



## REFERRAL REPORT

Report Date: January 7, 2020  
Contact: Theresa O'Donnell  
Contact No.: 604.673.8434  
RTS No.: 13558  
VanRIMS No.: 08-2000-20  
Meeting Date: January 21, 2020

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: CD-1 Rezoning: 4338-4362 Cambie Street

### **RECOMMENDATION**

- A. THAT the application by Arno Matis Architecture, on behalf of Cambie Terra Development Ltd., the registered owners, to rezone 4338-4362 Cambie Street [*Lots 2 and 3, Block 721, District Lot 526, Plan 6539; PIDs: 010-869-638 and 010-869-654 respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 0.70 to 2.75 and the building height from 10.7 m (35 ft.) to 20.5 m (67 ft.) to permit the development of a six-storey residential building with 68 strata residential units, including townhouses at the lane, be referred to a Public Hearing together with:
- (i) plans prepared by Arno Matis Architecture, received May 31, 2019;
  - (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 in principle, including approval in principle of the form of development, subject to the Conditions of Approval 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 Public Hearing.

- B. THAT, subject to enactment of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the CD-1 By-law.

- C. THAT Recommendations A and B be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner;
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

## **REPORT SUMMARY**

This report evaluates an application to rezone two lots at 4338-4362 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building with two-and-a-half-storey townhouses at the rear and a total of 68 strata residential units, all over two levels of underground parking. A height of 20.5 m (67 ft.) and a density of 2.75 FSR are proposed.

Staff have assessed the application and conclude that it generally meets the intents of the *Cambie Corridor Plan*. Staff support the application, subject to design development and other conditions outlined in Appendix B. Staff recommend that the application be referred to Public Hearing, together with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it, subject to Public Hearing, and subject to the conditions in Appendix B.

## **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

Relevant Council Policies for this site include:

- *Cambie Corridor Plan and Cambie Corridor Public Realm Plan (2018) (the “Plan”)*
- *Family Room: Housing Mix Policy for Rezoning Projects (2016)*
- *High-Density Housing for Families with Children Guidelines (1992)*
- *Green Buildings Policy for Rezoning (2010, last amended 2017)*
- *Zero Emissions Building Plan (2016)*
- *Community Amenity Contributions – Through Rezoning (1999, last amended 2018)*
- *Urban Forest Strategy (2014)*
- *Tenant Relocation and Protection Policy (2015, last amended 2019)*

## ***REPORT***

### ***Background/Context***

#### **1. Site and Context**

The site is located on the east side of Cambie Street, midblock between West 27th and West 28th avenues, with a frontage of approximately 42.2 m (139 ft.) along Cambie Street and a depth of 45.7 m (150 ft.). It is comprised of two adjacent RS-1 zoned lots totalling approximately 1,936.8 sq. m (20,840 sq. ft.) in size and currently developed with two detached houses (see Figure 1).

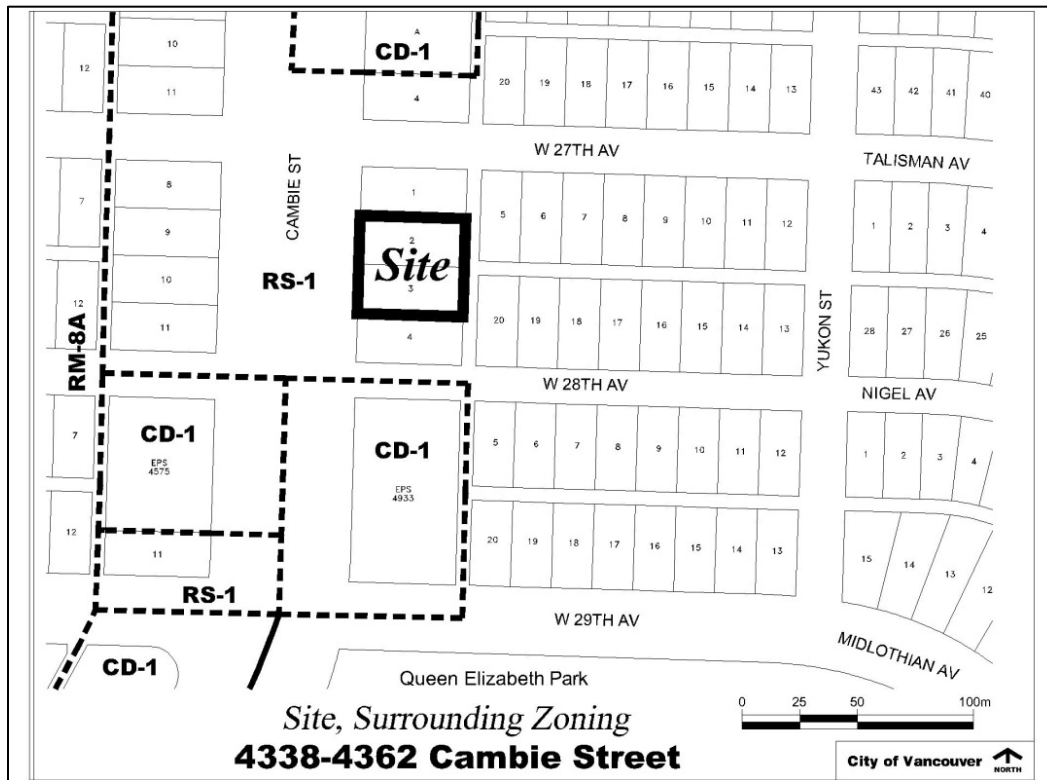
The two detached houses on site were constructed in 1947 and 1943 respectively and are not deemed to have any heritage values.

Across the lane to east, the Cambie Corridor Plan allows for three-storey townhouses with an FSR of up to 1.2.

Sites along Cambie Street, north and south of the subject site, are designated as 6-storey mid-rise residential development under the Plan. Many of these sites have already been rezoned to CD-1 to allow for such developments, as shown in Figure 1.

The site is located two blocks south of the King Edward Canada Line station, with convenient bus service on Cambie Street. Queen Elizabeth Park and Hillcrest Community Centre are located to the south-east, within walking distance of the subject site.

Figure 1: Location Map - Site and Context



## 2. Policy Context

**Cambie Corridor Plan** (the “Plan”) – The subject site is located within the Queen Elizabeth neighbourhood of the Plan. Subsection 4.2.2 of the Plan supports residential buildings up to six storeys in height for this site. A density range of 2.0-2.5 FSR is suggested in the Plan. Supportable density is to be determined by analysis based on site-specific urban design and public realm performance. Buildings are also expected to provide front doors to the street and activate and enhance adjacent lanes by providing active uses or townhouses at the rear.

The Plan also allows for consideration of an additional partial storey for common rooftop indoor amenity spaces if contiguous with common outdoor amenity space.

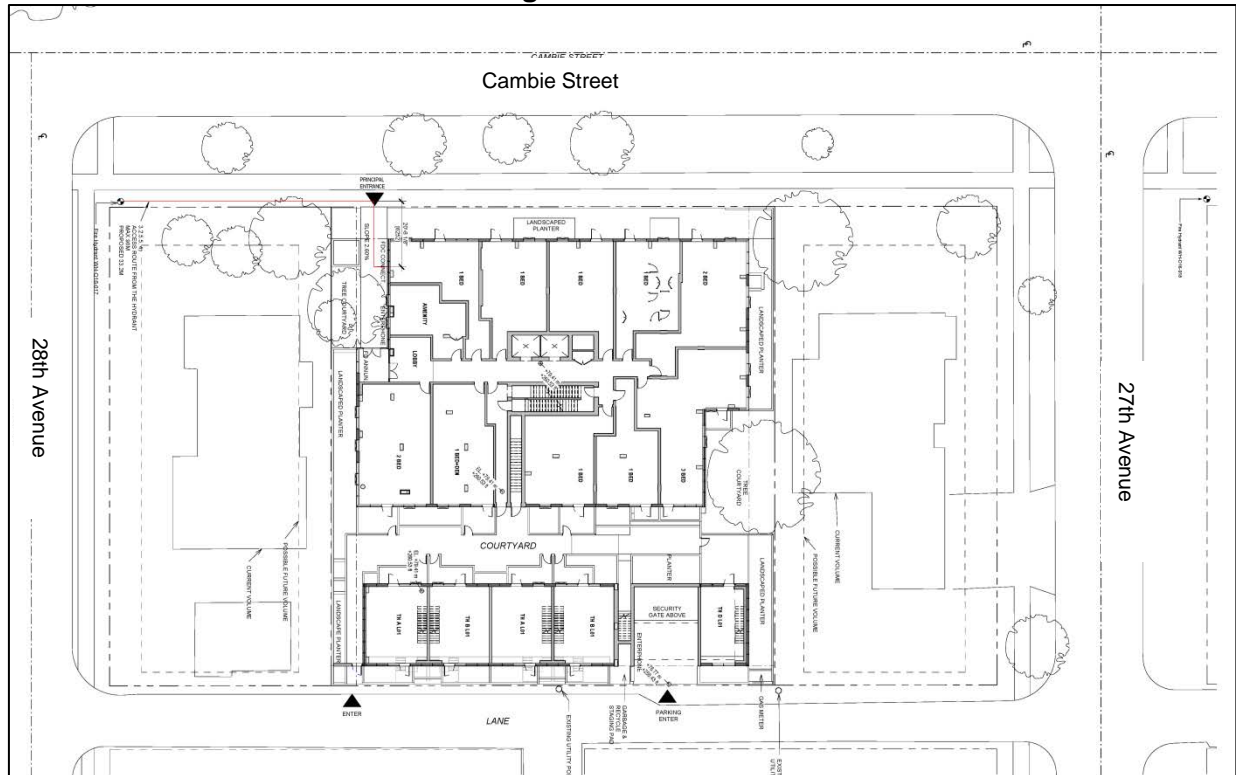
## Strategic Analysis

### 1. Proposal

The application proposes to rezone the site from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit a six-storey residential building with two and a half storey townhouses at the rear (see Figure 2). Ground level units fronting Cambie Street can be accessed directly from the street. A courtyard separates the main building and townhouses and a shared outdoor amenity area is located on the roof of the six-storey building.

A density of 2.75 FSR is proposed with a building height of 20.5 m (67 ft.). Two levels of underground parking are proposed to be accessed from the lane.

**Figure 2: Site Plan**



## 2. Land Use

The Plan anticipates residential uses in this area and the proposal is consistent with the Plan.

## 3. Height, Density, and Form of Development (refer to drawings in Appendix E and statistics in Appendix H)

**Development under Existing Zoning** — If the site were to redevelop under the existing RS-1 zoning on each of the two lots, a one-family dwelling could be constructed, with the option to include a secondary suite and a laneway house or alternatively, a two-family dwelling (duplex) could be constructed and be strata-titled with the option of one lock-off basement rental suite per dwelling unit.

**Density** — The Plan indicates that supportable density on any particular rezoned site is to be determined by analysis of site-specific urban design and public realm performance. The application proposes a density of 2.75 FSR, which is above the suggested range of up to 2.5 FSR in the Plan for this area, however, staff assessment of the height, massing and neighbourly fit concludes that the proposed floor area can be appropriately accommodated on the site.

**Height** — The site is within an area of the Plan that anticipates six-storey residential buildings along Cambie Street, with upper floors stepped back above the fourth storey and townhouses at the lane. The Plan also allows consideration of a partial storey for a common indoor amenity

room on the rooftop, provided that it is contiguous with a common outdoor amenity space, and that the additional height is stepped back from all building edges to minimize the appearance from sidewalks.

The proposed height of the six-storey building is a maximum of 20.5 m (67 ft.), which is consistent with other six-storey development approved along the corridor. Further, in this case, the exploration of a rooftop indoor amenity room is encouraged as there is limited indoor and outdoor common amenity space at grade. Staff have assessed shadow impact on public spaces and concluded that the proposed height, including a potential rooftop amenity space, does not incur significant shadow impacts during key daylight hours. Therefore staff support the proposed height plus the potential addition of a rooftop common amenity room.

**Massing and Setbacks** — The modernism building design is conceived as homage to the stratigraphic rock formations at Queen Elizabeth Park. The massing closely follows the Cambie Corridor plan directions with a main six-storey building on Cambie Street and a 2.5 storey townhouse block along the lane at the rear. The courtyard between the townhouses and the main building is adequately dimensioned; however, it will require further design development to fully resolve minor encroachments. Ground oriented units have entries and patios to activate the street and lane. Shoulder setbacks are also provided to present a four-storey streetwall facing Cambie Street.

**Figure 3: Perspective view**



**Urban Design Panel Review** — In 2019, staff had undertaken an analysis to determine if rezoning proposals that are six storeys or less and under a Council approved community plan should be reviewed by the Urban Design Panel (UDP).

The analysis revealed that more than 85% of such proposals received support from the Panel with Panel's comments significantly aligned with existing community plans' directions. Of the

proposals recommended for resubmission, the majority of recommendations pertained to public spaces or a proposal's façade, architectural expression, or amenity space - issues that can be resolved at development permit stage.

Staff have determined that, at the rezoning stage, these projects generally do not need to be reviewed by the Panel at rezoning if they align with the form of development guidelines and policies in the various community plans, including the *Cambie Corridor Plan*.

As this project is a six-storey project within the Cambie Corridor that generally meets the intent of the Plan, this project was not reviewed by the Urban Design Panel. The proposal will also undergo further design development during the development permit review process.

**Conclusion** — Staff have considered the overall form of development including the proposed height and massing of the building within the neighbourhood context and concluded that this proposal is generally consistent with the urban design objectives of the Plan. Refinements to the design will be addressed at the development permit stage to further improve the performance of the building as pertains to its massing, articulation, functionality, livability, public realm interface /civic realm, sustainability and landscaping.

Staff recommend that the form of development be approved subject to conditions outlined in Appendix B.

#### 4. Housing

**Existing Tenants** — In July 2019, Council amended *Tenant Relocation and Protection Policy* (the “TRP Policy”), extending policy coverage to projects involving consolidation of two or more lots that contain existing secondary rental. This includes detached homes, basement suites, duplexes, or individually-rented condos where the new development is proposing five or more dwelling units. The TRP Policy exempts tenancies entered into after the purchase of the property that are of a length of two years or less as of the date of the rezoning application. This exclusion is intended to avoid penalizing applicants who are renting out units to comply with the City's Empty Homes Tax during the process of assembling sites for redevelopment. Further, there is an exclusion where a previous owner of a house, strata, or equity co-op unit has sold the property to a developer, and is now occupying the unit as a tenant.

As the application involves consolidation of two RS-1 lots containing secondary rental units, the updated TRP Policy applies.

The two existing houses are rented out as two rental suites. The tenants are aware of the rezoning application. Both tenancies are eligible for provisions under the TRP Policy, including relocation assistance, assistance with moving costs, and monetary compensation calculated based on length of the tenancy. The Tenant Relocation Plan for the two eligible tenants will be required as a condition of Development Permit issuance, with an Interim Tenant Relocation Report required prior to Demolition Permit issuance, and a final Tenant Relocation Report required prior to issuance of an Occupancy Permit.

All tenancies are protected under the *BC Residential Tenancy Act* that governs how residential properties are rented, and includes specific provisions around ending tenancies. Any disputes would be resolved through the Residential Tenancy Branch.

**Housing Unit Mix** – The application includes 68 strata residential units (42 one-bedroom units [62%], including 12 two-bedroom units [18%] and 8 three-bedroom units [12%] and 6 two-bedroom townhouses [8%]). This unit mix meets the family housing requirements of the *Family Room: Housing Mix Policy for Rezoning Projects*.

## 5. Transportation and Parking

Vehicle and bicycle parking are provided on two levels of underground parking, accessed from the lane. The application proposes a total of 72 vehicle parking spaces for the 68 dwelling units, including four accessible spaces and four visitor spaces. 119 Class A bicycle spaces and 0 Class B bicycle spaces are proposed, which does not meet the Parking By-law. Additional Class A and B bicycle spaces and the provision of one Class A passenger loading space will be required.

Engineering conditions of approval are set out in Appendix B.

## 6. Environmental Sustainability and Natural Assets

**Green Buildings** – The *Green Buildings Policy for Rezoning* (amended on May 2, 2018) requires that residential rezoning applications satisfy either the near zero emission buildings or the low emissions green buildings conditions within the policy. These new requirements are mandatory for all rezoning applications received on or after May 1, 2017.

This applicant has opted to satisfy the *Green Buildings Policy for Rezoning* under the low emissions green buildings requirements. The low emissions green buildings pathway represents City priority outcomes, establishing limits on heat loss, energy use, and greenhouse gases, and drawing on industry best practices to create more efficient, healthy and comfortable homes and workplaces. The applicant has submitted preliminary energy modelling analysis detailing building performance strategies to meet the new energy use intensity, greenhouse gas and thermal demand targets. Additionally, all developments will need to meet rainwater management requirements for retention, rate control, cleaning and safe conveyance.

Conditions related to environmental sustainability are included in Appendix B.

**Natural Assets** – The *Urban Forest Strategy* was developed to find ways to help preserve, protect and strengthen Vancouver's urban forest and tree canopy for the future. In April 2014, Council amended the *Protection of Trees By-law* to maintain a healthy urban forest by requiring permission to be granted to remove trees that meet certain conditions. The intent is to retain and protect as many healthy, viable trees as possible, while still meeting the challenges of infill redevelopment. This is in keeping with City goals to achieve resilient and healthy natural systems in our urban areas.

A 'by-law sized tree' has a tree trunk diameter of 20 cm or greater and requires a tree permit when it is proposed to be removed. For this application, there are a total of 13 by-law sized trees on site. In addition, there are also two trees located on adjacent property trees and four City street trees. Staff have reviewed the arborist's report and recommend retention of three on-site trees based on their species, health and locations.

The proposed built form is shaped to ensure the retention of these three significant trees as well as the retention of a significant neighbouring tree. Further, a condition of approval requires ten substantially sized replacement trees be planted as part of the site redevelopment. The two



adjacent property trees will be retained and condition to ensure their protection during the construction phase of the subject site is included. All four street trees would be retained and protected.

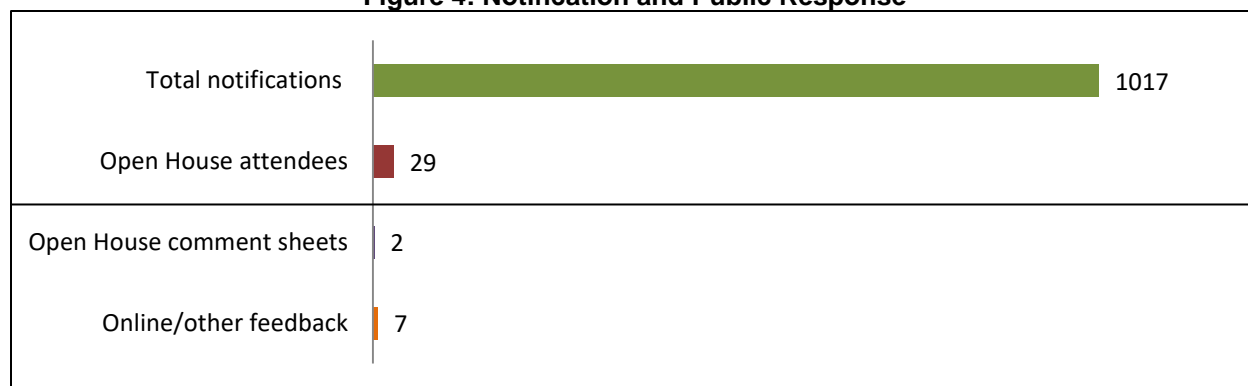
Landscape conditions are set out in Appendix B and a summary of the natural assets is included in Appendix H.

## **PUBLIC INPUT**

**Public Notification and Open House** – A rezoning information sign was installed on the site on June 8, 2019. Approximately 1,017 notification postcards were distributed within the neighbouring area on or about August 28, 2019. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage ([vancouver.ca/rezapps](http://vancouver.ca/rezapps)). On September 11, 2019, a community open house was held from 5-7 pm at Phoenix Gymnastics, 4588 Clancy Loranger Way. Staff, the applicant team, and a total of approximately 29 people attended the Open House.

**Public Response and Comments** – Staff received a total of nine responses to the rezoning submission through open house comment sheets, letters, emails and online comments forms (see Figure 4). A summary of the feedback is provided below.

**Figure 4: Notification and Public Response**



\* Note that all reported numbers above are approximate

### **Note:**

Each comment form or online response can include a number of comments which may reference points in support, potential concerns and questions or neutral/general statements. Therefore, staff focus on qualitative theming of comments and overall percentages are not provided.

Some duplication of responses may result where respondents chose to provide feedback to a rezoning application more than once using a number of mediums (open house comment sheet, online feedback, form letter, petition, etc.).

Support for the proposal included comments relating to an appropriate height and density for the proposal, an appealing building design and support for the preservation of the large, mature trees on site. There were some concerns about housing affordability for renters or owners, that

there are not enough family sized units being provided, and that the loss of tree retention and lack of canopy coverage in neighbourhood would be exacerbated by this proposal.

Additional comments and suggestions included the possibility of expanding the rooftop amenity space to include indoor amenity, questions about the rezoning application process and necessity of open houses and questions about policies including parking requirements and tree retention guidelines. A detailed summary of public feedback is included in Appendix D.

### **Staff Response to Public Comments –**

*Housing affordability* – To address the demand for ownership housing options in new forms, the Plan enables a significant number of new strata apartments that include family sized units. This project achieves this objective by contributing to the diversity of the overall housing stock. The community amenity contributions generated from this development will be used to fund the *Cambie Corridor Public Benefits Strategy*, which includes provision for funding towards affordable housing options elsewhere in the Corridor.

*Family housing mix* – The application includes 12 two-bedroom units and 6 two-bedroom townhouses [total 26%], and 8 three-bedroom units [12%]. This mix meets the family housing requirements of the *Family Room: Housing Mix Policy for Rezoning Projects*.

*Loss of tree retention and lack of canopy coverage in neighbourhood* – The proposed built form is shaped to ensure the retention of three significant trees on site as well as the retention of a significant neighbouring tree. Further, the *Cambie Corridor Public Realm Strategy* includes directions for replacement trees. The application is proposing to provide ten substantially sized replacement trees. Conditions to further encourage intensive greening of the entire development are included in Appendix B.

## **PUBLIC BENEFITS**

### **Public Benefits – Required by By-law**

**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.

This site is subject to City-wide DCLs and City-wide Utilities DCLs on the proposed 5,335.6 sq. m (57,411 sq. ft.) of residential floor area. Based on rates in effect as of September 30, 2019, total DCLs of approximately \$1,622,435 would be anticipated from this development.

DCLs are payable at building permit issuance and their rates are subject to Council approval of 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 twelve 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 Program for Rezoned Developments* requires that rezonings involving a floor area equal to or greater than 9,290 sq. m (100,000 sq. ft.) allocate a

portion of their construction budgets to public art or provide cash in lieu 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* and the *Cambie Corridor Plan*, an offer of a CAC to address the impacts of rezoning can be anticipated from the owner of a rezoning site. CAC offers take into consideration community needs, area deficiencies, and the impact of the proposed development on City services. They typically include either the provision of on-site amenities or a cash contribution towards other public benefits.

In order to provide more certainty and clarity and to improve processing efficiency for rezoning applications, an approach to CACs based on a target CAC rate has been implemented for residential sites, such as this, within the *Cambie Corridor Plan*. This rate is the basis for all four- and six-storey market residential rezoning proposals within the Plan.

Target CACs are payable prior to rezoning enactment and are subject to an annual inflationary adjustment which takes place on September 30 of each year. In order to ensure fairness to rezoning applications that have been submitted prior to the adoption of new inflation adjusted CAC targets, in-stream rezoning applications are exempt from CAC target increases, provided that a rezoning application has been submitted to the City and a rezoning application fee has been paid.

The applicant has offered a cash CAC of \$4,410,769 based on the net additional increase in floor area of 42,823 sq. ft. and the target CAC rate of \$103 per sq. ft. in effect at the time of the application.

*Cambie Corridor Public Benefits Strategy (PBS)* – It is recommended that the cash component of the Community Amenity Contribution (CAC) from this rezoning application, if approved, be allocated to support delivery of the Cambie Corridor PBS, approved on May 1, 2018. The PBS identifies public benefits and infrastructure to support growth in the area, including both short-term and long-term priorities in and around the plan area. Priorities for the first 10 years include:

- *Increase affordable housing supply* – 550 social housing, 190 below market rental and 1,500 secured market rental units.
- *New childcare facilities* – Up to 360 additional spaces for 0-4 year olds, and 195 out-of-school care spaces.
- *New and upgraded community and civic facilities* – New Oakridge civic centre, Hillcrest Community Centre fitness centre expansion, youth hub, land acquisition for new fire hall.
- *New and upgraded parks and open spaces* – New Fraser River Park and parks on major project sites, upgrades to existing parks, six new plazas or open spaces.
- *Transportation improvements* – Complete Street designs on Cambie Street and other arterials, “car-light” Heather Street between 37th Avenue and 41st Avenue.
- *Heritage* – Allocate 5% of cash CAC revenues to support funding for the conservation of heritage resources City-wide, and Cambie Corridor on-site conservation.

See Appendix F for details of the *Cambie Corridor Plan* Public Benefits Implementation Tracking and Appendix G for a summary of all of the public benefits for this application.

### ***Financial Implications***

Based on rates in effect as of September 30, 2019, total DCLs of approximately \$1,622,435 would be expected from this development.

As noted in the section on Public Benefits, the applicant has offered a cash CAC of \$4,410,769, to be allocated towards the Cambie Corridor Public Benefits Strategy.

Approval and timing of specific projects will be brought forward as part of the Capital Plan and Budget process.

### ***CONCLUSION***

Staff conclude that the proposed form of development is an appropriate urban design response to the site and its context, and that the application, along with the recommended conditions of approval, is consistent with the *Cambie Corridor Plan* with regards to land use, density, height and form.

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 E, be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B.

\* \* \* \* \*

**4338-4362 Cambie Street  
DRAFT BY-LAW PROVISIONS**

Note: A By-law to rezone an area to CD-1 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.]*

**Designation of CD-1 District**

2. The area shown within the heavy black outline on Schedule A is hereby designated CD-1 ( ).

**Uses**

3. 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 Multiple Dwelling; and
  - (b) Accessory uses customarily ancillary to the uses permitted in this section.

**Conditions of use**

4. The design and layout of at least 35% of the dwelling units must:
  - (a) be suitable for family housing;
  - (b) include two or more bedrooms;
    - (i) at least 25% of the total dwelling units must be two-bedroom units, and
    - (ii) at least 10% of the total dwelling units must be three-bedroom units; and
  - (c) comply with Council's "High-Density Housing for Families with Children Guidelines".

## **Floor area and density**

- 5.1 Computation of floor area must assume that the site area is 1,936.8 m<sup>2</sup>, being the site area at the time of the application for the rezoning application evidenced by this By-law, and before any dedications.
- 5.2 The floor space ratio for all uses must not exceed 2.75.
- 5.3 The floor area of common indoor rooftop amenity space, if permitted, must not exceed 55.7 m<sup>2</sup>.
- 5.4 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, measured to the extreme outer limits of the buildings.
- 5.5 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 floor 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, provided that 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 base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length; and
  - (d) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 sq. m per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.
- 5.6 Computation of floor area may exclude amenity areas, except that the total exclusion for amenity areas must not exceed 10% of permitted floor area.
- 5.7 The use of floor area excluded under sections 5.5 and 5.6 must not include any use other than that which justified the exclusion.

## **Building Height**

- 6.1 Building height, measured from base surface, must not exceed 20.5 m.

- 6.2 Despite section 6.1 of this By-law and section 10.18 of the Zoning and Development By-law, if the Director of Planning permits a common indoor rooftop amenity space, the height of the portion of the building used for the common indoor amenity space must not exceed 23.6 m.

### **Horizontal angle of daylight**

- 7.1 Each habitable room must have at least one window on an exterior wall of a building.
- 7.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 7.3 Measurement of the plane or planes referred to in Section 7.2 must be horizontally from the centre of the bottom of each window.
- 7.4 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 of the applicable policies and guidelines adopted by Council; and
  - (b) the minimum distance of unobstructed view is not less than 3.7 m.
- 7.5 An obstruction referred to in Section 7.2 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 ( ).
- 7.6 A habitable room referred to in Section 7.1 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**

8. All development permit applications require evidence in the form of a report and recommendations prepared by a registered professional acoustical engineer demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise levels in decibels.

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

**Zoning and Development By-law**

9. Sections 2 through 14 of the Zoning and Development By-law apply to this CD-1 ( ).

\* \* \* \* \*



**4338-4362 Cambie Street**  
**CONDITIONS OF APPROVAL**

*Note: If the application is referred to a public hearing, these Conditions of Approval will be referenced in the Summary and Recommendations included in the hearing agenda package. Any changes to the conditions approved by Council will be contained in its decision. Applicants are advised to consult the hearing minutes for any changes or additions to these conditions.*

**PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT**

*Note: Consideration by Council at the public hearing of the proposed form of development is in reference to plans prepared by Arno Matis Architecture Ltd., received May 31, 2019, and provides that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with the development application.*

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 refine the architectural expression, visual variety and material treatment of the proposal with regard to the following:
  - i. Development & refinement of the buildings articulation and rendition of elements;
  - ii. Utilize authentic, high quality, durable materials and finishes;
  - iii. Maintain a level of exceptional detailing implied as necessary to accomplish and construct the proposed design aesthetic; and,
  - iv. Consider strategies for passive techniques to improve green building performance (e.g. fenestration type, solar shading devices and green roof technologies).
2. Ensure satisfactory access to daylight with reasonable separation distances to ensure a livable qualitative environment throughout the proposal.
3. Design development to ensure the design, massing, and setbacks create a sensitive transition to the surrounding neighborhood for improved contextual fit.
4. Design development to explore locating amenity room to rooftop contiguous with the proposed children's outdoor play area.

Note to Applicant: The amenity room should be set back with the massing minimized, and combined with a green roof in accordance with the Roof-mounted Energy Technologies and Green Roofs Bulletin. Roof top location allows improved use of the rooftop, solar access and discretionary height increase.

5. Design development to confirm 7.3 m (24 ft.) separation encroachment free between the 6-storey building and townhouses at the lane with landscape treatment appropriate to the enjoyment of the space.
6. Design development to confirm each family unit has a private open space which is a minimum of 1.8 m deep by 2.7 m wide.
7. Design development to the livability of dwelling units to minimize any narrow living spaces, in particular where exacerbated by acute angles not optimal for furniture placement or enjoyment of space.
8. Design development to further explore integration of an enhanced shared family-oriented outdoor gathering/play space for site residents.

Note to Applicant: This could be located at grade or on the roof top.

9. Ensure all family unit dwellings are designed in accordance with the requirements of the *High Density Housing for Families with Children Guidelines*.
10. Design development to ensure a responsive relationship to adjacent and nearby buildings with use of separation distances, the design of internal layouts, and materials/screening sufficient to mitigate potential negative impact, and any privacy or overlook issues to the adjacent and nearby buildings.

Note to Applicant: Explore material or screening mechanisms to address overlook and any potential privacy concerns between adjacent buildings (i.e. use of standard glass, translucent or transparent); and location of balconies, public or semipublic spaces with consideration of the above.

11. Design development to ensure compliance with the Horizontal Angle of Daylight requirements for all dwelling units as referred to in the '*Access To Daylight, Views, And Ventilation In Dwelling Units Bulletin*' with no inboard habitable rooms.
12. Design development of the residential lobby to be appropriately scaled to the building served with enhancement of the main residential entrances expression, articulation, and hierarchy appropriate to wayfinding.

Note to Applicant: Entrances should be enhanced through the use of elements such as low walls, special paving, special planting features, architecturally integrated canopies projecting from the building and special lighting.

13. Design development to explore raising first floor of townhouses approximately 0.9 m (3 ft.) to allow for delineation of the public and private realm and to accommodate a front patio/ entrance.
14. Design development to the overall outdoor surface treatment to be high quality, visually interesting and cohesive throughout.

Note to Applicant: Special attention is needed at the material transition from public realm to the private property edge.

15. Design development to provide universally accessible connections for pedestrians and people using wheelchairs, to all common open space areas throughout the site.
16. Identification on the architectural and landscape drawings any built features intended to create a bird friendly design.

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

17. Design development to explore further opportunities for the retention of trees.

### **Crime Prevention through Environmental Design (CPTED)**

18. Design development to respond to CPTED principles, having particular regard for:
  - (a) Defensibility and reducing opportunities for loitering
  - (b) Theft in the underground parking;
  - (c) Residential break and enter;
  - (d) Mail theft; and
  - (e) Mischief in alcoves and vandalism, such as graffiti.

Note to Applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings.

19. Provision of a conceptual lighting strategy to ensure appropriate lighting levels and CPTED performance, while minimizing glare for nearby residents.

### **Landscape Design**

20. Design development to the ground level public outdoor amenity space to achieve a friendly and enjoyable open space, as follows (refer to Urban Design Condition 7).
  - i. Expand programming to include a variety of uses which encourage common gathering, including children's play.
  - ii. Replace water feature with soft landscape or other sustainable landscape feature.
21. Design development to the central courtyard at ground level, as follows:
  - i. Improve solar orientation by widening the courtyard space.
  - ii. Provide planting that is flush with grade, rather than in raised planters, by lowering the parkade below.
22. Design development to improve the sustainability strategy, by the following:

- i. Explore providing intensive and extensive green roofs on all available flat rooftops, to be commonly accessible and usable and to provide open spaces with improved solar orientation;  
  
Note to Applicant: This could include Urban Agriculture plots, in keeping with City of Vancouver guidelines.
  - ii. Add substantially more landscape around all entry areas, to accent and soften them;
  - iii. Add vines to any blank wall facades, ensuring the vine support is sturdy and low maintenance (avoid high maintenance modular “green wall” systems);
  - iv. Add planters with overarching shrubs to common upper level decks, to be visually accessible from below, softening the edges and consisting of woody evergreen plant material for year-round presence; and
  - v. Add edible plants, which can be used as ornamentals as part of the landscape design, in addition to urban agriculture plots.
23. Design development to the landscape treatment to increase the volume of soil, tree canopy cover and planting on slab, by lowering the slab for planting on the main level to the greatest extent possible, rather than planting in raised planters.
- Note to applicant: Wherever possible, planted landscapes on slab should be designed to maximize soil depths. This will require integration of the landscape design and the structural plan. Soil depths should exceed CSLA Landscape Standard. At the perimeter of the building the slab can be angled downward (1 m across and 1.2 m down) to maximize contiguous soil volumes.
24. Design development to locate, integrate and fully screen parking garage vents in a manner which minimizes their impact on the architectural expression and the project’s open space and public realm.
25. Design development to the Integrated Rainwater Management Strategy to explore opportunities for onsite rain water infiltration and soil absorption, as follows:
- i. maximize natural landscape best management practises;
  - ii. minimize the necessity for hidden mechanical water storage;
  - iii. increase the amount of planting to the rooftop areas, where possible;
  - iv. consider linear infiltration bio-swales along property lines, at lower site areas;
  - v. use permeable paving;
  - vi. employ treatment chain systems (gravity fed, wherever possible); and
  - vii. use grading methods to direct water to soil and storage areas.

Note to applicant: Refer to the City of Vancouver *Integrated Rainwater Management Plan* (I.R.M.P), Vol.1 & 2 for further information. A consulting engineer (subject matter expert) will need to be engaged and early phase soil analysis will be needed. Further comments may be outstanding at the development permit stage.

26. Provision of plans, plan details and documentation/calculations that support integrated rainwater management, including absorbent landscapes, soil volumes and detention systems, as follows:

- i. detailed storm water report with calculations describing how the various best management practices contribute to the quality and quantity targets;
- ii. a separate soil volume overlay plan with schematic grading indicating intent to direct rainwater to infiltration zones; and
- iii. an overlay plan that shows amount and ratio of vegetative cover (green roof), permeable/impermeable hardscaping and notations describing the storage location of rainwater falling on each surface, including roofs.

Note to applicant: the sustainable summary water balance calculations assume soil volumes are capable of receiving rainwater are only valid if water is directed from hard surfaces to infiltration zones.

27. Provision of a full-size, to scale and dimensioned Tree Management Plan, coordinated with survey and arborist report.
28. Provision of coordination between Landscape Plan and architectural Site Plan, for most updated information.
29. Provision of complete information, such as references on the Roof Deck Plan, confirming all landscape elements.

Provision requirements at the time of Development Permit application:

30. Provision of a detailed Landscape Plan illustrating soft and hard landscaping.

Note to applicant: The plans should be at 1/8": 1 ft. scale minimum. The Plant list should include the common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the Plan and keyed to the Plant List. The landscape plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

31. Provision of detailed **architectural and landscape** cross sections (minimum 1/4" inch scale) through common open spaces, semi-private patio areas and the public realm.

Note to applicant: the sections should illustrate, the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

32. Provision of a "Tree Management Plan";

Note to applicant: It is preferred that the arborist tree management plan become the primary document for tree removal/ protection related matters.

33. Provision of an arborist "letter of undertaking" to include signatures by the owner, contractor and arborist.

Note to applicant: the signatures confirm that all parties are aware of the roles and responsibilities and that the project is on track to satisfy the steps and recommendations outlined by the arborist. For example, advanced planning will be needed to ensure that certain works, such as site supervision checkpoints, are coordinated.

34. Coordination for the provision of new street trees or any proposed City owned tree removals adjacent to the development site, where applicable;

Note to applicant: New street trees to be shown and confirmed on the development permit plans. Contact Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, "*Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, 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. Call Park Board for inspection after tree planting completion*".

35. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft.;

Note to applicant: on the plan, illustrate irrigation connection points and hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed. Hose bibs are requested to encourage patio gardening and hand watering on private patio and amenity decks.

36. Provision of an outdoor Lighting Plan.

### **Sustainability**

37. All new buildings in the development will meet the requirements of the Green Buildings Policy for Rezoning (amended May 2, 2018), 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).

38. Identify on the plans and elevations any built elements contributing to the building's sustainability performance and explore further strategies to improve green building performance and identify significant thermal bridges and their resolution on design drawings.

Note to Applicant: Additional strategies could include but are not limited to utilizing solar shading devices and green roof technologies.

## **Engineering**

39. 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.

40. 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.

41. 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.
42. 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.
43. Design development to improve access and design of bicycle parking and comply with the Bicycle Parking Design Supplement.
- (a) Provision of Class A bicycle parking as per Bylaw.
  - (b) Provision of an alcove for the bike room access off the vehicle parking ramp and maneuvering aisle.

- (c) All Class B bike parking to be provided on private property and should not encroach in any way on public property.
  - (d) Provide all bicycle spaces free of any column encroachments.
  - (e) Provision of automatic door openers on all doors providing outside access to bicycle storage rooms.
- 44. Design Development to improve access and design of loading spaces and comply with the Parking and Loading Design Supplement.
  - (a) Provision of standard width Class A Passenger Loading space at grade with accessible access to all building units.
- 45. Design development to improve the parkade layout and access design and comply with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services, including the following:
  - (a) Provision of improved two way flow for vehicles on the ramp and in the parking areas.
  - (b) Improve two-way traffic flow at the knock out panel through provision of a 3 m x 3 m corner cut.
  - (c) Improve visibility for two-way vehicle movement at turns via parabolic mirrors.
  - (d) Provision of 6.6 m (21'8 ft.) maneuver aisles throughout parkade.
  - (e) Column encroachments, setbacks and parking space widths to comply with the Parking and loading design Supplement. Column encroachments are not permitted in single module stalls.

Note to applicant: Single stall garages require 2.9 m (9'6 ft.) width.
  - (f) Provision of encroachment free accessible stalls.
- 46. Gates/doors are not to swing more than 1'-0" over the property lines or into the SRW area.
- 47. Provision of a landscape and site plan that generally reflect the improvements to be provided as part of the Services Agreement.
- 48. The following information is required for drawing submission at the development permit stage to facilitate a complete Transportation review:
  - (a) A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.
  - (b) All types of parking and loading spaces individually numbered, and labelled on the drawings.



- (c) Dimension of column encroachments into parking stalls.
  - (d) Show all columns in the parking layouts.
  - (e) Dimensions for typical parking spaces.
  - (f) Dimensions of additional setbacks for parking spaces due to columns and walls.
  - (g) Dimensions of manoeuver aisles and the drive aisles at the parkade entrance and all gates.
  - (h) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates. These clearances must consider mechanical projections and built obstructions.
  - (i) Areas of minimum vertical clearances labelled on parking levels.
  - (j) Design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances. The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.
  - (k) Indicate the stair-free access route from the Class A bicycle spaces to reach the outside. Stair ramps are not generally acceptable.
  - (l) Existing street furniture including bus stops, benches etc. to be shown on plans.
  - (m) The location of all poles and guy wires to be shown on the site plan.
49. Provide an updated Hydrogeological Study report, which addresses the following:
- (a) Clarify statement on page 3, which appears to be missing information: "Should the Final Hydrogeological Investigation determine that the proposed excavation, potential impacts will be reassessed and mitigation measures will be developed and presented in the Final Hydrogeological Investigation Report".
  - (b) Per the Hydrogeological Study dated May 13, 2019, a revised study must be submitted that includes results of the proposed monitoring and testing:
    - i. Installation of 3 monitoring wells to determine the groundwater conditions.
    - ii. Remote groundwater monitoring for a maximum of 3 months to determine the influence of seasonal changes on groundwater conditions.
    - iii. Hydraulic conductivity testing to determine the soil properties.

- iv. Seepage analysis to estimate the groundwater inflow during and post construction.
  - (c) Provide the excavation depth, foundation depth, and water table levels in both metres below ground surface as well as geodetic elevations.
  - (d) Include one clear map (plan) with topography, new building footprint with foundation depths indicated, and location of all sites (proposed and surrounding) and test pits/monitoring wells/etc.
  - (e) Include additional detail in the cross-section shown in Figure 1: well IDs, excavation/foundation depths, and any additional information found from the proposed monitoring and testing. Include all relevant boreholes in the appendix.
  - (f) Provide a quantitative estimate (in litres per second) of the anticipated construction dewatering rate and permanent groundwater discharge rate.
  - (g) Include a plan for managing any groundwater encountered which demonstrates that the conditions in the Groundwater Management Bulletin have been met.
  - (h) Update the Impact Assessment if testing and/or monitoring provides any additional information.
  - (i) Provide a plan for monitoring and reporting on the flow discharged to the sewer during the construction dewatering period. The reported flow monitoring must include daily volume/flow measurements (or more frequent measurements) and can be submitted to [utilities.servicing@vancouver.ca](mailto:utilities.servicing@vancouver.ca).
50. Please place 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.*

### Green Infrastructure

Staff note that a Rainwater Management Plan (RWMP) has been submitted but are seeking a more detailed response toward the Citywide Integrated Rainwater Management Plan (IRMP) requirements outlined in the ‘*Green Buildings Policy for Rezoning*’ and detailed fully in the [Rainwater Management Bulletin](#) to ensure that a final RWMP can be accepted prior to DP issuance. Provide a cover letter with the next submission outlining how the following has been addressed. The applicant should take into account the following:

51. As per the Rainwater Management Bulletin, runoff from the first 24 mm of rainfall from all areas, including rooftops, paved areas, and landscape must be retained or reused on site.

- (a) Directing rainwater from impervious areas into available landscaping is highly supported by the City. Provide a grading plan and landscape cross-sections to demonstrate that this proposal is feasible.
  - (b) To improve the retention of rainwater across the site and reduce the detention storage required, consider directing rainwater from roof patios into lower level landscaping.
  - (c) Provide a site map detailing the different surface types and how rainwater will be directed or retained in each area. Include the following:
    - i. All routing of rainwater throughout the site
    - ii. Buildings, patios and walkway locations
    - iii. Underground parking extents
    - iv. Location of any proposed BMPS, detention tank, water quality treatment and flow control system with connections to the sewer system
    - v. Area and depth of landscaping to support the claim of absorbent landscaping as a rainwater capture method.
  - (d) The detention tank provided is sized to meet the peak flow rate. Resize the detention tank to capture the 24 mm of rainwater not retained on site and design the outlet structure as a two stage system. Contact Integrated Water Management for details.
- 52. As per the Peak Flow requirements, the rainwater management system for the building(s) and site shall be designed such that the peak flow rate discharged to the sewer under post-development conditions is not greater than the peak pre-development flow rate for the return period specified in the City of Vancouver's Intensity-Duration-Frequency curve (IDF curve). For this calculation the 10 year design storm should be used, as this area within a commercial catchment. Provide information on how this rate will be controlled to. Include the detailed specifications for the system as an appendix and the location indicated on the site-plan.
- 53. As per the Water quality requirements, provide product information for all treatment practices that demonstrate how they meet either the Washington State Department of Ecology's Technology Assessment Protocol (TAPE) or ISO 14034 ETV certification. Include the manual for the proposed Jellyfish Filtration System in the O & M manual detailed below.
- 54. Provide a servicing plan which includes all routing of rainwater into the proposed systems and out to the municipal system.
- 55. Provide detailed drawings of all proposed rainwater management systems including but not limited to, dimensions, inverts, stage-storage-discharge characteristics, design criteria and all assumptions.

56. Prior to Building Permit issuance, a stand-alone Operation & Maintenance (O&M) Manual for all rainwater systems (i.e. green infrastructure), must be submitted to the satisfaction of the Integrated Water Management Branch and will included as a schedule in the covenant detailed below. The O&M Manual shall be tailored specifically for the GI practices proposed on-site and submitted as a standalone document. The applicant is welcome to contact IWM Branch to discuss specific details.

The O&M Manual shall include, but not be limited to the following components:

- (a) Phasing Considerations (i.e. early stage requirements immediately following construction, and on-going requirements once the site is established.
  - (b) A table or schedule that describes the level of effort and frequency of tasks required to maintain optimal performance for each individual component of the system.
  - (c) Fact sheets (or similar reference material), for proposed plantings.
  - (d) Contact information for any proprietary systems to be located on-site (for example oil/grit separators).
  - (e) Checklists to assist non-technical persons in assessing operation and maintenance performance and requirements.
57. A Section 219 Rainwater Management Agreement Covenant will be required once the Final RWMP is accepted by the City.

## **PART 2: CONDITIONS OF BY-LAW ENACTMENT**

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, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

### **Engineering Services**

- 1. Consolidation of Lots 2 and 3, Block 721, District Lot 526, Plan 653 to create a single parcel.
- 2. Provision of legal agreements to provide access to underground parking to the adjacent development site at 4312 Cambie Street.
- 3. 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.
  - (a) Provision of adequate water service to meet the fire flow demands of the project.

- i. Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by R.F. Binnie & Associates Ltd. on May 30, 2019, no water main upgrades are required to service the development.

Note to applicant: The main servicing the proposed development is 200 mm. Should the development require water service connections larger than 200 mm, the developer shall upsize the existing main on Cambie St from 200 mm to 300 mm. The developer is responsible for 100% of the cost of the upgrading.

Note to applicant: Should the development's Fire Underwriter's Survey Required Fire Flow calculation change as the building design progresses, a resubmission to the City of Vancouver Waterworks Engineer is required for re-evaluation of the Water System.

- (b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.

Implementation of development(s) at 4338 Cambie St requires the following in order to maintain acceptable SAN sewer flow conditions:

- i. Local Servicing Upgrade: Separate 276 m of COMB Main on Talisman Ave from Yukon St and Talisman St intersection (MH\_\_FJC8T) to the Manhole (MH\_\_FJCSA4) at Talisman Ave and Dinmont Ave intersection.
- ii. Separate 42 m of 250 mm COMB main to 200 mm SAN and 300 mm STM on 100-300 Talisman Ave from (MH\_\_FJC8T) to 100-300 Talisman Ave (MH\_FJC8S).
- iii. Separate 77 m of 300 mm COMB main to 300 mm SAN and 375 mm STM on 100-300 Talisman Ave from (MH\_\_FJCS8S) to W 27th Ave (MH\_\_FJCS9J).
- iv. Separate 77 m of 375 mm COMB main to 375 mm SAN and 525 mm STM on 100-300 Talisman Ave from (MH\_\_FJCS9J) to 100-300 Talisman Ave (MH\_\_FJCSAM).
- v. Separate 80 m of 450 mm COMB main to 450 mm SAN and 600 mm STM on 100-300 Talisman Ave from (MH\_\_FJCSAM) to intersection of Talisman Ave and Dinmont Ave (MH\_\_FJCSA4).

The lengths and diameters of these improvements are approximate and subject to detailed design by Developer's Engineer.

The post-development 5-year flow rate discharged to the storm sewer shall be no greater than the 5-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for climate change.

Developer's Engineer to submit design brief, calculations and/or model, and design drawings to the City. All submittals including upgrade design drawings

(90% design stage or better) are required to be reviewed and accepted by the City Engineer prior to development permit issuance.

Development to be serviced to the existing 200 mm COMB sewers in L/E Cambie Street.

- (c) Developer to submit a Hydrogeological Study to be reviewed and accepted by a City Engineer. The Study shall include a Groundwater Management Plan and an Impact Assessment, respectively, to demonstrate that no groundwater is to be discharged to the City's sewer network post construction, and that groundwater extraction/diversion shall have no significant negative impacts. The final Hydrogeological Study is required prior to rezoning enactment.
- (d) Provision for street improvements along Cambie Street adjacent to the site and appropriate transitions including the following:
  - i. Minimum 2.14 m wide broom finish saw-cut concrete sidewalk.
  - ii. Adjustment to all existing infrastructure to accommodate the proposed street improvements.
  - iii. Adjustment to all existing infrastructure to accommodate the proposed street improvements including any transitions from protected bike lanes to adjacent street network.
  - iv. Street lighting to current standards.
- (e) Provision for the construction of street improvements from the centerline of Cambie Street adjacent to the site including any transition areas to connect existing and new curb alignments, all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include the following: new concrete curb and gutter, raised protected bike lane, and improved street lighting and additional pedestrian scale lighting including adjustment to all existing infrastructure to accommodate the proposed street improvements.
- (f) Provision of improvements at the intersection of Cambie Street and W 27th Avenue including the design and installation of a new traffic signal and associated enabling works to modify or relocate existing infrastructure.
- (g) Provision for the rebuild of existing lane between 27th and 28th Avenue as per "Higher Zoned Lane". Relocate catch basins in the lane to ensure all the lane runoffs get directed into the catch basins.
- (h) Provision of a new standard concrete lane crossing, new lane returns and lane ramps (on both sides of the lane) at the following locations:
  - i. Lane crossing on W 27th Avenue adjacent to the site.
  - ii. Lane crossing on W 28th Avenue adjacent to the site.

- (i) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
- (j) Confirmation that any relocated wood poles in the lane adjacent the site will not impact existing lane lighting, should any relocated pole include lighting impacts, upgrading of the lane lighting to current standard will be required.
- (k) 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.

Note to Applicant: The Services Agreement may require provision of funding to the City for the services or a component thereof.

### **Sustainability**

- 4. Enter into such agreements as the General Manager of Planning, Urban Design & Sustainability and the Director of Legal Services determine are necessary that require the owner to report energy use data, on an aggregated basis, for the building as a whole and for certain common areas and building systems. Such agreement or agreements will also provide for the hiring of a qualified service provider to assist the owner for a minimum of three years in collecting and submitting energy use data to the City.

### **Green Infrastructure**

- 5. Arrangements shall be made to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for the rainwater management and green infrastructure systems.

Note to Applicant: Legal arrangements, including, but not limited to, a Section 219 Covenant and Statutory Right of Way, may be required to ensure proper construction and on-going operation of certain rainwater storage, rainwater management and green infrastructure systems.

### **Environmental Contamination**

- 6. As applicable:
  - (a) Submit a site profile to Environmental Services (Environmental Protection);
  - (b) 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

- (c) 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 this 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 issued to the City.

## Housing

- 7. Enter into a Section 219 Covenant and/or such other agreements as the General Manager of Arts, Culture and Community Services and the Director of Legal Services determine are necessary to require the applicant to:
  - (a) Provide a Tenant Relocation Plan to the satisfaction of the General Manager of Arts, Culture and Community Services as per the *Tenant Relocation and Protection Policy* that is effective at the time of submission of the Development Permit Application.
  - (b) Provide a notarized declaration that demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.
  - (c) Provide an Interim Tenant Relocation Report prior to issuance of the Demolition Permit. The Report must outline the names of any tenants who have ended their tenancy; the reason for its end (e.g. tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant); the names of tenants still remaining in the building; the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan.

Note to Applicant: if a long period of time elapses between Public Hearing and before issuance of Demolition Permit, the City may request an additional Interim Tenant Relocation Report be submitted.
  - (d) Provide a Final Tenant Relocation Report prior to issuance of the Occupancy Permit. The Report must outline the names of tenants; indicate the outcome of their search for alternate accommodations; summarize the total monetary value given to each tenant (moving costs, rents, any other compensation); and include a summary of all communication provided to the tenants.



### Community Amenity Contribution

8. Pay to the City the cash Community Amenity Contribution of \$4,410,769 which the applicant has offered to the City and which is to be allocated to support the delivery of the *Cambie Corridor Public Benefits Strategy*. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services.

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 registerable 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 is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the By-law and at no cost to the City.

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

\* \* \* \* \*

**4338-4362 Cambie Street  
DRAFT CONSEQUENTIAL AMENDMENTS**

**DRAFT AMENDMENT TO THE SUBDIVISION BY-LAW NO. 5208**

Council amends Schedule A of the Subdivision By-law in accordance with the plan labelled Schedule A and attached to and forming part of this By-law, by deleting *Lots 2 and 3, Block 721, District Lot 526, Plan 6539; PIDs: 010-869-638 and 010-869-654 respectively*, from the RS-1 maps forming part of Schedule A of the Subdivision By-law.

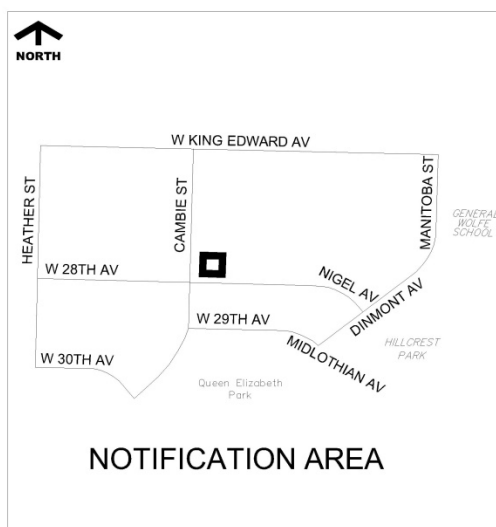
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**4338-4362 Cambie Street  
ADDITIONAL INFORMATION**

**PUBLIC CONSULTATION SUMMARY**

**Public Notification**

A rezoning information sign was installed on the site on June 8, 2019. Approximately 1017 notification postcards were distributed within the neighbouring area on or about August 28, 2019. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage ([vancouver.ca/rezapps](http://vancouver.ca/rezapps)).



**Community Open House**

On September 11, 2019 a community open house was held from 5:00-7:00 pm at Phoenix Gymnastics, 4588 Clancy Loranger Way. Staff, the applicant team, and a total of approximately 29 people attended the Open House.

**Public Response**

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

- 2 comment sheets, and 7 letters, e-mails, online comment forms, and other feedback were received from the public in response to the September 11, 2019 open house.

Total notifications	<div style="width: 100%;"></div> 1017
Open House attendees	<div style="width: 2.8%;"></div> 29
Open House comment sheets	<div style="width: 0.2%;"></div> 2
Online/other feedback	<div style="width: 0.7%;"></div> 7

\* Note that all reported numbers above are approximate

**Note:**

Each comment form or online response can include a number of comments which may reference points in support, potential concerns and questions or neutral/general statements. Therefore, staff focus on qualitative theming of comments and overall percentages are not provided.

Some duplication of responses may result where respondents chose to provide feedback to a rezoning application more than once using a number of mediums (open house comment sheet, online feedback, form letter, petition, etc.).

Below is a summary of all feedback received from the public by topic, and ordered by frequency:

*Generally, comments of support fell into the following areas:*

- **Building height and density (2):** Appropriate height, density, and massing for the neighbourhood.
- **Building design (2):** The building was considered to be appealing and respondents appreciated design of the outdoor rooftop amenity space.
- **Tree preservation (1):** Appreciates the preservation of two large, mature trees on site.

*Generally, comments of concern fell into the following areas:*

- **Unit size and mix (3):** Excessive number of one-bedroom units and inadequate number of larger units that can accommodate families.
- **Tree retention (2):** The loss of mature trees on site may negatively impact the wellbeing of neighbourhood residents. Some respondents noted that the neighbourhood lacks mature trees and canopy coverage and considered the loss of trees on 4362 Cambie Street to be disappointing.
- **Affordability (2):** The project may not provide affordable housing units.
- **Density (1):** Excessive FSR considering adjacent developments.

The following miscellaneous comments were received from the public (note: these were topics that were not ranked as highly as above).

*General comments of support:*

- Conforms to *Cambie Corridor Plan*.

*General comments of concern:*

- Too much parking provided considering proximity to Canada Line.

*Neutral comments/suggestions/recommendations:*

- Would like to see the rooftop amenity space expanded to include indoor rooftop amenity space and washrooms.

- Some commented that City staff should review rezoning procedures and consider whether the requirement for all rezoning applications be presented at an open house and the urban design panel is needed, especially applications that conform to the community plan.
- Would like to see City staff examine parking policies to explore the potential of adjusting requirements where rezoning applications are located in close proximity to rapid transit options.
- Would like to see more strict regulations that ensure the preservation of mature trees.

\* \* \* \* \*

**4338-4362 Cambie Street**  
**FORM OF DEVELOPMENT**

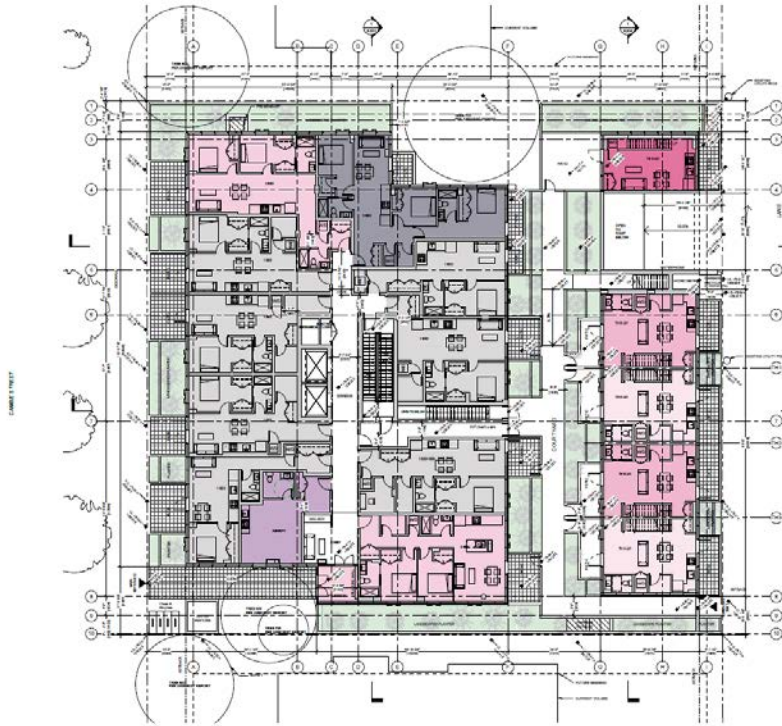
Perspectives – Cambie Looking North



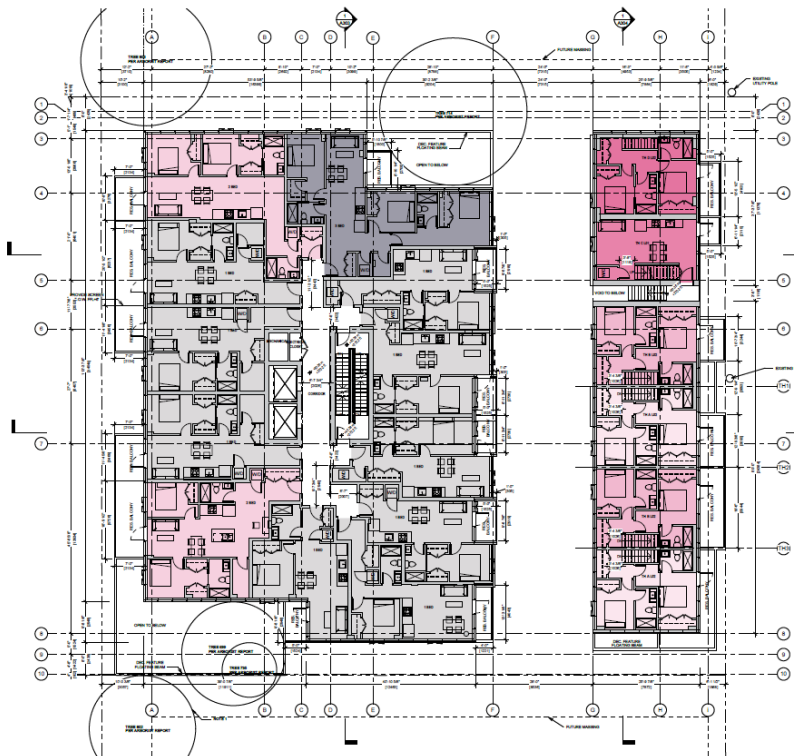
Perspectives – Lane Looking South



First Floor Plan

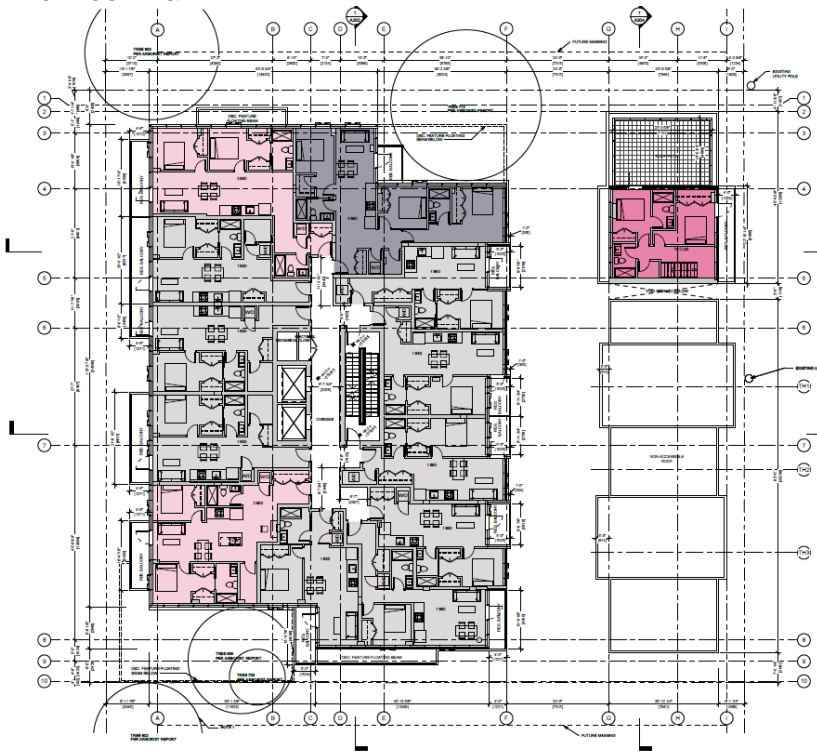


Second Floor Plan

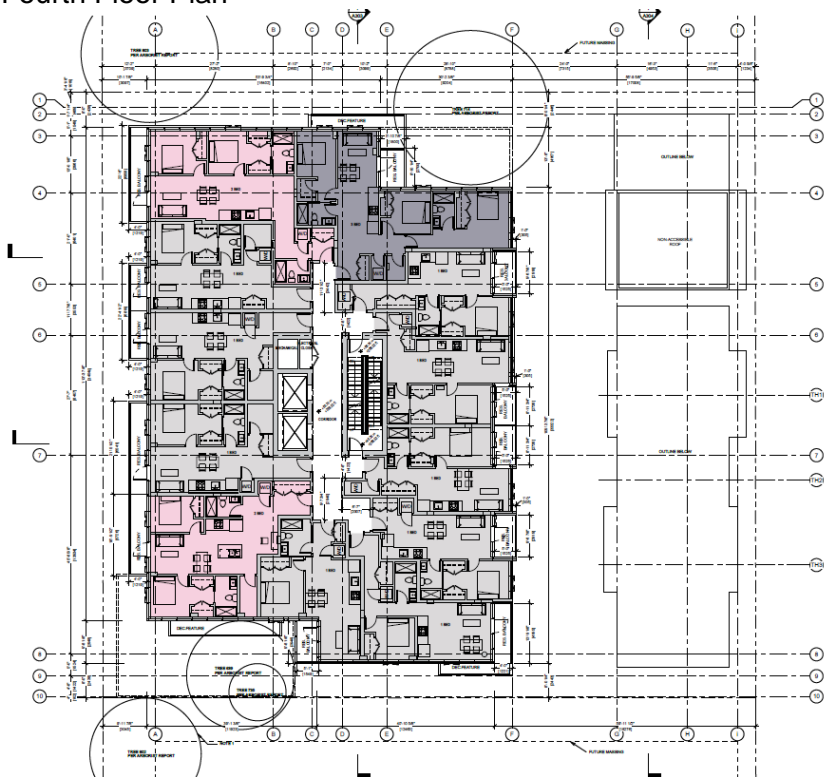




Third Floor Plan

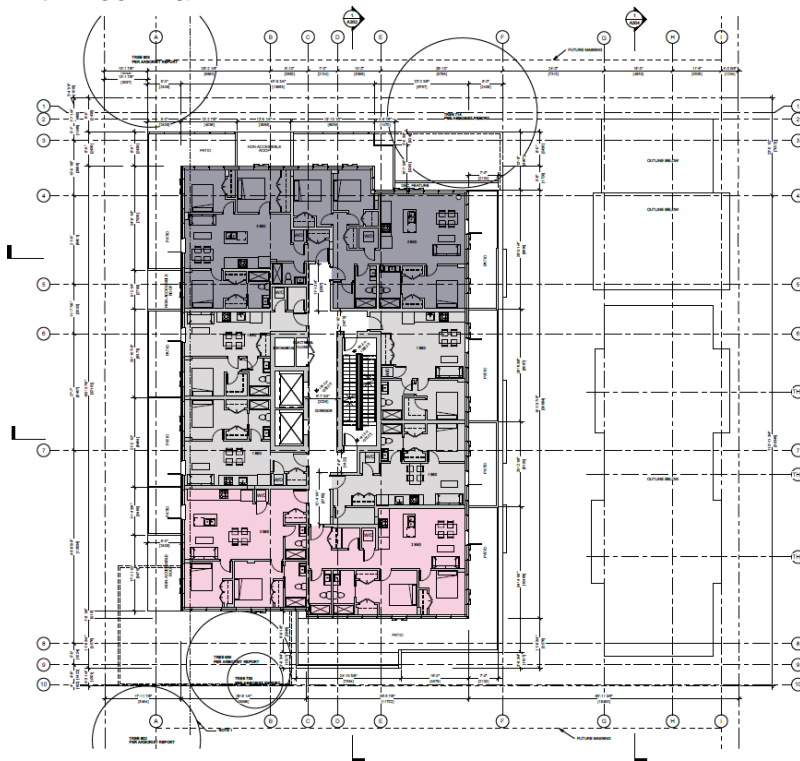


Fourth Floor Plan

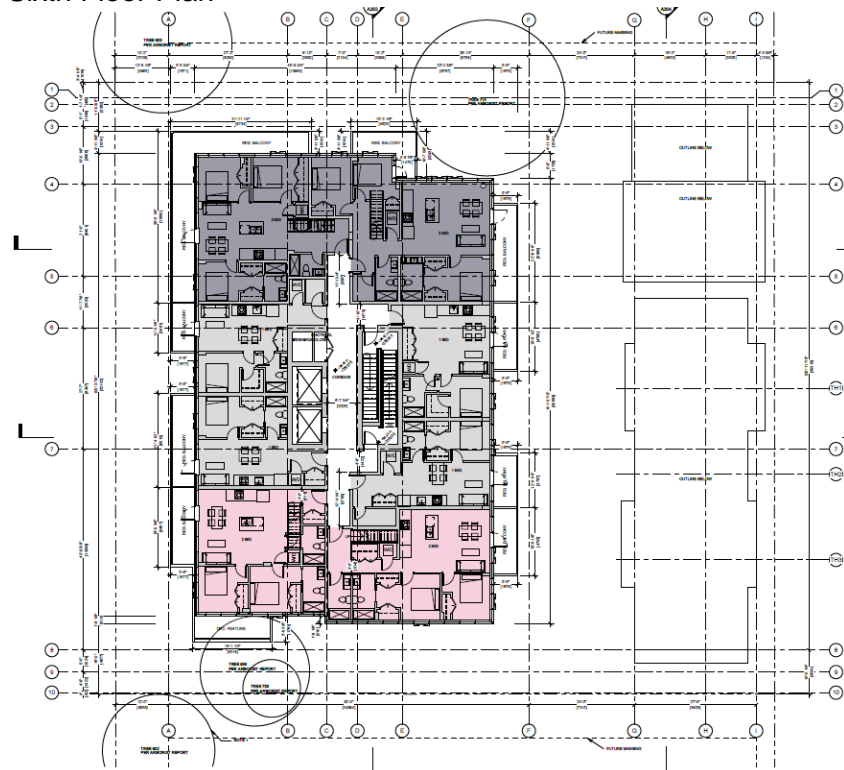




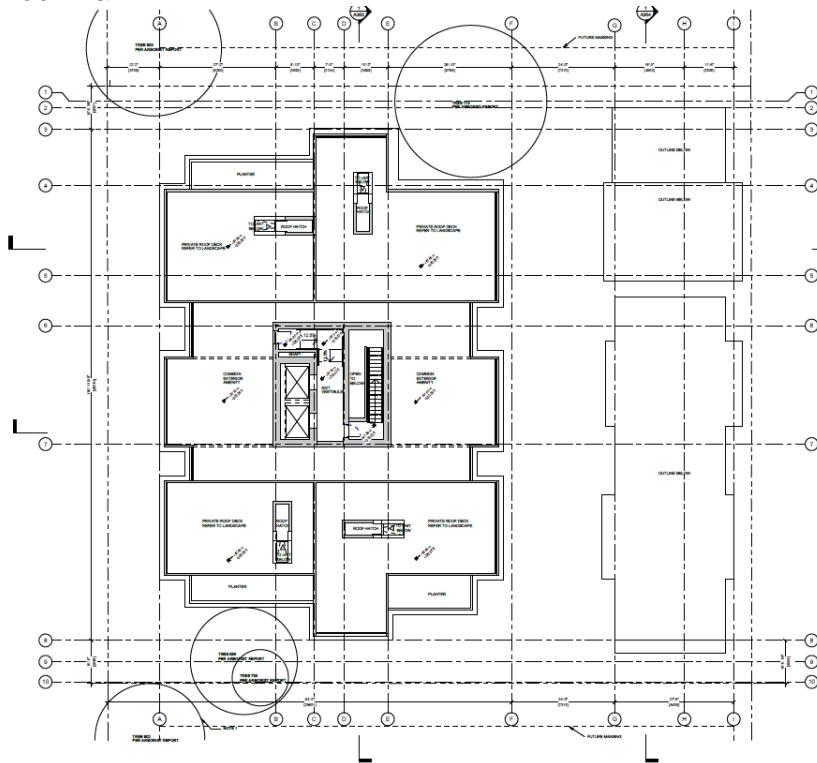
Fifth Floor Plan



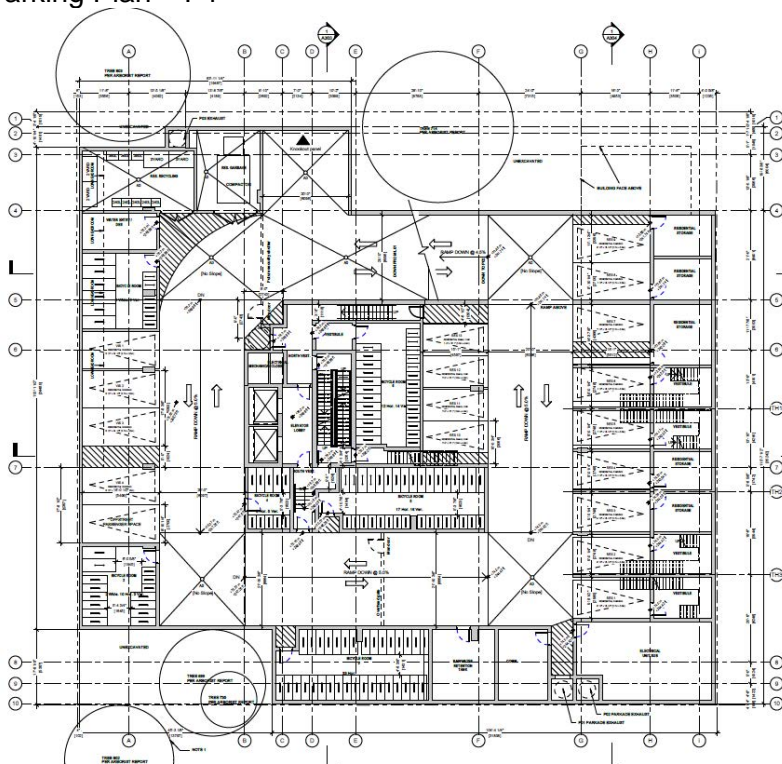
Sixth Floor Plan



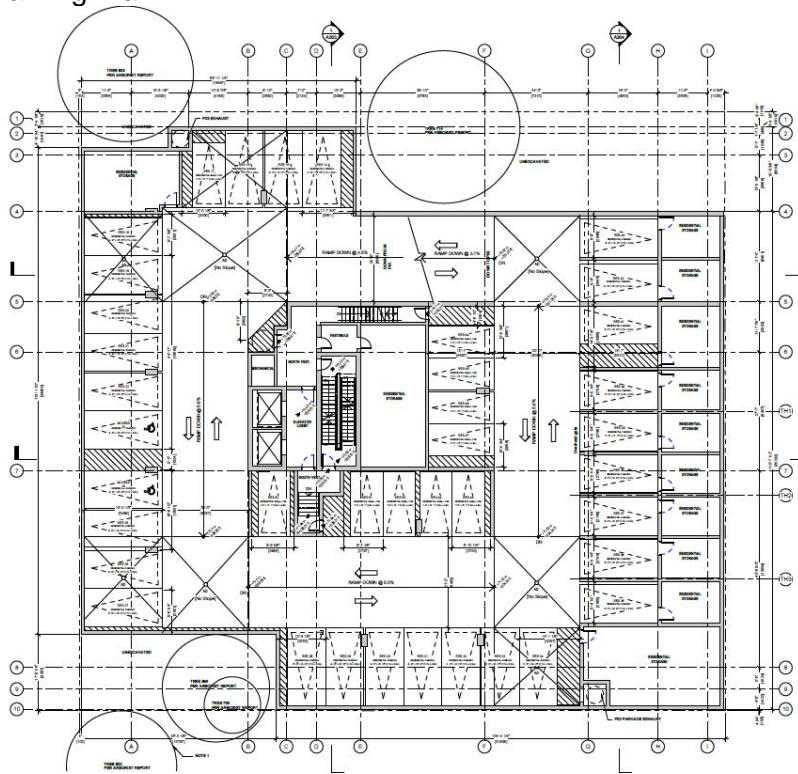
Roof Plan



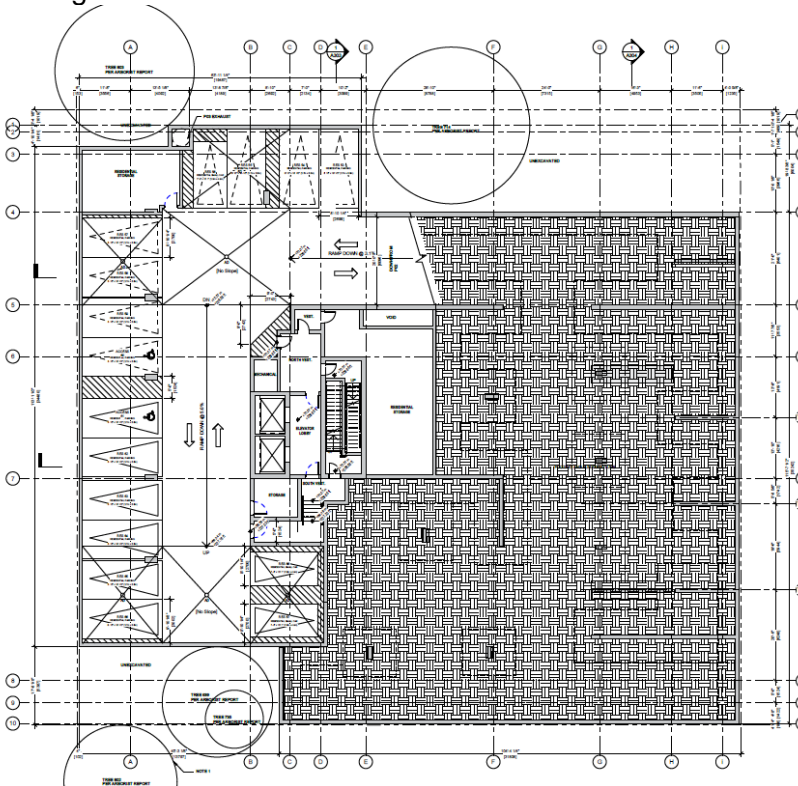
Parking Plan – P1



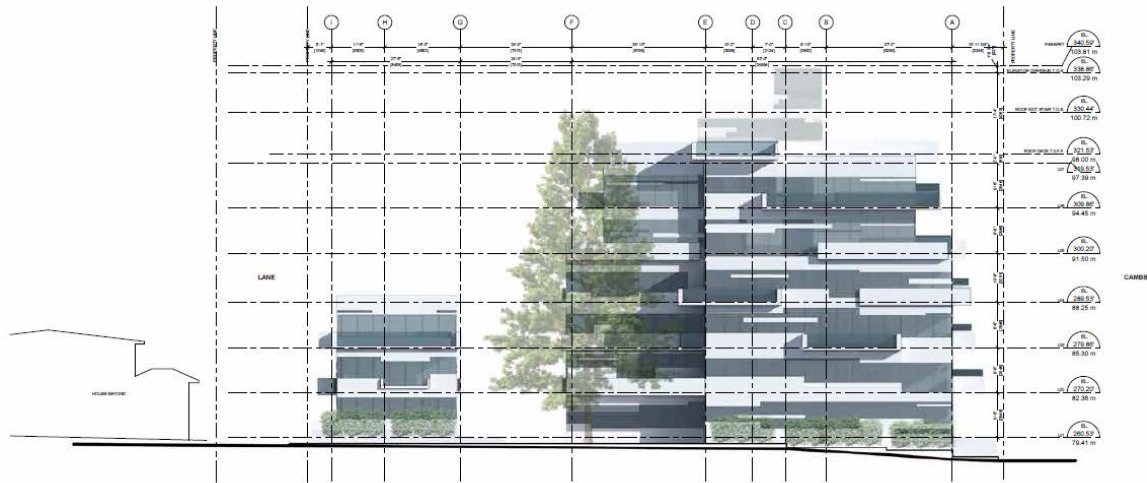
Parking Plan – P2



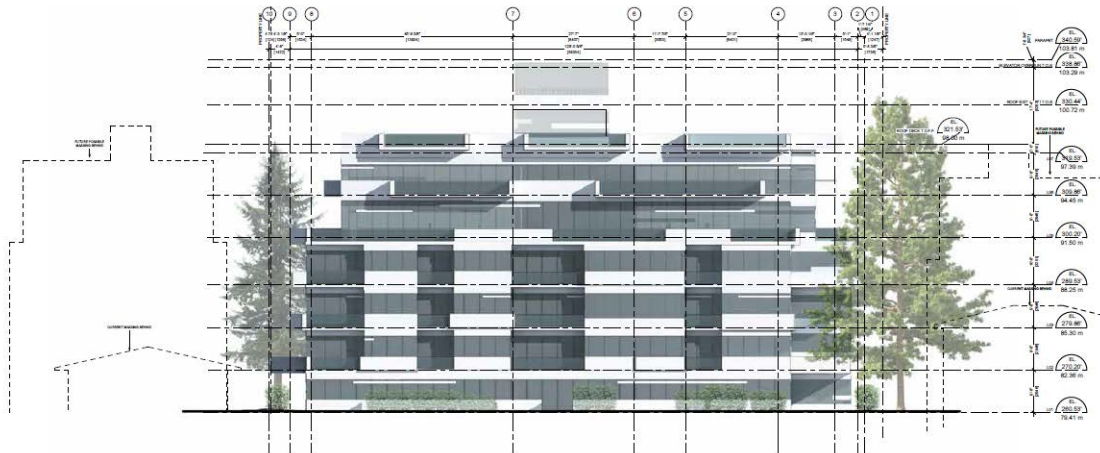
Parking Plan – P3



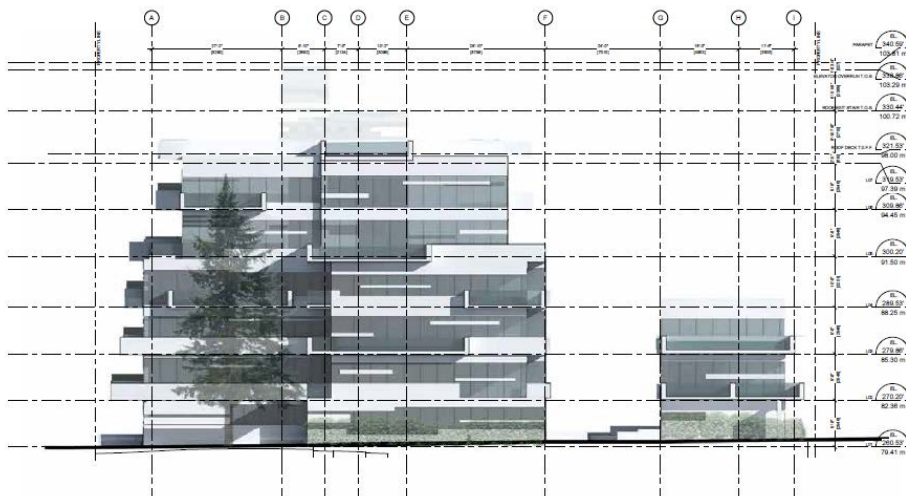
North Elevation



East Elevation

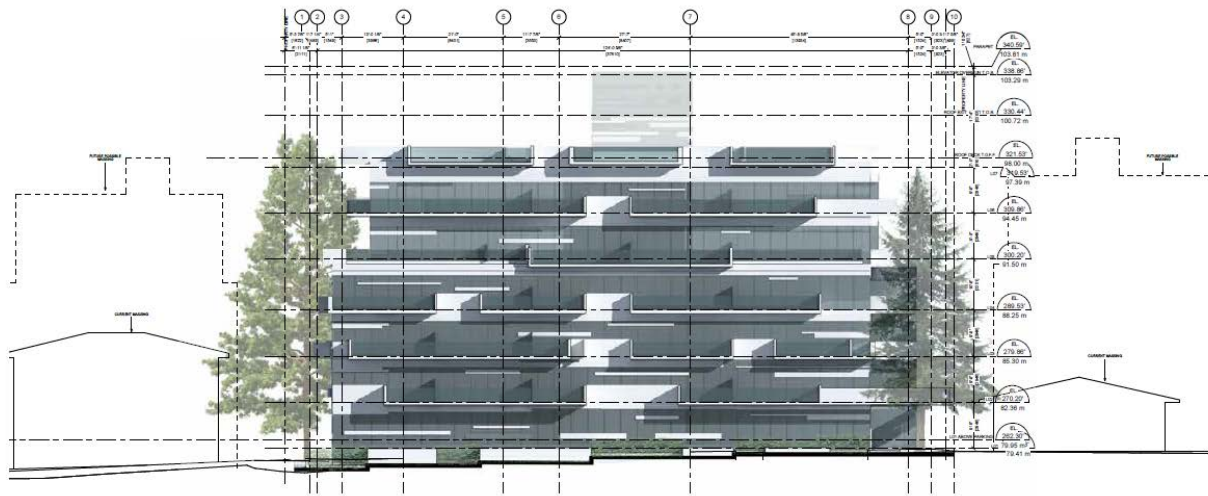


South Elevation

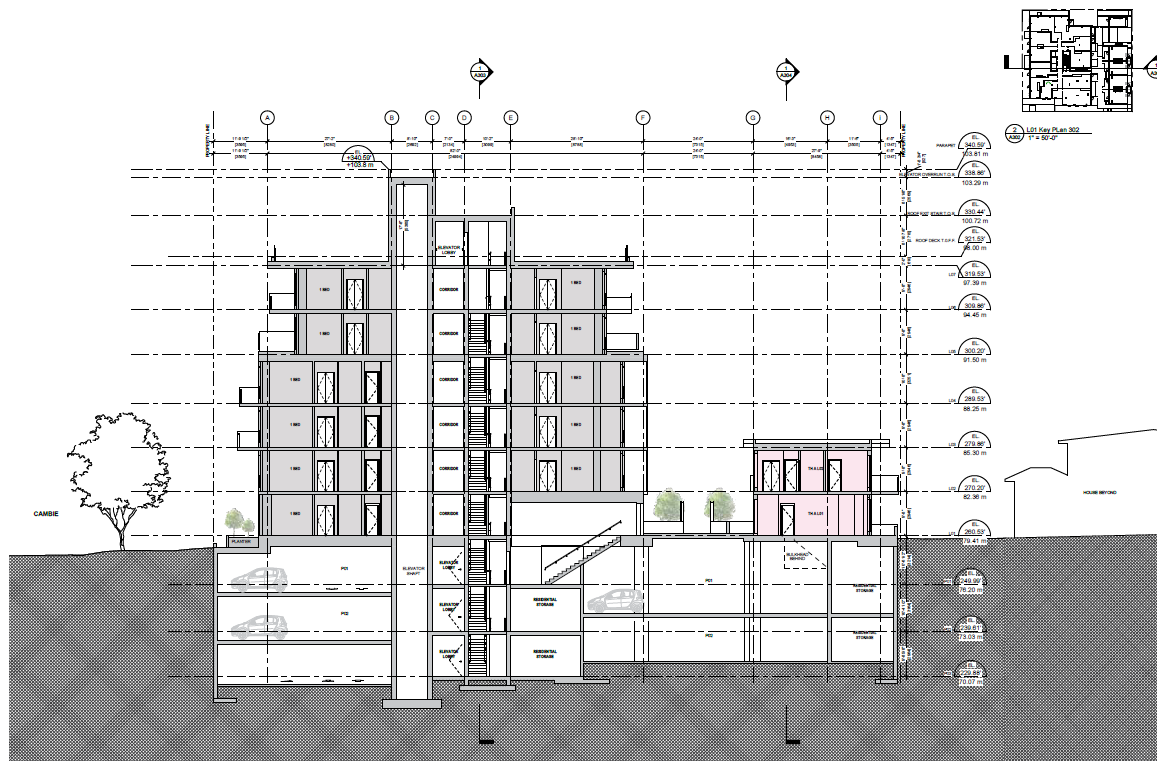
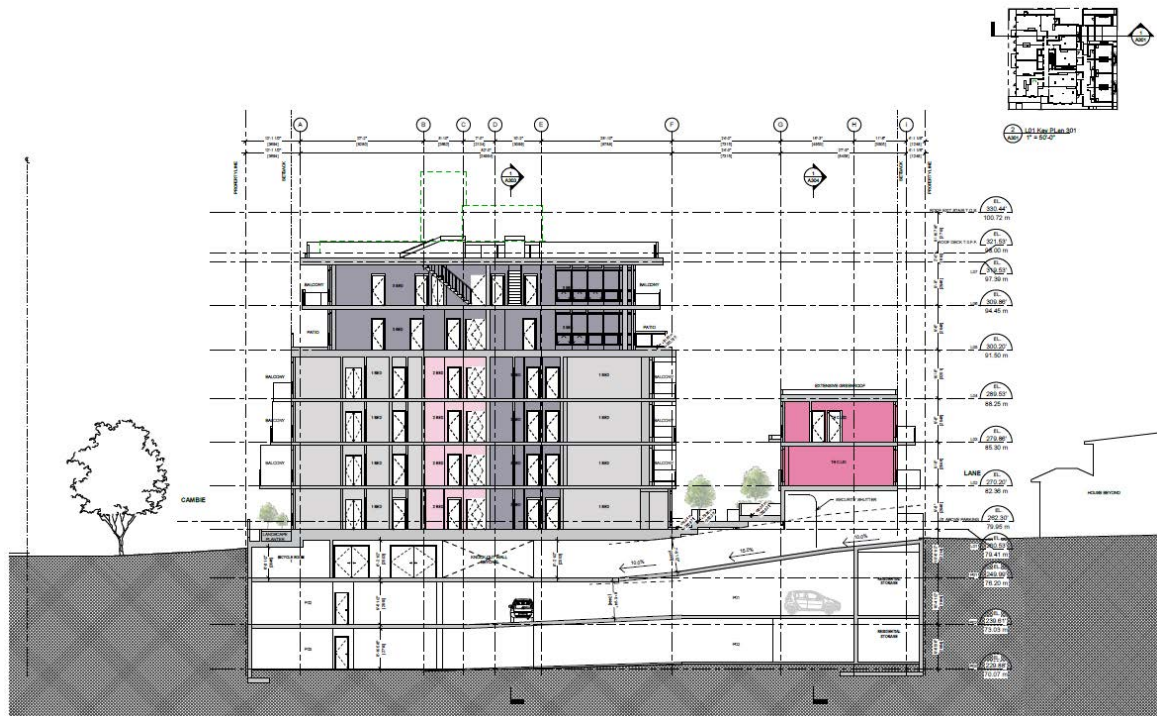




## West Elevation



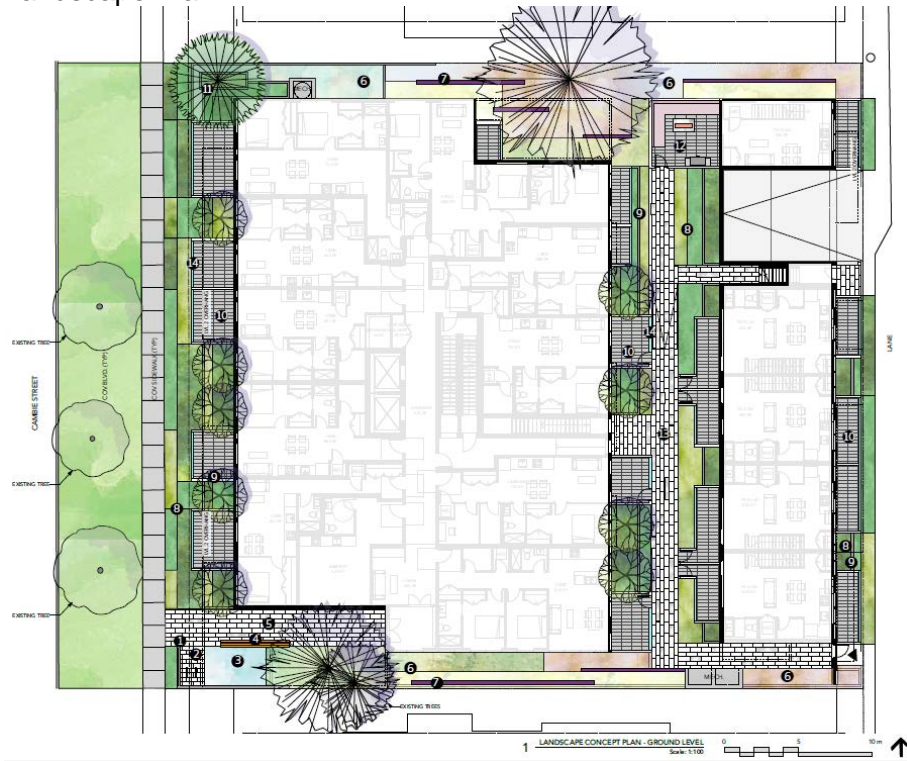
Sections







Landscape Plan



Landscape Plan – Roof



Shadow Study

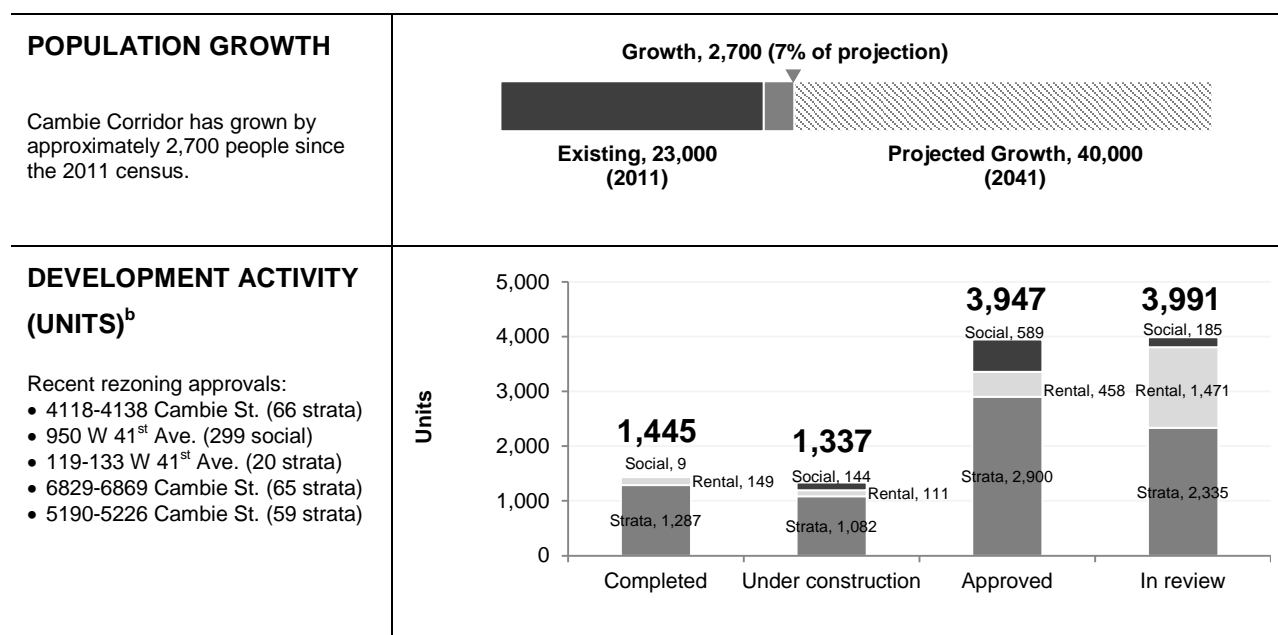




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## PUBLIC BENEFITS IMPLEMENTATION TRACKING CAMBIE CORRIDOR PLAN (2018) – North of 57<sup>th</sup> Ave<sup>a</sup>

Updated Mid-Year 2019



### PUBLIC BENEFITS ACHIEVED – North of 57<sup>th</sup> Ave<sup>a</sup>

Category	Anticipated Public Benefits (+) <sup>c</sup>	Completed (•) or In Progress (◦)	% <sup>d</sup>
Housing <sup>b</sup>	+ 2,250 additional social housing units + 4,700 secured market rental units + 400 below-market rental units	<ul style="list-style-type: none"> <li>• 9 social housing units</li> <li>• 149 secured market rental units</li> <li>◦ 144 social housing units</li> <li>◦ 111 secured market rental units</li> </ul>	5%
Childcare	+ 1,080 spaces for all age groups	<ul style="list-style-type: none"> <li>• Restoration of outdoor play area at 8 Oaks Acorn childcare</li> </ul>	0%
Transportation/ Public Realm	+ Upgrade/expand walking and cycling networks + Complete Street design on Cambie St. and major streets + "Car-light" greenway on Heather St.	<ul style="list-style-type: none"> <li>• Traffic calming</li> <li>• 45th Avenue Bikeway</li> </ul>	10%
Culture	+ 5 new artist studios	<ul style="list-style-type: none"> <li>• Public art from rezonings</li> </ul>	N/A
Civic/Community	+ Oakridge Civic Centre (includes renewal and expansion of Seniors' Centre) + Oakridge Library renewal and expansion + Additional library branch + Hillcrest Community Centre – Fitness centre expansion + Fire Hall #23 + Community Policing Centre		0%
Heritage	+ 5% allocation from cash community amenity contributions in Cambie Corridor	<ul style="list-style-type: none"> <li>• Heritage conservation (James Residence and Wong Residence)</li> <li>◦ 5% allocation from cash community amenity contributions in Cambie Corridor</li> </ul>	5%
Social Facilities	+ Additional Seniors' Centre + Youth Hub + Non-profit organization centre		0%
Parks	+ New parks on large sites + Queen Elizabeth Park Master Plan and Phase 1 upgrades + 6 plazas and enhanced open spaces + Neighbourhood park improvements	<ul style="list-style-type: none"> <li>• Upgrades to Riley Park and Hillcrest Park</li> <li>• Lillian To Park</li> <li>• Playground renewal at Douglas Park</li> <li>• Plaza at Cambie St. and W. 29<sup>th</sup> Ave</li> </ul>	5%

## **EXPLANATORY NOTES**

The Public Benefits Implementation Tracker assists in monitoring progress toward the delivery of public benefits anticipated from the community plans. Data in this tracker reflects activity within the plan boundaries since Plan approval.

### **Population Growth**

Base population is determined by the latest census year available when the Plan was approved. Projected growth numbers are determined by the numbers quoted in the Plan (if available). Growth is calculated by taking the difference between the latest census year and the base population and adding an estimate based on floor area completed between the latest census and the present quarter.

### **Development Activity**

The Development Activity Chart tracks projects with 3 or more housing units and includes Development Permits, Building Permits, rezoning applications and enquiries:

- “Completed” projects have achieved Building Permit completion.
- “Under Construction” projects have achieved Building Permit issuance, but have yet to be completed.
- “Approved” projects include rezoning applications approved by Council and Development Permits that have been approved by the City. Any rezoning applications approved by Council that advance into the Development Permit stage are still counted as “Approved” projects until it achieves Building Permit issuance.
- “In review” projects include any rezoning applications, enquiries, or Development Permits that are under review by the City.

Recent rezoning approvals listed in this section reflect the last five rezonings (excluding minor text amendments and simplified rezonings to RM-8A and RM-8AN) approved by Council within the last five years in the plan area.

### **Public Benefits Achieved**

Public benefits that have either been completed or are under construction are included in this section. In addition, this tracker provides some insight on the progression of Major Projects or other City programs.

### **Other Notes**

<sup>a</sup> The Cambie Corridor Plan was a three-phase plan with its final phase approved in 2018. Phase 2 of the Cambie Corridor Plan was approved in 2011 and included land use policies for key sites and arterials. Monies collected between Phase 2 and Phase 3 were allocated/spent corridor-wide through the interim public benefits strategy. Benefits delivered south of 57<sup>th</sup> Ave include: affordable housing site; 2 childcare locations; new Family Place; 2 artist studios; and land acquisition toward Marpole Civic Centre.

<sup>b</sup> Gross numbers of units reported. In some instances, existing units may be demolished and replaced with new units. These numbers represent units that have been replaced and any additional units included as a part of new developments.

<sup>c</sup> See chapter 13 of the [Cambie Corridor Plan](#) for detailed information about the City’s commitments to deliver public benefits along the Cambie Corridor.

<sup>d</sup> Percentages reflect estimated progress toward overall Public Benefits Strategy targets outlined in chapter 13 of the [Cambie Corridor Plan](#).

**4338-4362 Cambie Street  
PUBLIC BENEFITS SUMMARY**

**Project Summary**

6-storey residential building, containing 68 strata residential units.

**Public Benefit Summary:**

The project would generate a DCL payment and a CAC offering to be allocated toward the Cambie Corridor Public Benefit Strategy.

	Current Zoning	Proposed Zoning
Zoning District	RS-1	CD-1
FSR (site area = 1,936.8 sq. m / 20,840 sq. ft.)	0.70	2.75
Buildable Floor Space (sq. ft.)	14,588	57,411
Land Use	Single-Family Residential	Multi-Family Residential

**Summary of development contributions expected under proposed zoning**

City-wide DCL <sup>1</sup>	\$1,043,158
City-wide Utilities DCL <sup>1</sup>	\$579,277
Community Amenity Contribution	\$4,410,769
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>	<b>\$6,033,204</b>

<sup>1</sup> Based on rates in effect as at September 30, 2019; rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection, see the City's [DCL Bulletin](#) for details.

**4338-4362 Cambie Street**  
**APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

**Property Information**

Address	Property Identifier (PID)	Legal Description
4338 Cambie Street	010-869-638	Lot 2, Block 721, District Lot 526, Plan 6539
4362 Cambie Street	010-869-654	Lot 3, Block 721, District Lot 526, Plan 6539

**Applicant Information**

Architect	Arno Matis Architecture Ltd.
Developer/Property Owner	Cambie Terra Development Ltd.

**Development Statistics**

	Permitted Under Existing Zoning	Proposed	Recommended Changes
Zoning	RS-1	CD-1	
Site Area	1,936.8 sq. m (20,840 sq. ft.)	1,936.8 sq. m (20,840 sq. ft.)	
Land Use	Residential	Residential	
Maximum FSR	0.70	2.75	
Maximum Height	10.7 m (35 ft.)	20.5 m (67 ft.)	Common indoor amenity room on the roof to be allowed with a maximum height of 3.1m (10.2 ft.)
Floor Area	1,355.7 sq. m (14,588 sq. ft.)	5,335.60 sq. m (57,411 sq. ft.)	
Residential Units	-	Total: 68 strata units One-bedrooms: 42 Two-bedrooms: 12 Three-bedrooms: 8 Townhouses: 6	
Parking and Bicycle Spaces	As per Parking By-law	Proposed: 72 vehicle spaces, 0 loading spaces, 119 bicycle spaces	Provision of 1 Class A passenger space, 128 Class A and 12 Class B bicycle spaces.
Natural Assets	4 City street trees 20 on-site trees 2 adjacent property trees	4 City street trees 13 on-site trees (3 retained, 10 additional) 2 adjacent property trees	

\* \* \* \* \*