



**POLICY REPORT  
DEVELOPMENT AND BUILDING**

Report Date: May 1, 2018  
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Meeting Date: May 15, 2018

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: CD-1 Rezoning: 4459 Rupert Street

**RECOMMENDATION**

- A. THAT the application by Lang Wilson Practice in Architecture Culture Inc., on behalf of Rejoyce Investment Corp., to rezone 4459 Rupert Street [Lot 3 Except the West 8 feet now Lane Block 4 South East 1/4 of Section 49 Town of Hastings Suburban Lands Plan 1705; PID: 006-139-515] from C-1 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 1.2 to 2.6 and the building height from 10.7 m (35.1 ft.) to 15 m (49.18 ft.), to permit the development of a four-storey mixed use building with commercial at grade and 12 secured for-profit affordable rental housing units, be referred to a public hearing, together with:
- (i) plans prepared by Lang Wilson Practice in Architecture Culture Inc., received on February 2, 2017 with amendments received on June 2, 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, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Arts, Culture and Community Services.

- 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 4459 Rupert Street from C-1 (Commercial) District to CD-1 (Comprehensive Development ) District to permit the development of a four-storey mixed use building with commercial/retail at grade, and 12 secured for-profit affordable rental housing units on the upper floors. The application has been submitted under the Secured Market Rental Housing Policy (Rental100) 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 rental housing for the life of the building or 60 years, whichever is longer.

The application also seeks incentives available to for-profit affordable rental housing, including a waiver of the residential portion of the Development Cost Levy (DCL), and concurrent processing of rezoning and development permit. The application is also consistent with the

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

Staff have assessed the application and conclude that it is consistent with the Rental 100 policy with regard to the proposed uses and form of development. If approved, the application would contribute 12 secured for-profit affordable rental housing units to the City’s affordable housing goals as identified in the *Housing Vancouver Strategy*.

Staff recommend that the application be referred to a public hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it, subject to the public hearing, along with the conditions of approval as outlined in Appendix B.

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

Relevant Council policies for this site include:

- Secured Market Rental Housing Policy (Rental 100) (2012)
- Housing Vancouver Strategy (2017)
- Rental Incentive Guidelines (2012, amended 2018)
- C-1 District Schedule and Guidelines (1996, amended 2016)
- Renfrew-Collingwood Community Vision (2004)
- High-Density Housing for Families with Children Guidelines (1992)
- Family Room: Housing Mix Policy in Rezoning Projects (2016)
- Green Buildings Policy for Rezoning (2010, amended 2017)
- Community Amenity Contributions through Rezoning (last amended 2017)
- Vancouver Development Cost Levy By-law No. 9755 (2008, amended 2016)

### **REPORT**

#### **1. Background/Context**

The subject site is located midblock on the west side of Rupert Street, between East 28<sup>th</sup> and East 29<sup>th</sup> Avenues, in the Renfrew-Collingwood community (see Figure 1). The site is comprised of one legal parcel, with a total area of 396.7 sq. m (4,270 sq. ft.), a frontage of 11.63 m (38.16 ft.) along Rupert Street and a depth of 34.11 m (111.91 ft.).

Currently, the site is occupied by a one-storey residential building. This area along Rupert Street is generally comprised of one to two-storey residential or commercial buildings. The area has a cluster of 14 C-1 zoned lots (see figure 1.), including the subject site. The C-1 cluster is surrounded by RS-1 zoning. The site to the south is currently vacant. The site to the north is occupied by a two-storey residential building.

The C-1 zoning allows for buildings up to 10.7 m high, with small-scale commercial establishments at grade, compatible dwellings above, and no requirements for front or side yards. The role of neighbourhood commercial nodes is to provide small-scale local-serving retail uses in a residential context.

**Figure 1 — Site and Surrounding Context**

## 2. Policy Context

**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 toward the right supply, with targets for new units along a continuum of housing types. The Housing Vancouver targets were based on the core goals of retaining diversity of incomes and households in the city, 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.

**Secured Market Rental Housing Policy** - In May 2012, Council approved the *Secured Market Rental Housing Policy*, commonly known as the R-100 policy, which provides incentives for new developments where 100 per cent of the residential floor space provided is non-stratified rental housing. Rezoning applications considered under this policy must meet a number of criteria regarding security of tenure, location and form of development.

**Rental Incentive Guidelines** -The intent of the *Rental Incentive Guidelines* is to inform the way in which rental incentives, taken at the applicant's discretion, are applied to specific projects. Applications made under Policy 1.2 of the *Secured Market Rental Housing Policy* are eligible for additional floor area, parking relaxations, a DCL waiver for the residential rental floor area of the project, and relaxation of unit size provided that the design and location of the unit provides satisfactory living accommodation. For sites zoned C-1, the guidelines provide general direction for consideration of additional height up to four-storeys with a commensurate achievable density.

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

**Renfrew-Collingwood Community Vision (2004)** - This vision identifies key shopping areas in Renfrew-Collingwood including a 'Mininode' at Rupert Street and 29<sup>th</sup> Avenue. The vision sets out ways to create 'neighbourhood centres' in and around these key shopping areas by adding retail, housing, and more inviting public places. It also identifies ways to make these areas more convenient, safe, comfortable, and enjoyable places to shop. In June 2013, the Community Vision Choices Survey was distributed to all households, businesses, and property owners in Renfrew-Collingwood. Over 1800 people responded and 62% agreed with the following vision – "The shopping areas at Rupert and 22<sup>nd</sup> and Rupert and 29<sup>th</sup> should be strengthened as neighbourhood shopping areas and special community places. Allow mixed use development (retail on ground floor with three storeys of housing above) within the commercial area, permit limited expansion of the commercial area, and add more ground-oriented multiple-unit residential buildings adjacent to the commercial area to support local businesses."

**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, four-storey form and the proposal for secured rental housing is considered to be in keeping with the land use intent for the area.

**Family Room: Housing Mix Policy for Rezoning Projects** - On July 13, 2016 Council adopted the Housing Mix Policy for Rezoning Projects, which details family unit housing mix requirements for specific rezoning applications that include residential uses. Requirement for family units increased from a minimum of 25 per cent to 35 per cent. 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.

## ***Strategic Analysis***

### **1. Proposal**

This rezoning application proposes a four-storey residential building at an overall density of 2.6 FSR and a height of 15 m (49.18 ft.). A stairwell extends above the roofline to provide access to a roof top garden and residents' amenity area. In total, the application proposes 12 secured for-profit affordable rental housing units.

**Figure 2: View of the Proposed Development Looking South West**

## 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 Rental 100 policy plays a critical role in the achievement of those targets by helping to realize secured for-profit affordable 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.

The Rental 100 policy provides various incentives to be taken at the applicant's discretion to assist with a project's viability. These incentives, where the units qualify as secured for-profit affordable rental housing, include increased height and density, parking reductions and a Development Cost Levy (DCL) waiver. Housing staff have evaluated this application and have determined that it meets the criteria of the Rental 100 policy.

This application meets the requirement of the Rental 100 policy by proposing 100% of the residential floor area as for-profit affordable rental housing. The proposal would deliver 12 for-

profit affordable rental housing units in the form of one-bedroom and two-bedroom units. On July 13, 2016, Council adopted *Family Room: Housing Mix Policy in Rezoning Projects*. The policy includes family housing requirements set at 35 percent. This application would deliver 6 family units (50 percent), all of which are two bedrooms, thereby exceeding the policy. These units are to be designed in accordance with the High Density Housing for Families with Children Guidelines.

All units would be secured through a Housing Agreement and/or a Section 219 Covenant for the longer of the life of the building or 60 years. Covenants will be registered on title to preclude the stratification and/or separate sale of individual units. The addition of new secured for-profit affordable rental housing units to the City's inventory of market rental housing contributes toward the *Housing Vancouver* targets (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 March 31, 2018**

Housing Type	10-YEAR TARGETS	CURRENT PROJECTS
		Units Approved Towards Targets
Secured Market Rental Housing Units	20,000	1312

\* Note that tracking progress towards 10-year Housing Vancouver targets began in 2017

\* Unit numbers in Figure 3 exclude the units proposed at 4459 Rupert, pending Council approval of this rezoning application.

Vancouver has one of the lowest vacancy rates in Canada. In October 2017, the vacancy rate in the City was 0.9%. That means only 9 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 Renfrew-Collingwood neighbourhood is currently noted at 0.7%.

This application includes one- and two-bedroom apartments. The applicant estimates that the one-bedroom units would rent for \$1,500 to \$1,700 and the two-bedroom units would rent for \$2,300 to \$2,500 per month. Staff have compared the anticipated initial monthly rents in this proposal to the average monthly costs for newer rental units in the east area of Vancouver, as well as to the estimated monthly costs to own similar units in the east area of Vancouver, using 2017 Multiple Listing Service data.

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

Figure 4 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 City averages.

**Figure 4 — Comparable Average Market Rents and Home-Ownership Costs**

	4459 Rupert St Average Proposed Rents	Average Market Rent in Newer Buildings (CMHC, 2017) <sup>1</sup>	DCL By-law Maximum Averages (CMHC 2017) <sup>2</sup>	Monthly Costs of Ownership for Median- Priced Unit – Eastside (BC Assessment 2017) <sup>3</sup>
1-bed	\$1,642	\$1,689	\$1,730	\$2,739
2-bed	\$2,333	\$2,284	\$2,505	\$3,817

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 studio, 1-, 2-, and 3-bedroom units, the maximum DCL rents are the average rents for all residential units built since the year 2005 in the City of Vancouver as published by CMHC in the fall 2017 Rental Market 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 proposed average starting rents, as set out in Figure 4, will be secured through the Housing Agreement. The DCL By-law allows for 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 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 DCL By-law.

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

The application proposes a four-storey mixed use building in courtyard form.

The Secured Market Rental Housing Policy (Rental 100) and Rental Incentive Guidelines provide direction for the consideration of additional height and density to support projects where 100 percent of the residential floor space is rental. The Rental Incentive Guidelines advise that proposals in the C-1 zoning district should "generally consider C-2 form of development (e.g. four-storeys and 2.5 FSR)".

The height and setbacks of the proposal generally follow the height and setback guidelines as set out in the in the C-2 District Schedule. These parameters intend to achieve a livable distance to adjacent RS zoned residential; to reduce the apparent height on the street; and to provide space for architectural variety on facades.

Staff are satisfied that the proposed density and principal building massing can be accommodated on the site; staff will be seeking a reduction in the height and massing of the stair shaft that protrudes above the roofline at the development permit stage. Staff are also seeking additional parking spaces, which will result in a reduction in commercial space.

The internal courtyard space on levels 2 through 4 varies in width from 16 to 24 feet wide. Staff are satisfied that the arrangement of spaces and openings has been thoughtfully designed to avoid direct conflicts and will maintain a good level of livability for residents. The CD-1 Bylaw includes provisions to allow for the rooftop stairwell.

The rezoning application was reviewed by the Urban Design Panel, receiving support on October 18, 2017 (see Appendix D). Staff have concluded that the design responds well to the intents set forth in the Secured Market Rental Housing Policy and, therefore, support this application, subject to the conditions outlined in Appendix B.

#### **4. Transportation and Parking**

The application proposes parking at grade accessed from the laneway, over one level of underground bike parking accessed via an elevator. A total of one car share space, one disabled parking space, one Class A loading bay shared with one visitor parking space, 34 Class A bicycle spaces and six Class B bicycle spaces are provided. One additional parking space is being sought to meet the minimum standards outlined in the Parking By-law. A condition has been applied to address the additional parking which may be provided on site, through the reduction in commercial space (See Appendix B, Condition (b) 6).

Engineering Services has reviewed the rezoning application and has no objections to the proposal, provided the applicant satisfies the rezoning conditions included in Appendix B.

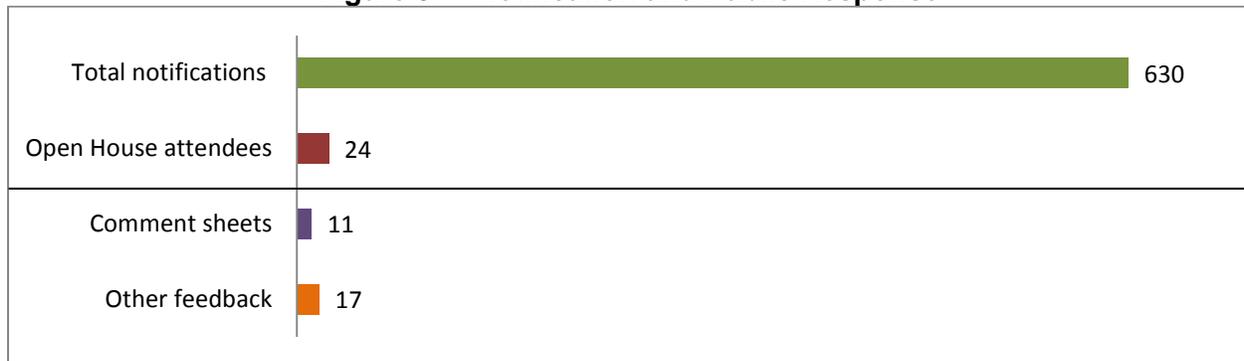
#### **5. Environmental Sustainability**

The *Green Buildings Policy for Rezoning*s (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 the full 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. These high standards of energy efficient design will allow the residents a comfortable living environment and reduced energy costs for the operator, resulting in long-term cost saving and affordability.

### ***PUBLIC INPUT***

**Public Notification** — A rezoning information sign was installed on the site August 3, 2017. Approximately 630 notifications were distributed within the neighbouring area on or about October 24, 2017 (see Figure 5).

In addition, notification and application information and an online comment form were provided on the City's Rezoning Applications webpage ([vancouver.ca/rezapps](http://vancouver.ca/rezapps)). An open house was held on November 8, 2017. Staff, the applicant team, and a total of approximately 24 people attended the open house.

**Figure 5 — Notification and Public Response**

**Public Response and Comments** — Staff received a total of 28 written responses including open house comment sheets and email correspondence. See Appendix E for a more detailed public consultation summary.

Concerns expressed about the proposal included:

- Traffic congestion on the street and in the lane;
- Lack of on-site parking;
- Security, safety and crime;
- Neighbourhood fit, massing and commercial uses.

Support for the proposal cited the following:

- Need for rental housing;
- Local commercial uses and redevelopment of a derelict block;
- Amount of bike storage and reduction of parking space provided.

### **Staff Response**

The C-1 (commercial) zone was established in 2004 following positive community feedback as part of the Renfrew-Collingwood Community Vision. The community vision identified a neighbourhood centre, with retail and mixed use development, at Rupert Street and 29th Avenue to serve the local shopping needs of residents.

This application is consistent with the Secured Market Rental Housing Policy (Rental 100) with regards to the form of development. The Rental 100 policy enables for consideration of up to four storeys in height provided that all proposed housing units are secured as market rental housing for the longer of the life of the building or 60 years.

One additional parking space is required to meet the minimum standards outlined in the Parking By-law. In response to public concern, staff is seeking an additional parking space on site (see Appendix B, Condition (b) 6).

### **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)** — 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.

The city-wide DCL rate effective September 30, 2017, is \$149.73 per sq. m (\$13.91 per sq. ft.) for commercial uses and \$168.13 per sq. m (\$15.62 per sq. ft.) for residential uses above 1.5 FSR. On this basis, the proposed development of 172.73 sq. m (1,859.30 sq. ft.) commercial and 856.69 sq. m (9,221.30 sq. ft.) of residential, totaling 1029.42 sq. m (11,080.60 sq. ft.) would generate a DCL of approximately \$169,900.

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 (see Appendix G). The total DCL that would be waived is estimated to be approximately \$144,040. A review of how the application meets the waiver criteria is provided in Appendix G. The applicant would still be responsible for supplying a DCL for the commercial component, estimated to be approximately \$25,863.

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. 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.

The applicant has proposed that 12 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 longer of the life of the building or 60 years. Covenants would be registered on title to preclude the stratification and/or separate sale of individual units.

On November 29, 2017, City Council approved a CAC policy amendment that exempts CACs on routine, lower density secured market rental rezoning applications that align with the *Secured Market Rental Housing Policy (2012)* and *Rental Incentive Guidelines (2017)*. Staff note that the application is eligible for CAC exemption under the amended policy.

Real Estate Services staff have reviewed the applicant's development pro forma and have concluded that, after factoring in the costs associated with the 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 H for a summary of all of the public benefits for this application.

### **FINANCIAL IMPLICATIONS**

As noted in the Public Benefits section, there are no cash CACs and public art contribution associated with this rezoning, and the public benefit offered is 12 secured for-profit affordable rental housing units.

It is anticipated that the commercial component of the project will generate approximately \$25,863 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 \$144,040.

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, and will contribute to the City's secured rental housing stock.

### **CONCLUSION**

Staff have reviewed the application to rezone the site at 4459 Rupert Street from C-1 to CD-1 to increase the allowable density and height thereby facilitating development of a residential building with 12 secured for-profit affordable rental housing units, and conclude that the application is consistent with the *Secured Market Rental Housing Policy*. The application qualifies for incentives provided for for-profit affordable rental housing, including additional height and density, a DCL waiver, and a parking reduction. Staff further conclude that the proposed form of development represents an appropriate urban design response to the site and context, and is supportable. If approved, this application would make a contribution to the achievement of key affordable housing goals of the City.

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. Further it is recommended 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.

\* \* \* \* \*

**4459 Rupert Street  
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) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law;
  - (b) Retail Uses, limited to Grocery or Drug Store, Retail Store, Farmers' Market, Liquor Store, Pawnshop, Public Bike Share, Secondhand Store, and Small-scale Pharmacy;
  - (c) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Repair Shop – Class B, Restaurant – Class 1, Neighbourhood Public House, and Print Shop;
  - (d) Institutional Uses, limited to Child Day Care Facility, Church, Public Authority Use, Social Service Centre, and Community Care Facility – Class B;
  - (e) Office Uses;
  - (f) Cultural and Recreational Uses, limited to Artist Studio, Billiard Hall, Club, Community Centre or Neighbourhood House, Fitness Centre, and Library;

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

### Conditions of Use

- 3. 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 397 m<sup>2</sup>, 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 2.6.
- 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 sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:
    - (i) the total area of all such exclusions must not exceed 12% of the 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 m<sup>2</sup> 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 15 m, except for the stair shaft which must not exceed 16.8 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 m<sup>2</sup>.

### **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.

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

\* \* \* \* \*

**4459 Rupert Street  
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 Lang Wilson Practice in Architecture Culture Inc and stamped “Received City Planning Department, June 2, 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. Consideration for design development to reduce the height and mass of the stair shaft as it appears above the roof line as much as possible.
- 2. Submission of a bird friendly strategy for the design of the building 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 or 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)**

- 3. 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.

### **Affordable Housing**

4. That the proposed unit mix, 50% 2-bedroom units be included in the Development Permit drawings.

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

5. Prior to issuance of development permit, applicant to display a sign on the site, throughout construction, that acknowledges that secured for-profit affordable rental housing is being provided as part of the City of Vancouver's initiatives. Sign design, format, and location to be approved by the City.

### **Engineering**

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

Note to Applicant: Consider providing additional parking spaces at grade to achieve the minimum required parking on site. Contact the Parking Management Branch for more information.

7. 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 & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
8. 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.
9. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.
10. 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 and continuous weather protection for the sidewalk users.

11. Provision of separated garbage storage for residential and commercial uses.
12. Delete special sidewalk treatments from public property and show standard broomed finishes.
13. Provision of the following statement on the landscape plan; This plan is "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."
14. Update the landscape and/or site plan to reflect the public realm changes including all of the off-site improvements sought for this rezoning, where a design or detail is not available please make note of the improvement on the site and/or landscape plans. Please submit a copy of the updated plan to engineering for review.
15. Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
16. Design development to improve the elevator size and access for the Class A bicycle spaces provided in the basement.

Note to Applicant: As the Class A bicycle spaces are required to use the elevator, a larger elevator with double doors and widened elevator entrance is required. The elevator is to be a freight style elevator to comfortably accommodate two people with two bicycles and provide minimum interior dimensions of 5'-6" x 6'-8". Consider durable finishes in the elevator and the hallways required for bicycle access.

17. All Class B bike parking to be provided on private property and should not encroach in any way on public property. Consider providing a single u-rack on private property.
18. Design development to comply with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services (GMES). The following items are required:
  - (i) Remove bollard located within the disability stall;
  - (ii) Provision of design elevations within the parking and loading areas to calculate the slope and crossfall;

- (iii) Provision of an improved plan showing the pole location within the lane to confirm that the pole does not obstruct access to the parking stall;  
Note to Applicant: Note the minimum vertical clearance on all section drawings. 2.3m of vertical clearance is required for access and maneuvering to all disability spaces.
- (iv) Provision of an improved 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 elevator. This is required for documentation purposes."

### **Sustainability**

- 19. 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**

- 20. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term viability of the landscape, by ensuring planting depth exceeds BCSLA standards (not including drainage layer).

Note to Applicant: Current plans do not exceed the standard planting depths and should be revised accordingly.

- 21. Provision of 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.

Note to Applicant: Planter section details must confirm with dimensions the depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future, at a depth that exceeds BCSLA standard (Refer to condition 20).

- 22. Coordination of new proposed street trees with Engineering and the Park Board, confirming quantities, species, sizes and locations, and addition of the following note on the plans:

*Final location, quantity, tree species to the satisfaction of the General Manager of Engineering. Contact Eileen Curran at 604-871-6131 to confirm planting location. New tree must be of good standard, minimum 6 cm calliper and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. New street trees to be confirmed prior to issuance of the building permit. Call Cabot Lyford at Park Board at 311 for tree species selection and planting requirements. Park Board to inspect and approve after tree planting completion.*

Note to Applicant: The applicant must contact Park Board and Engineering prior to final DP submission and ensure this information is included on the Plant Schedule.

23. Provision of a high-efficiency automatic irrigation system to be provided for all planters.
24. Provision of confirmed trenching locations for utility connections, avoiding conflict with tree root zones and addition of the following note:

“Trenching for utility connections to be coordinated with Engineering Department to ensure safe root zones of retained trees. Methods of tree protection for street trees to be approved by Park Board”.

Note to Applicant: Methods of tree protection for street trees (as approved by Park Board) to be shown on plan. Relocation of trenching locations are required if in conflict with tree protection.

25. Provision on the landscape drawings of landscape features intended to create a bird friendly design.

Note to Applicant: Bird friendly plants should be included on the plant palette, enabling bird habitat conservation and bird habitat promotion. Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at: <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.)

26. Provision of the following for complete information:
- (i) Plans to be at a correct, known scale (not reduced) and to match architectural scale;
  - (ii) Details to be referenced on plans; and
  - (iii) Improved graphic readability by deleting grey tones or submit plans in colour.

## 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. Release of Indemnity Agreement 23865M (support agreement) prior to building occupancy.

Note to applicant: Arrangements are to be secured prior to issuance of the development permit, 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 at the DP stage.

2. Provision of a building setback and a surface Statutory Right of Way (SRW) on Rupert Street to achieve a 4.5 m (14'- 9") sidewalk from the back of the existing City curb to the building face. A legal survey of the existing dimension from the back of the City curb is required to determine the final setback/SRW dimension. The SRW will be free of any encumbrances such as structures, stairs, door swings, chairs and tables, landscaping and bicycle parking. The SRW agreement will accommodate portions of the basement level and levels 2 & 3 within the SRW area.
3. Enter into a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of 1 Shared Vehicle and the provision and maintenance of 1 Shared Vehicle Parking Space for use exclusively by such Shared Vehicle, on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:
  - (i) Provide 1 Shared Vehicle to the development for a minimum period of 3 years;
  - (ii) Enter into an agreement with a Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicle;
  - (iii) Provide and maintain the Shared Vehicle Parking Space for use exclusively by such shared vehicle;
  - (iv) Make arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space;
  - (v) Provide security in the form of a Letter of Credit for \$50,000 per Shared Vehicle;
  - (vi) Registration of the Shared Vehicle Agreement against the title to the development, with such priority as the Director of Legal Services may require and including a covenant under section 219 of the Land Title Act

of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, securing these conditions; and

- (vii) Provision of a letter of commitment from a car share company indicating their willingness to supply car share vehicles on the site at building occupancy.

Note to Applicant: Shared vehicle spaces are required to be a minimum width of 2.9m

- 4. 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 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 upgraded street lighting adjacent the site to LED standard.
  - (iii) Provision of CIP light broom finish saw cut concrete sidewalk on the site frontage between the existing front boulevard and the property line. Note that as adjacent properties redevelop the front boulevard and sidewalk alignment will be adjusted to deliver a consistent front boulevard width and treatment with grass and trees.
  - (iv) Provision of signal modifications at the intersection of Rupert & 29th, including countdown timers and LED lighting.
  - (v) Provision of a restoration bond to secure any repair to the macadam lane adjacent the site to pre-construction condition should construction activities inflict significant damage to the lane surface. Restoration is at the full discretion of the General Manager of Engineering Services.
  - (vi) 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.

- (vii) 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.

- 5. Submission 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:
  - (i) Retain or infiltration the 6-month storm event volume (24 mm) onsite;
  - (ii) Treat the 2-year event (48 mm) onsite;
  - (iii) Maintain the pre-development 5 year storm event rate; and
  - (iv) The predevelopment estimate shall utilize the 2014 IDF curve, whereas the post development estimate shall use the 2100 IDF curve to account for climate change.

### **Affordable Housing**

- 6. Make arrangements to the satisfaction of the General Manager of Arts, Culture and Community Services 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 the life of the building, subject to the following additional conditions:
  - (i) A no separate-sales covenant;
  - (ii) A no stratification covenant;
  - (iii) That none of such units will be rented for less than one month at a time;
  - (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 the Vancouver Development Cost Levy-By-law;

Unit Type	4459 Rupert St Proposed Average Starting Rents
1-bedroom	\$1,642
2-bedroom	\$2,333

- (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 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*; and
- (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 Section 219 Covenant and 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

- 7. 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 registered charges pursuant to the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject 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.

\* \* \* \*

**4459 Rupert Street  
DRAFT CONSEQUENTIAL AMENDMENTS**

**SIGN BY-LAW NO. 11879**

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

“4459 Rupert Street                      CD-1 (#)                      [By-law #]                      C-1”

**NOISE CONTROL BY-LAW NO. 6555**

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

“[CD-1 (#)]                      [By-law #]                      4459 Rupert Street”

\* \* \* \* \*

**4459 Rupert Street  
ADDITIONAL INFORMATION**

**URBAN DESIGN PANEL**

The Urban Design Plan reviewed the application and supported it on October 18, 2017

**EVALUATION: SUPPORT**

**Introduction**

Michelle Yip, Rezoning Planner, introduced the project as a concurrent rezoning and development permit application, located on the west side of Rupert Street, between 28th and 29th Avenues in the Renfrew-Collingwood local area.

The surrounding sites are zoned C-1, which permits 3-storey mixed-use developments that provide local-serving commercial space and dwelling uses. Currently, the area consists mostly of 2-storey single-family houses. There are commercial uses at the southwest corners of Rupert Street at 28th avenue and 29th avenue, and a Montessori pre-school across the street. The surrounding neighbourhood area is zoned RS-1.

The proposal is being considered under the Secured Market Rental Housing Policy (Rental 100), which allows for consideration up to 4 storeys. The proposal is for a 4-storey development with retail at grade and 12 rental housing units above. Density is 2.4 FSR.

Danielle Wiley on behalf of Patrick O'Sullivan, Development Planner, noted that Rental 100 policy allows an increase in density, providing that the impacts of additional massing (ie. views, shadows, traffic, etc.) are successfully mitigated. This proposal generally follows C-2 massing, as the setbacks in this zone are designed to transition from an arterial street to single family context.

There is a single commercial unit at grade, serviced by one loading space. There is a combined garbage facility to commercial and residential uses. The basement provides storage lockers and bike parking. Parking is very limited: there is only one accessible parking space and one carshare at grade. The site is small (38 feet x 110 feet) so it is difficult to achieve underground parking.

The narrow frontage also creates challenges for meeting livability standards (ie. light and privacy) for the dwelling units. The proposal offers a courtyard (16 feet by 16 feet) on the north side, midway along the building depth, and a light well (4 feet by 24 feet) on the south side. There is no common amenity room, but there is a shared roof patio. The proposal is Passive House. Proposed FSR is 2.4.

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

- 1) Is the height and density appropriate for this site?
- 2) Is the site planning successful (i.e. site servicing, traffic & parking management)?
- 3) Is a high standard of livability of the dwelling units achieved?
- 4) Is the provision of common amenities successful and appropriate?
- 5) Please comment on architectural expression and materials.

The planning team then took questions from the panel.

### **Applicant's Introductory Comments**

The applicant stated their principal goal was to achieve affordability while bringing a higher degree of livability and sustainability in smaller homes. This project is part of the firm's larger work of developing "housing systems" that help catalyze the residential construction industry. The site is located in close proximity to rapid transit, which will deter car ownership. The building is designed to provide ample personal storage and bicycle storage spaces. The design adapts a typical C-2 building with a courtyard, to improve livability. The courtyard brings natural daylight to both sides of each unit and cross ventilation. The courtyard allows for more compact floor plans. Material expression balances robustness (with wood end walls and exposed timber) and softness (with a folding metal curtain). The goal is to make all outdoor spaces accessible, including the courtyard, roof terraces and the roof patio. The landscape design complements the architecture, with trees in planters around the perimeter of the roofs, and a mix of pavers and engineered hardwood. The Building will be Passive House certified and could potentially be a net zero building.

The applicant team then took questions from the panel.

### **Panel Consensus**

Having reviewed the project it was moved by Ms. Brudar seconded by Mr. Wen, THAT the Panel SUPPORT the project.

### **Related Commentary**

The panel complimented the applicant for its Passive House strategy. The panel was in full support of the project, including height, density and the parking relaxation. The panel commented that the project was innovative and beautifully executed. The panel members found the units to be very livable. The landscape architecture is in line with the architectural concept. The use of corrugating metal screening on the façade was acknowledged as a stand-out detail of the building. Minor suggestions included on the provision of weather protection and sun shade devices on the west elevation, and lowering the canopy on the street frontage. Consider increasing the unit sizes.

### **Applicant's Response**

The applicant team thanked the panel for the feedback.

## 4459 Rupert Street PUBLIC CONSULTATION SUMMARY

### Public Notification

A rezoning information sign was installed on the site August 3, 2017. Notification and application information, as well as an online comment form were provided on the City's Rezoning Applications webpage ([vancouver.ca/rezapps](http://vancouver.ca/rezapps)).

### November 8, 2017 Community Open House

A community open house was held from 5-7:30 pm on Monday, November 8, 2017 at Grenfell Elementary School Library (3323 Wellington Avenue, Vancouver). Approximately 630 notifications were distributed within the neighbouring area on or about October 24, 2017. Staff, the applicant team, and a total of 24 people attended the open house.

### Notification Area:



### Public Response and Comments

Staff received 11 feedback forms at the November 8, 2017 community open house and 17 online comment forms by email.

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

### Traffic and Parking

Current traffic congestion and lack of parking in the neighbourhood were main concerns found in the comments. Respondents were concerned that the increase in the number of residents may exacerbate parking issues. Some 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.

### Rental Housing

Adding rental housing and renters to the neighbourhood was a main concern found in the comments. Common themes were whether rentals were suitable near a school and in a family neighbourhood. Some respondents were concerned about the kinds of people who would be renting, with issues raised about rental units bringing problems, increasing crime and leading to a transient and unstable neighbourhood. A few comments also asked for renters to be screened and said that low income renters were not welcome.

### **Neighbourhood Feel and Land Use**

The development does not fit the neighbourhood was a main concern found in the comments. Respondents were concerned about the style, look and size of the development. There was also concern about adding rental and commercial units into a family orientated area.

### **Safety and Security**

Safety and security was a concern, in relation to both increased traffic and increased crime. Some respondents were also concerned about the current level of crime in the area.

### **Height and Density**

Some respondents expressed concerns with proposed building height, indicating that it is out-of-place within a low-rise residential area. Some respondents stated a preference for a variety of lower forms of development, and having less units included.

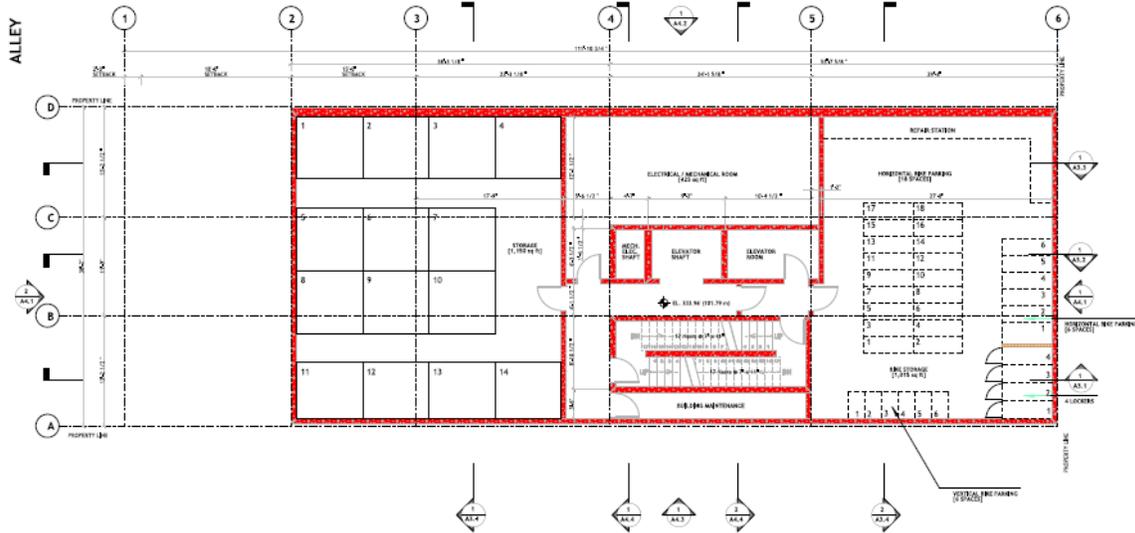
### **Unit sizes**

Some comments were concerned about the size of the resident units, and whether they were suitable for families.

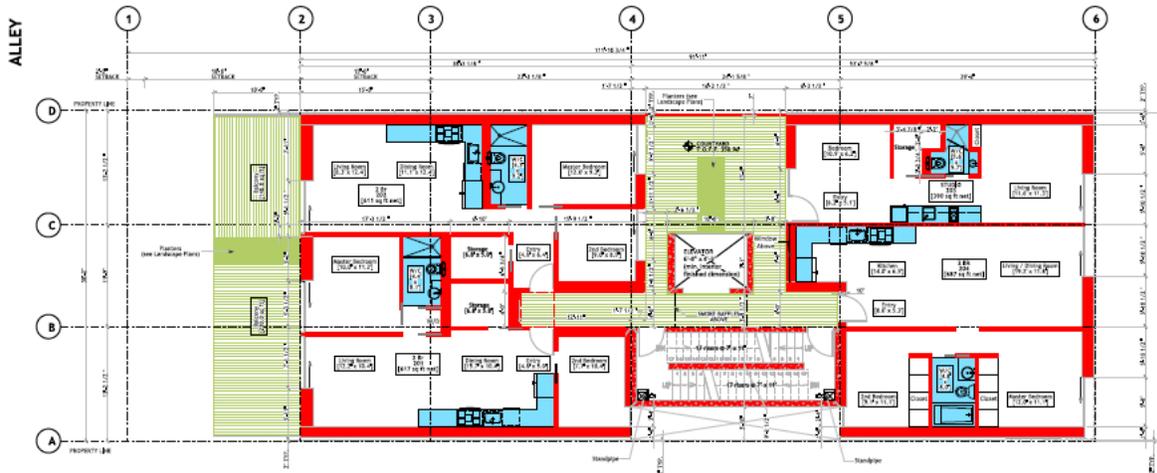
### 4459 Rupert Street FORM OF DEVELOPMENT

For a complete set of application drawings visit:  
<http://rezoning.vancouver.ca/applications/4459rupert/index.htm>

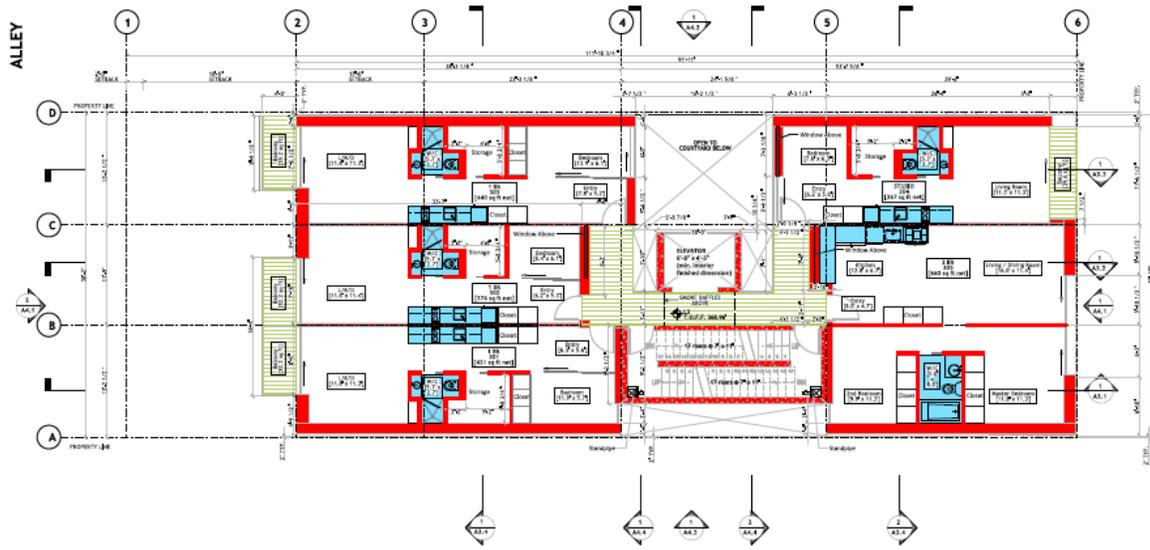
#### Level 1



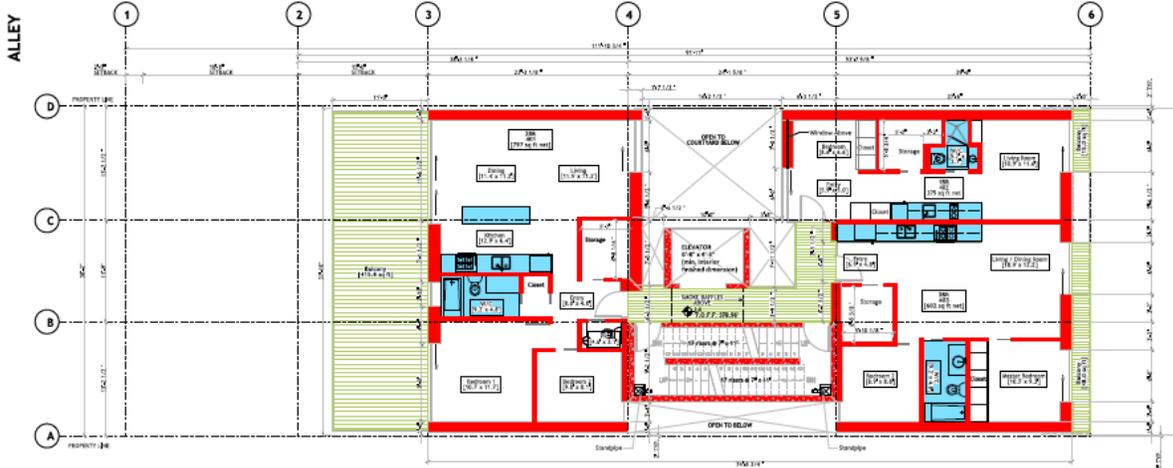
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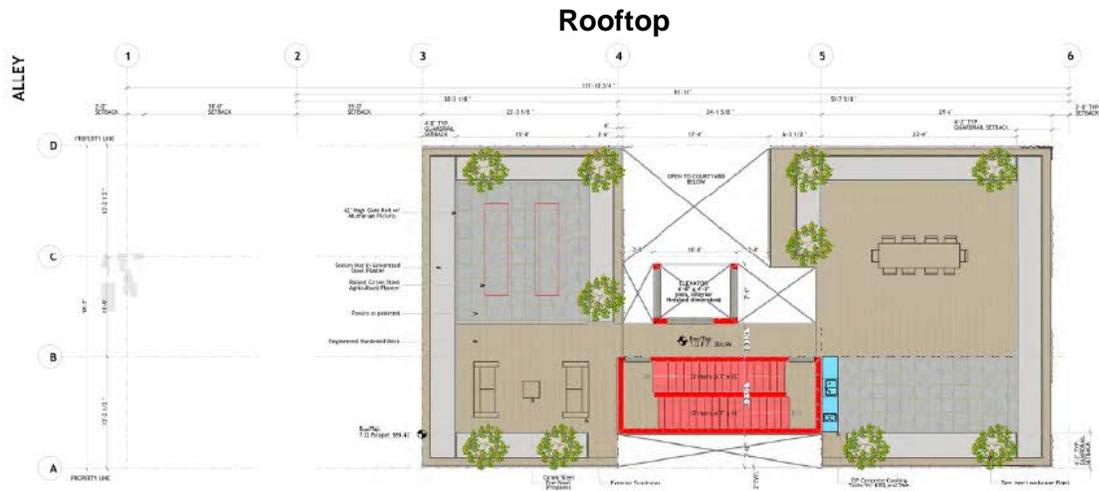


### Level 3

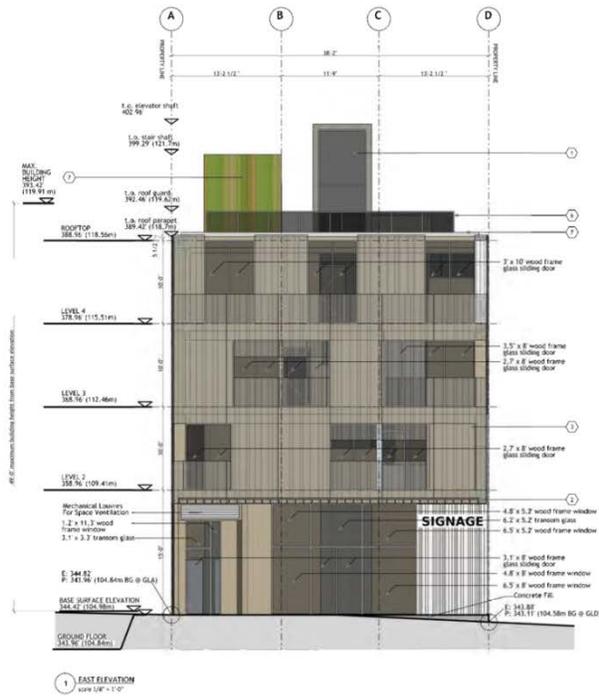


### Level 4





### Elevations



**4459 Rupert Street  
DEVELOPMENT COST LEVY WAIVER ANALYSIS**

To qualify for 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) 7 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	No. units proposed	DCL By-law maximum average unit size	Proposed average unit size
Studio	0	42 m <sup>2</sup> (450 sq. ft.)	N/A
1-bedroom	6	56 m <sup>2</sup> (600 sq. ft.)	36.5 m <sup>2</sup> (393 sq. ft.)
2-bedroom	6	77 m <sup>2</sup> (830 sq. ft.)	61.3 m <sup>2</sup> (660 sq. ft.)
3-bedroom	0	97 m <sup>2</sup> (1,044 sq.ft.)	N/A

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

Unit Type	No. units proposed	DCL By-law maximum average unit rent*	Proposed average unit rent*
Studio	0	\$1,496/ \$1,646	N/A
1-bedroom	6	\$1,730/ \$1,903	\$1,642
2-bedroom	6	\$2,505 / \$2,756	\$2,333
3-bedroom	0	\$3,365/ \$3,702	N/A

\*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 m <sup>2</sup> (\$315 per sq. ft.)	\$2,432.64 per m <sup>2</sup> (\$226 per sq. ft.)

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

**4459 Rupert Street  
PUBLIC BENEFITS SUMMARY**

**Project Summary**

A 4-storey mixed-use building with commercial uses at grade and 12 secured for-profit affordable rental housing units above.

**Public Benefit Summary:**

The proposal would provide 12 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 component will be received.

	<b>Current Zoning</b>	<b>Proposed Zoning</b>
Zoning District	C-1	CD-1
FSR (site area = 396.7 sq. m (4,270.0 sq. ft.))	1.2	2.6
Floor Area (sq. ft.)	5,124	11,080
Land Use	Commercial/Residential	Commercial/Residential

<b>Public Benefit Statistics</b>		<b>Value if built under Current Zoning (\$)</b>	<b>Value if built under Proposed Zoning (\$)</b>
<b>Required*</b>	DCL (Citywide)	\$76,751	\$25,863
	Public Art		
	20% Social Housing		
<b>Offered (Community Amenity Contribution)</b>	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		
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>		<b>\$71,275</b>	<b>\$25,863</b>

**Other Benefits** (non-quantified components):

12 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 Citywide DCL, revenues are allocated into the following public benefit categories: Replacement Housing (36%); Transportation (25%); Parks (18%); Childcare (13%); and Utilities (8%).

**4459 Rupert Street  
APPLICANT AND PROPERTY INFORMATION**

**Property Information**

Address	Property Identifier (PID)	Legal Description
4459 Rupert Street	006-139-515	Lot 3 Except the West 8 feet now Lane Block 4 South East 1/4 of Section 49 Town of Hastings Suburban Lands Plan 1705

**Applicant Information**

Applicant/Architect	Lang Wilson Practice in Architecture Culture Inc.
Developer/Property Owner	Rejoyce Investment Corp.

**Development Statistics**

	Permitted Under Existing Zoning	Proposed
Zoning	C-1	CD-1
Site Area	396.7 sq. m (4,270 sq. ft.)	396.7 sq. m (4,270 sq. ft.)
Land Use	Commercial and Residential	Commercial and Residential
Maximum FSR	1.2	2.6
Maximum Height	10.7 m (35 ft.)	Top of stair shaft: 16.8 m (55.14 ft.) Top of roof guardrail: 15 m (49.18 ft.)
Floor Area	476.0 sq. m (5,124 sq. ft.)	Total: 1029.4 sq. m (11,080.6 sq. ft.)
Parking, Loading and Bicycle Spaces	As per Parking By-law	As per Parking By-law

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