referred to a public hearing, with the recommendation of the General Manager of Planning and Development Services 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:

- Rental 100: Secured Market Rental Housing Policy and Rental Incentive Guidelines (2012)
- Final Report from the Mayor’s Task Force on Housing Affordability (2012)
- Housing and Homelessness Strategy (2011)
- Vancouver Development Cost Levy By-law No. 9755 (2008, amended 2014)
- Green Buildings Policy for Rezoning (2010, amended 2014)
- High-Density Housing for Families with Children Guidelines (1992)
- C-2C District Schedule (revised 2013) and C-2C Guidelines (2009).

REPORT

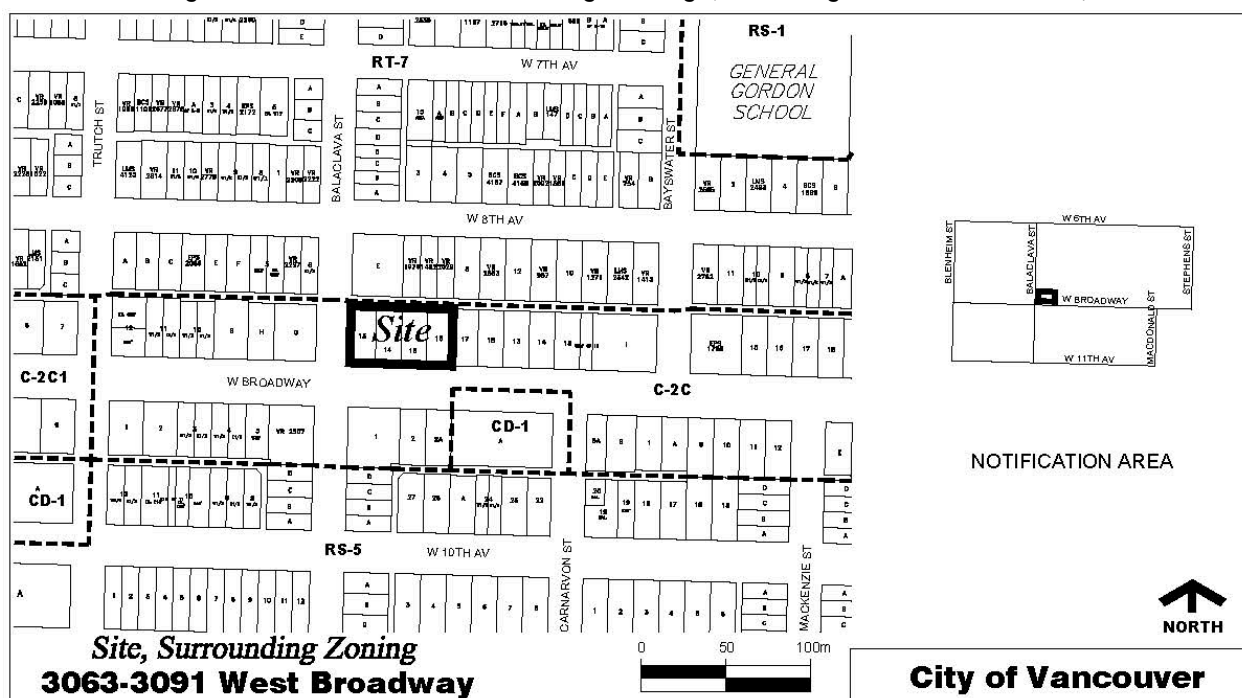
Background/Context

1. Site and Context

This 2,010 m² (21,635 sq. ft.) site is located on the northeast corner of West Broadway and Balaclava Street (see Figure 1). The site comprises four parcels with a total frontage of 59 m (195 ft.). It is centrally located in a major shopping area.

Currently on the site is a two-storey building with commercial uses at grade and two residential rental suites on the second floor. West Broadway is zoned C-2C and includes a mixture of one- to two-storey commercial buildings as well as newer multi-storey mixed-use along the Broadway frontage. Across the lane to the north are a fire hall and RT-7 houses. On the south side of West Broadway at Carnarvon Street, a new five-storey building under the Rental 100 policy containing 83 market rental units, has recently been developed.

Figure 1 – Site and Surrounding Zoning (Including Notification Area)



2. Policy Context

Secured Market Rental Housing Policy (Rental 100) — On May 15, 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 for-profit affordable 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.

Housing and Homelessness Strategy — On July 29, 2011 Council endorsed the Housing and Homelessness Strategy 2012-2021 which includes strategic directions to increase the supply of affordable housing and to encourage a housing mix across all neighbourhoods that enhances quality of life. The Three-Year Action Plan 2012-2014 identifies priority actions to achieve some of the strategy's goals. The priority actions that are relevant to this application include refine and develop new zoning approaches, development tools and rental incentives to continue the achievement of securing 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.

Existing C-2C Zoning and C-2C Guidelines — In accordance with the site's existing C-2C zoning, land use along this portion of West Broadway is intended to provide a wide range of commercial activities and personal services. The purpose is to encourage residential use and limit office use in order to create a pedestrian-oriented local shopping area. The intent of the C-2C Guidelines are to enhance the appearance and character of the street as a shopping area

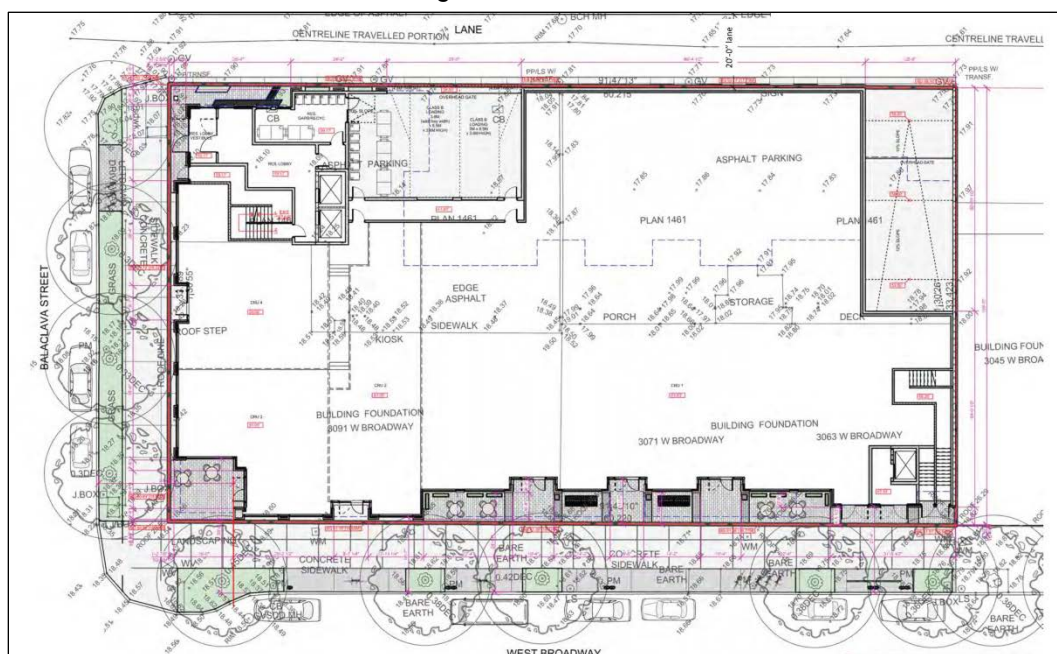
(e.g. storefront awnings, canopies, and quality of architectural design) and to add pedestrian amenity areas (e.g. mini courtyards).

Strategic Analysis

1. Proposal

This application proposes to rezone the site located at 3063-3091 West Broadway from C-2C (Commercial) District to CD-1 (Comprehensive Development) District to permit a five-storey mixed-use building at 3.39 FSR with commercial retail units at grade and residential units above (see Figure 2).

Figure 2 - Site Plan



In total, the application proposes 70 for-profit affordable rental housing units and 1,198 m² (12,900 sq. ft.) of commercial floor area over two levels of underground parking accessed from the rear lane.

2. Housing

This application meets the requirement of the Rental 100 program by proposing 100 per cent of the residential floor area as for-profit affordable rental housing. All 70 units would be secured through a Housing Agreement and a Section 219 Covenant for the longer of the life of the building and 60 years. Adding 68 net new units to the City's inventory of market rental housing contributes toward the near-term and long-term targets of the Housing and Homelessness Strategy (see Figure 3).

The proposal would deliver 70 secured market rental housing units in the form of studio, 1-bedroom, 2-bedroom and 3-bedroom apartment style accommodation. The Rental 100 program requires that 25 per cent of all units have two-bedrooms or more, and be suitable for

families with children in accordance with the High Density Housing for Families with Children Guidelines. This application proposes 50% of all units as units suitable for families with children (30% 2-bedroom and 20% 3-bedroom). A condition of approval is included in Appendix B to ensure that this unit mix is maintained through the development permit stage.

The Housing and Homelessness Strategy strives to enhance access to affordable housing and sets a number of short-term 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 for nearly half of Vancouver's population and contributes to a number of City initiatives intended to create diverse and sustainable communities. Rental 100 units are targeted to moderate income households and the program extends throughout all parts of the City, thereby providing options that are more affordable than home ownership.

Since the establishment of affordable housing targets in the City's Housing and Homelessness Strategy in 2011, a total of 4,331 secured residential rental units have been generated in the city. A long-term goal is to achieve 5,000 new units by 2021. If approved, this application would contribute an additional 68 units (70 proposed – two existing) towards the City's stated short-term and long-term targets (see Figure 3).

Figure 3 – Progress Toward the Secured Market Rental Housing Targets as set in the City's Housing and Homelessness Strategy (2011)*

	TARGETS	CURRENT PROJECTS				GAP
	2021	Completed	Under Construction	Approved	Total	Above or Below 2021 Target
Secured Market Rental Housing Units	5,000	830	1,453	2,048	4,331	699 Below Target

*Unit numbers in Figure 3 exclude the units proposed at 3063-3091 W Broadway, pending Council approval of this rezoning application.

Vancouver has one of the lowest vacancy rates in Canada. In October 2014, the vacancy rate in the City was 0.5%. That means only 5 out of every 1,000 market rental units were empty and available for rent. A vacancy rate of 3% is considered to be a balanced rental market. The vacancy rate in Kitsilano neighbourhood was very low at 0.30%.

3. Density, Height and Form of Development (see application drawings in Appendix F)

For sites in C-2C zones, the *Rental Incentive Guidelines* provide general direction for consideration of additional height up to six storeys along with a commensurate amount of additional density. This application proposes a five-storey building (see Figure 4), one storey beyond the height permitted under the site's existing C-2C regulations. Staff feel that five storeys is the appropriate height given the context of West Broadway and the pedestrian and retail-oriented nature of this block. For reference, the massing approach of this application is

generally comparable in height and scale to 3002-3036 West Broadway, recently constructed on the south side of the same block, also a Rental 100 development.

Figure 4 - Proposed Development from the Corner of West Broadway and Balaclava Street



The proposed density is 3.39 FSR. Staff have considered the implications of the height and density increases in this particular context and recommend certain modifications to improve the relationship of the proposed form of development with neighbouring buildings.

The C-2C Guidelines seek to guide building massing and design for sites located to the south of low density residential zones. The proposed massing generally respects this C-2C guidance with shadows falling primarily onto the lane with minor incursions into the RT-7 properties. The proposal locates the bulk of building mass in an L-shaped configuration along Broadway and Balaclava Street, away from the two-family dwellings across the lane. A continuous planted buffer on the rear patios on the second floor provides further privacy to these residences. The proposal presents a four-storey mass at the west end of the lane, across from the fire hall, which is less sensitive to shadowing or overlook issues. Staff are satisfied this bulk does not significantly impact the RT-7 developments to the east of the fire hall.

To ensure appropriate street scale and transition next to future nearby developments under C-2C regulations, the application proposes to set back the fifth-floor level by 8.5 ft. from the West Broadway property line.

Staff have also evaluated the fit of the proposed building form within its commercial context. This part of the West Broadway commercial area is characterized by smaller scaled retail and service uses. This character is supported by the C-2C regulations and guidelines which emphasize the existing rhythm of small shop frontages by limiting individual commercial frontages to 15.3 m (50 ft.), unless developments augment pedestrian amenity and interest. Outdoor extensions of cafes and restaurants are encouraged. This application responds to the local character by breaking up the overall façade facing West Broadway into a number of

expressed “bays”, six retail entries, and a significant main-floor setback from West Broadway, and by locating the common entry to the residential units on Balaclava Street.

The Urban Design Panel reviewed the application on May 20, 2015 and supported the rezoning application (see Appendix D). Staff support the proposed density and height and have recommended further design changes to improve the lane frontage, to clearly identify the residential entry and to augment the configuration of pedestrian amenity on West Broadway (see Appendix B).

4. Existing Rental Accommodation and Tenant Relocation

Existing on the site is a mixed-use building, built in the late 1950s, with a total of two units that are currently occupied. These existing dwelling units are approximately 700 sq.ft. in size and the rents are \$1,000 and \$1,700 per month.

While the Rental Housing Stock Official Development Plan does not apply to this C-zoned site, the applicant has nevertheless provided a draft Tenant Relocation Plan which meets the Rate of Change Guidelines. The Tenant Relocation Plan proposed by the applicant provides existing tenants with two months of free rent, and moving arrangements and costs will be covered by the applicant. The first right of refusal to move back into a new unit upon completion will be offered to each tenant. For tenants requesting assistance in finding alternate accommodation, the applicant has offered to provide three similar options in Vancouver, one of which must be in the same general area. Additionally, the applicant has committed to providing options to tenants that are within 10 per cent of their current rental rates, unless the tenant agrees otherwise.

For those tenants wishing to return to the building upon completion, new units will be offered at a starting rent set at each tenants existing rent at the time they vacate the unit plus any increases allowed by the Province during the period of construction. A copy of the draft Tenant Relocation Plan is attached as Appendix G. A final Tenant Relocation Plan will be required at the time of development permit application, and a final Tenant Relocation Report should be provided prior to development permit issuance.

5. Transportation and Parking

The application proposes two levels of underground parking accessed from the lane. A total of 92 parking spaces and two loading spaces are provided. This provision meets the reduced Parking By-law standards for a for-profit affordable rental housing. Also proposed are 135 Class A and 12 Class B bicycle parking spaces, which also meet the Parking By-law requirements. Engineering Services has reviewed the rezoning application and have no objections to the proposal provided the applicant satisfies the rezoning conditions included in Appendix B.

In 1993, a parking covenant was registered against three properties at 3063, 3071 and 3019 West Broadway for the provision of 20 off-street parking spaces for 3035 West Broadway (currently occupied by Calhoun’s restaurant). The building permits for these properties show the 20 parking spaces divided amongst the four properties: 3063 and 3071 West Broadway to provide 12 parking spaces and 3019 and 3035 West Broadway to provide the remaining eight spaces. To meet the terms of the covenant, the applicant for this proposal needs to provide 12 off-street parking spaces for 3035 West Broadway, both during construction and after

completion of the building. If 12 off-street parking spaces cannot be accommodated on site, the applicant can seek other options (i.e. lease parking nearby) to meet the covenant's requirements. The parking covenant will be enforced at the development permit stage.

6. Environmental Sustainability

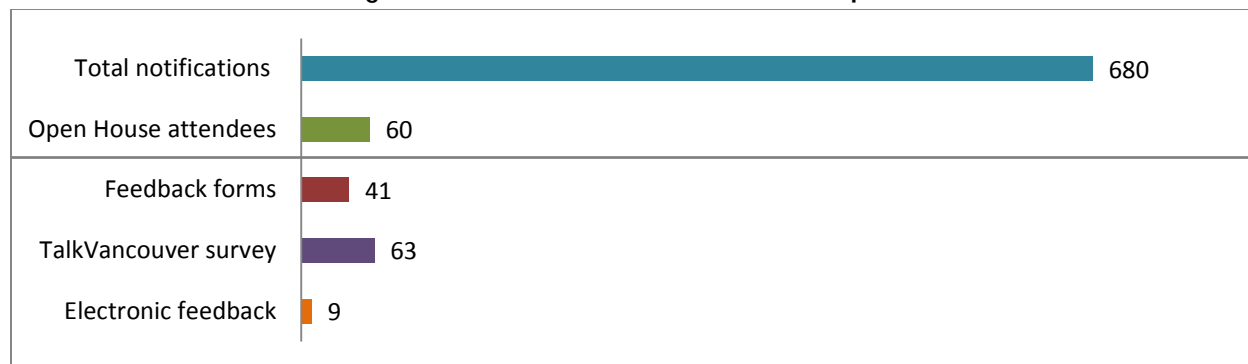
The *Green Buildings Policy for Rezoning* (amended by Council on June 25, 2014) requires that rezoning applications achieve a minimum of LEED® Gold rating, with targeted points for water efficiency, stormwater management and a 22 per cent reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project. The applicant submitted a preliminary LEED® scorecard, which generally conforms to the Rezoning Policy, indicating that the project could attain the required LEED® points and energy efficiency, and therefore would be eligible for a LEED® Gold rating.

PUBLIC INPUT

Public Notification — A rezoning information sign was installed on the site on April 23, 2015. A total of 680 notifications were distributed within the neighbouring area on or about April 23, 2015 (see Figure 5). In addition, notification and application information and an online comment form were posted on both the City's Rezoning Applications webpage (vancouver.ca/rezapps) and the TalkVancouver webpage. An open house was held on April 23, 2015. Staff, the applicant team and a total of approximately 60 people attended the open house.

Public Response and Comments — Staff received 113 written responses on the current proposal, including open house comment sheets, online survey responses and email correspondence. Approximately 47 per cent supported the proposal, 39 per cent expressed concerns and 14 per cent were neutral or undecided.

Figure 5 - Notification and Public Response



Comments in support for the application, included:

- Provision of more affordable rental housing;
- Building's contemporary design and fit with the local shopping street;
- More efficient use of the property;
- Benefits to building residential units (e.g. vibrant street and support for businesses);
- Expanded public space on West Broadway;
- Proposed height;
- Mix of uses on the site; and
- Requirement for LEED Gold certification.

Concerns about the application, included:

- Proposed height (many suggested four storeys);
- Lack of interest and variation to the building façade;
- Loss of small-scale, local business tenants;
- Impact of proposed development on single-family houses across the lane: privacy and shadowing, impact of exhaust fans, and desire for more landscaping/softening at the lane;
- Extent of rental housing on the same block (a Rental 100 project was recently approved across the street);
- Setback on West Broadway to accommodate more seating areas and cafes; and
- Number of on-site parking stalls.

The proposed development is consistent with the *Rental Incentive Guidelines* which allow consideration of additional density in C-2C. While the Guidelines support a form of development of up to six storeys, in this context, staff feel that five storeys is an appropriate fit. Improvements to retail frontage and the configuration of the pedestrian space along West Broadway are sought in Condition 1 (Urban Design, Conditions of Approval of the Form of Development) partially to encourage outdoor extensions of cafes and restaurants. Staff will also seek improvements to the building's expression at the development permit stage. The retail space on the main-floor level is divisible into seven units, each with their own entry and a frontage of about 25 ft. Condition 3 (Urban Design, Conditions of Approval of the Form of Development) seeks to soften the lane expression to reduce the impact on the two single-family houses across the lane. There were concerns this proposal would increase the demand for on-street parking. Staff have reviewed the parking, loading and bicycle space requirements for the proposal, and have confirmed that the building meets all the Parking By-law requirements.

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 engineering infrastructure.

This site is subject to the City-wide DCL rate, which, as of September 30, 2015, will be \$143.27 per m² (\$13.31 per sq. ft.) for new residential or commercial floor space. On this basis, a DCL of approximately \$976,981 would be anticipated, of which \$171,699 is attributable to the commercial floor area of the project. However, the applicant has requested a waiver of the DCL attributed to the for-profit affordable rental housing, in accordance with Section 3.1A of the Vancouver Development Cost Levy By-law. As the total residential floor area eligible for the waiver is 5,621 m² (60,502 sq. ft.), the total DCL that would be waived is estimated to be approximately \$805,282. A review of how the application meets the waiver criteria is provided in Appendix H.

DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment 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 DCL By-law rate amendment, provided that it has been submitted prior to the adoption of such DCL By-law rate adjustment. 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.

Public Art Program — The *Public Art Policy for Rezoned Developments* requires that rezonings involving a floor area of 9,290 m² (100,000 sq. ft.) or greater allocate a portion of their construction budgets to public art as a condition of rezoning. As the proposed floor area is below the minimum threshold, no public art contribution will arise from this application.

Public Benefits - Offered by the Applicant

Rental Housing — The applicant has proposed that all of the 70 residential units be secured as for-profit affordable rental housing (non-stratified). The public benefit accruing from these units is their contribution to the City's rental housing stock for the life of the building or 60 years, whichever is longer.

This application includes studio, one-bedroom, and two-bedroom and three-bedroom units. The applicant estimates that the studio units would rent for \$1,270, one-bedroom units would rent for \$1,438, two-bedroom units would rent for \$1,974, and three-bedroom units would rent for \$2,443 per month. The proposed rents are below the maximum average rents under the Vancouver DCL By-law.

Staff have compared the anticipated initial monthly rents in this proposal to the average monthly costs for newer rental units in the west area of Vancouver, as well as to the estimated monthly costs to own similar units in the same area, using 2014 BC Assessment data.

When compared to average rents in newer buildings in the west area of Vancouver, the proposed rents are lower. When compared to home ownership costs, the proposed rents in this application will provide an affordable alternative to homeownership, particularly for the larger units.

Figure 6 compares initial rents proposed for units in this application to average and estimated costs for similar units. The figure also illustrates that the average rents for the proposed development are below both the Citywide and west side averages.

Figure 6— Comparable Average Market Rents and Monthly Ownership

	3063-3091 W Broadway Proposed Rents	Average Market Rent in Newer Buildings – Westside (CMHC, 2014)¹	DCL By-law Maximums (CMHC 2014)²	Monthly Costs of Ownership Westside³ (BC Assessment, 2014)
Studio	\$1,270	\$1,376	\$1,366	\$1,868
One-Bedroom	\$1,438	\$1,767	\$1,717	\$2,269
Two- Bedroom	\$1,974	\$2,129	\$2,169	\$3,364
Three- Bedroom	\$2,443	n/a	\$2,572	\$5,386

¹ Data from the October 2014 CMHC Rental Market Survey for buildings completed in the year 2005 or later on the Westside of Vancouver.

² Data from the October 2014 CMHC Rental Market Survey for buildings completed in the year 2005 or later in the City of Vancouver plus 10%. This is the Bylaw Maximum rental rate for projects in west areas of the City.

³ Based on the following assumptions: median of all BC Assessment recent sales prices in Vancouver's Westside in 2014 by unit type, 10% down payment, 5% mortgage rate, 25-year amortization, \$150 - 250 monthly strata fees and monthly property taxes at \$3.68 per \$1,000 of assessed value.

The dwelling units in this application would be secured as for-profit affordable rental units through a Housing Agreement with the City for the longer of the life of the building and 60 years. Covenants will be registered on title to preclude the stratification and/or separate sale of individual units. The proposed average starting rents, as set out in Figure 6, will be secured through the Housing Agreement. Under the terms of the Housing Agreement, a complete rent roll that sets out the initial monthly rents for all units will ensure that those initial rents are below the maximum thresholds established in the Vancouver DCL By-law (see Figure 6), with subsequent rent increases subject to the Residential Tenancy Act. As well, through the Development Permit application process, the City will ensure that average unit sizes do not exceed the applicable maximum thresholds established in the Vancouver DCL By-law.

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.

As the public benefit achieved for this application is secured, affordable rental housing, no additional cash CAC is offered in this instance. Real Estate Services staff have reviewed the applicant's development pro forma and have concluded that, after factoring in the costs associated with the provision of for-profit affordable rental housing units for the longer of the life of the building or 60 years, no further contribution towards public benefits is necessary in this instance.

See Appendix I 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 or public art contributions associated with this rezoning.

The site is subject to the Citywide DCL and it is anticipated that the commercial component of the project will generate approximately \$171,699 in DCLs. The residential component of the project qualifies for a DCL waiver under Section 3.1A of the Vancouver DCL By-law and the value of the waiver is estimated to be approximately \$805,282.

The for-profit affordable 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 at 3063-3091 West Broadway from C-2C to CD-1 to increase the allowable density and height, to facilitate development of a building with for-profit affordable rental housing, and conclude that the application is consistent with the Rental 100: *Secured Market Rental Housing Policy*. Staff further conclude that the application qualifies for incentives provided for for-profit affordable rental housing, including additional height and density, a parking reduction and a DCL waiver. 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. In addition, the Tenant Relocation Plan is appropriate and robust in addressing the needs of existing tenants who will need to be relocated during the development of the site. The General Manager of Planning and Development Services 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 F, be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B.

* * * * *

3063-3091 West Broadway
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

- 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, Arts and Culture Indoor Event, Billiard Hall, Club, Community Centre or Neighbourhood House, Fitness Centre, Library, and Museum or Archives;
 - (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law;
 - (c) Institutional Uses, limited to Social Service Centre;
 - (d) Manufacturing Uses, limited to Jewelry Manufacturing and Printing or Publishing;
 - (e) Office Uses;
 - (f) Retail Uses, limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Liquor Store, Public Bike Share, Retail Store, and Secondhand Store;
 - (g) Service Uses, limited to Animal Clinic, Auction Hall, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Laundromat or Dry

Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Repair Shop – Class A, Repair Shop – Class B, Restaurant, School – Arts or Self-Improvement, School – Business, School – Vocational or Trade, and Wedding Chapel;

- (h) Utility and Communication Uses, limited to Public Utility and Radio Communication Station; and
- (i) Accessory Uses customarily ancillary to the uses listed in this Section 2.2.

Conditions of Use

- 3.1 No portion of the first storey of a building, to a depth of 10.7 m from the south wall of the building and extending across its full width, shall be used for residential purposes except for entrances to the residential portion.
- 3.2 All commercial uses permitted in this By-law shall be carried on wholly within a completely enclosed building except for:
 - (a) Farmers' Market;
 - (b) Neighbourhood Public House;
 - (c) Public Bike Share;
 - (d) Restaurant; and
 - (e) display of flowers, plants, fruits and vegetables in conjunction with a permitted use.
- 3.3 The design and layout of at least 25% 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 Computation of floor space ratio must assume that the site consists of 2,010 m², being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.
- 4.2 The floor space ratio for all uses must not exceed 3.39.
- 4.3 Computation of floor area must include all floors of all buildings, 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.

4.4 Computation of floor area must exclude:

- (a) open residential balconies or sun decks 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 residential 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, 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.

4.5 The use of floor area excluded under section 4.4 must not include any use other than that which justified the exclusion.

Building height

5. Building height, measured from base surface, must not exceed 18.2 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;
- (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. All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is 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

* * * * *

3063-3091 West Broadway
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 Planning Department, May 20, 2015", subject to the following conditions, provided that the General Manager of Planning and Development Services 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 and Development Services, who shall have particular regard to the following:

Urban Design

- 1. Design development to the configuration of the main-level setbacks on West Broadway to improve the level of visibility of retail units while still providing a level of pedestrian amenity.

Note to Applicant: Provide sufficient width of public realm from curb to building face to facilitate the outdoor display of goods, and provide opportunities for extensions of cafes and restaurants without interrupting pedestrian travel. The pedestrian amenity should provide continuous retail frontage and the depth of front yard setback at the main level should consider compatibility with future development to the east. The expression of the main level should appear to be a natural fit to the architectural design of the building of the floors above without requiring significant second storey overhangs.

- 2. Design development to rationalize the upper level setback along the westerly elevation.

Note to Applicant: The west setback on the upper floor should be a minimum of 8.0 ft.

- 3. Design development to soften the building's expression at the lane.

Note to Applicant: Reduce the height and extent of blank wall at the lane. Introduce vertical landscaping and employ changes in material and scale of expression of walls on the lane to add interest. Also, consider introducing residential use at the lower level facing the lane.

4. Design development to the residential entry on Balaclava to appear more distinguished, and clearly identifiable.
5. Design development to the configuration of outdoor spaces on the Level 2 patio to make them more usable.
6. Design development to delete the pocket park at the northwest corner of the site.
7. Consideration to provide shading elements on the south elevation.
8. Consideration for design development to increase stepping in the massing at the northwest corner of the building site on upper floors to create terraced outdoor spaces.

Crime Prevention through Environmental Design (CPTED)

9. 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.

Sustainability

10. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezoning, including achieving Gold certification under LEED® For Homes - Multi-family Mid-rise with a minimum of 14 Energy and Atmosphere (EA) points, 1 water efficiency point and 1 storm water point or surface water management point.

Note to Applicant: Submit a LEED® checklist and a sustainable design strategy outlining how the proposed points will be achieved, along with a receipt including registration number from the CaGBC, as a part of the Development Permit application. The checklist and strategy should be incorporated into the drawing set. A letter from an accredited professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

Landscape Design

11. Site utilities and vents located onto private property and integrated discreetly into the building, avoiding landscaped and common areas.
12. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft.

Note to Applicant: The hose bib condition is intended to encourage patio gardening. Staff are aware of the applicant's concerns for hose bibs located on "private" patios and are prepared to coordinate further to explore options at the development permit stage.

13. Grades, retaining walls, walkways and structural elements, such as underground parking, designed to provide maximum plant growing depth (exceed BCLNA Landscape Standard).

Note to Applicant: Where applicable, grade-oriented trees should be planted at grade and not placed in above-grade planters to achieve soil depth. Lane planting will require sufficient soil and irrigation to ensure plant health. Variations in the slab may be required in combination with appropriate growing medium. In the horizontal plane, soils should be contiguous wherever possible. Planters on slab located on upper levels should exceed BCLNA planting depths and strive to maximize soil volumes and planter widths.

14. Delete reference to boulevard planting and provide lawn on the front boulevard on Balaclava Street.

Engineering

15. Provision of the required additional parking to meet the requirements of the parking covenant or arrangements to the satisfaction of the Director of Planning and the Director of Legal Services for alternate parking arrangements for 3035 West Broadway. There is currently a registered parking covenant on title obligating the provision of 20 parking stalls for the adjacent site at 3035 West Broadway that this development does not appear to account for.
16. Provision of loading spaces large enough to accommodate the largest sized truck that will service this site. If a grocery store use is proposed that requires a MSU sized truck for loading, a Class B loading space with an overall length of at minimum 33 ft and an overhead vertical clearance of at minimum 4.0 m shall be required.

Note to Applicant: All loading is to be accommodated on site. Loading management measures may be needed to fulfill this requirement.

17. A canopy application is required. Canopies must be fully demountable and drained to the buildings internal drainage system. Canopies are defined as a rigid roof like structure supported entirely from a building and where the canopy deck is constructed of wired or laminated safety glass or metal not less than 0.56 mm in thickness. (VBBL section 1A.9.8).
18. Provide automatic door openers on the doors providing access to the bicycle room(s).
19. Bicycle room(s) must not contain more than 40 bicycle spaces except where the additional bicycle spaces are comprised of lockers.

20. Provision of required Class B bicycle spaces to be located on private property.
21. Identify on the plans, the route(s) from the bicycle room to the building exterior to which residents with bicycles are expected to use. Please draw a clear line along the route.
22. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services. Please refer to the Parking and Loading Design Guidelines.
 - (i) Clearly note the stall number and dimensions for all types of parking and loading spaces.
 - (ii) Clearly identify the location of the 20 covenanted parking spaces to be supplied for the site at 3035 West Broadway unless alternate arrangements are made for this parking. (Note these are in addition to any required parking for this development.)
 - (iii) Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, and at all entrances.
 - (iv) Modify the building adjacent to the parking ramp to provide visibility of oncoming pedestrians, cyclists and vehicles travelling from either direction in the lane.
 - (v) Provide a 10 ft x 10 ft corner-cut through the inside radius at the top of the parking ramp at the lane and at the bottom of the main parking ramp to enable two vehicles to pass each other unobstructed.

Note to Applicant: This will allow for two vehicles travelling in opposite directions to pass each other at these critical locations.
 - (vi) Modify column placement to comply with the requirements of the Engineering Parking and Loading Design Supplement.
 - (vii) A column 2 ft. in length must be set back 2 ft. from the opening or the end of the parking space. A column 32 inches long may be set back 1 ft.
 - (viii) Dimension all columns encroaching into parking stalls.

Social Development

23. Design development to the outdoor amenity common area to increase the size of the space and inclusion of landscape elements that create opportunities for creative play.

Note to Applicant: Play equipment is neither necessary nor encouraged; however, landscape features which foster creative play and motor-skills

development, such as boulders, logs, pathways, water-play elements, sand-play etc., are encouraged.

24. Design development to the planters on the outdoor amenity common area to create opportunities for urban agriculture and integrate edible planting into the overall landscaping plan.

Housing

25. That the proposed unit mix, 50% 1-bedroom and studio, and 50% 2-bedroom and 3-bedroom units, be included in the development permit drawings.

Note to Applicant: Any changes in unit mix from that set out in the rezoning application must be to the satisfaction of the Chief Housing Officer.

26. Provision of a Final Tenant Relocation Plan to the satisfaction of the Chief Housing officer, which in addition to the terms already agreed to will include an updated list of tenants and rents, current as of the time of Development Permit application.
27. Provision of a notarized declaration which demonstrates that each tenant has been given written notice of the intent to redevelop the property that: indicates the number of units occupied on the date of the notice; includes information of posting of notice regarding the intent to redevelop as per Section 3 of the Rate of Change guidelines; and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.
28. Provision of a final Tenant Relocation Report which: outlines the names of tenants; indicates the outcome of their search for alternate accommodation; summarizes the total monetary value given to each tenant (moving costs, rents, any other compensation); and includes a summary of all communication provided to the tenants

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 and Development Services, the General Manager of Engineering Services and the Chief Housing Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Consolidation of Lots 13 and 14 Except Portions in Explanatory Plan 5765 and Plan 4166, Now Highways; Lots 15 and 16 Except the North 10 feet Now Lane and Part in Plan 4166; All of Lot 3, Block 31, DL 192, Plan 1461 to create a single parcel.

2. Discharge of Easement and Indemnity 299705M (crossing agreement) prior to occupancy of the building.

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.

3. 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) Addition of audible signals to the existing traffic signal at the intersection of Balaclava Street and West Broadway.
 - (ii) Provision of upgraded street and pedestrian level lighting at the intersection of Balaclava Street and West Broadway and along the frontage of the site on West Broadway, to LED lighting.
 - (iii) Relocation or replacement of the existing speed humps in the lane to avoid conflict with the parking entry. Should design development to the building avoid the speed humps then this condition would not apply.
 - (iv) Provision of a standard concrete lane crossing, new curb returns and curb ramps at the lane north of West Broadway on the east side of Balaclava Street.
 - (v) Provision of new concrete sidewalks with saw cut joints adjacent the site in keeping with standards for the area.
 - (vi) Provision of street trees adjacent the site where space permits.
 - (vii) 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 as determined by the applicant's mechanical consultant to determine if water system 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.
 - (viii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project

details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system 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 sewer system upgrading that may be required.

4. 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 are not limited to, junction boxes, switchgear, pad mounted transformers 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. 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. The applicant may be required to show details of how the site will be provided with all services being underground.

Note to Applicant: Relocation of the existing wood pole in the lane that conflicts with parking and loading access. Provision of written confirmation from all Utility companies that use the pole confirming that the pole can be satisfactorily relocated.

Housing

5. Make arrangements to the satisfaction of Chief Housing Officer and the Director of Legal Services to enter into a Housing Agreement securing all 70 residential units as for-profit affordable rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law for the longer of 60 years and 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;
 - (iv) That a rent roll be provided indicating the agreed initial monthly rents for each rental unit when the Housing Agreement is entered into, and again prior to development permit issuance;

- (v) That the average initial starting monthly rents for each unit type will be at or below the following proposed starting rents, subject to any increases allowed by the Vancouver Development Cost Levy By-law:

Unit Type	3063-3091 West Broadway Proposed Average Starting Rents
Studio	\$1,270
1-bedroom	\$1,438
2-bedroom	\$1,974
3-bedroom	\$2,443

- (vi) That a final rent roll be provided, prior to issuance of an occupancy permit, to the satisfaction of Chief Housing Officer and the Director of Legal Services, that reflects the agreed initial monthly rents as of occupancy in order to address potential changes in unit mix and/or sizes between the rezoning and development permit issuance, and to allow for the rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum increases authorized by the Vancouver Development Cost Levy By-law.
- (vii) Compliance with the Tenant Relocation Plan attached to this report in Appendix G.
- (viii) Such other terms and conditions as the Chief Housing Officer 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.

Soils

6. If applicable:

- (i) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
- (ii) As required by the Manager of Environmental Planning 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 Planning 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 Protection, 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 a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Note to Applicant: 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 covenants pursuant to Section 219 of 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 site as are 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-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

* * * * *

**3063-3091 West Broadway
DRAFT CONSEQUENTIAL AMENDMENTS**

SIGN BY-LAW NO. 6510

Amend Schedule E (Comprehensive Development Areas) by adding the following:

"3063-3091 West Broadway [CD-1 (#)] [By-law #] B (C-2C)"

NOISE BY-LAW NO. 6555

Amend Schedule B (Intermediate Zone) by adding the following:

"[CD-1 (#)] [By-law #] 3063-3091 West Broadway"

* * * * *

3063-3091 West Broadway
URBAN DESIGN ANALYSIS

URBAN DESIGN PANEL

The Urban Design Plan reviewed the application on May 20, 2015 and supported it.

EVALUATION: SUPPORT (5-0)

1. **Introduction:** Rachel Harrison, Rezoning Planner, introduced the proposal for a site at the corner of West Broadway and Balaclava Street. The site currently has a 2-storey mixed-use building that includes several retail stores including Kids Books. The proposal is to assemble four lots and to build a 5-storey, mixed-use building with commercial at grade and 77 secured market rental units above [*subsequently reduced to 70 units*]. There are eighteen studio units, thirty 1-bedroom units and 29 2-bedroom units planned [*subsequently changed to 5 studios, 30 1-bedroom units, 21 2-bedroom units and 14 3-bedroom units*]. This proposal will rezone the site from C-2C to CD-1. Ms. Harrison noted that the application was being considered under the Secured Market Rental Housing Policy (Rental 100 Policy) which allows for rezonings where 100% of the units are rental. Mixed-use is allowed, but all the residential units must be rental in tenure for the duration of the life of the building or for 60 years, whichever is longer. As well the projects must be close to transit and commercial areas. The Rental 100 Policy also required 25% of the units be designed for families (which means two or more bedrooms). For proposals in the C-2C Districts, the policy allows consideration of an increase in height up to 6-storeys and commensurate achievable density. Rental 100 projects are eligible for incentives. The incentives requested for this application including parking reductions (92 parking stalls), a DCL waiver and an additional 10% in floor area above the permitted 3.0 FSR to 3.33 FSR [*subsequently changed to 3.39 FSR*]. Ms. Harrison noted that applications made under Rental 100 are eligible for concurrent processing of rezoning and development permits however, this application is not concurrent. All rezonings are subject to the Green Building Policy which requires rezoning achieve LEED™ Gold with specific emphasis on optimized energy performance.

Patrick O'Sullivan, Development Planner, further described the proposal and described the context for the area noting Bosley's and Calhoun's to the east and Fire Hall 12 on Balaclava Street. Zoning across the lane is RT-7 (two family dwellings) and there is 1-storey retail on the south side of Broadway including the Parthenon Supermarket. The proposal is for a 5-storey building with commercial at grade with continuous weather protection at the front of the building. The proposal has 92 parking spaces (57 for the residents, 6 visitors and 29 commercial) as well as two Class B loading spaces. Mr. O'Sullivan mentioned that one of the intents of the base zoning is for new development to provide local-serving retail and to Urban Design Panel Minutes Date: May 20, 2015 3 break up the retail frontage over 50 feet with the introduction of shopping courts or pedestrian amenity spaces. This proposal addresses that requirement with an additional 8 foot setback from Broadway. He described the material and colour palette noting the use of white and darker brick as well as fibre-cement paneling.

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

- a. Comments on the proposal's height, form and massing, specifically: - The full-width 5th storey; - The encroachment into the 30 degree height angle.
- b. Comments on the proposed qualitative value of the proposed configuration of the pedestrian amenity along Broadway (long, linear increased setback) in contrast to the shopping court approach advised in the Guidelines.
- c. Comments on the success of the proposal's composition, materials and expression in reducing apparent building bulk. i.e. is the articulation, materiality and expression sufficient to achieve a level of interest for the community.
- d. Comments on the overall landscape design including the configuration of outdoor spaces in terms of daylight exposure, choice of materials and plant selection. Ms. Harrison and Mr. O'Sullivan took questions from the Panel.

2. **Applicant's Introductory Comments:** Taizo Yamamoto, Architect, further described the proposal and mentioned that they tried to bring the massing around the corner where it has less impact up against the Fire Hall. He mentioned that they met with the West Kits Residents Association and they expressed that the 4-storey scale of the street was important to them. As a result they went back to emphasizing the 4-storey line and recessing the top floor. They also mentioned that the fine grain retail was important so they have designed the retail entrances with glazing and wood doors to allow for more pedestrian interest.

Mr. Yamamoto stated that as it is a fairly long site they have tried to treat it as a series of smaller buildings along with some articulation in the plan. Each element will be treated with a different brick to break up the building expression. To keep some interest on the street they have added a little plaza on the corner. The residential entry is on the northern side of the site towards the more residential neighbourhood and they are looking at doing a distinctive canopy and light fixture to mark that entry. They are also proposing skylights on the top floor to bring in some natural light.

David Stoyko, Landscape Architect, described the landscaping plans and noted the existing trees along Balaclava Street and West Broadway. The ground level will be richly textured and detailed to express the larger walking area. In the rear they are respecting the neighbours through stepping, terracing and screening. They have tried to arrange the patios to get as much light as possible. There is a generous amenity space with addition screening to preserve the privacy aspect to the neighbours. The plant materials are drought tolerant and native plants.

The applicant team took questions from the Panel.

3. **Panel's Consensus on Key Aspects Needing Improvement:**
 - Consider stepping the massing along Balaclava Street to reduce bulk and improve solar access to neighbours to the north and outdoor spaces and to provide terraced outdoor spaces;
 - Reduce height of the lane elevation and improve laneway expression and sensitivity;
 - Consider adding colour accents to the building;
 - Consider finding ways to increase the amount of livable outdoor space;

- Consider adding shading to the south façade; Urban Design Panel Minutes Date: May 20, 2015; and
- Consider deleting, reconfiguring or relocating the “pocket park at the lane”.

4. **Related Commentary:** The Panel supported the proposal and had no concerns regarding the height, form and massing from West Broadway.

Some Panel members felt that the upper level of the massing along Balaclava Street should be set back further, and that terracing the Balaclava Street side massing would provide additional benefits of increased solar access.

The Panel thought the 5-storey massing was acceptable and thought the applicant had done a good job of mitigating the impact of the building to the neighbours across the lane at the upper levels. They also supported the slight encroachment into the 30 degree height angle. However, the Panel suggested the applicant step or reduce the massing at lane elevation, and accepted the rationale for greater encroachment into the 30 degree height angle at locations across the lane from the fire hall.

The Panel supported the proposed configuration of the pedestrian amenity along West Broadway but expressed some concern over the viability of further recessing the retail edge.

The Panel supported the material and colour palette and though the applicant had chosen some high quality materials. However, they suggested the applicant might want to add some colour to the building considering how many new buildings seem to have the same palette of white and dark brick. They noted that the building would be more interesting with some detailing or colour in other elements such as signage. One Panel member suggested adding colour to mark the entrances. The Panel is looking forward to seeing improvements to the general building expression and composition of materials at the development permit stage. They generally felt that the reserved design did not evoke the open and liberal spirit of Kitsilano.

The Panel supported the landscaping plans and acknowledged that there needed to be more areas that relate to livability especially for children and families. They also wanted to see urban agriculture and suggested allowing access to the roof for common outdoor space or for the top floor units. Some Panel members wanted to see an improved lane elevation to have more articulation and the addition of some vertical planting. They also thought the pocket park on the corner was too small with no access from the lobby. Some Panel members thought the main entrance to the residential on Balaclava Street needed to be distinguished.

As well they thought the second floor amenity space was too small, particularly for families. A children's play area was recommended, although they liked the relationship between the indoor and outdoor spaces. It was suggested that a covered outdoor space was also needed. Some Panel members noted that the retail patios may need to be larger for restaurant space. It was suggested that the size of the balconies could be increased to provide more useable outdoor space.

Regarding sustainability, it was suggested the applicant consider the impact of restaurant exhausts and fans on the lane and how the retail spaces will be serviced. There was some concern regarding the lack of solar shading on the south facing facades. It was suggested that the applicant look at heat recovery from the retail to be used in the building for energy.

5. **Applicant's Response:** Mr. Yamamoto thanked the Panel and said they had some good suggestions especially about stepping the lane. He added that the potential tenants will define the retail spaces.

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3063-3091 West Broadway PUBLIC CONSULTATION SUMMARY

Public Notification

A rezoning information sign was installed on the site on April 23, 2015. A community open house was held on Thursday, May 7, 2015. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).

April 1, 2015 Community Open House

A community open house was held from 5-8 pm on May 7, 2015 at St. James' Hall (3214 West 10th Ave.). A total of 680 notifications were distributed within the neighbouring area on or about April 23, 2015. Staff, the applicant team, and a total of approximately 60 people attended the open house.

Public Response

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

- In response to the May 7, 2015 open house, a total of 40 comment sheets were submitted from individuals.
- A total of 63 *TalkVancouver* survey responses were submitted online from individuals.
- A total of 14 online comments were submitted by email.

Below is a summary of all feedback (both online and from the open house) related to the proposal. Please note that a set of quantitative questions were included in the comment sheets and online surveys while the email responses do not include this set of questions.

Responses to the quantitative questions are recorded in the tables below.

What is your connection with the proposed rezoning area?

OPTIONS	TOTAL	PERCENT
Rent in the area	15	23%
Own and live in area	43	65%
Own in the area but live elsewhere	0	0%
Live outside the area	3	5%
Own a business in the area	2	3%
Work in the area	3	5%

Were you aware of City Council's priority to create more market rental housing in the city?

OPTIONS	TOTAL	PERCENT
Yes	54	86%
No	9	14%

The proposal provides a thoughtful urban design response to the site.

OPTIONS	TOTAL	PERCENT
Strongly agree	12	19%
Agree	19	31%
Disagree	13	21%
Strongly disagree	11	18%
Don't know/No opinion	7	11%

The proposal is designed to not adversely impact shadowing on public open spaces.

OPTIONS	TOTAL	PERCENT
Strongly agree	10	16%
Agree	20	33%
Disagree	11	18%
Strongly disagree	9	15%
Don't know/No opinion	11	18%

The proposal contributes to public realm vitality by contributing active uses towards pedestrian interest and thoughtful building, tenancy, and related public realm design quality.

OPTIONS	TOTAL	PERCENT
Strongly agree	11	18%
Agree	20	33%
Disagree	10	17%
Strongly disagree	9	15%
Don't know/No opinion	10	17%

The proposed development is offering 78 market rental housing units (note that the initial proposal had 78 housing units), secured for the longer of 60 years or the life of the building, whichever is greater. Do you feel this is appropriate for this proposal?

OPTIONS	TOTAL	PERCENT
Yes	34	54%
No	14	22%
Maybe	15	24%

Please indicate your overall opinion of the proposal

OPTIONS	TOTAL	PERCENT
Really like it	13	21%
Like it	12	19%
Neutral	13	21%
Don't like it	16	25%
Really don't like it	9	14%

Feedback from email responses are as follows:

Support	1
Opposed	8
TOTAL	9

Public Comments by Themes

Combined below are the qualitative comments from all written responses, e.g. comment sheets, *TalkVancouver* online surveys and emails. They are ordered by frequency of the topics mentioned by the public:

- Design**
 There was a mixed reaction about the design of the building. Some people liked the contemporary design of the building and felt it would integrate well with the overall neighbourhood character. Other people suggested the building lacked character and should have a more varied, interesting façade. Some liked the way the 5th floor was set back. There were some comments that the building was too large and imposing especially the ground floor. Some people liked the large setback on West Broadway, while others felt the setback was not generous enough and if expanded could provide more benches and café seating.
- Height and Density**
 There were concerns the proposal was too tall for the neighbourhood, and it was suggested that four storeys be more appropriate. There were also concerns about overlook and shadowing the neighbouring single family homes across the lane, the noise of exhaust fans and the width of the lane and challenges accessing residential garages. Some people were supportive of the proposed height.
- Housing**
 There was strong support for rental housing in the area, with some people commenting on the lack of affordable and new rental units in the neighbourhood. They thought the rental units would suit multiple demographic groups including, students, young families and seniors looking to downsize. Rental housing was also thought to have positive impacts on the community by bringing in more people to support local business, which would help revitalize this section of West Broadway. Some thought the units should be more affordable or reserved for subsidized housing. Several people wanted to see more three-bedroom units for families. Some expressed concerns about having too much rental in the same block (a Rental 100 development was recently approved across the street).

- **Mix of Uses**

There was support for the mix of uses on the site. People thought a mixed-use building would enhance the street life and pedestrian public realm. There was a suggestion that the site should also accommodate restaurants. Several people felt the proposed development would mean the loss of small-scale, local businesses.

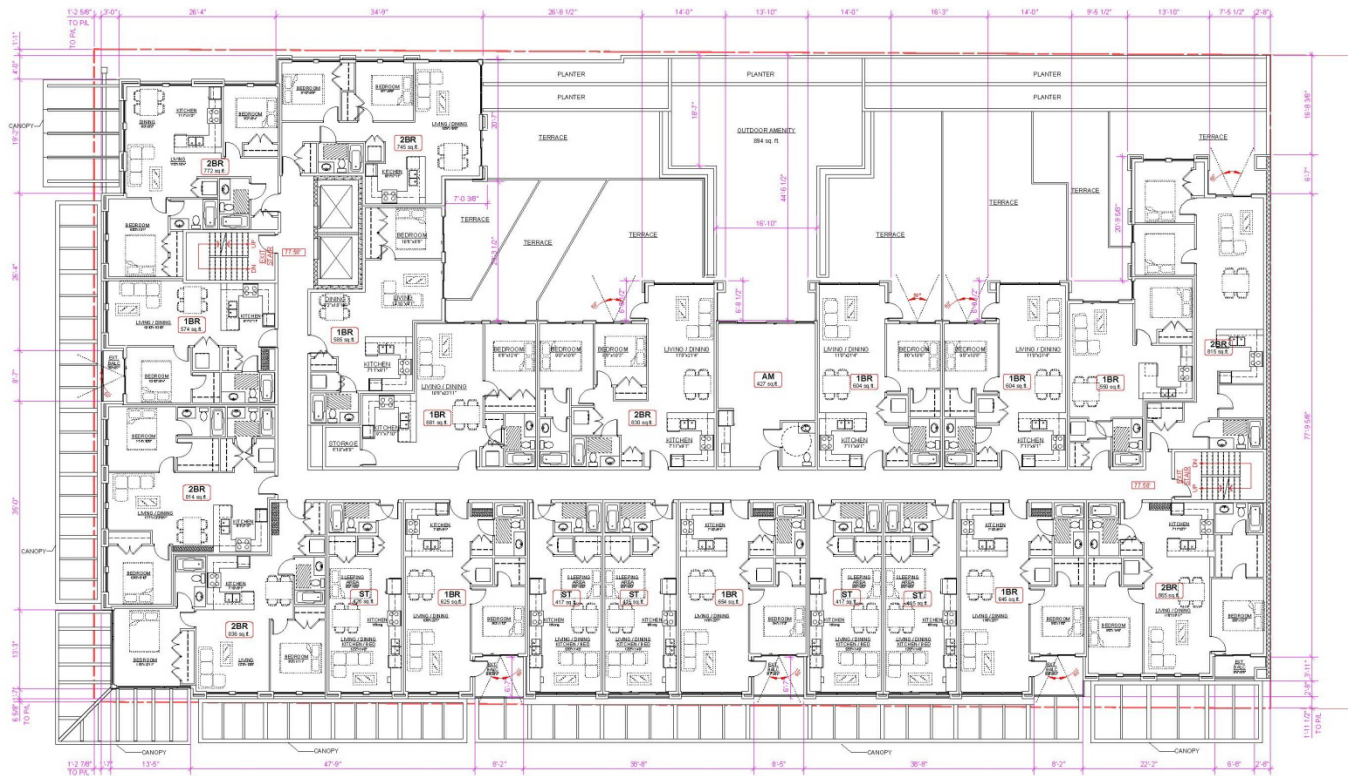
- **Parking and Traffic**

Some people observed a lack of on-street parking in the neighborhood and expressed concern that the development would increase the demand for parking. Several people suggested more on-site parking should be provided. Some thought that parking access to the proposed development should be on Balaclava Street.

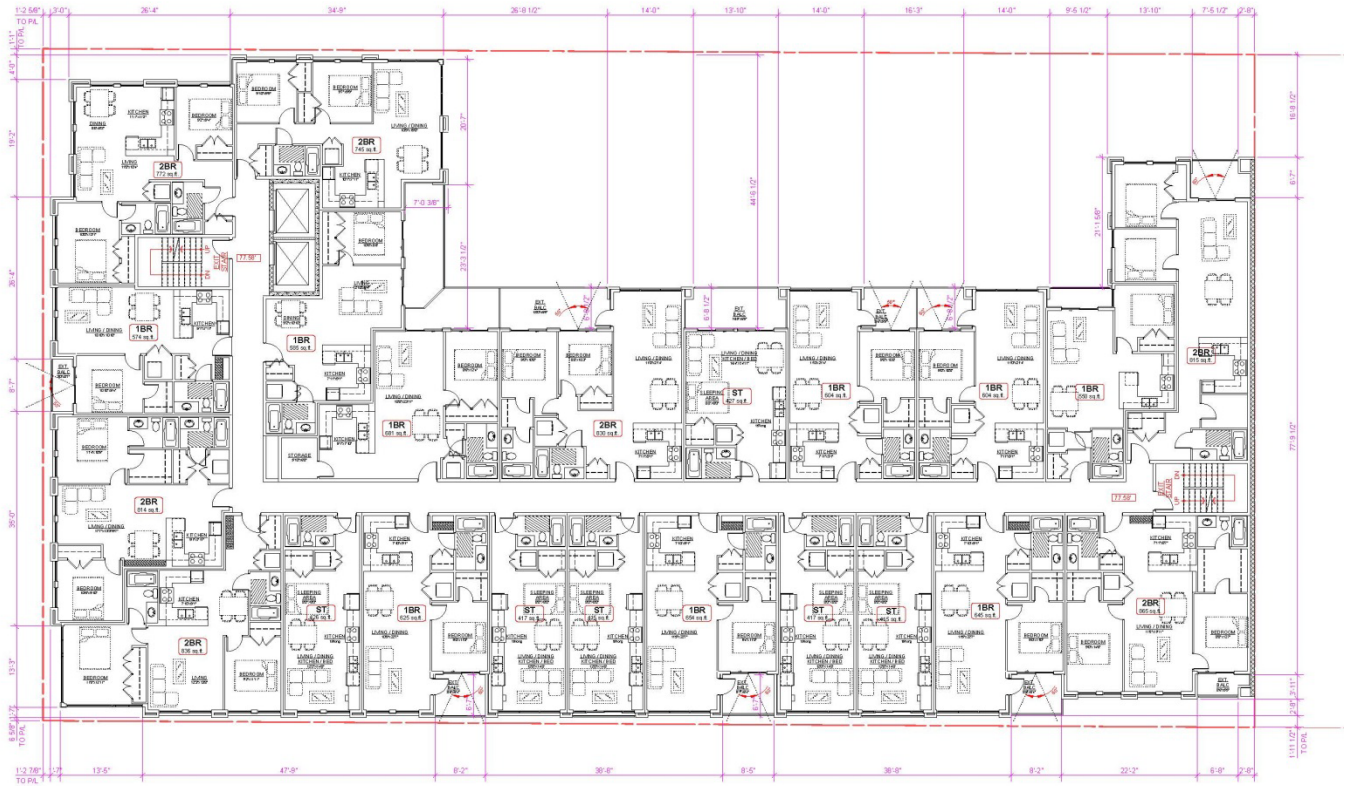
- **Miscellaneous Comments**

There was a concern that the site would generate too much noise and that a larger building form would set a precedent for future higher buildings in the neighbourhood.

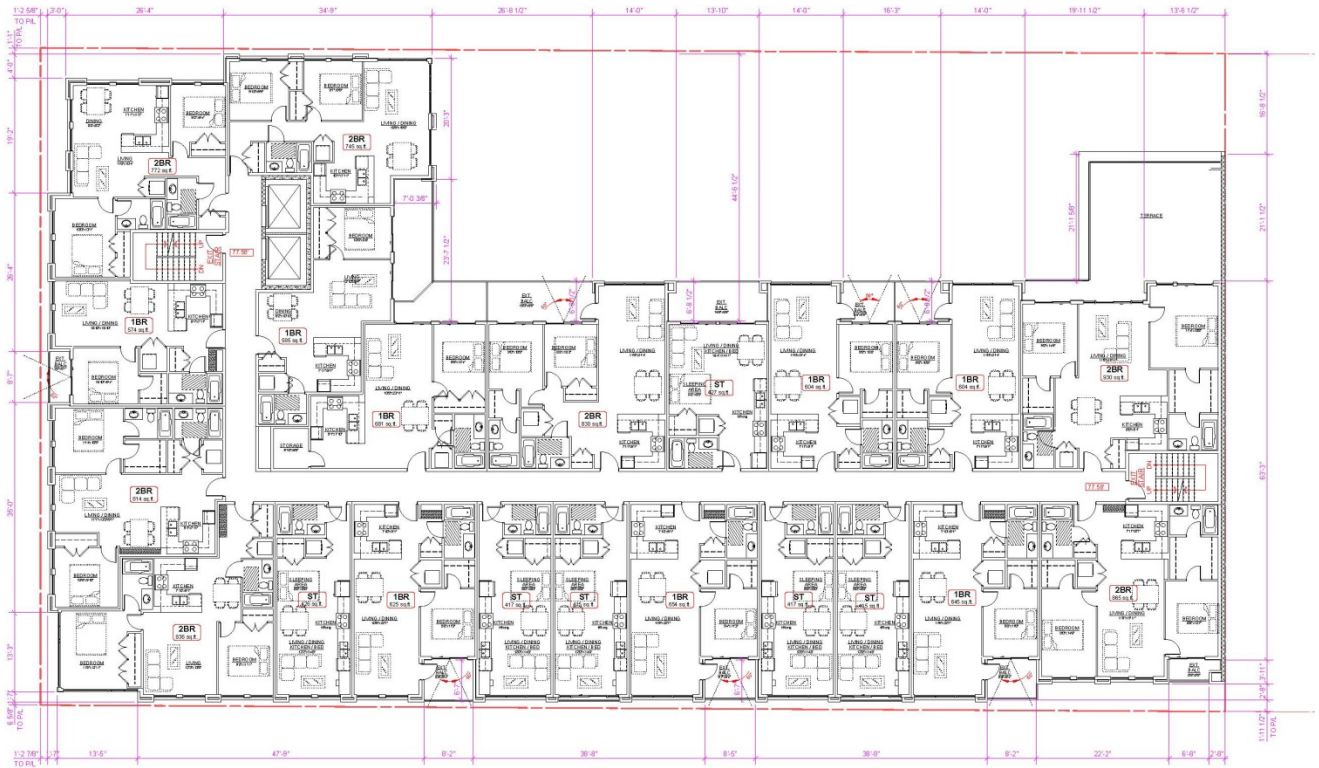
Second Floor Plan



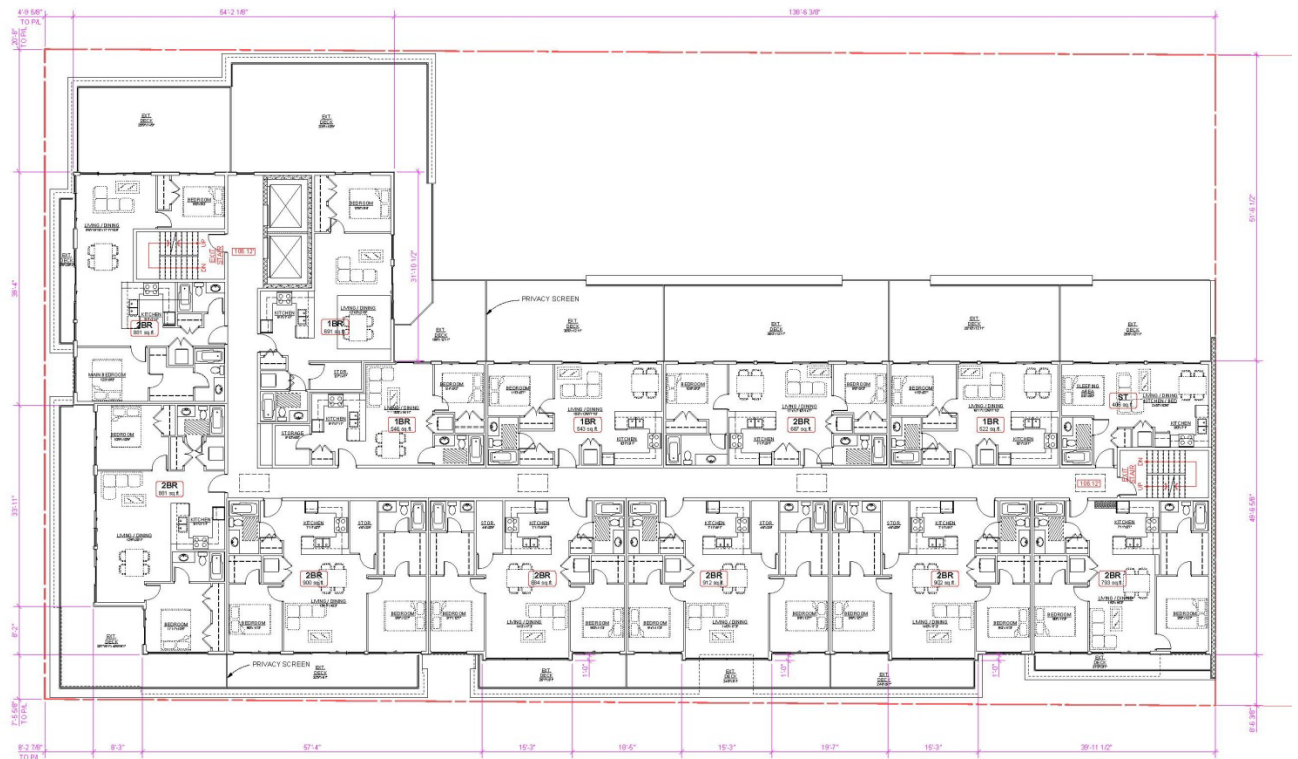
Third Floor Plan



Fourth Floor Plan



Fifth Floor Plan



South Elevation (West Broadway)



West Elevation (Balaclava Street)



North Elevation (lane)



East Elevation



3063-3091 West Broadway
APPLICATIONS INVOLVING TENANT RELOCATION - APPLICATION FORM



Applications Involving Tenant Relocation –
Application Form

This form must be submitted with your rezoning or development application.

- Step 1:** Understand your rights and responsibilities as a landlord
Please review the documents in Section 1 as it pertains to relocating tenants
- Step 2:** Complete Section 2 – Rental Statistics
- Step 3:** Complete Section 3 – Draft Tenant Relocation Plan

Section 1: Rights and Responsibilities of Landlord and Tenants

The rights and responsibilities of landlords and tenants is regulated by the Province and is set out in the Residential Tenancy Act: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_02078_01

For more information, about the City's rental housing protection policies, please refer to the following documents:

Rental Housing Stock ODP: <http://vancouver.ca/files/cov/rate-of-change.pdf>
Rate of Change Guidelines: <http://formervancouver.ca/commsvcs/guidelines/R021.pdf>
SRA Bylaw: <http://vancouver.ca/people-programs/protecting-single-room-accommodations.aspx>

Section 2: Rental Statistics

A. Proposed Project Statistics

Date:	24 05 2015	Applicant:	Locarno Legacy Corporation	Owner:	Locarno Legacy Corporation
Phone:	604-366-4111	Email:	rmari@locarno.ca		
Building#:	3063-3091	Street:	West Broadway	City:	Vancouver
				Postal Code:	V6N 0A2
Legal description of site:	Lots 13-16 , Block 31, District Lot 192, New Westminster District, Plan 4166 &1461				
Current Zoning:	C-2C	Proposed Zoning:	CD-1		
Proposed Project (Describe):	Floor 1: 12,468 sq.ft of retail area. Floors 2-5: 70 secured market rental units above				

(Double click the checkbox)

Does the proposed project have new or replacement rental units?	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N
Is this a proposed renovation of existing rental unit(s)?	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N
If No to both, please skip to section B: Existing Rental Units		

Proposed rental units:

Unit Type	Number	Average Size	Size Range	Initial Average Rents	Initial Rent Range
Studio	5	419		\$1,270	
1 bed	30	573		\$1438	
2 bed	21	803		\$1,974	
3 bed	14	1029		\$2443	
Other:					
Total	70				

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B. Existing Rental Units:

Unit Type	Total Number	Number Currently Occupied
Studio		
1 bed		
2 bed	2	2
3 bed		
Other e.g. 4 bed+, housekeeping or sleeping units:		
Total	2	2

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C. Existing Tenants

Please provide a rent roll of the existing tenants on site.

Name	Unit#	Length of Tenancy(include start date here)	Bedroom Type	Size of Unit	Existing Rent
Tenant A (Reduced Rent due to Status as Caretaker)	1	July 1, 2014 to March 31, 2015 (Fixed Term, now month to month tenancy)	2BR	Approx. 700	\$1000/month
Tenant B & Tenant C	2	May 1, 2015- March 31, 2016 (Fixed Term tenancy)	2BR	Approx. 700	\$1700/Month

Name	Unit#	Length of Tenancy(include start date here)	Bedroom Type	Size of Unit	Existing Rent

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Section 3: Draft Tenant Relocation Plan

Please complete the "Draft TRP Details" column in the following chart. The notes in the shaded column correspond to the expectations under the City's rental housing protection policies and indicate both minimum requirements and typical scenarios encountered. Staff will assess the proposed Tenant Relocation Plan and provide comments during the application phase.

Insert New Column

Relocation Plan Components	Draft TRP Details (to be completed with Rezoning or DE application submission)	City Staff Comments (to be completed during Application Review)	FINAL/REVISED TRP
	Date: 5/20/2015	Date: 8/18/2015	Date:
Describe existing project compared to new project	<ul style="list-style-type: none"> Existing units (2) vs. new units (70) Existing rents (\$1700) vs. new rents (\$1974) Existing unit mix (2BR) vs. new unit mix (50% Studio and 1BR, 50% 2 and 3BR) 	<ul style="list-style-type: none"> Project creates a substantial net growth in rental units in this location, and contains significant unit diversity to provide rental options for diverse household sizes and creates a significant number of 3-bedroom family oriented units. 	<ul style="list-style-type: none">
2 Months' Free Rent <ul style="list-style-type: none"> For long-term tenants residing in the building more than 10 years, consider an additional month free rent. 	<ul style="list-style-type: none"> 2 Months Free Rent 	<ul style="list-style-type: none"> Meets expectation. 	<ul style="list-style-type: none">
Notification <ul style="list-style-type: none"> A minimum of two months' notice to end tenancy must be provided. A longer time frame may be offered. 	<ul style="list-style-type: none"> Tenants were notified that they would have to vacate the unit prior to signing their existing leases. Notification was again provided in January 2015 and will be provided again 2 months prior to the end of both tenants lease terms. 	<ul style="list-style-type: none"> Meets expectation. 	<ul style="list-style-type: none">

Page 4 of 7

Relocation Plan Components	Draft TRP Details (to be completed with Rezoning or DE application submission)	City Staff Comments (to be completed during Application Review)	FINAL/REVISED TRP
	Date: 5/20/2015	Date: 8/18/2015	Date:
Moving Expenses <ul style="list-style-type: none"> A moving company may be hired by the applicant, with all arrangements and costs covered A flat rate of \$750 towards moving expenses and reconnection fees is acceptable. 	<ul style="list-style-type: none"> Movers will be arranged by the applicant for each tenant and the moving costs will be covered by the applicant. 	<ul style="list-style-type: none"> Meets expectation. 	<ul style="list-style-type: none">
Assistance in Finding Alternate Accommodation <ul style="list-style-type: none"> Three options in Vancouver must be provided to the tenants, one of which must be in the same general area as their current home. Note for projects in the West End, two options should be provided in the same general area as their current home. All options must rent for no more than 10% above their current rental rate, unless otherwise agree to with the tenant (i.e. tenant may be looking for newer, bigger unit etc. and able to pay more for such). 	<ul style="list-style-type: none"> 3 rental options including one in the same general area will be provided to the tenants. Each with will have comparable rents not higher than 10% of their existing rent at the time that they vacate their unit. 	<ul style="list-style-type: none"> Meets expectation. 	<ul style="list-style-type: none">

Page 5 of 7

Relocation Plan Components	Draft TRP Details <i>(to be completed with Rezoning or DE application submission)</i>	City Staff Comments <i>(to be completed during Application Review)</i>	FINAL/REVISED TRP
	Date: 5/20/2015	Date: 8/18/2015	Date:
First Right of Refusal <ul style="list-style-type: none"> Where starting rents are anticipated to be higher than what the tenant currently pays, a discount for any returning tenants should be offered. E.g. 20% off starting rents. In cases where starting rents are essentially on par with current rents, consider the current rent plus any allowable increases under the RTA during the period of construction as the proposed starting rent. 	<ul style="list-style-type: none"> One of the 70 replacement units will be offered to each of the existing tenants. Starting rents will be each tenants existing rent at the time they vacate the unit plus any allowable increases under the RTA during the period of construction. 	<ul style="list-style-type: none"> Meets expectation. 	<ul style="list-style-type: none">
Other <ul style="list-style-type: none"> Where a Building Manager is paying reduced rent in exchange for services, consider compensation at the same monthly rate as for a similar sized unit. Consideration for any additional compensation for long-term building residents who may require assistance in some form. 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none">

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Page 6 of 7

FOR OFFICE USE ONLY:	
Staff Comments:	
Final Tenant Relocation Plan Approval Date:	
Approved by:	

Page 7 of 7

3063-3091 West Broadway
DEVELOPMENT COST LEVY WAIVER ANALYSIS

To qualify for a waiver of the Development Cost Levy (DCL) for the residential floor space, the application must meet the criteria set out in the relevant DCL By-law under Section 3.1A. This application qualifies as outlined below.

- (a) All dwelling units proposed in the building will be secured as rental through the Housing Agreement called for under rezoning condition (c) 5 in Appendix B.
- (b) None of the proposed dwelling units will be strata units, as required through the Housing Agreement.
- (c) The average size of the proposed dwelling units will not be greater than specified in the DCL By-law.

Unit Type	Number of Units Proposed	DCL By-law Maximum Average Unit Size	Proposed Average Unit Size
Studio	5	42 m ² (450 sq. ft.)	39 m ² (419 sq. ft.)
One-Bedroom	30	56 m ² (600 sq. ft.)	55 m ² (573 sq. ft.)
Two-Bedroom	21	77 m ² (830 sq. ft.)	75 m ² (806 sq. ft.)
Three-Bedroom	14	97 m ² (1,044 sq. ft.)	96 m ² (1,029 sq. ft.)

- (d) The average initial rents for the proposed dwelling units do not exceed rents specified in the DCL By-law.

Unit Type	Number of Units Proposed	West Area DCL By-law Maximum Average Unit Rent*	Proposed Average Unit Rent
Studio	5	\$1,366	\$1,270
One-Bedroom	30	\$1,717	\$1,438
Two-Bedroom	21	\$2,169	\$1,974
Three-Bedroom	14	\$2,572	\$2,443

*Both the maximum and proposed rents are subject to annual adjustment as per the DCL By-law.

- (e) The proposed construction cost for the residential floor area does not exceed the maximum specified in the DCL By-law.

DCL By-law Maximum Construction Cost	Proposed Construction Cost
\$2,691 per m ² (\$230 per sq. ft.)	\$2,367 per m ² (\$220 per sq. ft.)

- (f) By way of the Housing Agreement, the tenure of the housing will be secured as rental for the longer of the life of the building and 60 years, and the initial rents at occupancy will be secured to meet the averages set out under (d) above.

**3063-3091 West Broadway
PUBLIC BENEFITS SUMMARY**

Project Summary:

Five-storey mixed-use building with commercial retail units at grade and 70 for-profit affordable rental units.

Public Benefit Summary:

The proposal would provide 70 dwelling units secured as for-profit affordable rental housing for the life of the building or 60 years, whichever is longer.

	Current Zoning	Proposed Zoning
Zoning District	C-2C	CD-1
FSR (site area = 2,010 m ² / 21,635 sq. ft.)	3.00	3.39
Floor Area (sq. ft.)	64,906	73,402
Land Use	Commercial/Residential	Commercial/Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide)	863,904	171,699
	Public Art		
	20% Social Housing		
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		863,904	171,699

Other Benefits (non-quantified components):

70 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: Engineering (7%); Replacement Housing (30%); and Parks (63%).

3063-3091 West Broadway
APPLICANT AND PROPERTY INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
3063 West Broadway	014-611-287	Lot 16 except the north 10 feet now lane and part in Plan 4166 of Lot 3, Block 31, District Lot 192, Plan 1461
3075 West Broadway	014-611-236	Lot 15 except the north 10 feet now lane and part in Plan 4166 of Lot 3, Block 31, District Lot 192, Plan 1461
3083 West Broadway	005-723-027	Lot 14 except portions in explanatory Plan 5765 and Plan 4166, now highways, of Lot 3, Block 31, District Lot 192, Plan 1461
3091 West Broadway	005-722-713	Lot 13 except portions in explanatory Plan 5765 and Plan 4166, now highways, of Lot 3, Block 31, District Lot 192, Plan 1461

Applicant Information

Applicant/Architect	Yamamoto Architecture Inc.
Developer/Property Owner	Locarno Legacy Corporation

Development Statistics

	Permitted Under Existing Zoning	Proposed
Zoning	C-2C	CD-1
Site Area	2,010 m ² (21,635 sq. ft.)	2,010 m ² (21,635 sq. ft.)
Land Use	Commercial & Residential	Commercial & Residential
Maximum FSR	3.00	3.39
Maximum Height	13.8 m (45.3 ft.)	18.2 m (59.7ft.)
Floor Area	6,030 m ² (64,906.4 sq. ft.)	Total: 6,819 m ² (73,402 sq. ft.) Residential: 5,621 m ² (60,502 sq. ft.) Commercial: 1,198 m ² (12,900 sq. ft.)
Parking, Loading and Bicycle Spaces	As per Parking By-law	As per Parking By-law