



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: April 3, 2018
Contact: Kent Munro
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RTS No.: 12445
VanRIMS No.: 08-2000-20
Meeting Date: April 17, 2018

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 3281-3295 East 22nd Avenue

RECOMMENDATION

- A. THAT the application by Cornerstone Architecture, on behalf of Peak Real Estate Marketing Ltd., to rezone 3281-3295 East 22nd Avenue [PID: 006-779-514; Lot 13, Block K, Section 42, THSL, Plan 11660] from C-1 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 1.20 to 3.00 and the building height from 10.7 m (35 ft.) to 21.3 m (70 ft.) to permit the development of a six-storey mixed-use building with at-grade commercial uses and 55 dwelling units secured as for-profit affordable rental housing, be referred to a public hearing, together with:
- (i) plans prepared by Cornerstone Architecture, received May 12, 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 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 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 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; 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 3281-3295 East 22nd Avenue from C-1 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey mixed-use building with commercial uses at grade and 55 secured for-profit affordable rental housing units. The application has been made under the *Affordable Housing Choices Interim Rezoning Policy* (AHC policy) 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 longer of the life of the building or 60 years. The application also seeks incentives available for secured 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 intent of the AHC policy with regards to the proposed form of development. The application is also consistent with the Parking By-law definition of "Secured Market Rental Housing" for which a reduced parking requirement may be applied.

If approved, the application would contribute 55 secured for-profit affordable rental housing units towards the City's affordable housing goals as identified in *Housing Vancouver*. The application is also consistent with the DCL By-law definition of 'For-Profit Affordable Rental Housing' for which DCLs may be waived.

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 and to the conditions of approval outlined in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council policies for this site include:

- Affordable Housing Choices Interim Rezoning Policy (2012, amended in 2017);
- Housing and Homelessness Strategy (2011);
- Final Report from the Mayor's Task Force on Housing Affordability (2012);
- Rental Incentive Guidelines (2012, amended 2018);
- Renfrew-Collingwood Community Vision (2004);
- C-1 District Schedule and Guidelines (2013);
- Green Buildings Policy for Rezonings (2010, amended 2017);
- Vancouver Development Cost Levy By-law No. 9755 (2008, amended 2016);
- High-Density Housing for Families with Children Guidelines (1992); and
- Housing Vancouver Strategy (2017) and 3-Year Action Plan (2017)
- Family Room: Housing Mix Policy for Rezoning Projects (2016).

REPORT

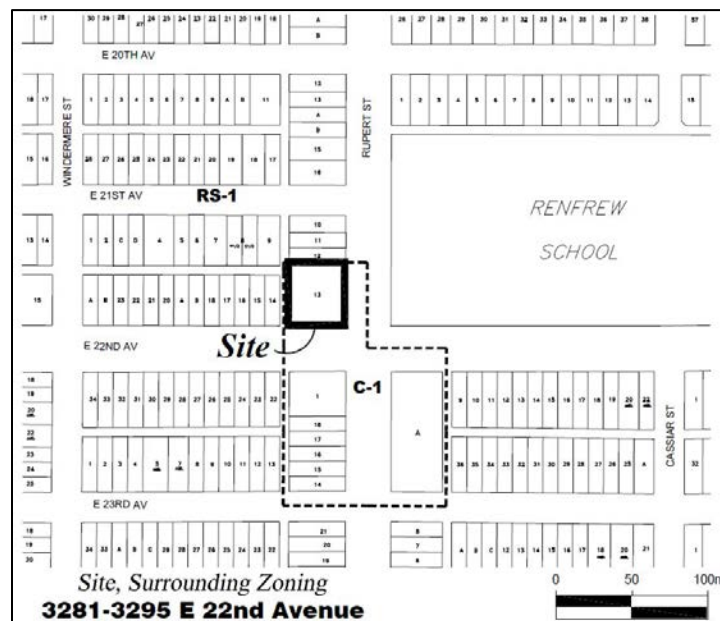
1. Background/Context

This 1,555 sq. m (16,741 sq. ft.) site is located on the northwest corner of East 22nd Avenue and Rupert Street in the Renfrew-Collingwood community (see Figure 1). The site fronts public streets on two sides with a 41.5 m (136 ft.) frontage on East 22nd Avenue and a 37.4 m (123 ft.) frontage on Rupert Street. The site slopes down approximately 2 m (6 ft.) from the south to the north. Currently, the site contains a one-storey commercial building with retail tenants and surface parking. A lane runs along the western property line, separating the site from detached houses to the west. Renfrew Elementary School is located to the east of the site, across Rupert Street. The southwest corner of East 22nd Avenue and Rupert Street is zoned C-1 and contains a newer three-storey mixed-use building, constructed in 2014. The southeast corner site was recently rezoned from C-1 to CD-1, under the AHC policy, to permit the development of a six-storey mixed-use building with commercial uses at grade and secured market rental units above. The area immediately north of the site and the rest of the surrounding areas are zoned RS-1.

This area is a local, neighbourhood-serving commercial hub that offers convenient access to day-to-day retail needs within the neighbourhood. The Renfrew-Collingwood Community Vision identifies this corner as a "mini-node" and promotes strengthening it as a neighbourhood shopping area and special community place. Direction 20.3 allows consideration of expanding the commercial area and adding more residential options around the "mini-node" to help support retail activity.

This site is well served by two bus routes and two bike routes along East 22nd Avenue and Rupert Street. Three SkyTrain Stations - Rupert, 29th Avenue and Nanaimo Stations - are also located close to the site, between 1.2 and 1.8 kilometres away.

Figure 1 – Site and Surrounding Context



2. Policy Context

Affordable Housing Choices Interim Rezoning Policy – On October 3, 2012, Council approved the *Affordable Housing Choices Interim Rezoning Policy* (AHC policy) aimed at encouraging innovation and enabling real examples of affordable housing types. These examples will be tested for potential wider application to provide ongoing housing opportunities across the city. This policy is one component of a broad action plan that responds to the recommendations of the Mayor’s Task Force on housing affordability by delivering a set of actions to address the challenges of housing affordability in the city. Rezoning applications considered under the AHC policy must meet a number of criteria regarding affordability, location and form of development (see AHC policy location map in Appendix F).

Under this policy, projects can be considered for mid-rise forms, up to a maximum of six storeys on sites that are fronting on arterials that are well served by transit and within close proximity (i.e. a five minute walk or 500 m) of identified neighbourhood centres and local shopping areas, and ground-oriented forms up to 3.5 storeys on sites within 100 m of an arterial. Proposals are subject to urban design performance (including consideration of shadow analysis, view impacts, frontage length, building massing, setbacks, etc.). A maximum of two AHC policy projects will be considered within 10 blocks on an arterial, and a maximum of 20 projects will be reviewed by Council before staff are instructed to report back with an analysis of the policy. To date, Council has approved six AHC policy projects, and there are an additional eight rezoning applications currently undergoing staff review. One of the approved projects is located at 3868-3898 Rupert Street, kitty-corner to 3281-3295 East 22nd Avenue. Therefore, if this rezoning application is approved, no other rezoning applications under the AHC policy may be considered within 10 blocks of this rezoning proposal along Rupert Street, as per the AHC policy’s existing spacing requirement.

Development Cost Levy By-law No. 9755 – Under Section 3.1A of the Development Cost Levy By-law, for-profit affordable rental housing projects are eligible for a development cost

levy waiver for the rental portion of the development. The waiver regulates maximum unit sizes, rents by unit type, and hard construction costs for the project. Current rental rates, unit sizes and construction costs are outlined in the Rental Incentive Guidelines and are updated on an annual basis.

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 the quality of life in the city. There are priority actions to achieve some of the strategy's goals. The priority actions that are relevant to this application include refining and developing new zoning approaches, development tools and rental incentives to continue the achievement of secure, purpose-built rental housing and to use financial and regulatory tools to encourage a variety of housing types and tenures that meet the needs of diverse households. This application proposes one-bedroom, two-bedroom and three-bedroom unit types that would be secured as for-profit affordable rental housing through a housing agreement.

Family Room: Housing Mix Policy for Rezoning Projects — In July 2016, Council approved *Family Room: Housing Mix Policy for Rezoning Projects*, which details family unit housing mix requirements for specific rezoning applications that include residential uses. Rezoning applications for secured market rental projects are required to include a minimum of 35 percent family units with 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, unit design and amenity areas.

Housing Vancouver Strategy (2017) — In November 2017, Council approved the *Housing Vancouver Strategy (2018 - 2027)* and *3-Year Action Plan (2018-2020)*. The strategy seeks to shift the supply of new homes towards the right supply, with targets for new units along a continuum of housing types. The *Housing Vancouver* targets were based on the core goals of retaining diversity of incomes and households in the city, shifting housing production towards rental to meet the greatest need, and coordinating action with partners to deliver housing for the lowest income households. Overall, 72,000 new homes are targeted for the next 10 years, including 12,000 social, supportive and non-profit co-operative units and 20,000 purpose-built rental units. Nearly 50 percent of the new units will serve households earning less than \$80,000 per year, and 40 percent will be family-size units. This application will contribute towards the targets for purpose-built market rental units and units for families.

Renfrew-Collingwood Community Vision — In 2004, Council approved the *Renfrew-Collingwood Community Vision*, which includes several directions (20.1, 20.3, 20.7, and 20.12) around expanding commercial areas, increasing residential uses, improving pedestrian safety (i.e. wider sidewalks and more street trees), and enhancing store fronts within the mini-nodes (commercial intersections that provide convenience retail close to homes, including East 22nd Avenue and Rupert Street).

C-1 District Schedule and Guidelines — The intent of this Schedule is to provide for small-scale convenience commercial establishments, catering typically to the needs of a local neighbourhood and consisting primarily of retail sales and certain limited service functions, and to provide for dwelling uses designed compatibly with commercial uses. Although this application proposes greater building height than anticipated in the C-1 regulations, the

proposed mixed-use, six-storey form and the proposal for secured rental housing are considered to be in keeping with the land use intent for the area.

STRATEGIC ANALYSIS

1. Proposal

This rezoning application proposes a six-storey mixed-use building with commercial uses at grade and residential units above (see Figure 2). In total, the application proposes 55 secured for-profit affordable rental housing units (46 per cent of the units are two- and three-bedroom units) and 611 sq. m (6,575 sq. ft.) of commercial floor area over two levels of underground parking accessed from the lane, at an overall density of 3.00 FSR and building height of 21.3 m (70 ft.).

Figure 2 – View of the Proposed Development Looking Northwest



2. Housing

The *Housing Vancouver Strategy* seeks to shift the supply of new homes toward the right supply, with targets for new units along a continuum of housing types, shifting housing production towards rental to meet the greatest need, and coordinating action with partners to deliver housing for the lowest income households. The *Affordable Housing Choices Interim Rezoning Policy* (AHC policy) plays a role in the achievement of those targets by helping to realize secured market rental housing. Affordability in the context of the policy and this application, relates to the delivery of secured rental housing which 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. AHC policy 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.

Rezoning applications considered under the AHC policy must meet a number of criteria regarding affordability, location and form of development (see AHC policy location map in Appendix F). Affordable Housing staff have evaluated this application and determined that it meets the objectives of the AHC policy program, including the location criteria where a development of up to six storeys with secured, for-profit affordable rental housing can be considered.

The application meets the affordability criteria of the AHC policy by securing all 55 rental units through a Housing Agreement and/or a Section 219 Covenant for the longer of the life of the building or 60 years, and by applying for a DCL Waiver which regulates maximum unit size, rents by unit type, and hard construction costs. Covenants will be registered on title to preclude the stratification and/or separate sale of individual units.

This proposal would deliver 55 secured for-profit affordable rental housing units in the form of 14 studio units, 16 one-bedroom units, 18 two-bedroom units, and 7 three-bedroom units. The *Family Room: Housing Mix Policy in Rezoning Projects* requires secured market rental projects to include a minimum of 35 percent of family units with two or more bedrooms; they must be designed in accordance with the *High-Density Housing for Families with Children Guidelines*. This application proposes 33 percent of units with two bedrooms and 13 percent of units with three bedrooms, for a total of 46 per cent of family-size units, thereby exceeding the minimum requirements outlined in the policy.

The addition of 55 new for-profit affordable rental housing units to the City's inventory of market rental housing contributes toward the targets of *the Housing Vancouver Strategy* (see Figure 3). Conditions related to securing the units are contained in Appendix B.

Figure 3: Progress Towards 10 Year Housing Vancouver Targets for Secured Market Rental Housing as of December 31, 2017

Housing Type	10-YEAR TARGETS	CURRENT PROJECTS
		Units Approved Towards Targets*
Secured Market Rental Housing Units	20,000	822

*Note that tracking progress towards the 10-year Housing Vancouver targets began in 2017. Unit numbers in Figure 3 exclude the units proposed in this application, pending Council approval.

Vancouver has one of the lowest vacancy rates in Canada. In the fall of 2017, the vacancy rate in the city was 0.9 percent. That means only 9 out of every 1,000 market rental units were empty and available for rent. A vacancy rate of 3 percent is considered to be a balanced rental market. The vacancy rate in the Renfrew-Collingwood neighbourhood was lower than the City average, at 0.7 percent.

This application includes studio, one-bedroom, two-bedroom, and three-bedroom apartments. The applicant proposes that the studio units would rent for \$1,380, the one-bedroom units would rent for \$1,698, the two-bedroom units would rent for \$2,440 and the three-bedroom would rent for \$2,920 per month. Figure 4 compares initial rents proposed for units in this application to average and estimated costs for similar units. When compared to average rents in newer buildings in the east area of Vancouver, the proposed rents are lower for the studio units, essentially about the same for the one-bedroom units, and above average for the two-bedroom units. In terms of the comparison to home ownership costs, the proposed rents in this application will provide an affordable alternative to homeownership for all unit types.

Figure 4 – Comparable Average Market Rents and Home-Ownership Costs

	3281-3295 East 22nd Avenue Average Proposed Rents	Average Market Rent in Newer Buildings - Eastside (CMHC, 2017) ¹	DCL By-Law Maximum Averages - Eastside (CMHC, 2017) ²	Monthly Costs of Ownership for Median-Priced Unit - Eastside (BC Assessment 2017) ³
Studio	\$1,380	\$1,531	\$1,496	\$2,278
1-bed	\$1,698	\$1,689	\$1,730	\$2,739
2-bed	\$2,440	\$2,284	\$2,505	\$3,817
3-bed	\$2,920	No data available	\$3,365	\$5,432

1. Data from the October 2017 CMHC Rental Market Survey for buildings completed in the year 2008 or later on the Eastside of Vancouver
2. For 1- and 2-bedroom units, the maximum DCL rents for the Eastside of Vancouver are the average rents for all residential units built since the year 2005 city-wide as published by CMHC in the Fall 2017 Rental Market Report. For 3-bedroom units, the maximum DCL rents for the Eastside of Vancouver are the average rents for all residential units built since the year 2005 city-wide as published in the October 2017 CMHC Rental Market Survey Report.
3. Based on the following assumptions in 2017: median of all BC Assessment recent sales prices in Vancouver Eastside in 2017 by unit type, 10% down payment, 5% mortgage rate, 25-year amortization, \$150 - 250 monthly strata fees and monthly property taxes at \$2.56 per \$1,000 of assessed value.

The DCL By-law allows for starting rents to be increased annually from the time of the Public Hearing to initial occupancy, as per the maximum allowable increases under the Province's *Residential Tenancy Act*. A final rent roll that sets out the initial monthly rents for all units will be required prior to issuance of the Occupancy Permit in order to ensure compliance with the maximum increases authorized by Section 3.1B(c) of the DCL By-law. After occupancy, rent increases are regulated by the *Residential Tenancy Act*. Through the Development Permit application process, the City will ensure that average unit sizes do not exceed the maximum thresholds set out by the DCL By-law.

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

The *Affordable Housing Choices Interim Rezoning Policy* (AHC policy) provides direction for the consideration of additional height and density to support affordable housing developments on or near arterials, and close to local shopping areas. The AHC policy allows this site, which is located in a local shopping node at Rupert Street and East 22nd Avenue, to

be considered for a mixed-use affordable housing development up to 6 storeys in height, subject to urban design performance and neighbourhood support. As the policy does not itself contain design guidelines, staff are directed to consider the intentions set out in the base zoning (in this case, C-1).

This rezoning application proposes a density of 3.00 FSR and a height of six storeys (21.3 m or 70 ft.). Staff have concluded that the density and massing are appropriate for this site.

Figure 5 – View of the Proposed Development Looking Southwest



The proposed development has a commercial podium with retail units wrapping the Rupert Street and East 22nd Avenue street frontages. Because the slab is stepped to accommodate the change in grade along Rupert Street, the proposed retail units are narrow in width, which is appropriate for local-serving businesses. Parking and loading are accessed from the lane, and are screened by rolling gates to help mitigate the impact on adjacent single-family properties. A 1.2 m (4 ft.) proposed landscape setback will improve the lane, as will windows at the south end of the building and an outdoor amenity space at the north end of the site.

The upper five storeys consist of secured for-profit affordable rental residential units. To reduce impacts on the adjacent single family properties immediately to the north, a 6 m (20 ft.) side yard is provided, and the massing is stepped back at the upper storeys (8 m at Levels 3 and 4, increasing to 14 m at Level 6). To further mitigate view impacts across the lane to the west, the massing is similarly terraced. Finally, the upper storey is set back six ft. on both street frontages, to create a five-storey streetwall that better relates to the surrounding, lower-scale streetscape.

Common amenities include an indoor room at ground floor and a small outdoor amenity space that wraps the northwest corner at grade. Staff are seeking improvements to the outdoor space, to provide better solar exposure and more opportunities for socializing and children's play.

The Urban Design Panel reviewed and supported this application on September 20, 2017 (see Appendix D). Staff have concluded that the design responds well to the intents set forth in the AHC policy and the C-1 Design Guidelines, and therefore support this application, subject to the conditions outlined in Appendix B.

4. Transportation and Parking

The application proposes two levels of underground parking accessed from the lane to the west. A total of 43 parking spaces (30 residential spaces and 13 commercial spaces) are provided, as well as 79 Class A bicycle spaces. These provisions meet the Parking By-law standards for commercial uses and for secured for-profit affordable housing, which allows for a reduced parking rate due to proximity to transit. Parking, loading and bicycle spaces are to be provided in accordance with the Parking By-law. The application proposes one Class A and one Class B loading space, however, an additional Class B loading space is required to meet the minimum standards outlined in the Parking By-law.

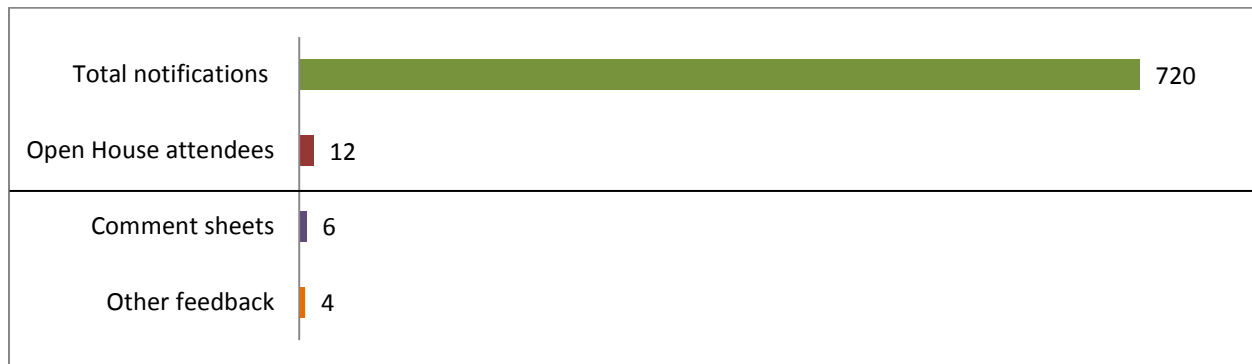
Engineering Services has reviewed the rezoning application and supports the proposal provided the applicant satisfies the rezoning conditions included in Appendix B.

5. Environmental Sustainability

The *Green Buildings Policy for Rezoning* (amended by Council on April 28, 2017) 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. As this application was received after May 1, 2017, it is subject to the update version of the *Green Buildings Policy for Rezoning*. The applicant has opted to meet Passive House design standards.

PUBLIC INPUT

Public Notification – A rezoning information sign was installed on the site on July 24, 2017. Approximately 720 notifications were distributed within the neighbouring area on or about August 23, 2017 (See Figure 6). 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 September 11, 2017, and approximately 12 people attended the open house.

Figure 6: Public Notification and Responses

Public Response and Comments – Staff received a total of 10 written responses including open house comment sheets and email correspondence.

Support for the proposal cited the following:

- Increased supply of rental units in the neighbourhood;
- More retail will be added to serve the growing community in this area; and
- Location is appropriate as the building will add family-size units across the street from Renfrew Elementary School.

Concerns expressed about the proposal included:

- Proposed building height;
- Increased traffic congestion particularly on the lane, as vehicles use the lane to avoid traffic lights along East 22nd Avenue, and on Renfrew Street as cars queue up to pick up children at school; and
- Increased parking demand.

Staff Response

The proposal meets the requirements of the AHC policy, which allows this site to be considered for up to six storeys in height, subject to urban design performance and neighbourhood support. The proposed building mass has been terraced to improve the relationship to the lower-scale neighbours to the west and north. With respect to parking and vehicle parking, the number of conflict points between pedestrians and vehicles in the laneway will be reduced. Speed humps will also be provided in the lane to discourage commuters from using the residential lane (see Appendix B, condition (c) 12). Staff also note that the proposed parking meets the reduced requirements of the Parking By-law for a secured market rental development.

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, 2017, is \$168.13 per sq. m (\$15.62 per sq. ft.) for residential in development over 1.5 FSR and \$149.73 per sq. m (\$13.91 per sq. ft.) for commercial uses.

The applicant has requested a waiver of the DCLs attributed to the for-profit affordable rental housing, in accordance with Section 3.1A of the Vancouver Development Cost Levy By-law. The total floor area eligible for the waiver is 4,038 sq. m (43,465 sq. ft.) and the total DCL that would be waived is estimated to be approximately \$678,909. A review of how the application meets the waiver criteria is provided in Appendix H. Based on the proposed new commercial floor area of 611 sq. m (6,575 sq. ft.), a DCL of approximately \$91,485 is anticipated.

DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment on September 30th 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. See the City's [DCL Bulletin](#) for details on DCL rate protection.

Public Art Program – The *Public Art Policy for Rezoned Developments* requires that rezonings proposing a floor area of 9,290 sq. m (100,000 sq. ft.) or greater allocate a portion of their construction budgets to public art as a condition of rezoning. 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

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 per the City's city-wide CAC policy, rezoning applications in C-1 zones that exceed four storeys in height are subject to a negotiated CAC.

The public benefit achieved for this application is for-profit affordable 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 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 anticipated 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 public art contributions associated with this rezoning, and the CAC for this application is secured market rental units.

The site is subject to the City-wide DCL rate, which is \$168.13 per sq. m (\$15.62 per sq. ft.) for residential in development over 1.5 FSR and \$149.73 per sq. m (\$13.91 per sq. ft.) for commercial uses. The commercial component of the project is anticipated to generate approximately \$91,485 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 \$678,909.

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 3281-3295 East 22nd Avenue from C-1 to CD-1 to increase the allowable density and height, permit a reduction in parking and provide a DCL waiver, thereby facilitating development of a building with 55 secured for-profit affordable rental housing units with retail at-grade, and conclude that the application is consistent with the *Affordable Housing Choices Interim Rezoning Policy*. If approved, this application would make a contribution to the achievement of key affordable housing goals of the City at a location that serves as an important local shopping area. The proposed form of development represents an appropriate urban design response to the site 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 G, be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B.

* * * * *

3281-3295 East 22nd 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 of 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, Billiard Hall, Club, Community Centre or Neighbourhood House, Fitness Centre, and Library;
 - (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law;
 - (c) Institutional Uses, limited to Child Day Care Facility, Public Authority Use, and Social Service Centre;
 - (d) Office Uses;
 - (e) Retail Uses, limited to Farmers' Market, Grocery or Drug Store, Liquor Store, Public Bike Share, Retail Store, and Secondhand Store;
 - (f) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Print Shop, Photofinishing or Photography Studio, Repair Shop - Class B, and Restaurant - Class 1;

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

Conditions of use

- 3.1 All commercial uses permitted in this By-law shall be carried wholly within a completely enclosed building except for:
 - (a) Farmer's 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.
- 3.2 The design and lay-out 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 Computation of floor space ratio must assume that the site consists of 1,555 sq. m, being the site size at the time of the application for the rezoning evidenced by this By-law.
- 4.2 Floor space ratio for all uses must not exceed 3.00.
- 4.3 Computation of floor area must include all floors of all buildings, having a minimum ceiling height of 1.2 m, including earthen floors and accessory buildings, both above and below ground level, to be 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 which are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
 - (d) amenity areas, recreational facilities and meeting rooms accessory to a residential use, to a maximum 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 sections 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 21.3 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 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 the 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

* * * * *

3281-3295 East 22nd 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 Cornerstone Architecture and stamped "Received City Planning Department, May 12, 2017", subject to the following conditions, provided that the Director of Planning 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 Director of Planning who shall have particular regard to the following:

Urban Design

- 1. Design development to reduce overlook and improve the interface to adjacent single family properties, as follows:
 - (i) Delete the middle unit facing the interior side yard (Levels 2 and 3);
 - (ii) Reorient north-facing balconies to face east or west (Levels 2 to 5); and
 - (iii) Increase the setback at the south end of the lane to 3.28 ft., to improve the landscape buffer.

Note to Applicant: Reorienting the balconies and deleting the middle unit will also improve access to light and livability for the dwelling units in the new development.

- 2. Improve and simplify the building massing expression, as follows:
 - (i) Delete the massing projection on the west elevation, Level 2, by providing a continuous 12 ft. setback (Gridlines A to G);
 - (ii) Rationalize the geometry of the "superstructure" of balconies, particularly on the west and north elevations;
 - (iii) Simplify and strengthen the south-west corner expression (Levels 2 to 6); and
 - (iv) Refine the design of balcony screens.

Note to Applicant: The building massing and elevations require further design development to create a more coherent geometry and stronger architectural

expression. Screen design and location should directly relate to solar performance; screens are thus not recommended on the north or east elevations. Where and if they are provided, screens should be moveable and should cover no more than 40% of the balcony opening.

3. Design development to improve livability, as follows:

- (i) Reduce the depth of studio unit 214;
- (ii) Meet horizontal angle of daylight standards for each unit;
- (iii) Provide adequate storage for each unit; and
- (iv) Provide an improved outdoor amenity space.

Note to Applicant: Typically, natural light can penetrate a unit a maximum of 30 ft., whereas unit 214 is approximately 50 ft. deep. This unit is also very large for a studio (614 sq. ft.). It is strongly recommended that this unit be combined with an adjacent unit and/or reconfigured to improve livability. It should be demonstrated that the bedroom in Unit 2010 meets daylight standards. Many in-suite storage rooms are compromised by the location of laundry facilities, and do not appear to comply with the Bulk Storage bulletin (refer to <http://bylaws.vancouver.ca/bulletin/b004.pdf>).

The outdoor amenity space to the north will have very poor solar access and has limited functionality, as it also serves as circulation/exiting. The outdoor space to the west is very small and has limited useable, programmable space (per the Landscape Plan). A second outdoor space on the rooftop is strongly recommended, to accommodate children's play space, urban agriculture, and social/dining areas.

4. Design development to improve the building elevations as follows:

- (i) Indicate all exterior materials on elevation drawings;
- (ii) Extend elevation drawings to include immediate context (i.e. sidewalk and curb, outlines of neighbouring buildings to north and west); and
- (iii) Provide drawn, scaled, streetscape elevations for Rupert Street and East 22nd Avenue.

Note to Applicant: Further conditions may follow from the response to this condition.

5. Confirmation that the application is on track to meeting the current Green Buildings Policy for Rezonings, with clarification of whether the Near Zero Emissions Building or a Passive House Certification approach will be pursued;

Note to Applicant: A Sustainable Design Strategy must be submitted as part of the Development Permit that articulates which strategies, features or technologies will be incorporated into the project in order to achieve the

objectives of the Green Buildings Policy. The strategy, along with the relevant checklists, must be incorporated into the drawing submission. A letter from an accredited professional must confirm that the proposed strategy aligns with the applicable goals of the rezoning policy. Proof of registration of the project with a certification-granting organization (CaGBC or other) must be provided with the application. Application for certification will be required at a subsequent stage.

6. Submission of a bird friendly strategy for the design of the building and landscape is encouraged in the application for a development permit.

Note to Applicant: The strategy should identify any particular risks with regard to the Bird Friendly Design Guidelines and propose design features to reduce these risks. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

Crime Prevention through Environmental Design (CPTED)

7. 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

8. All new buildings in the development will meet the requirements of the Green Buildings Policy for Rezoning (amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>.

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin Green Buildings Policy for Rezoning - Process and Requirements (amended April 28, 2017 or later).

Landscape Design

9. Design development to enhance sustainability and expand programming to include a usable green roof and additional planted terraces at all levels, with planted edges visible from the street.

10. Design development to expand programming to include urban agriculture plots in common outside areas.

Note to applicant: This can be achieved by locating urban agriculture plots on the rooftop (see condition (b)3). It should follow the City's Urban Agriculture Guidelines for the Private Realm and include infrastructure required, such as potting benches, hose bibs, etc. Garden plots should be wheelchair accessible.

11. Provision of improved sustainability by the provision of edible plants, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's Urban Agriculture Guidelines for the Private Realm and should provide maximum solar exposure, universal accessibility and provided with amenities such as raised beds, water for irrigation, potting bench, tool storage and composting.

12. Provision requirements at the time of Development Permit application:

- (i) A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
- (ii) Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
- (iii) Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to applicant: The sections should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

- (iv) Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.

- (v) New proposed street trees should be coordinated with Engineering and the Park Board and noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.
- (vi) A high-efficiency automatic irrigation system to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade;
- (vii) A Landscape Lighting Plan to be provided for security purposes.

Note to applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.
- (xiii) Provision of a detailed Letter of Assurance for Arborist supervision during excavation in proximity to the retained site tree, to be signed and dated by arborist, owner and contractor.

Engineering

- 13. Parking, loading, and bicycle spaces shall be provided and maintained according to the provisions of the Vancouver Parking By-law.
- 14. The owner or representative is advised to contact Engineering to acquire 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 is required for any major crane erection/removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- 15. 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.

Note to Applicant: 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.

- 16. 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.

17. Provision of improved access to the commercial garbage area, separate secured access to the commercial garbage area is to be provided.
18. Delete the "finger of landscaping" proposed in the back boulevard on Rupert Street and landscaping shown over the property line in the lane on drawing L1.
19. Delete proposed granite benches from public property; if seating is desired on public property please contact Street Activities to secure installation of accepted City style benches.
20. Provision of an updated Level 1 drawing that shows the Class B bicycle racks.
21. Provision of a separate application to the General Manager of Engineering Services for any canopy/awning encroaching over public property. Note canopies are to be fully demountable and drained to the buildings internal drainage systems and should consider the final sidewalk location and widths such that the drip line is achieving maximum weather protection for the sidewalk users.
22. Provision of additional design elevations adjacent all entries clearly indicating proposed grades adjacent all doors and provision of added interpolated building grades that ensure entries will meet city sidewalks accurately.
23. Provision of a landscape plan that reflects the off-site improvements sought for this rezoning application.

Please update the landscape and site plan with the following note and submit a separate copy to Engineering Services for review.

"The landscape plan is to be noted as "NOT FOR CONSTRUCTION" and 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, Development Services and/or your Engineering, Building Site Inspector for details."

24. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
 - (i) Clearly label the class B loading space as "a shared use loading space" on the drawings.
 - (ii) Provision of additional design elevations at all entrances, through the loading bays and throughout the parking levels.

Note to Applicant: insertion points for the design elevations and lengths of slopes at all breakpoints to be shown on the drawings.

- (iii) Provision of 6.6m (21.66') maneuvering aisle width or provide 2.74m (9') stall widths.
25. Modification of the parking level design.
- (i) Reduce grades on the drive aisles to 5% or less.
 - (ii) Provision of Section Drawing D and additional section drawings through the Class B loading bays and at gridline K.
 - (iii) Provision of minimum 7'6 1/2" of vertical clearance for the full length of the parking stall for disability parking space 24.
 - (iv) Show the main parkade ramp overhead gate on drawing A201.

Note to Applicant: Ramps which have a 15% slope and are exposed to the weather must be heated.
 - (v) All stalls are to be clearly dimensioned on the drawings.
 - (vi) Eliminate the conflict between the person door access at the residential gate and small car stall 4.
 - (vii) Design development to improve access between the loading, garbage and all uses.
26. Modification of the loading bay design as follows:
- (i) Additional loading bay width of 3.8m for the second Class B loading bay.
 - (ii) 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.

Affordable Housing

27. Provide a unit mix as proposed comprising at least 18 two-bedroom units (33 percent) and 7 three-bedroom units (13 percent).
- 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.
28. The building is to comply with the High Density Housing for Families with Children Guidelines, and include a common amenity room with kitchenette and accessible washroom.

Note to Applicant: Indoor and outdoor common amenity areas should be adjacent to one another and have direct visual and physical connection between them.

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 and the General Manager of Arts, Culture and Community Services (or successors in function), as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Provision of a shared use loading agreement for the Class B loading to be shared between the commercial and residential uses.

Note to applicant: The shared use agreement shall specify allocated time periods for shared use by residential vs. commercial units.

2. Provision of a Services Agreement to detail the on 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 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.

- (iii) Relocation/removal of the existing wood pole in the lane that blocks parking and loading access and arrangements for replacement lane lighting to current standards.
- (iv) Removal of existing driveway crossings and reconstruction of curb and sidewalks to standard is required.
- (v) Provision of new CIP light broom finish concrete sidewalk with saw cut joints along the site frontages between the existing front boulevard and the building face is required. Note: delete reference to sandblasted sidewalks. All walks should be light broomed finished sidewalks and scoring pattern should carry from public to private property where concrete sidewalks are provided.
- (vi) Provision of new concrete bus stop landing area on East 22nd Avenue adjacent the site including relocation of bus shelter to accommodate an improved bus stop location. Final bus stop/shelter/concrete landing area to be determined prior to sidewalk reconstruction.
- (vii) Provision of upgraded street lighting along the site frontages to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
- (viii) Provision of a standard commercial concrete lane crossing at the lane entry on the north side of East 22nd Avenue at the lane west of Rupert Street.
- (ix) 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.

- (x) Provision of signal modifications at Rupert Street & 22nd Avenue traffic signal to provide for updated Intersection lighting to LED standards.
- (xi) Provision of speed humps in the lane west of Rupert Street between 22nd Avenue and 21st Avenue. Final location and quantity of speed humps to be determined prior to installation.

3. 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 Water Course Bylaw. The plan shall achieve the following objectives:
- a) Retain or infiltrate 50% of the 6-month storm event volume (24 mm) onsite;
 - b) Treat the 6-month event (48 mm) onsite; and
 - c) Maintain the pre-development 2 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.

Note to applicant: Legal arrangements may be required to ensure on-going operations of certain stormwater storage, rainwater management and green infrastructure systems.

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 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 B.C. 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.

Affordable Housing

5. Make arrangements to the satisfaction of the General Manager of Arts, Culture and Community Services (or successor in function) and the Director of Legal Services to enter into a Housing Agreement securing all 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 or life of the building, and 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 adjustment as contemplated by Section 3.1B(c) of the Vancouver Development Cost Levy-By-law:

Unit Type	3281-3295 East 22nd Avenue Proposed Average Starting Rents
Studio units	\$1,380
1-bedroom	\$1,698
2-bedroom	\$2,440
3-bedroom	\$2,920

- (vi) That a final rent roll be provided, prior to issuance of an occupancy permit, to the satisfaction of General Manager of Arts, Culture and Community Services (or successor in function) 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 Section 3.1B(c) of the Vancouver Development Cost Levy By-law.
- (vii) Such other terms and conditions as the General Manager of Arts, Culture and 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.

Environmental Contamination

- 6. 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 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.

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3281-3295 East 22nd Avenue
DRAFT CONSEQUENTIAL AMENDMENTS

SIGN BY-LAW NO. 11879

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

"3281-3295 East 22nd Avenue [CD-1 (#)] [By-law #] B (C-1)"

NOISE CONTROL BY-LAW NO. 6555

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

"[CD-1 (#)] [By-law #] 3281-3295 East 22nd Avenue"

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3281-3295 East 22nd Avenue
URBAN DESIGN ANALYSIS

URBAN DESIGN PANEL

The Urban Design Plan reviewed the application on September 20, 2017.

EVALUATION: SUPPORT with Recommendations

Introduction: Rachel Harrison, Rezoning Planner, introduced the project as located in Renfrew Collingwood on Northwest corner of Rupert and East 22nd Ave.

The rezoning proposal is coming in under the Affordable Housing Choices Interim Rezoning Policy to construct a 6-storey mixed use building with commercial at grade and 55 units of secured, market rental housing above. The site is a single lot, 123 feet x 136 feet, zoned C-1, and currently includes a small 1-storey strip mall with parking in the front. There is a lane along the west PL and a fairly significant grade drop between the north and south PL. The southwest corner is zoned C-1 and includes a new 3-storey mixed use building and the SE corner was recently rezoned from C-1 to CD-1 to allow for a 6-storey market rental building under the Affordable Housing Choices Interim Rezoning Policy. This interim rezoning policy only allows 2 applications with 10 blocks, so this proposal, if approved by Council, will be the last development to occur under this policy within 10 blocks. The northeast corner is the Renfrew Elementary School. Otherwise all the other properties around the site are zoned RS-1, including the houses immediately north of the subject site.

Note: there is currently no rezoning policy that can be applied to the C-1 site on the southwest corner nor on the surrounding RS-1 sites (i.e. all RS-1 sites are not expected to redevelop). The application is proposing an FSR of 3.03 and 46% of the units are family oriented. 1 level of underground parking will be accessed off the lane. The building will meet Passive House design.

Danielle Wiley, Development Planner, noted that the project is located in a shopping node (zoned C-1) in a single family neighbourhood (RS-1). The existing streetscape consists primarily of 1-storey retail with small frontages. The base C-1 zone allows up to 3 storeys (1.2 FSR). There is one new C-1 development across the street (to the south), illustrating typical form of development.

The site has some challenges/constraints, including:

- an adjacent single family property to the north, without an intervening lane;
- a flanking single-family property 1-FD neighbour across the lane to the west; and
- a 7 footslope along the Rupert St frontage, which exacerbates overlook & shadowing.

The proposal includes retail at grade, wrapping Rupert St & E 22nd frontages with a 2 foot setback & canopies. On Rupert Street, a slab is stepped to match the slope. Retail heights range from 15 to 17.5 feet.

There is a 2-foot setback on both street frontages, with an additional 6-foot A 2-foot setback from property line, which increase to 6 feet at the north-west corner, to interface to the front yard of the adjacent single family property. The main residential entry and a townhouse

are located at the increased setback. A mature tree is retained at the corner, and provides an additional buffer to neighbour.

A 20-foot setback is provided at the north property line (compared to 8 feet required under base zoning), to mitigate impact on the neighbour. A common amenity room and outdoor space face north onto this side yard. Sloped landscaping mitigates the 6 foot change in grade to north property line. The lane is another sensitive interface with an RS-1 neighbour. Parking and loading are internalized in the building. A small common outdoor space and PMT are located at the northwest corner.

Level 6 is set back 6 feet on both street frontages, to minimize the appearance of height. All units have open balconies. No rooftop access is proposed.

This is a Passive House project. The sustainability strategy informs a design of simple massing (within the setback requirements) with a “superstructure” of balconies.

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

1. Are the height (ie. number of storeys) and density appropriate for this site in its context (local commercial node)?
2. Is the overall massing and building expression successfully resolved?
3. Are the interfaces to the adjacent single family properties resolved (ie. massing and overlook, and at-grade relationships)?
4. Is a high level of livability achieved? Please consider: a) common amenities, and b) configuration of dwelling units.

The planning team then took questions from the panel.

Applicant’s Introductory Comments: The applicant noted this was the only commercial node in the area. The commercial node will assist with density. The massing was intended to be on the corner to try to address the overlook. The standard was intended to be passive house with issues of ventilation to be addressed.

The groundcover is designed to be shade tolerant. With a more pleasant ground plane, a ‘softness’ can be introduced in terms of the interface. There is a large tree to be retained. There is a large street tree along the front that would provide continuity to the landscape. The idea of a ‘looseness’ in a screen is pursued in the landscape.

The applicant team then took questions from the panel.

Panel Consensus: Having reviewed the project it was moved by Mr. Wen and seconded by Ms. Shieh and was the decision of the Urban Design Panel:

THAT the Panel SUPPORT with following recommendations to be reviewed by City Staff:

- Re-examine the location of the residential entry
- Re-examine the configuration of the residential lobby and circulation
- Consider the usability of the outdoor amenity space
- Consider the balconies on the north elevation (ie. access to light, usability);
- Refinement of the building elevations, particularly facing the lane and interior side yard.

Related Commentary: The panel considered the height and density is appropriate, but the massing and expression needs development. The stepping of the building needs rationalization.

The building should have an entry in a better place, to resolve the awkwardness of the lobby. The main entry could be relocated to East 22nd, or the end of the Rupert St elevation.

The outdoor amenity should have more usable space and better solar access, if possible. The pursuit of a Passive House project is commendable.

Applicant's Response: The applicant team thanked the panel and noted the issue of the entrance moved to E 22nd is the cross section of the loading dock and pedestrians.

3281-3295 East 22nd Avenue
PUBLIC CONSULTATION SUMMARY

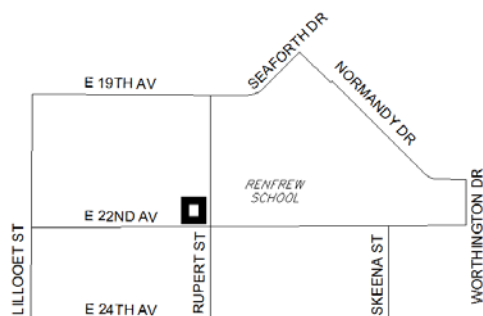
Public Notification

A rezoning information sign was installed on the site on July 24, 2017. A community open house was held on September 11, 2017. Notification and application information, as well as an online comment form, were provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).

September 11, 2017 Community Open House

A community open house was held from 5-7:30 pm on Monday, September 11, 2017 at the Renfrew Elementary School Library (3315 East 22nd Avenue). Approximately 720 notifications were distributed within the neighbouring area on or about August 23, 2017. Staff, the applicant team, and a total of 12 people attended the open house.

Notification Area:



Public Response and Comments

Staff received 6 feedback forms at the September 11, 2017 community open house and 4 online comment forms by email.

Below is a summary of all the comments organized by themes and ordered by frequency.

Traffic and Parking

Increased traffic congestion particularly along the residential laneway bordering the site was a main concern found in the comments. Respondents were concerned that the increase in the number of residents resulting from this proposal may exacerbate the issue, particularly as cars going west along East 22nd Avenue use the laneway to avoid the traffic lights. Respondents were also concerned that the existing traffic associated with school pick-up/drop off along Rupert Street will be intensified and may pose a safety risk to students.

Some respondents also expressed concerns that the proposed development will impact the availability of street parking in the area.

Neighbourhood Feel

A number of respondents indicated that the proposed development will improve the neighbourhood through the addition of new and upgraded retail options serving the area, and high quality building design.

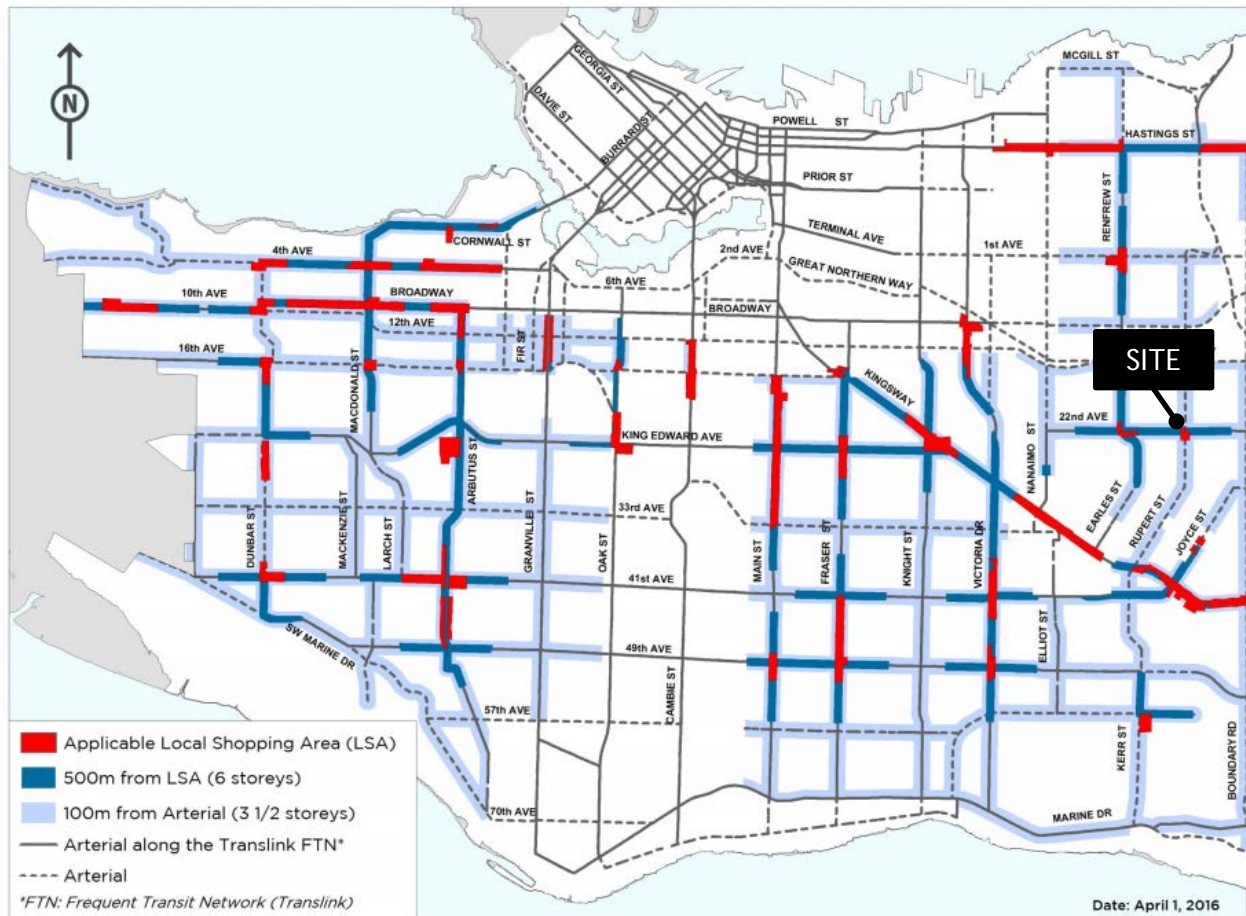
Family Units and Rental Housing

Respondents expressed support for the addition of rental units to the neighbourhood, citing that family units are particularly important in this area given the proximity to Renfrew Elementary School.

Height

Some respondents expressed concerns with proposed building height, indicating that it is out-of-place within a low-rise residential area. Respondents stated a preference for heights up to three storeys.

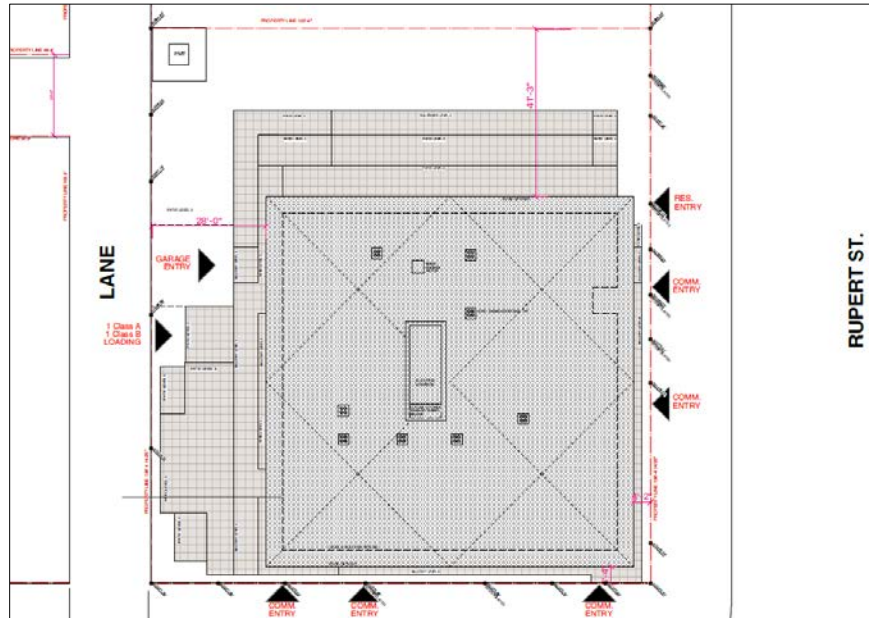
3281-3295 East 22nd Avenue
AFFORDABLE HOUSING CHOICES POLICY LOCATION MAP



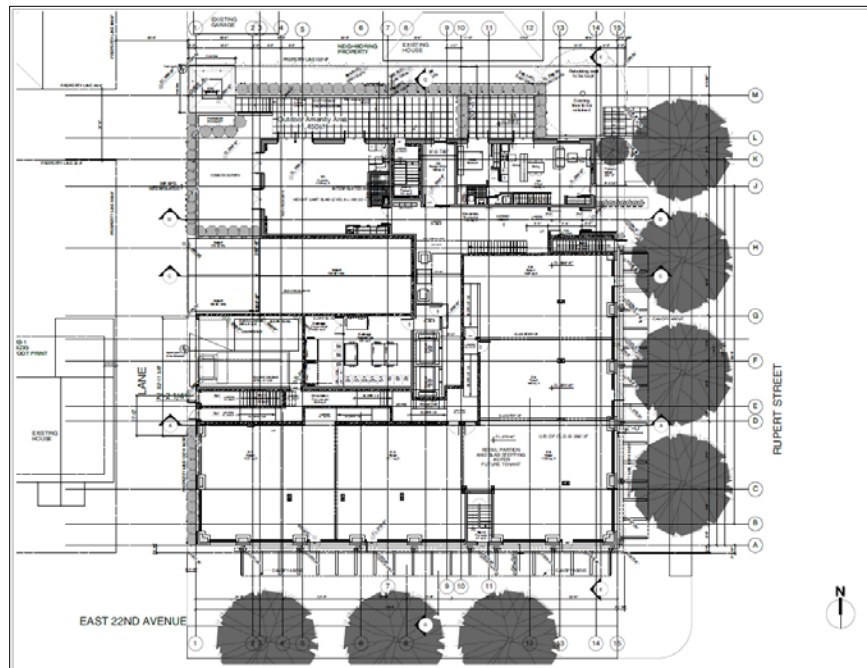
3281-3295 East 22nd Avenue
FORM OF DEVELOPMENT

For a complete set of application drawings visit:
<http://rezoning.vancouver.ca/applications/3281-3295e22/index.htm>

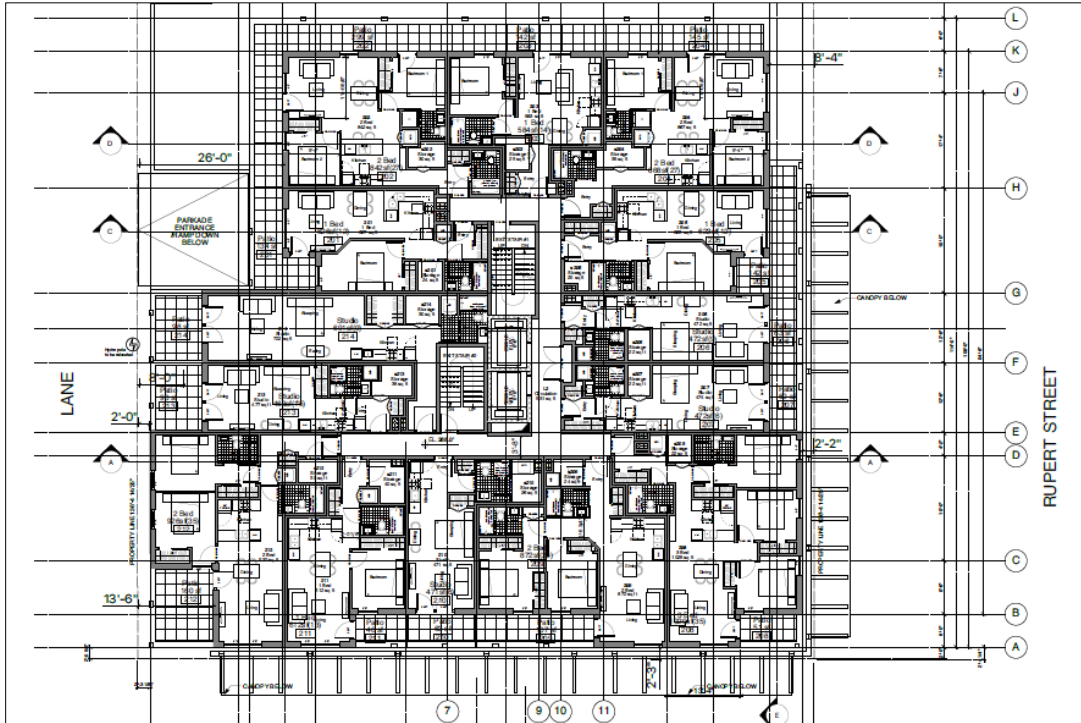
Site Plan



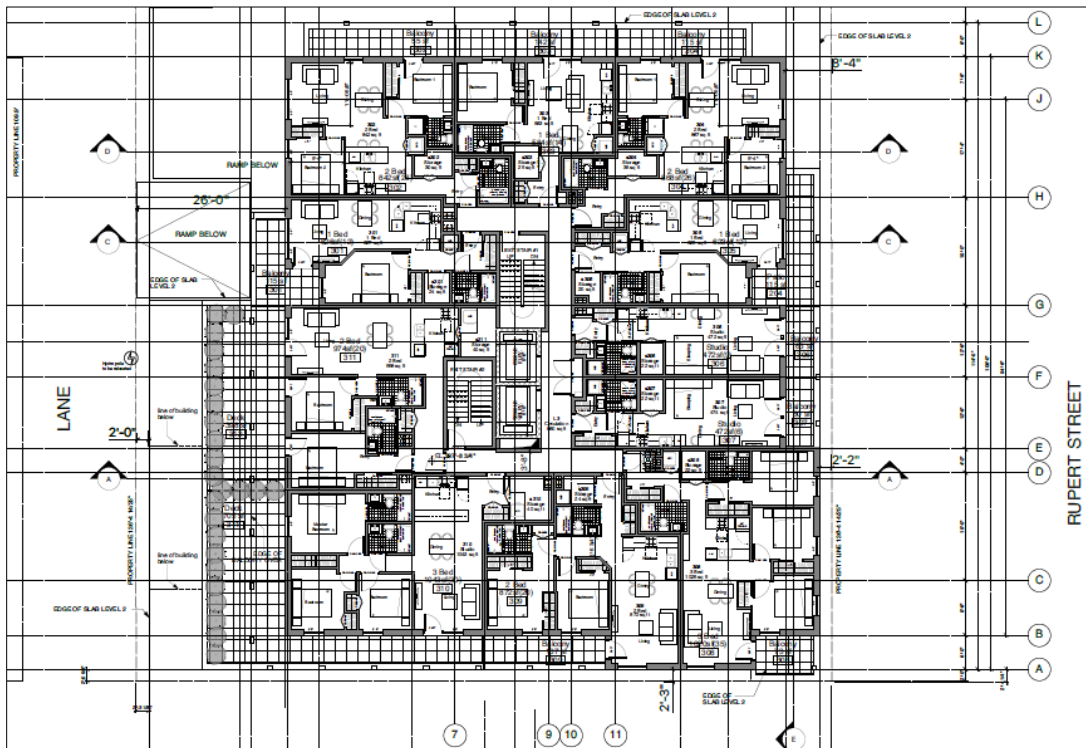
Level 1



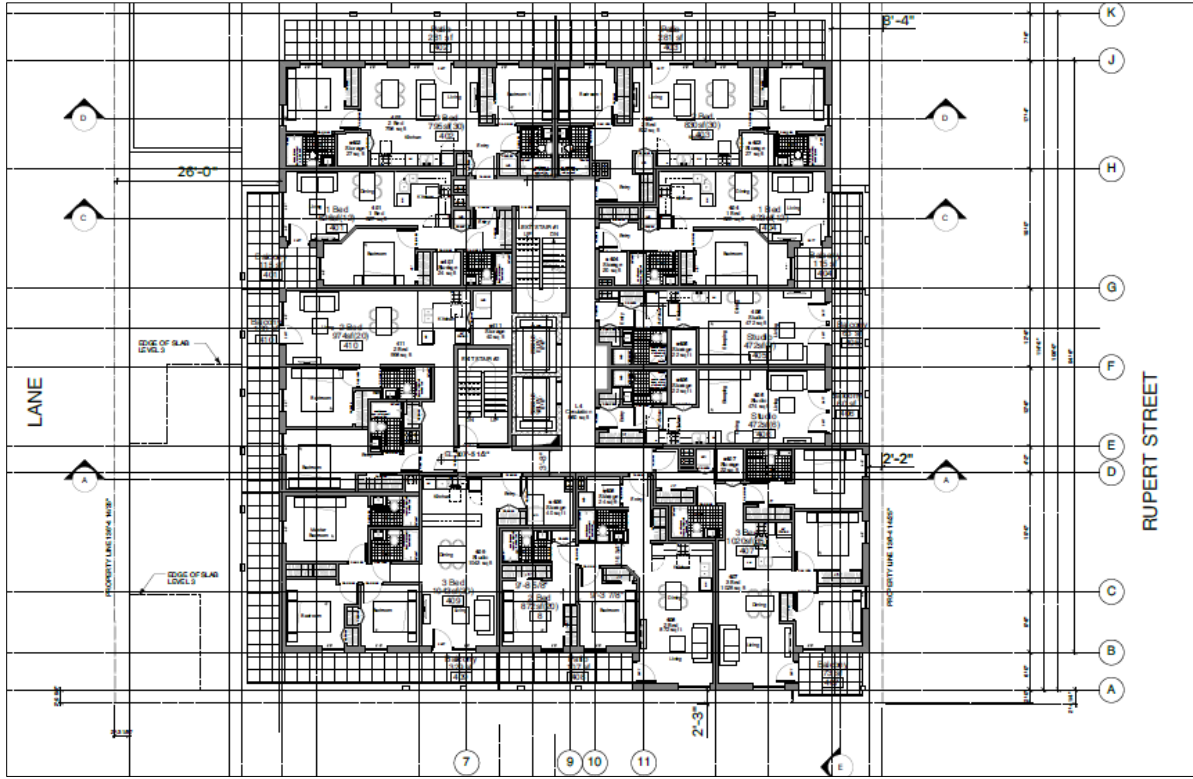
Level 2



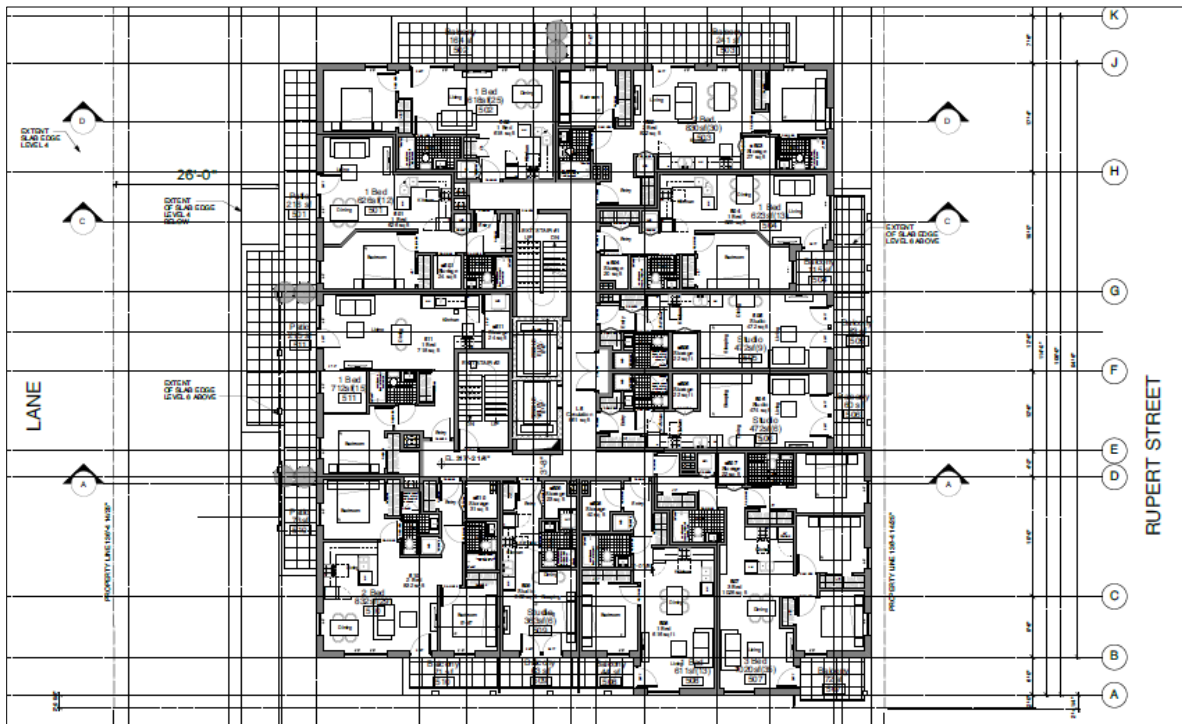
Level 3



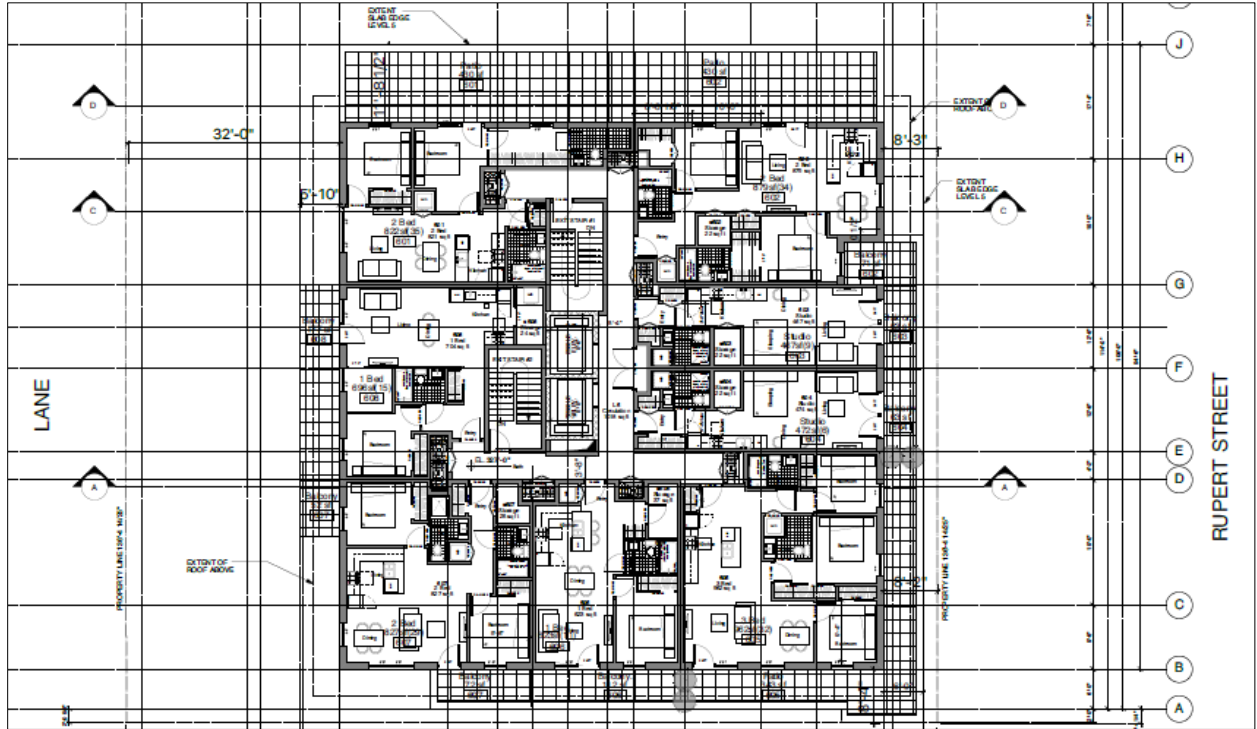
Level 4



Level 5



Level 6



East Elevation



South Elevation



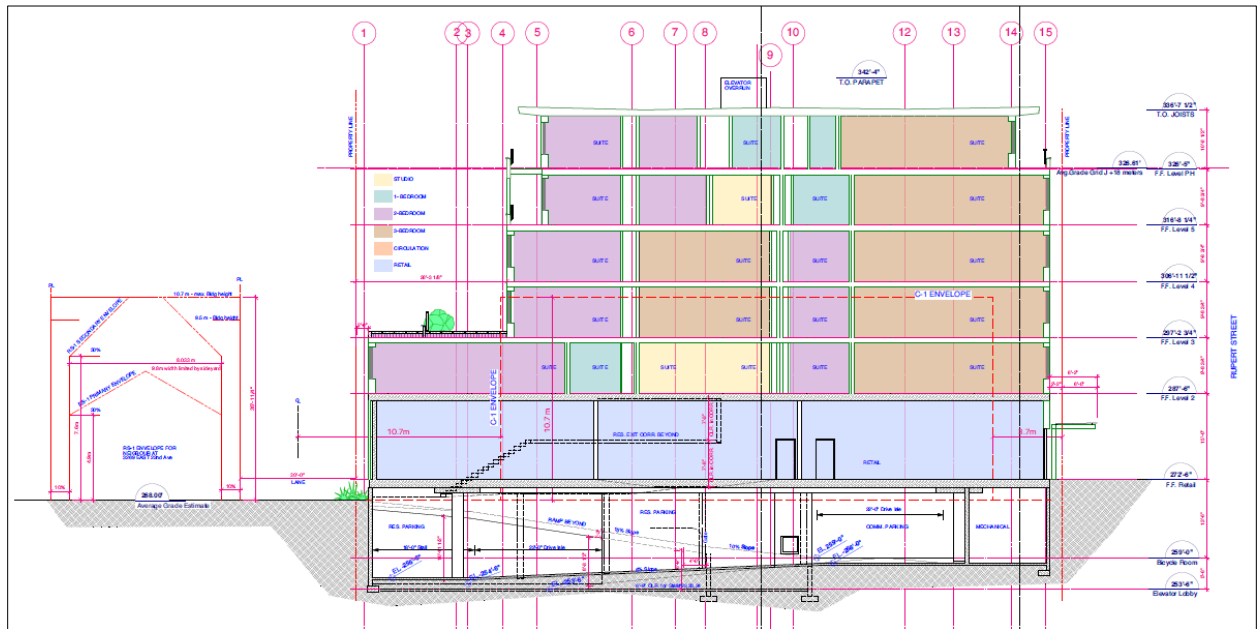
West Elevation



North Elevation



Building Section



3281-3295 East 22nd Avenue
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) 13 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	14	42 sq. m (450 sq. ft.)	41 sq. m (439 sq. ft.)
One-Bedroom	16	56 sq. m (600 sq. ft.)	55 sq. m (587 sq. ft.)
Two-Bedroom	18	77 sq. m (830 sq. ft.)	76 sq. m (817 sq. ft.)
Three-Bedroom	7	97 sq. m (1,044 sq. ft.)	89 sq. m (959 sq. ft.)

- (d) The average initial rents for the proposed dwelling units do not exceed rents specified in the DCL By-law, subject to Section 3.1B(c).

Unit Type	Number of Units Proposed	East Area DCL By-law Maximum Rents 2018*	Proposed Average Unit Rent
Studio	14	\$1,496	\$1,380
One-Bedroom	16	\$1,730	\$1,698
Two-Bedroom	18	\$2,505	\$2,440
Three-Bedroom	7	\$3,365	\$2,920

*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
\$3,391 per sq. m	\$2,846/sq. m (\$264.39 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 proposed set out under (d) above.

3281-3295 East 22nd Avenue
PUBLIC BENEFITS SUMMARY

Project Summary:

Six-storey mixed-use building with commercial units at grade and secured for-profit affordable rental units above.

Public Benefit Summary:

The proposal would provide 55 dwelling units secured as for-profit affordable rental housing for the life of the building or 60 years, whichever is longer. DCLs on the commercial floor space would also be collected.

	Current Zoning	Proposed Zoning
Zoning District	C-1	CD-1
FSR (site area = 16,741 sq. ft.)	1.20	3.00
Floor Area (sq. ft.)	20,090	50,223
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) (based on 6,575 sq. ft. of commercial space)	\$279,396	\$91,485
	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		\$279,396	\$91,485

Other Benefits (non-quantified components):

55 units of for-profit affordable 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 (22%); Replacement Housing (32%); Parks (41%); and Childcare (5%).

3281-3295 East 22nd Avenue
APPLICANT AND PROPERTY INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
3281-3295 East 22nd Avenue	006-779-514	Lot 13, Block K, Section 42, THSL, Plan 11660

Applicant Information

Applicant/Architect	Cornerstone Architecture
Developer/Property Owner	Peak Real Estate Marketing Ltd.

Development Statistics

	Permitted Under Existing Zoning	Proposed
Zoning	C-1	CD-1
Site Area	1,555 sq. m (16,741 sq. ft.)	1,555 sq. m (16,741 sq. ft.)
Land Use	Commercial and Residential	Commercial and Residential
Maximum FSR	1.20	3.00
Maximum Height	10.7 m (35 ft.)	21.3 m (70 ft.)
Floor Area	1,866 sq. m (20,089 sq. ft.)	4,665 sq. m (50,223 sq. ft.)
Parking, Loading and Bicycle Spaces	As per Parking By-law	As per Parking By-law