



REFERRAL REPORT

Report Date: March 17, 2020
Contact: Theresa O'Donnell
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RTS No.: 13730
VanRIMS No.: 08-2000-20
Meeting Date: March 31, 2020

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Amendment: 2538 Birch Street (formerly 1296 West Broadway)

RECOMMENDATION

- A. THAT the application by IBI Group on behalf of 1061511 B.C. Ltd (Jameson Development Corporation), the registered owner, to amend CD-1 (708) (Comprehensive Development) District, By-Law No. 12179 for 2538 Birch Street [Lot 1, Block 353, District Lot 526, Group 1 New Westminster District Plan EPP 81033; PID 030-417-261] to increase the permitted floor space ratio (FSR) from 7.07 to 10.55 and the maximum building height from 52.14 m (171.1 ft.) (99.24 m geodetic) to 86.19 m (282.78 ft.) to permit a taller mixed-use building (27 storey with a mezzanine) with approximately 258 secured rental units on the upper floors with 22 per cent of the residential floor area being secured as moderate income units under the *Moderate Income Rental Housing Pilot Program*, be referred to a Public Hearing, together with:
- (i) plans prepared by IBI Group, received May 17, 2019;
 - (ii) draft CD-1 By-law amendments, generally as presented in Appendix A; and
 - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the amendment 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 amendments generally in accordance with Appendix A for consideration at Public Hearing.

- B. THAT, if after Public Hearing, Council approves in principle the By-law amendments and the Housing Agreement described in Part 2 of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law , subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.
- 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 bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

This report evaluates an application to amend CD-1(708) (Comprehensive Development) District, By-law No.12179 under the Moderate Income Rental Housing Pilot Program (“**MIRHP Program**”) to permit the development of a 86.19 m (282.78 ft.) high (27 storey including mezzanine) mixed use building with commercial uses in the podium and secured rental units in a tower form above at 2538 Birch Street (formerly 1296 West Broadway). Approximately 258 secured rental housing units are proposed with 22 per cent of the residential floor area reserved for households earning a moderate income and rented at rates affordable to such households (the “**moderate income units**”), and the remaining 78 per cent at market rate units under the MIRHP Program. An amended density of 10.55 FSR is recommended.

Staff have assessed the application and conclude that it meets the intent of the MIRHP program . The application is also consistent with the Development Cost Levy (DCL) By-law definition of “for-profit affordable rental housing” for which DCLs may be waived.

If approved, the application would contribute approximately 258 rental housing units towards achieving the City’s rental housing goals as identified in the *Housing Vancouver Strategy*. Staff recommend the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it, subject to the Public Hearing, and conditions outlined in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- CD-1 (708) By-law No. 12179 (enacted July 24, 2018)
- *Moderate Income Rental Housing Pilot Program : Application Process, Project Requirements and Available Incentives* (2017, last amended 2019)
- *Policy on Consideration of Rezoning Applications and Heritage Revitalization Agreements during the Broadway Planning Process* (2018)
- *Broadway Planning Program and Associated Interim Policies* (2018)
- *Broadway Plan- Terms of Reference* (Appendix A)
- *Rental Incentive Guidelines* (2012, last updated 2018)
- *Central Broadway C-3A Urban Design Guidelines (Fairview slopes Sub-area)* (1976, last amended 2004)
- *Housing Vancouver Strategy* (2017)
- *Family Room: Housing Mix Policy for Rezoning Projects* (2016)
- *High-Density Housing for Families With Children Guidelines* (1992)
- *Green Buildings Policy for Rezonings* (2009, amended up to 2018)
- *Community Amenity Contributions through Rezonings* (last amended 2018)
- *Vancouver Development Cost Levy By-law No. 9755* (2008, last amended 2018)
- *Public Art Policy and Procedures for Rezoned Developments* (1994, last amended 2014)
- *Urban Forest Strategy* (2014)
- *Greenest City Action Plan* (2011)

REPORT

Background/Context

1. Site and Context

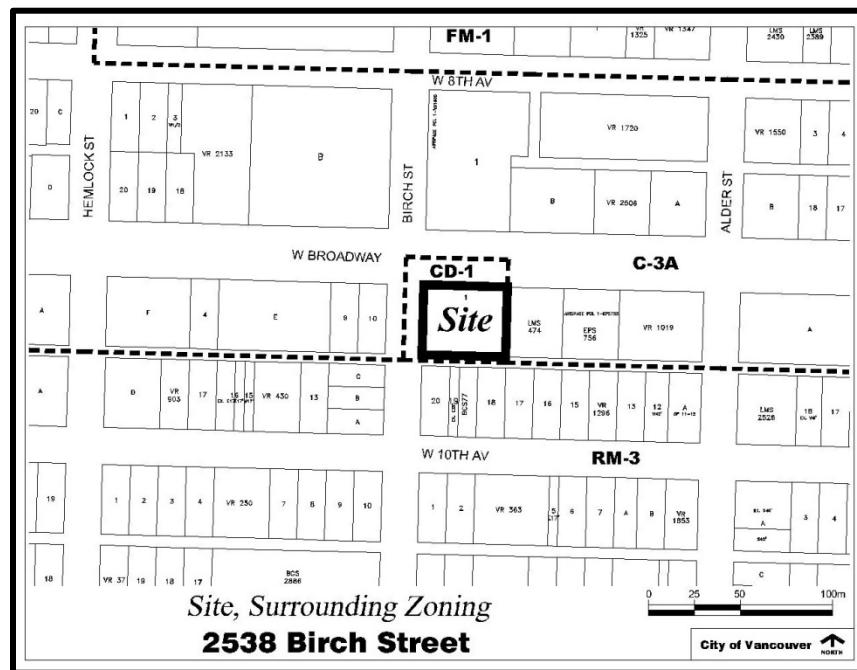
The subject site is located at the southeast corner of West Broadway and Birch Street in the Fairview community (see Figure 1). The site is comprised of one legal parcel, with a total area of 1,743 sq. m (18,762 sq. ft.), a frontage of 45.7 m (150 ft.) along Broadway and a depth of 38.1 m (125 ft.) along Birch Street. The site is within the study area of the Broadway Planning Program as indicated in Figure 2.

This property has been cleared in anticipation of a 153-unit mixed-use rental tower in accordance with CD-1 (708) enacted on July 24, 2018 and approved through the Secured Market Rental Housing Policy (Rental 100). This area of Broadway is currently developed with two- to four-storey commercial buildings and mixed-use towers. A 13-storey mixed-use strata residential building is located to the east. Directly north and northwest are two office towers at 8- and 13-storeys respectively. The area to the south is zoned RM-3 and is currently developed with low-rise strata-titled condos and rental apartment buildings.

The site is located within a 10 minute walk of the Vancouver General Hospital campus and between two future underground SkyTrain stations at Granville and Laurel Streets, proposed as part of the future Broadway Subway Project being led by the Province (Millennium Line Skytrain extension) from VCC-Clark to a new terminus at Arbutus Street. West Broadway has the highest frequency transit in the city with four local bus routes and the 99 B-Line which is the busiest bus route in Canada and the United States and accommodates approximately 61,000 passengers daily. The Broadway Subway is intended to contribute to a city of neighbourhoods connected by

convenient, viable transportation options that meet residents' needs as places to live, work, shop and play resulting in a vibrant community. This project site is strategically located to avail of these improved facilities and amenities as the network of communities become established over time.

Figure 1: Site at 2538 Birch Street and Surrounding Zoning



The Broadway Planning program is a two-year process resulting in a comprehensive plan for the area along Broadway, generally located east to west from Clark Drive to Vine Street, and north to south from the 1st Avenue to 16th Avenue. The 30-year plan will leverage the opportunities created by the Broadway Subway, and address deepening housing affordability and minimizing displacement of existing tenants; increased job space; new or improved connections; improved parks and public spaces; and new and renewed public amenities. The Broadway Plan will include a public benefits strategy that will consider the need for affordable housing, infrastructure and other community amenities, with an associated long-term funding strategy. This application will contribute to expanding the affordable housing options available for the future population increase anticipated in the area.

The Broadway Planning program is currently ongoing and is providing multiple public and stakeholder consultation opportunities. In Phase 1 of the planning process, public input played a key role in developing a set of Guiding Principles for the plan. Between March and September 2019, Staff engaged with community members through 24 public events, 12 focused engagement events, and three surveys, resulting in a total of more than 10,300 engagement contacts, which includes participants at all the events and meetings, and survey respondents.

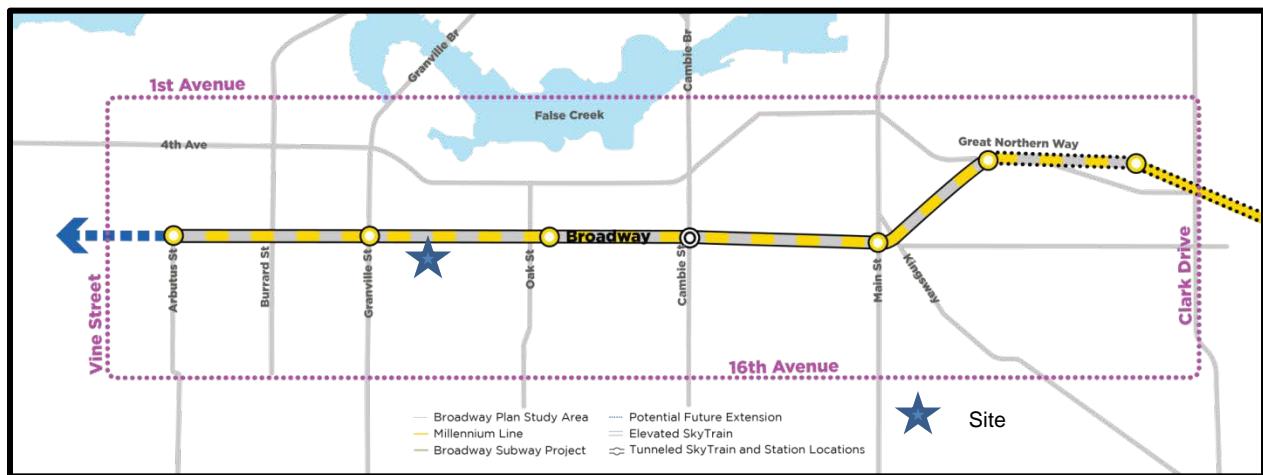
Since Council approved the Broadway Plan Guiding Principles in October, the Broadway Plan team have been reaching out to engage with businesses and demographics that have not been heard from in Phase 1. Since then, 31 events have been held, with 1,585 people participating.

Engagement in Phase 2 is currently focused on reaching small businesses owners and operators, urban indigenous peoples, youth, families with children and renters.

Parallel to this engagement process, Staff have been developing Emerging Directions for the Broadway Plan, based on the approved Guiding Principles, engagement to date and existing City-wide objectives. In early Spring 2020, Emerging Directions for the overall study area will be presented to the public for feedback through broad community engagement. Feedback will be focused on places and patterns for growth and change, built form principles, housing, jobs and economy, streets and transportation, parks and open space, integrated water/blue green network, arts and culture, community and social facilities, sustainability and resiliency and a high level Public Benefits Strategy.

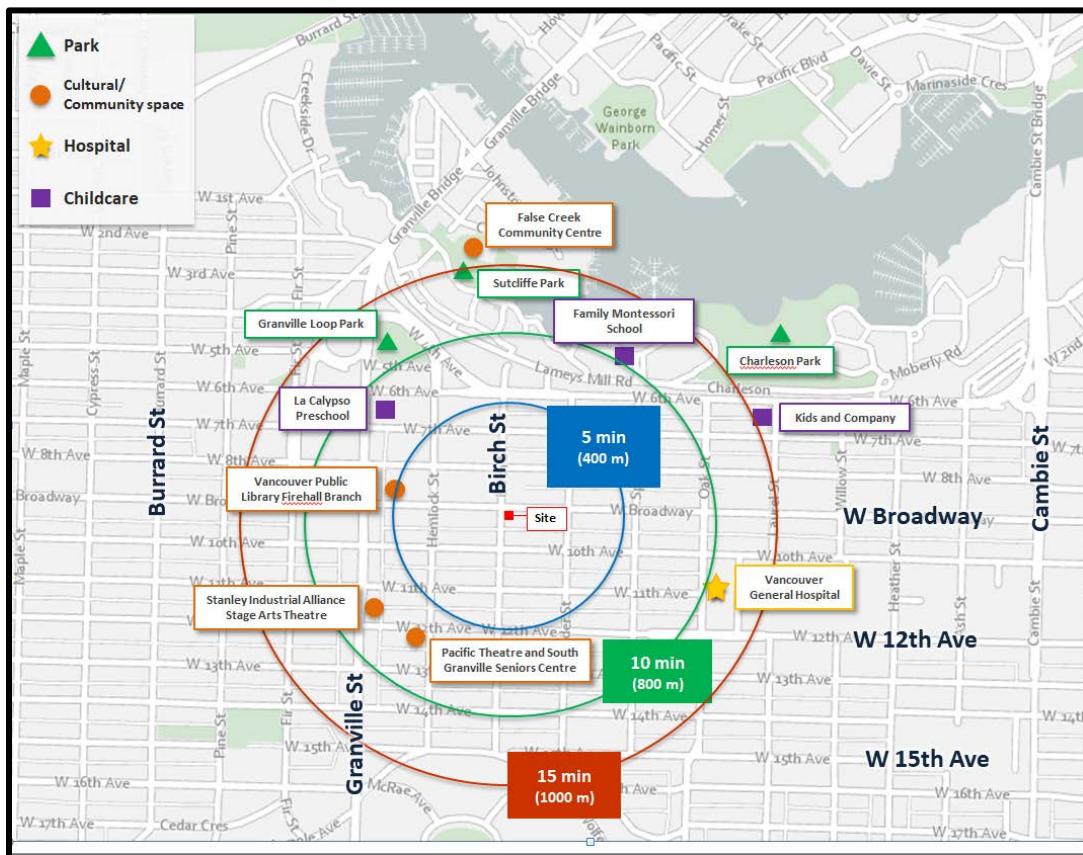
It is anticipated that the Broadway Plan will be presented to Council for consideration by the end of 2020.

Figure 2: Broadway Plan Study Area & proposed Broadway Subway station locations



Neighbourhood Amenities - The following is a sample of neighbourhood amenities that currently exist in the area:

- **Parks:** Granville Loop Park, 1435 West 5th Avenue (9 min walk), Charleson Park, 999 Charleson Street (14 min walk), Sutcliffe Park, 1318 Cartwright St (15 min walk).
- **Cultural/Community Space:** Vancouver Public Library Firehall Branch, 1455 West 10th Avenue (5 min walk), False Creek Community Centre, 1318 Cartwright Street (15 min walk), Stanley Industrial Alliance Stage, Arts Club Theatre Company, 2750 Granville Street (7 min walk), Pacific Theatre, 1440 West 12th Avenue (6 min walk), South Granville Seniors Centre, 1420 West 12th Ave, (6 min walk).
- **Hospital:** Vancouver General Hospital, 899 West 12th Avenue (8 min walk).
- **Child Care:** Family Montessori School, 1099 Sitka Square (12 min walk), La Calypso Preschool 1555 West 7th Avenue (10 min walk), Kids and Company, 910 West 6th Avenue (13 min walk).

Figure 3: Existing neighbourhood amenities in proximity to site

Local School Capacity

There are currently 12 elementary schools and 5 secondary schools located in the Broadway Plan study area serving children ages 5-18.

This site is located within the catchment area of L'Ecole Bilingue Elementary School at 1166 West 14th Avenue which currently has an operating capacity of 452 students. Per the *Vancouver School Board (VSB)'s Draft Long Range Facilities Plan* dated May 29, 2019, enrolments in 2017 resulted in a shortage of 27 spaces. By 2027, the draft plan forecasts a surplus of 163 spaces. VSB also continues to monitor new residential developments and work with the City of Vancouver to help plan for future growth.

2. Policy Context

Moderate Income Rental Housing Pilot Program: Application Process, Project

Requirements and Available Incentives (2017) – On November 29, 2017, Council approved the application process, project requirements and incentives for the MIRHP Program which is intended to deliver moderate income rental housing across the city. Between January 1, 2018 and July 1, 2019, the City accepted rezoning proposals for new buildings where 100 per cent of the residential floor area is secured as rental housing and at least 20 per cent of the residential floor area is permanently secured as moderate income units. Those moderate income units are to be rented at rates targeted to meet the affordability needs of moderate income households earning between \$30,000 and \$80,000 per year and there are to be caps on rental increases at

rates set under the provincial Residential Tenancy Act, even on a change in tenant. The purpose of the pilot is to test the level of interest from the development industry and demonstrate financial and operational feasibility of these projects in different parts of the city, including the level of affordability that can be achieved. Staff will report back to City Council with lessons learned from the pilot, and if appropriate, recommendations for a new, long term program to encourage the construction of moderate income rental housing.

Policy on Consideration of Rezoning Applications and Heritage Revitalisation

Agreements during the Broadway Planning Process (2018) - On June 20, 2018, Council approved the Broadway Plan Terms of Reference and associated Interim Rezoning Policy. The Interim Rezoning Policy establishes conditions under which rezoning applications can be considered during the Broadway Plan process. Rezoning applications already submitted and rezoning enquiries that received a written response up to three years prior to the adoption of the interim rezoning policy are permitted to continue. This rezoning application adheres to the terms outlined in Policy 1 of the Interim Rezoning Policy.

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

Development Cost Levy By-Laws – Under Section 3.1A of the *Vancouver Development Cost Levy By-law* No. 9755 (the “**DCL By-law**”), and Section 3.2 of the *Vancouver Utilities Development Cost Levy By-law* No. 12183 (the “**Utilities DCL By-law**”) projects that meet the by-laws’ definition of “for-profit affordable rental housing”, a term specifically used by the province in Section 523D(10.3)(a) of the *Vancouver Charter*, are eligible for a DCL waiver for the residential portion of the development. The DCL By-law and the Utilities DCL By-law establish maximum unit sizes and maximum average rents by unit type for the project to be eligible for the waiver. Current rental rates and unit sizes are outlined in the *Rental Incentive Guidelines* and are updated on an annual basis.

On November 26, 2019, Council approved changes to the DCL By-law and the Utilities DCL By-law, including new maximum average rent criteria that enable projects that meet the affordability requirements in the *MIRHP Program* to be eligible for a waiver of the DCLs for the residential portion of the project under the DCL By-law (the **DCLs**). Council also approved changes to the Utilities DCL By-law to remove the waiver for “for-profit affordable rental housing,” effective September 30, 2020. However, applications submitted before this date will remain eligible for a waiver of the DCLs for the residential portion of the project under the Utilities DCL By-law (the **Utilities DCLs**), provided that a building permit is issued within 12 months of the effective date of the Utilities DCL By-law change.

Staff note that the term “for-profit affordable rental housing” as defined by the *Vancouver Charter*, and used in relation to the DCL By-law and Utilities DCL By-law does not necessarily create rental units that are affordable to all Vancouver residents. The DCL Waiver provides

opportunities for the creation of a range of rental levels, in accordance with the housing continuum objectives of the Vancouver Housing Strategy.

Strategic Analysis

1. Proposal

On January 16, 2018, Council approved a rezoning proposal for a 16-storey (with mezzanine) mixed-use tower with commercial use at grade with approximately 153 secured market rental units on this site under the Secured Market Rental Housing Policy, commonly known as Rental 100. The CD-1 (708), By-law No. 12179 was enacted on July 24, 2018.

This CD-1 amendment proposes to revise the CD-1 (708) By-law No. 12179 regarding the permitted maximum FSR and building height from 7.07 FSR to 10.55 FSR and from 52.14 m (171.1 ft.) (99.24 m geodetic) to 86.19 m (282.78 ft.) respectively, for a mixed-use secured rental tower with a commercial/retail podium. The application would increase the number of secured rental units from approximately 153 to 258 with a minimum of 22 per cent of the residential floor area (approximately 58 units) secured as moderate income units with the remaining 78 per cent at market rental rates under the MIRHP Program.

Figure 3: Proposed development looking south-east at the intersection of West Broadway and Birch Street



The site is located in the Broadway Plan study area and complies with the Broadway Plan Interim Rezoning Policy (IRP), which allows for applications to proceed under the parameters of Policy 1 of the IRP below:

Where, at the time of adoption of this rezoning policy, there is an active rezoning application or where a recent application for rezoning advice has been received, and the applicant has received a written response stating that a rezoning application would be considered (within the past three years), the application will be considered.

While the Broadway Plan process is currently ongoing, staff are of the opinion that the proposal directly responds to many of the *Broadway Plan Guiding Principles* endorsed by Council on October 22, 2019 particularly in relation to:

- Foster a Robust and Diverse Economy – key shopping villages and opportunities for small and local businesses should be enhanced , including new neighbourhood-serving shops and services.

Application response:

This application proposes a mix of uses including retail, commerical and office use within the podium. The proposal would contribute to job creation and enhance the commerical experience along West Broadway.

- Support Affordable, Diverse, Equitable and Inclusive Complete Neighbourhoods- Leveraging the investment in the Broadway Subway, new housing opportunities (particualrly purpose-built market and below-market rental and social and supportive housing) close to transit should be expanded for a diversity of household types, incomes, backgrounds.

Application response:

Approximately 258 new rental units are proposed in the application. The applicant has proposed 22 per cent of the residential floor area as secured moderate income units, exceeding the minimum of 20 per cent required through the MIRHP Program.

- Support Reconciliation with First Nations and Urban Indigenous Peoples- opportunities to support Indigenous peoples' culture and art is encouraged.

Application response:

As part of the application's required public art contribution, the applicant has provided a preliminary public art proposal by local Indigenous artist, Debra Sparrow. The public art contribution is subject to Council's Public Art Policy, and will be secured as a condition of enactment.

2. Land Use

The site is currently zoned CD-1 (Comprehensive Development), and within the C-3A zoning area that runs along West Broadway. The intent of the C-3A District Schedule and accompanying Design Guidelines, is to provide a wide range of goods and services, maintain commercial activities while creating a pedestrian-oriented shopping district.

The MIRHP Program supports these objectives, through the inclusion of a mix of uses in conjunction with rental housing, a portion of which is secured as moderate income rental rates. Additionally, this application would deliver 1,174 sq. m (12,641 sq.ft.) of commercial/retail space.

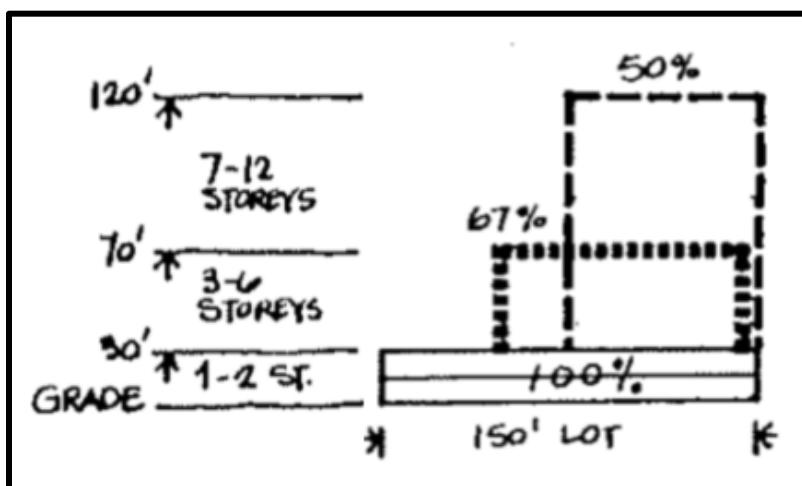
3. Height, Density and Form of Development (Refer to drawings in Appendix E and statistics in Appendix H)

Shadows and Sun Penetration

The proposed form consists of a 2-storey podium (with mezzanine) measuring 12.2 m (40 ft) and a slender tower of 24-storeys above, resulting in an overall building height of 86.19 m (282.78 ft.).

At 12.2 m (40 ft.), the podium height is 3 m (10 ft.) taller than what would typically be expected from a development under the surrounding C-3A zoning. This extra height would incrementally increase the sense of building enclosure for this section of West Broadway, as well as add an incremental amount of shadowing onto the public realm on West Broadway. The overall intent of coupling a tower form with a lower podium is a major urban design principle in the C-3A zoning, in order to lessen the “canyon” effect that would result from a continuously high street wall. With this proposal, the expected podium component is provided, thereby achieving a similar effect of openness onto the West Broadway public realm.

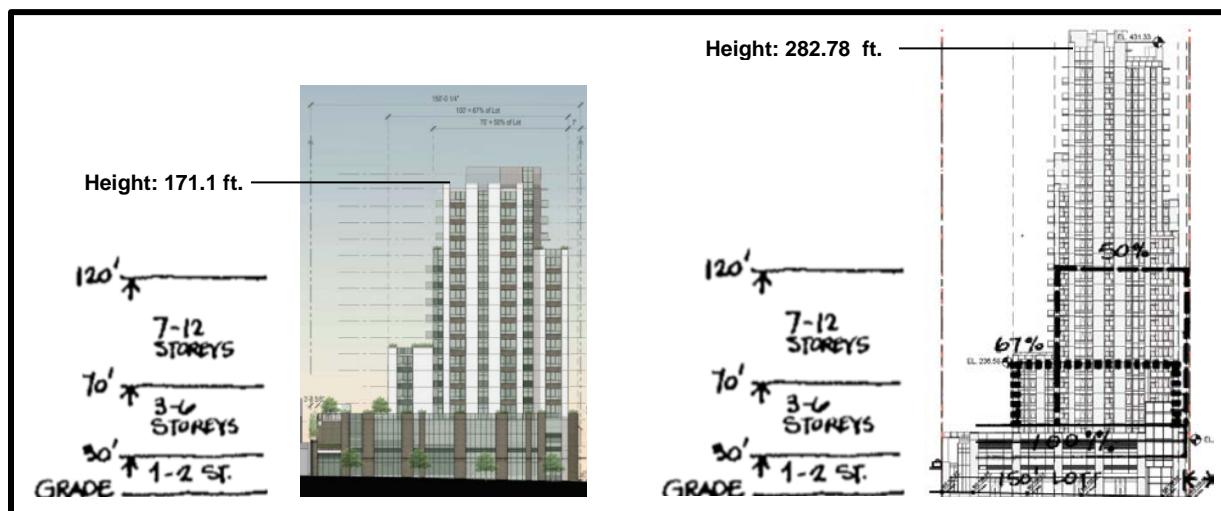
Figure 3: Central Broadway C-3A Design Guidelines- anticipated building profile



The tower component has been limited in width along the east-west axis directly in order to maximize the penetration of sunlight through the site. At the lowest component of the tower at the 4th to 8th storeys, the width in the east-west direction is limited to approximately 33 m (107 ft.) or 71% of the site width. For the 9th to 16th storeys, the tower width is 23 m (75 ft.) representing 50% of the site width. Above the 16th storey, the tower width is further lessened.

The proposed widths of these sections of the tower generally conform to the C-3A Design Guidelines which calls for a maximum building width of 67% for building components between 9 m (30 ft.) and 21 m (70 ft.), and 50% for building components located above 21 m (70 ft.). This adherence to the expected slender profile for the portions of the building below 36.5 m (120 ft.) was also provided in the original rezoning and has been adhered to with this amendment application. See Figure 4 below for a comparison between approved form of development and the proposed amendment application.

Figure 4: Comparison of C-3A Guidelines building profile to approved Rental 100 building (left image) and amended CD-1 building under MIRHP Program (right image)



The tower is also limited by an overall floorplate average size of 604 sq. m. (6,500 sq. ft.) Limiting the floorplate size helps to control the physical slenderness of the tower, which in turn limits its impact on the surrounding areas with respect to physical imposition and shadowing impacts. Overall, the east-west tower profile is kept slender, and is further tapered in the upper storeys that help to impose less building mass in the upper storeys. Conditions in Appendix B will ensure that the average building floorplate maximum is maintained at the Development Permit phase.

While the tower widths have been controlled in order provide an acceptable level of openness to the sky as experienced on the Broadway public realm, staff acknowledge that there remains a significant portion of the proposed building at 27-storeys above the height approved by Council with the original rezoning (16-storey with mezzanine) and the surrounding C-3A anticipated zoning height of 12-storeys.

The additional building mass over 16 storeys would affect nearby properties to a further extent in terms of shadowing. Staff note from the shadow studies submitted in the application there is a significant increase in shadows during the winter months resulting from the increase in height up to 27 storeys (with mezzanine). In comparison to the Council-approved 16-storey market rental building, the winter shadows cast during winter solstice would extend an additional 207m (679 ft.) at noon (when the sun is at its maximum height for the day), from West 7th Avenue to the parking lot due north of Lamey's Mill Road. Staff note, however, that the winter solstice represents the darkest time of the year, when the sun's path is at its lowest, and at its peak is approximately 18 degrees above the horizon.

During other times of the year, the increased shadows cast by this proposal, in comparison to the council-approved 16-storey tower, is less significant. Staff typically consider the Spring and Fall Equinoxes when determining the impact of any development and during these times there is a marginal increase to the length of the shadows cast in comparison to the Council approved 16 storey building. At noon, during the fall/spring equinoxes, the incremental increase of shadow is approximately (36.5m) 120 ft., from the lane servicing the north properties on West Broadway to West 8th Avenue and during the summer solstice it is only approximately 12 m (40 ft.) Furthermore, it has been noted that overall east-west width of the tower has been shaped and

minimized, which in turn minimizes the overall amount of time the shadow lingers on neighbouring properties throughout the span of the day. (See Appendix E for shadow studies)

Public Realm

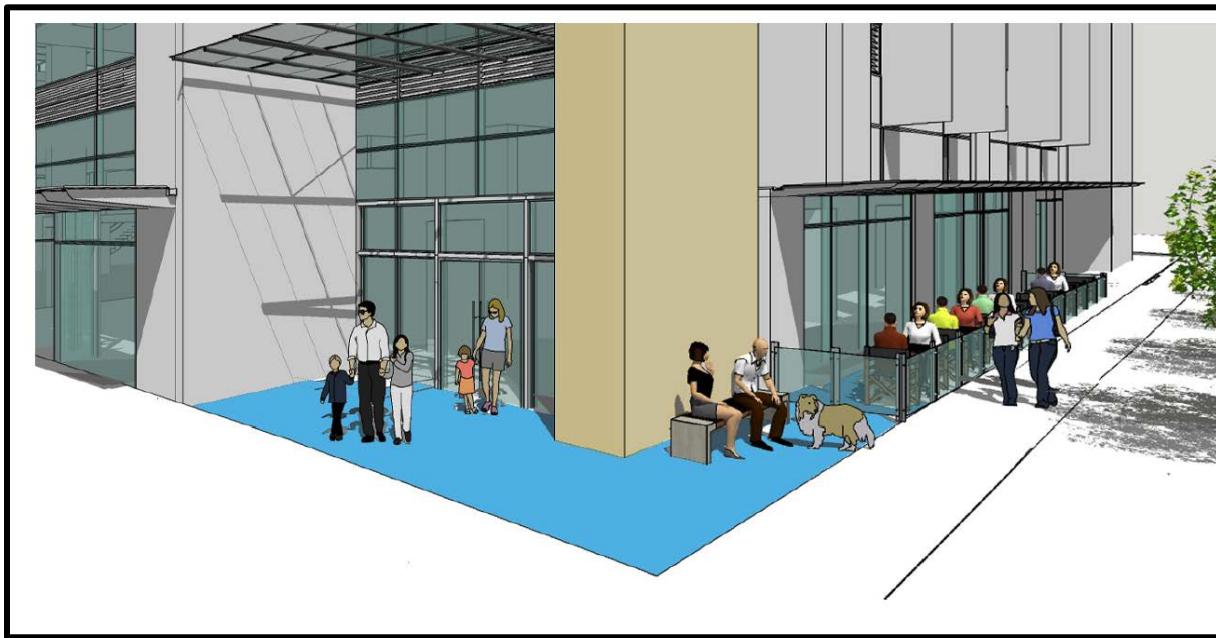
The application proposes to provide a small corner plaza at the corner of Birch Street and West Broadway. After receiving commentary from the Community Open House and Urban Design Panel and taking into consideration the Greenest City Policy that seeks to provide green open space within a 10-minute walk from any place in the city, conditions in Appendix B will ensure more publicly-accessible space on the development site by increasing the setback from the property line to the building along Birch Street. This will create and activate a small plaza and provide private patio space for the adjacent future Commercial Retail Unit (CRU). As seen in Figure 5 below, when looking at Broadway Plan study area in further detail, there is a significant lack of patio space evident at the intersection of Birch Street and West Broadway and immediate surrounding area currently. The proposal will provide street animation at-grade contributing to a more pedestrian-friendly streetscape.

Figure 5: Estimated locations of existing patios in context to project site



Further conditions in Appendix B will increase the quality of the small plaza by reducing the extent the building cantilevers over the plaza along with qualitative improvements with landscaping, and public seating. Continuous weather protection will be required along both the West Broadway and Birch Street frontages.

Figure 6 - Conceptual public realm and patio uses at intersection between West Broadway and Birch Street



Creating a larger plaza is economically challenging due to the corresponding loss of revenue-generating commercial areas and the impact this has on the financial viability of the project. Staff acknowledge that while the potential for additional patio space along this deficient section of West Broadway is welcomed, this project does not wholly address the need for more open green space in this park-deficient area. However, the priority with this application is to deliver below market rental units for middle-income households. Staff expect that the provision for more open green space in this local area will be addressed more holistically under the Broadway and Vancouver Plan processes currently underway.

Livability

The MIRHP Program allows for consideration of the relaxation of unit sizes and configurations subject to the projects location, liveability, design performance and affordability. Considerations include the relaxation of the size of studio units from a minimum of 37 sq. m (398 sq. ft.) to 29.7 sq. m (320 sq. ft.), along with the provision for some inboard bedrooms (bedrooms without external windows) within the three-bedroom moderate income units. This application includes both studio units less than 37 sq. m (398 sq. ft.) and inboard third bedrooms.

Further design development is required to maximize the livability of any inboard bedroom through varied design measures such as: internal cross-ventilation, borrowed light, and flexible usage such as designing for a wider range of activities than exclusively for sleeping, such work/play space. Staff may consider a more flexible plan arrangement where the second and third bedrooms may be merged together into a single large room that can be shared by two siblings, but is divisible by sliding panels to create a physically-separated sleeping zone and a work/play zone where deemed appropriate. (See recommended conditions in Appendix B).

Staff note that a number of the proposed unit layouts are relatively small and are slightly below 37 sq. m (398 sq. ft.). With the increased affordability, overall viability of the project and in light of the pilot nature of this MIRHP Program , staff generally support this approach at this location,

but encourage the applicant to provide a slight increase in floor area to some units in order to achieve a minimum approximate size of 37 sq. m (398 sq. ft.), where possible. See conditions in Appendix B.

The proposed furniture layouts and dimensions of several of the dwelling unit types should align with the recommendations under the *High-Density Housing for Families with Children Guidelines*. Conditions in Appendix B seek design development, where possible, to achieve a minimum width of 3.7 m (12 ft.) clear for studio apartments; and a minimum clear width of 3 m (10 ft.) for all bedrooms, where possible. Also, master bedrooms that require the exiting from and re-entrance to reach another side of the room, via the living room, should be avoided. There may be some simple design solutions to employ to improve unit livability in some units. For example, the applicant may use a smaller-sized bed than a double for the second and third bedrooms in order demonstrate that these bedrooms are large enough to accommodate a bed, dresser, desk and some play area.

Recommended conditions in Appendix B of this report seek adequate private balcony or deck space for all of the family-sized two and three bedroom units.

With respect to outdoor and indoor semi-private amenity spaces, this application proposes an exemplar amount. On the fourth and 27th storeys, semi-private roof decks of approximately 464.5 sq. m. (5,000 sq. ft.) total are provided for urban agriculture, children's play and socializing for building's residents. The 311 sq. m. (3,350 sq. ft.) indoor floor area of the entire 27th floor is devoted to amenities for the residents. In both cases, the sizing of these spaces exceed the suggested amounts in the *High-Density Housing for Families with Children Guidelines*.

Urban Design Panel

The Urban Design Panel (UDP) reviewed and supported the application on July 10, 2019 (see Appendix D). The Panel did indicate concerns over the overall size and quality of the proposed plaza and recommended design improvements. The Panel commended the preliminary public art proposal to be commissioned by local Indigenous artist, Debra Sparrow.

In conclusion, Staff support the proposed density and massing is appropriate subject to the conditions outlined in Appendix B which include refinements to the building and activation of the street/lane interface as well as the courtyard.

4. Housing

The *Housing Vancouver Strategy* and associated Three Year Action Plan is the culmination of a year-long process of gathering, synthesizing and testing new ideas and approaches to addressing housing affordability in Vancouver. The MIRHP Program is a new approach to providing homes for households who are not eligible for or do not want to live in social housing but cannot afford market rental housing. The addition of new moderate income units and market rental housing units to the City's inventory of housing contributes toward the *Housing Vancouver* target as shown in Figure 7.

Figure 7: Progress Towards 10 Year Housing Vancouver Targets for Purpose-Built Market and Developer-Owned Below Market Rental Housing as of December 31, 2019

Housing Type	CATEGORY	10-YEAR TARGETS	Units Approved Towards Targets
Purpose-Built Market Rental Housing Units	Market Rental	16,000	3,130
	Developer-Owned Below Market Rental	4,000	74
	Total	20,000	3,204

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

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

Vacancy Rates – Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2019, the purpose-built apartment vacancy rate was 1.0 per cent in Vancouver, which was equivalent to approximately 586 units. The vacancy rate (based on the CHMC Market Rental Survey) for the South Granville/ Oak area where this site is located, is lower at 0.5 per cent. That means only 5 out of every 1,000 market rental units were empty and available for rent. A vacancy rate of 3 per cent is considered to be a balanced rental market.

Market rents continue to be high in light of significant demand and limited supply, and new market rental and moderate income units are important parts of the housing continuum which help reduce pressure on existing rental stock. The high cost of land and construction means that new market rental units will rent at higher rates than existing, older apartment units. The MIRHP Program ensures that more options are created for those annually earning between \$30,000 and \$80,000 and restricts market access to these units through the use of eligibility criteria.

Housing Mix – On July 13, 2016, Council adopted the *Family Room: Housing Mix Policy for Rezoning Projects* policy which includes family housing requirements set at 35 percent. These units are to be designed in accordance with the *High Density Housing for Families with Children Guidelines*.

This application proposal provides for a broad cross section of household types. It would deliver 95 family units (36 per cent) across the project, and exceeds the family unit requirements in both the market rental units (36.5 per cent) and moderate income units (38 per cent) portions of the scheme. The complete unit mix is illustrated in Figure 8.

Figure 8: Proposed Unit Mix, Market and Moderate Income Rental

Market		Moderate Income	
Studio	23	Studio	9
1-bed	104	1-bed	27
2-bed	60	2-bed	16
3-bed	13	3-bed	6
Total	200	Total	58
Total 258 (approximate)			

Proposed Rents and Income Thresholds – In 2016, the median household income in the South Granville/ Oak neighbourhood was \$69,337. Under the MIRHP Program, the application

must provide 100 per cent secured rental units with a minimum of 20 per cent of residential floor area dedicated to moderate income units. This application proposes to exceed the minimum requirement, providing 22% dedicated to moderate income units and would deliver rental rates that meet the MIRHP Program as illustrated in Figure 9:

Figure 9: Proposed Rents for Moderate Income Units, Market Rents in Newer Westside Buildings, Costs of Ownership and Household Incomes Served

	Moderate Income Units		Newer Rental Buildings – Westside ²		Median-Priced Ownership Unit – Westside ³	
Unit Type	Average Starting Rents	Average Household Income required ¹	Average Rent	Average Household Income Served ¹	Monthly Costs of Ownership	Average Household Income Served ¹
Studio	\$950	\$38,000	\$1,804	\$72,160	\$2,819	\$112,760
1 Bedroom	\$1,200	\$48,000	\$1,999	\$79,960	\$3,413	\$136,520
2 Bedroom	\$1,600	\$64,000	\$3,059	\$122,360	\$5,191	\$207,640
3 Bedroom	\$2,000	\$80,000	\$3,876	\$155,040	\$8,571	\$342,840

¹ As per CMHC, affordable housing is defined as shelter costs equal to less than 30 per cent of total before-tax household income, and these values represent the average minimum household income required for the average unit according to the CMHC definition. The actual rents and income required will be a range.

² October 2019 CMHC Rental Market Survey for buildings completed in year 2008 or later on the west side of Vancouver.

³ BC Assessment 2019, based on the following assumptions in 2019: median of all BC Assessment recent sales prices in Vancouver Westside by unit type, 10% down payment, 5% mortgage rate, 25-year amortization, \$150 – 250 monthly strata fees and monthly property taxes at \$2.56 per \$1,000 of assessed value.

To be eligible to rent a moderate income unit, a household must have a gross annual income that doesn't exceed the income requirements for the relevant unit type, and there must be at least one household member per bedroom. The eligibility requirements are described in further detail in the *Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements and Available Incentives* document. All residents in the building will have equal access to common indoor and outdoor amenities and facilities illustrated in the architectural drawings in Appendix E.

Based on median incomes for metro Vancouver, a one-bedroom moderate income unit would be affordable to persons employed in a variety of occupations such as service workers, entry level researchers and non-profit workers. A three-bedroom unit would meet the needs of a two-income family employed in the trades, industrial arts and human resources.

Average market rents in newer rental buildings on the westside are also shown in the middle two columns in Figure 9. An average market rental studio unit could be affordable to a single person working in occupations in the education sector and industrial sector. A two-bedroom market rental unit could be affordable to a couple employed in occupations such as technical roles in engineering or manufacturing.

The market rental housing component will provide options that are significantly more affordable than home ownership as illustrated in Figure 9.

Development Cost Levy Waiver - *MIRHP Program* projects are eligible for a DCL waiver for the residential portion of the project, if they meet the requirements of the DCL By-law. Housing staff have evaluated this application and determined that it qualifies for the DCL waiver (see Appendix F).

Staff note that the term “for-profit affordable rental housing” as defined by the Vancouver Charter, and used in relation to the DCL By-law and Utilities DCL By-law does not necessarily create rental units that are affordable to all Vancouver residents. The DCL Waiver provides opportunities for the creation of a range of rental levels, in accordance with the housing continuum objectives of the *Housing Vancouver Strategy*. The average proposed starting rents across the moderate income units, which comprise at least 22% of the residential floor area that is counted in the calculation of the floor space ratio, meet the maximum average rents as outlined in the DCL By-law and *Rental Incentive Programs Bulletin*.

Additionally, *MIRHP Program* projects for which applications are submitted before September 30, 2020 are also eligible for a Utilities DCL waiver for the residential portion of the project provided that a building permit is issued within 12 months of the effective date of the Utilities DCL By-law change. The applicant has applied for the waiver of both the DCLs and Utilities DCLs for the residential portion of the project.

The DCL By-law does not allow rents for the moderate income units to be increased ahead of initial occupancy, and subsequent increases are permanently capped at the annual allowable rate permitted under the *Residential Tenancy Act S.B.C. 2002 c. 78* (the **RTA**), regardless of any change in the tenancy. A final rent roll that sets out the starting monthly rents for the moderate income units will be required prior to issuance of the occupancy permit in order to ensure compliance with the DCL By-law and the *MIRHP Program*.

Through the Development Permit application process, the City will ensure that average unit sizes do not exceed the maximum thresholds set out in the DCL By-law. More information on the Development Cost Levy Waiver can be found in Appendix F.

Security of Tenure – All 258 units would be secured as rental housing through a Housing Agreement and/or a Section 219 Covenant for the longer of 60 years or the life of the building. Covenants will be registered on title to prohibit the stratification, separate sale of individual units and rentals for a term of less than one month. The Housing Agreement will secure 22% of the residential floor area for moderate income units to be rented at rates targeted to meet the affordability needs of moderate income households earning between \$30,000 and \$80,000 per year and rents will be capped at the RTA annual allowable rental increase regardless of a change in tenancy. Conditions related to securing the units are contained in Appendix B of this report.

Existing Tenants – As there are no existing residential units on this site, a Tenant Relocation Plan is not required.

5. Transportation and Parking

Vehicle parking is provided within five levels of underground parking, accessed from the lane. The application proposes 117 residential parking spaces and 60 commercial parking spaces, and 12 disability bonus spaces for a total of 189 parking spaces. The application also proposes 439 Class A bicycle spaces.

The site is well served by transit. Frequent bus service is available along Broadway and Granville Street. The site is also approximately a five minute walk (less than 400 m (1312 ft.)) away from Granville Street and the future South Granville subway station.

Engineering conditions relating to transportation and parking requirements are included in Appendix B

6. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezonings* requires that rezoning applications satisfy either the near zero emission buildings or low emissions green buildings conditions within the policy.

This application has opted to satisfy the *Green Buildings Policy for Rezonings* 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.

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 development, housing priorities and densification. 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 removal is proposed.

There are no existing trees on site. Nine existing street trees, five fronting West Broadway and four fronting Birch Street, will be retained and protected. The development proposes a number of green features including the planting of approximately 20 on-site trees, urban agriculture plots, lawn area and green roof.

PUBLIC INPUT

There were two community open houses for the project, one developer led pre-application open house and one City led open house.

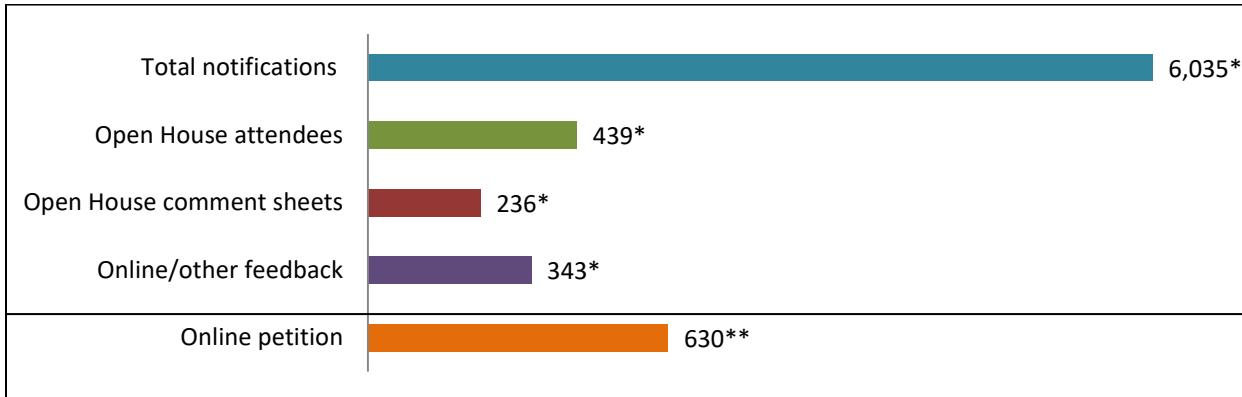
Rezoning Application Notification – A rezoning information sign was installed on June 3, 2019. Approximately 6,035 notification letters were distributed within the neighbouring area on or about June 11, 2019. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).

Community Open House – A City of Vancouver-led open house was held on June 27, 2019 at the Holiday Inn, located at 711 West Broadway. Staff, the applicant team, and approximately 439 members of the public attended the open house.

Public Response – Public responses to this proposal have been submitted to the City as follows (see Figure 7):

- 236 comment sheets in response to the June 27, 2019 open house;
- 343 emails and online comment forms.

Figure 7: Public Notification and Responses (June 27, 2019 Open House)



* Note that the reported numbers above are approximate

** Independent online petition – not directly sent for the attention of City of Vancouver

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.).

A total of 580 responses have been received from the public via open house comment sheets, emails or on-line comment forms. Appendix C provides a detailed summary of the results from the public consultation period. A summary of the key themes from the public feedback received is found below.

Support for the proposal cited the following:

- **Affordable housing:** The proposed development should be considered a priority for the city's housing affordability crises, while being able to develop more secured below market rental units for families and future generations.
- **Building density :** The proposed density would be appropriate due to its location along the Broadway Plan study area and future Broadway subway , proximity to transit, and the need for more residential units.
- **Appropriate location:** The location of the project is appropriate as it is along a major commerce area, close to amenities, services, transit, and the downtown core.

Concerns expressed by respondents included the following:

- **Amended building height:** The proposed building height would not fit with the neighbourhood character, citing that it needs to be aligned with current zoning by

lowering the height. While some respondents were generally supportive of affordable housing, they would like the development to be a midrise height.

- **Original proposed building height:** The additional height of the new proposal may be concerning, with some respondents suggesting the original height would be preferable, while others disapproved both the original and the new proposed height.
- **Precedence:** The proposed development would become a precedent setting project that could negatively impact the community and spur similar development in the area.

As noted in Figure 7, an independent online petition was created by the Fairview/South Granville Action Committee in response to the application and cites some of the concerns noted above. Staff also received a petition dated January 2019 from this committee outlining their opposition to the proposal. A detailed summary of public comments in response to the rezoning application may be found in Appendix D of this report.

Staff Response – Public feedback has assisted staff with assessment of the application. Response to key feedback is as follows:

Precedence, building height, density and neighbourhood context – The MIRHP Program is a pilot program limited to 20 proposals. As part of the MIRHP Program, staff ran a specialized “pre-enquiry” intake process that allowed proposals to be evaluated at a preliminary stage, vetted for eligibility under MIRHP Program and other City policies, and ranked based on a number of performance criteria established on the basis of key policy objectives.

These objectives included testing the possibility of delivering a diversity of rental projects that include permanently secured moderate income units across the City in a range of zoning districts, building scales and locations, and exploring industry interest in this rental housing model. Criteria used to evaluate the projects included:

- Compliance with MIRHP Program;
- Affordability (e.g. proposed rents and number of units secured as moderate income rental);
- Total number of new rental units created;
- Impact on existing renters and rental housing units;
- Unit mix (e.g. number of bedrooms);
- Proximity to transit and amenities; and
- Building form and neighbourhood fit.

This proposal was selected for inclusion in the MIRHP Program based on the strength of its performance under the criteria above. In particular, this proposal intends to deliver a significant number of new moderate income and market rental units in a location that is well served by existing and future transit routes (Broadway Subway), amenities and services while having no impact on existing renters and rental housing units. Furthermore, the scale of the building staff feel will be compatible with the specific context through design development.

Staff have concluded the proposal achieves a supportable form that is compatible with the neighbourhood context and the future Broadway Plan process and Broadway Extension visions while contributing towards Council’s *Housing Vancouver Strategy* goals.

PUBLIC BENEFITS

In response to City policies which address changes in land use and density, this application for rezoning offers the following public benefits:

Required Public Benefits

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) and engineering infrastructure.

This site is subject to City-wide DCLs and City-wide Utilities DCLs on the proposed 15,711 sq. m. (169,113 sq. ft.) of residential floor area, as well as the 2,664 sq. m (28,674sq. ft.) of commercial floor area.

In accordance with Section 3.1A and Section 3.1B of the DCL By-law, the applicant has requested a waiver of the DCLs attributed to the residential floor area proposed to qualify as for-profit affordable rental housing. As described previously in this report, MIRHP Program projects for which applications are submitted before September 30, 2020 will remain eligible for a Utilities DCL waiver, provided that a building permit is issued within 12 months of the effective date of the Utilities DCL By-law change.

Based on the rates in effect as of September 30, 2019 the value of the DCL waiver (City-wide and Utilities DCL- residential portion) is approximately \$ 4,779,133; however, approximately \$ 591,831 would be anticipated from the commercial component of this development.

DCL 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 from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the City's [DCL Bulletin](#) for details on DCL rate protection.

Public Art Program – The *Public Art Policy for Rezoned Developments* requires that rezonings with a floor area of more than 9,290 sq. m (100,000 sq. ft.) contribute public art. The proposal will be required to deliver a public art contribution of approximately \$ 391,618 based on the total floor area of 18,375 sq. m. (197,787 sq. ft.) at a rate of \$21.31 per sq. m (\$1.98 per sq. ft.).

Options are also available to the owner to commission work directly and create a Public Art Plan for the site. The owner has indicated a preference to fund a Public Art Plan commission by a local Indigenous Artist. The public art contribution is secured through rezoning enactment conditions and the rate is finalized at the development permit stage, subject to Council approval of periodic adjustments to address inflation.

Offered Public Benefits

Community Amenity Contribution (CACs) – Within the context of the City's *Financing Growth Policy*, an offer of a community amenity contribution to address the impacts of rezoning can be anticipated from the owner of a rezoning site. Such a CAC is typically made through the provision of either on-site amenities or a cash contribution towards other public benefits, taking into consideration community needs, area deficiencies and the impact of the proposed development on City services.

The Community Amenity Contribution Policy requires CD-1 sites proposing to rezone and achieve a massing greater than four-storeys, to submit a financial pro forma for review. Real Estate Services staff have reviewed the applicant's pro forma and have concluded that, after factoring in the costs associated with the rental housing units for the longer of the life of the building or 60 years, no further contribution towards public benefits is required in this instance. The offered public benefit achieved for this application is approximately 258 new rental housing units with 22 per cent of the residential floor area secured for moderate income units to be rented at rates targeted to meet the affordability needs of moderate income households earning between \$30,000 and \$80,000 per year and rents will be capped at the RTA annual increase regardless of a change in change in tenancy.

Rental Housing – The applicant has proposed that all of the residential units be secured as rental housing (non-stratified) for the longer of 60 years and the life of the building. No less than 22 per cent of the residential floor area will be secured as moderate income units which exceeds the base requirement by 2% through a negotiated process with the applicant, while the remainder will be market rate units. The public benefit accruing from this application is the contribution to the City's secured rental housing stock serving a range of income brackets.

See Appendix G for a summary of all public benefits for this application.

Financial Implications

The site is subject to both City-wide DCL and City-wide Utilities DCLs. However, projects providing 100 per cent of dwelling units that meet the definition of for-profit affordable rental housing are eligible for the waiver of both the DCLs and the Utilities DCLs for the residential portion of the project, provided that the building permit is issued before September 30, 2021, as described previously in this report.

Based on rates in effect as at September 30, 2019, total DCLs of approximately \$591,831 would be expected from the commercial component of this development; the residential portion of the proposed project is expected to qualify for a waiver of the City-wide and City-wide Utilities DCLs with an estimated value of \$4,779,133.

The applicant will also be required to provide new public art on site at an estimated value of \$391,618.

The rental housing units, secured by a Housing Agreement and Section 219 Covenant for the longer of the life of the building or 60 years, will be privately owned and operated.

CONCLUSION

Staff have reviewed the application to amend the CD-1(708) to to permit a taller mixed-use building with approximately 258 secured rental units on the upper floors with 22 per cent of the residential floor area being secured as moderate income units under the *Moderate Income Rental Housing Pilot Program*, and conclude the application is consistent with the objectives of this pilot program. Staff further conclude that the proposed form of development represents an appropriate urban design response to the site and context. If approved, this application would make a positive contribution to the achievement of key housing goals outlined in the *Housing Vancouver Strategy*.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing together with a draft CD-1 By-law as generally shown 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.

* * * *

2538 Birch Street
PROPOSED BY-LAW PROVISIONS
to amend CD-1 (708) By-law No.12179

1. A By-law to amend CD-1(708) By-law No. 12179 will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.
2. Council adds a new section 1A as follows in the correct numerical order:

“1A Definitions

Words in this By-law have the meaning given to them in the Zoning and Development By-law, except that:

- (a) for the purpose of calculating the total dwelling unit area for section 3.1 of this By-Law, “Dwelling Unit Area” is the floor area of each dwelling unit, measured to the inside of all perimeter walls excluding any floor area as required by section 4.4 of this By-law; and
- (b) “Moderate Income Rental Housing Units” means dwelling units that meet the requirements of approved Council policies and guidelines for Moderate Income Rental Housing, as secured by a housing agreement registered on title to the property.”

3. Council strikes out section 3, and substitutes:

“3 Conditions of Use

- 3.1 A minimum of 22% of the total dwelling unit area must be Moderate Income Rental Housing units.
- 3.2 The design and layout of at least 35% of the dwelling units must:
 - (a) be suitable for family housing;
 - (b) include two or more bedrooms, and;
 - (c) comply with Council’s “High Density Housing for Families with Children Guidelines”.
- 3.3 All commercial uses permitted in this By-law shall be carried on wholly within a completely enclosed building except for:
 - (a) Farmers’ Market;
 - (b) Neighbourhood Public House;

- (c) Restaurant;
 - (d) Public Bike Share; and
 - (e) Display of flowers, plants, fruits and vegetables in conjunction with a permitted use.
- 3.4 The uppermost storey is limited to amenity areas, recreational facilities and meeting rooms accessory to dwelling uses, to be made available only to occupants of dwelling units within the building.
- 3.5 Non-residential uses are restricted to the first three levels of the building".
4. In section 4.2, Council strikes out "7.07" and substitutes "10.55"
5. In section 4.4, Council adds "and dwelling unit area" after "Computation of floor area".
6. In section 4, Council adds section 4.6 as follows in the correct numerical order:
"Where floor area associated with storage space is excluded under section 4.4(e), a minimum of 22% of the excluded floor area, above base surface, must be located within the Moderate Income Rental Housing Units as storage space."
7. Council strikes out section 5 (Building Height) and substitutes the following:

"5 Building Height

Building height, measured from base surface to top of parapet, must not exceed 88 m."

* * * * *

2538 Birch 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 by staff prior to the hearing will be noted in the Summary and Recommendations. Any further changes to the conditions approved by Council will be contained in its decision. Please consult the hearing minutes.

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 IBI Group received May 17, 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. Significant design improvements and contribution to the public realm along the West Broadway and Birch Street frontages on the ground plane, including the following:
 - (a) Design development to the proposed plaza located at the northwest corner of the subject site, through:
 - (i) Improving the access to natural ambient light by reducing the amount of building form located directly above;
 - (ii) the addition of greenery in the form of maintained soft landscaping; and
 - (iii) formal or informal seating opportunities for the public.
 - (b) An increase to the building setback from the Birch Street property line to a minimum of 6'-0", to enable patio life serving the adjacent Commercial Retail Unit.
 - (c) Generous and continuous weather protection to the full width of building frontages along West Broadway and Birch Street.

Note to Applicant: The weather protection is recommended in a canopy format. The canopy design should be integrated into the overall building and relate to the pedestrian scale. A comfortable depth-to-height ratio of the canopy is approximately 1: 1.5 and 10-12 ft. above sidewalk level.

2. Design development to improve the livability of the proposed dwelling units, with the following specific areas of focus:

- (a) The sizing and configuration of master bedrooms that could accommodate a double bed (54" w x 75" d) and sufficient circulation space to allow access to each bedside without needing to exit and re-enter the bedroom, where possible;
- (b) The sizing and configuration of second and third bedrooms to enable the accommodation of a single-sized bed (39" w x 75" d), a dresser, a desk and some floor space for playing where possible;
- (c) Usable private open space for all residential units.

Note to Applicant: This can be achieved by providing balconies measuring 1.8 m (6 ft.) deep with a minimum area of 4.6 sq. m (50 sq. ft.). Reductions to the balcony size may be considered for one-bedroom and studio by demonstrating the ability to accommodate elements such as a table and seating for two and offering generous common amenity spaces on site. Refer to the High Density Housing Guidelines for Families with Children for more information.

- (d) A minimum living room width of 10 ft. for all 1-bedroom, 2-bedroom and 3-bedroom units, where possible;
- (e) For studio apartments, a minimum clear width of 12 ft. where possible, and with the living space closest to the exterior window and the sleeping area located further away;
- (f) Adequate storage space for each dwelling unit, either located in the suite or in the basement levels;
- (g) All dwelling units are to have a minimum size of 37 sq.m (398 sq. ft.) where possible.;
- (h) Adequate daylight, ventilation, and external views for all habitable rooms;

Note to Applicant: All habitable rooms should meet the Horizontal Angle of Daylight (HAD) requirement set out in the CD-1 By-law. An inboard bedroom may be considered by demonstrating the ability to maximize internal cross-ventilation; borrowed light and views; and flexible usage such as wider range of activities than only sleeping. No more than one inboard bedroom is permitted in a moderate income unit with three or more bedrooms. Inboard bedrooms are not permitted in market rental units.

For 3-bedroom moderate income rental (MIR) units where one bedroom is internal, Staff may consider a flexible arrangement where a large room that may be physically divided into two zones (a quiet sleeping zone with no external window and a work/play zone served by an external window) through movable panels. Such a design would require a separate door to each zone from the dwelling unit's living spaces. Overall, this larger flex room should be sized large enough to accommodate two single beds; 2 dressers; 2 desks and some play area.

3. Design development to the entry and arrival sequence of the residential component, including:
 - (a) A stronger visual denotation of the residential entry located off the Birch Street sidewalk, including a customization of the entry canopy and entryway;
 - (b) An increase in floor area of the internal lobby, to include a waiting area with seating that is visually connected with the public sidewalk on Birch Street.
4. Confirmation that the average gross floorplate between the 3rd and 27th storey inclusive, does not exceed 604 sq. m (6500 sq.ft.).
5. Confirmation that all the proposed semi-private indoor and outdoor amenity areas as shown in the rezoning application will be shown in the Development Permit application.

Crime Prevention through Environmental Design (CPTED)

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

Note to Applicant: The applicant should consider adequate lighting along the sideyards especially at the entry-points to the parking-ramp and parking-stairs, the patios, and planted areas at the rear portion of the site.

Landscape

7. Design development to the public plaza at the northwest corner to achieve a friendly, identifiable and usable space, as follows:
 - (a) Align and improve connection of public realm with entries;
 - (b) Provide programming and articulation by including a variety of active and passive uses, which encourage common gathering;
 - (c) Provide some planting that is flush with grade, rather than in raised planters, by lowering the parkade below.
8. Design development to improve the sustainability strategy, by the following:
 - (a) Provide 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;
 - (b) Add substantially more landscape around all entry areas, to accent and soften them;
 - (c) Add vines to any blank wall facades, ensuring the vine support is sturdy and low maintenance (avoid high maintenance modular “green wall” systems);

- (d) 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;
 - (e) Add edible plants, which can be used as ornamentals as part of the landscape design, in addition to urban agriculture plots.
9. 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.

10. 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.
11. Design development to the Integrated Rainwater Management Strategy to explore opportunities for onsite rain water infiltration and soil absorption, as follows:
- (a) maximize natural landscape best management practises;
 - (b) minimize the necessity for hidden mechanical water storage;
 - (c) increase the amount of planting to the rooftop areas, where possible;
 - (d) consider linear infiltration bio-swales along property lines, at lower site areas;
 - (e) use permeable paving;
 - (f) employ treatment chain systems (gravity fed, wherever possible);
 - (g) 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.

12. Provision of plans, plan details and documentation/calculations that support integrated rainwater management, including absorbent landscapes, soil volumes and detention systems, as follows:
- (a) detailed storm water report with calculations describing how the various best management practices contribute to the quality and quantity targets;
 - (b) a separate soil volume overlay plan with schematic grading indicating intent to direct rainwater to infiltration zones;
 - (c) 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.

13. Provision of a full-size, to scale and dimensioned Tree Management Plan, coordinated with survey and arborist report.
14. Provision of coordination between Landscape Plan and architectural Site Plan, for most updated information;
15. 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.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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” 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.

21. Provision of an outdoor Lighting Plan.

Sustainability

22. All new buildings in the development will meet the requirements of the Green Buildings Policy for Rezonings (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 Rezonings – Process and Requirements* (amended April 28, 2017 or later).

Engineering Services

23. 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.
24. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site.

Note to Applicant: Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

25. Construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or License. Applications for provincial Approvals or Licenses can be completed online. The application will be received and accepted into the province's online system, and the provincial authorizations team strives for 140 days to get the approval to the applicant. The approval holder must be able to produce their approval on site so that it may be shown to a government official upon request.

Dewatering before this approval is granted is not in compliance with the provincial Water Sustainability Act. Provide a letter confirming acknowledgement of the condition.

26. 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.
27. Provision of an updated landscape and site plan to reflect the public realm changes including all of the off-site improvements sought for this rezoning. Where a design or detail is not available, make note of the improvement on the site and/or landscape plans. The landscape plan is to include the following note: "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."
28. Clarify garbage pick-up operations. Provision of a written confirmation that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage. If this cannot be confirmed then an on-site garbage bin staging area is to be provided adjacent the lane.
29. Delete the note that is shown on the site plan which references future tenants and patio permits.

Note to Applicant: Any future patio proposed on City property is to be applied for separately with the Streets Activities Branch.

30. Provision of generous and continuous weather protection on both frontages.
31. Provision of a canopy application for all new canopies that encroach onto City property is required.

Note to Applicant: Canopies must be fully demountable and drained to the buildings internal drainage systems. Please submit a copy of the site and elevation drawings of the proposed canopy for review.

32. Make arrangements to the satisfaction of the appropriate utility companies (Hydro, Telus etc) for the relocation of the wood pole and guy wires in the lane. Confirmation that the wood pole and guy wires can be relocated is required.
33. Parking, loading, bicycle and passenger loading spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.
34. Provision of design specifications for stacked bicycle racks including dimensions, vertical and aisle clearances

Note to Applicant: Appear to be providing all Class A bicycle spaces as individual horizontal bicycle lockers. Clarify number of bicycle spaces on plans – Commercial Class A spaces on the P1 parking level appear to be provided as 4 bicycle lockers only. Stacked bicycle spaces to be accessible to all ages and abilities.

35. Design Development to improve access, design of loading spaces and complies with the Parking and Loading Design Supplement, including the following:
 - (a) Provision of convenient, internal, stair-free loading access to/from all site uses;
 - (b) A reduction of 1 Class B loading space is supported with provision of 2 Class A loading spaces to be provided in lieu, one of which is to be provided at grade.
36. Design development to improve the parkade layout, access design and complies with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services, including the following:
 - (a) 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.
 - (b) A reduction of 1 Class B loading space is supported with provision of 2 Class A loading spaces to be provided in lieu, one of which is to be provided at grade.

37. The following information is required for drawing submission at the Development Permit stage to facilitate a complete Transportation review:
- (a) Identify residential visitor spaces on plans
 - (b) Updated plans required to improve breaklines and to show commercial space #044.
 - (c) Dimension of column encroachments into parking stalls.
 - (d) Dimensions for typical parking spaces.
 - (e) Dimensions of manoeuvre aisles and the drive aisles at the parkade entrance and all gates.
 - (f) Section drawings showing elevations and minimum vertical clearances for parking
 - (g) Levels, loading bays, ramps, and security gates. These clearances must consider mechanical projections and built obstructions.
 - (h) Areas of minimum vertical clearances labelled on parking levels.
 - (i) 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.
 - (j) Additional partial section plan to show the entire length of the main parking ramp and to include grades, section lengths and elevations.
 - (k) Additional partial section plan through the loading bay. Confirm minimum required vertical clearance to the underside of raised parking gate.
 - (l) Indicate the stair-free access route from the Class A bicycle spaces to reach the outside. Stair ramps are not generally acceptable.
 - (m) Updated plans to clearly show and label the type of Class A bicycle spaces being proposed.
- Note to Applicant: Currently appear to be proposing all bicycle lockers.
- (n) Landscape and site plan that generally reflect the improvements to be provided as part of the Services Agreement.
 - (o) Dimension individual Class B bicycle spaces.
 - (p) Existing street furniture including bus stops, benches etc. to be shown on plans.
 - (q) The location of all poles and guy wires to be shown on the site plan.
38. 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'. Please work to address the following to ensure that a final RWMP can be accepted prior to Development Permit issuance.
- (a) 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.
 - (i) The proposed methodology for capturing the first 24 mm is supported by the city pending a servicing plan which includes all routing of rainwater into the proposed systems and out to the municipal system.
 - (ii) Provide a site plan with the location of the detention tank, flow control and water quality treatment systems.

39. 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). The City of Vancouver's 2014 IDF curve shall be utilized for pre-development design flow calculations, and the City's 2100 IDF curve, which takes into account the effects of climate change, shall be utilized for post-development design flow calculations.
 - (a) Provide information (ie. dimensions, orifice sizing, etc.) on the 'Flow Control Manhole' that will be used to meet this requirement.
40. As per the Water quality requirements, the volume of water (24 mm for low pollutant generating surfaces like roofs and 48 mm for high pollutant generating surfaces like driveways) that leaves the site must be treated to a standard of 80% TSS removal by mass by using either individual BMPs that meet the standard or treatment trains of BMPs that, when combined, meet the standard.
 - (a) It is best practice to locate the water quality device upstream of the detention tank for pre-treatment purposes as this will extend the lifespan of the detention tank and reduce maintenance requirements.
 - (b) A 'stormceptor' system is shown on the drawings but nothing about meeting the water quality requirement was mentioned in the report, clarify what will be used to meet this requirement and for proprietary treatment devices:
 - (i) Provide product information for all treatment practices.
 - (ii) Products need to meet either the Washington State Department of Ecology's Technology Assessment Protocol (TAPE) or ISO 14034 ETV certification. The applicant may propose other technologies but must provide supporting information that shows the technology meets the standard.
41. 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.
42. Prior to Development Permit issuance, an 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.

43. A Section 219 Rainwater Management Agreement Covenant will be required once the Final RWMP is accepted by the City. The Final RWMP will be attached to the covenant and be register on the property's title. The Engineer of Record will be required to inspect the RWM system as necessary during and after construction in order to determine whether it has been substantially completed according to the covenant and Final RWM Plan. The EOR is to inform the City by letter bearing the Engineer's professional seal whether the system has been so constructed, and, if not, sealed "as-built" drawings showing the details of the modified system must be provided.

Note to Applicant: Groundwater requirements are not currently an immediate concern at this site. The City may require a Hydrogeological Study, Groundwater Management Plan, and/or Impact Assessment if dewatering rates are significant or concerning, to the City's discretion. The developer is advised to undertake adequate investigations to understand the site groundwater conditions early on in the planning and design process.

Note to Applicant: Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by CREUS Engineering Ltd. dated May 3, 2019, no water main upgrades are required to service the development. The main servicing the proposed development is 300mm. The development's water connection services sizes shall not be larger than the servicing water main. 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.

Housing

44. The unit mix to be included in the Development Permit drawings, including studio units, one-bedroom units, two-bedroom units and three-bedroom units generally complies with the unit mix guidelines in the Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements and Available Incentives, for both the market and below market (moderate income) units, and must include 35 per cent family units (two-bedroom and three-bedroom units).

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35 per cent of the dwelling units designed to be suitable for families with children and the applicant is encouraged to meet the unit mix guidelines in the *Moderate Income Rental Housing Pilot Program* policy (<https://vancouver.ca/files/cov/moderate-income-rental-housing-pilot-program-administrative-bulletin-may-2018.pdf>).

45. The building should be designed in accordance with the *High-Density Housing for Families with Children Guidelines*, including the provision of:
- (a) a children's play area of at least 130 sq. m (1,400 sq. ft.) in size (S. 3.3.2 (a));
 - (b) seating with direct line of sight to the play area (S. 2.5.2);
 - (c) a minimum of 2.3 sq. m. (24.7 sq. ft.) of bulk storage for each dwelling unit; and
 - (d) wheelchair accessible washroom and kitchenette within the multi-purpose indoor amenity spaces.

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

PART 2: CONDITIONS OF BY-LAW ENACTMENT

THAT, prior to the amendment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services and the General Manager of Arts, Culture and Community Services, (or successors in function), as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering Services

1. Release of Easement & Indemnity Agreement 499005M (commercial crossing) prior to building occupancy.

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

2. Provision of a statutory right of way (SRW) for public use of the plaza proposed on the northwest corner of the site.
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 is provided as follows:

- (a) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project to include the following:

- (i) The post-development 10-year flow rate discharged to the storm sewer shall be no greater than the 10-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.

- (ii) Development to be serviced to the existing 200 mm Sanitary and 250 Storm sewers in Birch Street.

- (b) Street improvements along West Broadway adjacent to the site and appropriate transitions including the following:

- (i) 1.22m hardscaped front boulevard with street trees where space permits;
 - (ii) Light broom finish saw-cut concrete sidewalk from the front boulevard to the property line;

- (iii) New curb and gutter;
 - (iv) Removal of the existing driveway crossing and reconstruction of the sidewalks and curb to current standards;
 - (v) Adjustment to all existing infrastructure to accommodate the proposed street improvements.
- (c) Street improvements along Birch Street adjacent to the site and appropriate transitions including the following:
- (i) 1.22m hardscaped front boulevard with street trees where space permits;
 - (ii) Light broom finish saw-cut concrete sidewalk from the front boulevard to building face;
 - (iii) Curb and gutter, including a curb bulge, and any required road reconstruction to current standards;
 - (iv) Curb ramps;
 - (v) Removal of the existing driveway crossing and reconstruction of the sidewalks and curb to current standards;
 - (vi) Adjustment to all existing infrastructure to accommodate the proposed street improvements.
- Note to Applicant: The City will provide a geometric design for these street improvements.
- (d) Provision of improvements at the intersection of Birch Street and West Broadway including:
- (i) Upgrades to the existing pedestrian signal to a full traffic signal with Accessible Pedestrian Signal (APS) and associated enabling works to modify or relocate existing infrastructure.
- (e) Provision of surface runoff water quality treatment of the adjacent Birch Street and West Broadway right of ways using lined stormwater tree trenches, to the satisfaction of the General Manager of Engineering Services.
- (f) Provision of a new standard pedestrian lane crossing, new curb returns and curb ramps at the existing lane crossing on Birch Street adjacent to the site.
- (g) Provision of the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
- (h) Provision of upgraded roadway and pedestrian scale lighting along West Broadway to current City of Vancouver (COV) standards and Illuminating Engineering Society of North America (IESNA) recommendations.
- (i) Provision of upgraded street lighting (roadway and sidewalk) along Birch Street to current COV standards and IESNA recommendations.
- (j) Provision of intersection lighting upgrades at W Broadway and Birch St to current COV standards and IESNA recommendations.

- (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.

- (l) 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.
- (m) Provision of new pad mounted service cabinet/kiosk to be located on Birch St should the detailed Electrical Design require the addition of one.

Note to Applicant: The detailed Electrical Design will be required prior to the start of any associated electrical work to the satisfaction of the General Manager of Engineering Services, and, in conformance with Standard Specification of the City of Vancouver for Street Lighting (draft), Canadian Electrical Code (the latest edition) and the Master Municipal Construction Documents (the latest edition).

4. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but not limited to System Vista, Vista switchgear, pad mounted transformers, LPT and kiosks (including non-BC Hydro kiosks) are to be located on private property with no reliance on public property for placement of these features. In addition, there will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch.

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

Sustainability

5. The applicant will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services, that requires the future owner of the building to report energy use data, on an aggregated basis, for the building as a whole and certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

Housing

6. Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and/or Section 219 Covenant to secure all residential units as secured rental housing units, including at least 22 per cent of the residential floor area that is counted in the calculation of the floor space ratio made available for rental by moderate income households as set out in the Moderate Income Rental Housing Pilot Program, for the longer of 60 years or the life of the building.

The Housing Agreement or agreements will include but not be limited to the following terms and conditions:

- (a) A no separate sales covenant;
- (b) A no stratification covenant;
- (c) A provision that none of such units will be rented for less than one month at a time;
- (d) All rental units will be secured as rental for a term of 60 years or the life of the building, whichever is greater;
- (e) That a rent roll be provided indicating the agreed initial monthly rents for the moderate income units, when the Housing Agreement is entered into and again prior to development permit issuance;
- (f) That the average initial starting monthly rents for each moderate income unit, will be at or below the following rents, not subject to adjustment:

Moderate Income Rental Housing Type	Maximum Average Starting Rents
Studio	\$950
1-bedroom	\$1,200
2-bedroom	\$1,600
3-bedroom	\$2,000

as set out in s. 2a of the “Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements And Available Incentives” Administration Bulletin and rent increases after the issuance of an Occupancy Permit will be capped at the Residential Tenancy Act maximum annual allowable increase, as published by the Province of British Columbia, regardless of a change in occupancy.

Note to Applicant: A rent roll indicating the agreed maximum average initial monthly rents for the moderate income units will be required prior to Development Permit issuance, and again prior to issuance of an Occupancy Permit, to the satisfaction of the General Manager of Planning, Urban Design and Sustainability (or successor in function) and the Director of Legal Services.

- (g) The applicant will verify eligibility of new tenants for the units secured at moderate income rates:
 - (i) For new tenants, annual household income cannot exceed 4 times the annual rent for the unit (i.e. at least 25% of household income is spent on rent); and
 - (ii) There should be at least one occupant per bedroom in the unit;
- (h) The applicant will verify the ongoing eligibility of existing tenants in the units secured at moderate income rates every five (5) years after initial occupancy:
 - (i) For such tenants, annual household income cannot exceed 5 times the annual rent for the unit (i.e. at least 20% of income is spent on rent).
 - (ii) There should be at least one occupant per bedroom in the unit.
- (i) On an annual basis, or at the request of the City, the applicant will report to the City of Vancouver on the operation of the Moderate Income Rental Housing Units which will ensure that the City can confirm that the units are being operated as agreed, and will include a rent roll for the moderate income units, and a summary of the results of eligibility testing for these units.
- (j) Such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require in their sole discretion.

Note to Applicant: This condition will be secured by a Section 219 Covenant and a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter prior to enactment of the rezoning by-law.

Public Art

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

Note to Applicant: Please call Karen Henry, Public Art Program, 604.871.6002, to discuss your application.

Environmental Contamination

8. 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 agreements deemed necessary to fulfill 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 satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, are provided to the City.

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

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

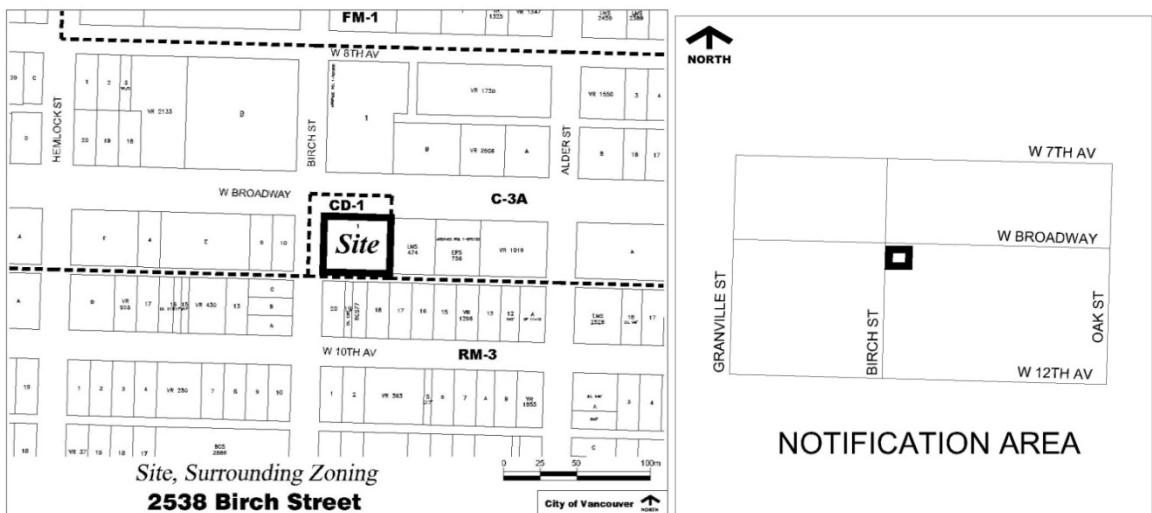
The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined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

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2538 Birch Street PUBLIC CONSULTATION SUMMARY

Public Notification

A rezoning information sign was installed on the site on June 5, 2019. Approximately 6,035 notification postcards were distributed within the neighbouring area on or about June 11, 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).



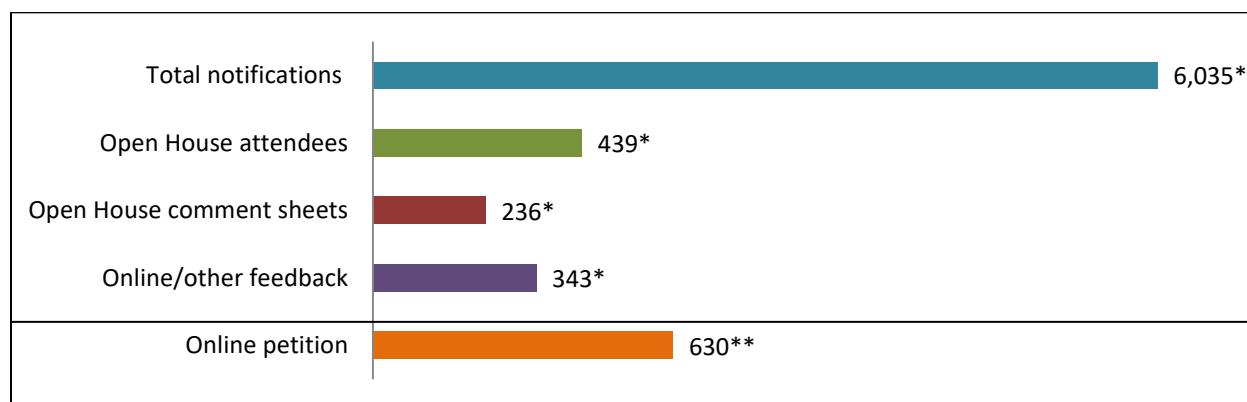
Community Open House

On June 27, 2019 a community open house was held from 5:00-8:00 pm at the Holiday Inn Hotel, 711 West Broadway. Staff, the applicant team, and a total of approximately 439 people attended the open house.

Public Response

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

- 236 comment sheets, and 343 letters, e-mails, online comment forms, and other feedback were received from the public in response to the June 27, 2019 open house.



* Note that all reported numbers above are approximate

** Online independent petition not directly sent for the attention of the City of Vancouver

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:

- **Affordable housing:** The proposed development would be considered a priority for the city's housing affordability crises, while being able to develop more secured below market rental units for families and future generations.
- **Building density:** The proposed density would be appropriate due to its location along the Broadway Plan study area, future Broadway Subway, proximity to transit, and the need for more residential units.
- **Overall support:** Overall support was expressed for the proposed development.
- **Appropriate location:** The location of the project would be appropriate as it is along a major commerce area, close to amenities, services, transit, and the downtown core.
- **Building height:** The proposed building height would be appropriate to the neighbourhood, with some respondents who further support more height to increase affordable housing units.
- **Broadway subway extension:** The proposed development would be located in the area of the future Broadway extension, thus justifying the additional density.
- **Neighbourhood fit:** This project is well thought out and aligns with the neighbourhood character, citing it as a welcomed addition to a dated area.
- **Employment and housing:** The proposal would help retain hospital and school employees, and first responders in the area with adequate affordable housing options.
- **MIRHPP policy:** The MIRHPP policy is supported as an approach to develop more affordable rental units and test the long term viability of the proposed MIRHPP projects.
- **Overall housing delivery process:** The proposed project and other similar developments across the city is supported, citing that the project should be expedited and ensure challenges of developing affordable housing will be diminished.
- **Commercial space helps retail economy:** The proposed commercial space as part of the project would be an approach to help the retail economy and revitalize a quiet area.
- **Building design:** The proposed building design is supported.
- **Community needs:** The proposed development could respond well to community needs and would bring more diverse residents into the neighbourhood.
- **Public art:** The integration of public art on the exterior wall of the proposed development would create vibrancy, citing that the chosen artist is suitable in light of the City's dedication to reconciliation.

- **Development sustainability:** The proposed project would adhere to the City's green initiatives, lowers vehicle emissions with increased walkability, and stimulate local business activities.
- **MIRHPP units:** The proposed number of MIRHPP units would be appropriate and could address the housing crises.
- **Building mass:** The proposed building mass is supported.
- **Community amenity space and design:** Respondents considered the amenity spaces within the development to be well designed, referring specifically to the public realm, children's play area, and the rooftop community garden.
- **Street parking:** The number of street parking space is of no concern due to the proximity of the project to the Skytrain station, which could help alleviate the limited street parking.
- **Views and skyline:** Affordable housing units are more important than the obstruction of views, citing that there are many areas in the city where views are already obstructed by high rises.
- **Family orientated units:** The proposed family oriented units are supportable, while citing that further family oriented units could be incorporated within the development.

Generally, comments of concern fell into the following areas:

- **Building height:** The proposed building height would not fit with the neighbourhood character, citing that it needs to be aligned with current zoning by lowering the height. While some respondents were generally supportive of affordable housing, they would like the development to be a midrise height.
- **Original proposed building height:** The additional height of the new proposal may be concerning, with some respondents suggesting the original height would be preferable, while others disapproved both the original and the new proposed height.
- **Precedence:** The proposed development would become a precedent setting project that could negatively impact the community and spur similar development in the area.
- **Affordable housing:** The units are not considered affordable, citing that there would be alternative ways to achieve affordable housing with low to mid-rise developments.
- **Neighbourhood fit:** The proposed project would not fit with the neighbourhood context and urban landscape, highlighting that it would not contribute to families in the area. The community has changed to an extent that it only benefits the wealthy.
- **Increased traffic:** Increased traffic in the area would result from the proposed development, further slowing down public transit and increasing the risk of accidents.

- **Shadowing and sunlight:** The proposed development would negatively shadow neighbouring low density properties, citing that this could cause safety concerns during the winter months when sunlight is cut off from melting ice on the streets.
- **Broadway Plan:** The proposal should not be considered before the completion of the Broadway Plan, noting that the proposal would not align with the Plan.
- **Building density:** The proposed density is not supportable, noting that it would strain infrastructure and community amenities in the area.
- **On-site parking:** The proposed number of vehicle parking stalls is not considered sufficient, while other respondents noted that there are too many parking stalls for a development that is close to public transit. Respondents also suggested more car share space would be appreciated.
- **Community impact:** The proposed project would negatively impact the sense of community and fail to meet the needs of existing residents, while creating a disconnected neighbourhood that may result in social problems.
- **Insufficient community amenities:** There are not enough community amenities and services to serve an increasing population, noting the desire to see more grocery stores, daycares, and community centres.
- **Developer profit:** The proposal would solely financially benefit the developer, and the City is not taking into account the consequence of these developments in neighbourhoods.
- **Community Plan:** The proposed building and future developments should not go through without a community plan to guide changes in the neighbourhood.
- **MIRHPP unit ratio:** The number of MIRHPP units should be higher due to the scale of the proposed development, noting that the current number would be insignificant in addressing the housing crises.
- **Consultation process:** Residents are not heard by the City and developers, while some respondents expressed the consultation process would require more transparency.
- **Liveability impact:** Liveability of the neighbourhood would be impacted by the proposed development due to a more transient rental community and challenges to maintain a healthy community.
- **Unsuitable location:** The location of the project may be unsuitable, citing the proposal is located on a hill which would create the illusion of a taller building. Other areas would be more ideal for high rise developments.
- **Lack of greenspace:** Parks would not be within walking distance and the proposal does not include greenspace, with one respondent noting that the children play area on the roof is considered too high.

- **Poor building design:** The proposed building design is considered unattractive and the quality is poor, with two respondents who still support the proposed development despite the building design.
- **Limited street parking:** Street parking was considered very limited, this proposed development may further contribute to this issue.
- **Infrastructure and service upgrades:** Infrastructure and services in the area would struggle to accommodate the proposed density, citing that there needs to be new infrastructure along the Broadway Corridor before further developments.
- **Small unit sizes:** Respondents demonstrated concerns that the unit sizes are very small, specifically for proposed family units.
- **Impact to existing properties:** The proposed development would affect properties values, with two respondents concerned that this may result in land speculation along the Broadway Corridor.
- **Voices of opposition:** Those in opposition would have a louder voice which could result in the development being stalled, re-designed or not developed. Respondents want to ensure that those in support of the proposal would be heard.
- **Building mass:** The proposed building mass may be too big and out of scale with the surrounding environment.
- **Commercial space:** Additional commercial space would contribute to increased vacant spaces while one respondent is concerned that the new spaces would be occupied by chain restaurants.
- **Rezoning impacts on the community:** Continuous rezoning would be considered exhausting for community members, citing that the existing zone should remain.
- **First responders and hospital staff:** The proposed building would be challenging for first responders in accessing a 27 storey building and servicing the area, while construction of the development would disrupt hospital staff and patients.
- **Sustainability:** The proposed development may not be sustainable due to the scale of the building which requires more energy and would further contribute to climate change.
- **Broadway Subway Extension:** The high density project is only proposed because a Broadway extension line is planned for the area, noting that the proposed building should be developed with a series of low rise developments around transit stations.
- **Views and skyline compromised:** The proposed development would compromise Vancouver's views and skyline.
- **MIRHPP policy effectiveness:** The program would only benefit developers at the expense of the neighbourhood and makes the city less affordable. One respondent

expressed that MIRHPP is not considered aggressive enough to stimulate growth in the city.

- **Construction noise & disruption:** Doubling the size of this building would result in more noise and disruption during construction.

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:

- Shadowing on adjacent buildings would be of minor concern with secure rental housing of greater priority.
- The proposal would stimulate more developments along the Broadway Corridor.
- Appreciation for the proposal as it is a pet friendly development.
- There is already an abundance of parking space within the development but this amount may be acceptable.
- Appreciate the proposed bicycle parking space.
- The proposed building plans are considered transparent and comprehensible.
- The proposal is aligned with the Broadway Corridor planning, the city's goal to increase housing affordability, and the future SkyTrain extension.
- The city needs strong leaders to push through affordable housing projects such as this proposal.
- The proposal would result in better liveability for Vancouver.
- Appreciation for the proposed building setback.
- This proposed development would provide more job opportunities for construction workers.
- This proposed development is aligned with the Mayor's campaign promises.
- Parking concerns of the neighbourhood should not be relevant to the approval of this proposed development.
- The landscaping of the proposed development would be attractive for bees, capture rainwater, and create outdoor enjoyment.

General comments of concern:

- Liveability is impacted by the inadequate building setback from the street
- The size of the amenity space would be too small in comparison to the size of the proposed building.
- This proposed development and waiving the DCC fees may increase tax and allow for more developments, resulting in the displacements of current residents.
- The proposed development would cause privacy concerns to adjacent properties.
- The proposed development would turn Vancouver into cities overseas that have high rises.
- The same number of MIRHPP units could be achieved with a mid-rise building if the developer would be willing to take less profit.

- The MIRHPP units could be sold overseas which is not conducive to healthy communities.
- The building height is not significant enough to address rental vacancy rates especially since it is by a major transit station.
- The proposed art work would not resonate with the community.
- The proposed development would negatively impact the current wind tunnel along the Corridor.
- There would be insufficient landscaping on the ground level of the proposed development.
- Improved safety measures and better lighting would be required as part of this proposal.
- Below market rental units with market rental units above is not a healthy approach to a city.
- The design and quality of the MIRHPP units and the market rental units are apparent in the proposed plans.
- The jogging tracks on the rooftop cuts through the children's play area which is not well thought out.
- Developments in the area should not be considered before the completion of CityPlan.
- There are existing residents who chose to purchase their homes in the area with the understanding that there would be no high rise developments.
- Existing residents would end up bearing the cost to provide services in the neighbourhood.
- The elevators within the proposed development may be too small for paramedic stretchers.
- The proposed art work should be better incorporated in the development and not on the side of the building wall.
- The units would be rented for families with an additional non-Canadian living in the unit.
- More parking spaces would be required as there are residents who need to use their own vehicles and do not rely on transit.
- The proposed location should be used for commercial purposes rather than housing.
- Desire to have Montessori school in the neighbourhood rather than more affordable housing.
- There are renters who would prefer to rent in low rise buildings.
- Gentrification may result from the development of this proposal.
- Question on how much fees with MIRHPP unit renters would be required to pay for parking, lockers, pets, and other services.
- Question on how the MIRHPP unit rates are decided for each unit size.
- Question on who is responsible if the construction damages nearby buildings.
- Question on whether future amendments to the proposal would decrease the number of MIRHPP units.
- Question on how tenants will be relocated with the increase of developments in the future.

Neutral comments/suggestions/recommendations:

- Affordable housing is supported but two smaller towers are better than one tall tower.
- The Vancouver General Hospital should be the only exception for a taller height as it is the medical hub of the Lower Mainland.
- A bike path should be considered as part of the development.
- Ensure that the route to the bicycle parking would be wide enough for easy access.
- Consider more bicycle e-charging stations and additional bicycle spaces or adaptive bicycles for those with mobility challenges.
- City staff was very helpful in explaining information at the open house while other residents felt the information was hard to comprehend.
- The City should not follow Vision Vancouver's policy of development.
- Question on whether all developments along the Broadway Corridor would have a similar height to the current proposed development.
- The City should encourage developers to add density to projects where there is a commitment to include rental units that are tied to income.
- The proposed development should include strata units.
- The City is trusted to minimize the impact of construction on neighbouring properties.
- Create an environment where developers can develop within current zoning.
- Desire to see non-profit rental buildings developed rather than private developments as in the case of this proposal.
- The proposed development could consider a second floor of commercial space.
- There is a desire to see more variety of developments in the area.
- Hiring a consultant may be considered to handle the opposition to the project.
- Addressing the desire for a more vibrant pedestrian atmosphere and office space may create more support for the proposal.
- Question on why the project is debated and whether the City could offer more incentives for similar developments.
- Cultural and art space could be considered on the ground floor of the proposal.

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2538 Birch Street
URBAN DESIGN PANEL

The Urban Design Panel (UDP) reviewed this application on July 10, 2019. The application was supported with recommendations.

EVALUATION: SUPPORT with RECOMMENDATIONS (8-2)

Introduction: Sarah Crowley, Rezoning Planner, began by noting this application is a 18,700 square foot large site and is located on the south-east corner on West Broadway and Birch Street in the Fairview area.

The project site is centrally located, with nearby access to multiple bus routes on Broadway and Granville Street currently and is an area within the Broadway Plan study area where future subway stations are planned.

Along Broadway is C-3A mixed-use and office buildings. The adjacent building is a 13-storey mixed-use building and kitty corner to the site is another 13-storey office building. The area south of the site is zoned as Rm-3 and comprises of low-rise residential building with 3 to 5 storeys.

In relation to the site history, this site was previously approved by Council in January 2018 under the R-100 policy for a 16-storey mixed use development. The previous site address was referred to as 1296 West Broadway. The single-storey restaurant with at-grade parking has since been demolished and the site is currently vacant.

This application has been submitted under the Moderate Income Rental Housing Pilot Program or MIRHPP for the development of a 27-storey (including mezzanine) mixed-use development to rezone from CD-1 (708) to CD-1 to permit:

- 248 secured rental units (53 units as MIRHPP units or 22 per cent MIRHPP)
- FSR 10.52
- Height of 276 ft (84m)
- 87 parking stalls and 438 bike spaces

The Moderate Income Rental Housing Pilot Program or MIRHPP, which is a limited pilot program that enables up to 20 rezoning city-wide for new buildings that provide 100 per cent secured market rental housing, with a minimum of 20% of the residential floor area permanently secured for moderate income households. This program addresses a critical gap in our rental housing market by encouraging development of new units for households earning between \$30,000 and \$80,000 per year.

Paul Cheng, Development Planner, began by noting that this site is located in an area that is just undergoing the Broadway Area Plan. The Broadway Area Plan will seek to accommodate future residential and job-space growth along Broadway and the adjacent areas.

One of the main catalysts of the Broadway Plan was the approval for a new subway line that will be running from East Vancouver Commercial Drive area to the Arbutus, and perhaps even further west. This subway line will dramatically change the accessibility of this area for citizens of the Lower Mainland.

Advice from the Panel was sought on the following:

1. Taking into consideration not just the current context but also that the future context will be deliberately different given a subway line and a Broadway Corridor planning process underway, please provide commentary on the proposed Use, Height, Form and Density.
2. Taking into account that this area is a park-deficient area, please provide commentary on the proposed public plaza.
3. Please provide commentary on the emerging architectural expression as a residential tower project.

The planning team then took questions from the panel.

Applicant's Introductory Comments: The project will be built on a prominent site. The original building met the C3A guidelines and the proposed plans used the original design to allow for a higher tower. With a taller building, it helps slenderize the building.

- Materiality of the building will be brick to achieve a creative skyline. The bricks will have a variation of colors creating a public artwork on the building.
- Residential entrance is located on Birch Street.
- Broadway frontage is for retail and office lobby use.
- Parking and loading will be in the lane.
- The amenity space is located on the top floor.
- Public realm has been improved on the ground level by widening the side walk, planting better suited trees, green walls installation, and indoor and outdoor amenity space.
- Storm water will be collected for the planters.

The applicant team then took questions from the panel.

Panel's Consensus on key aspects requiring improvement: Having reviewed the project it was moved by Ms. Besharat and seconded by Ms. Stamp and was the decision of the Urban Design Panel:

THAT the Panel **SUPPORT** the project with the following recommendation to be reviewed by City Staff:

- Design development of the plaza at the corner to enhance use and size.
- Design development of art integration to strength the art in relations to the building.
- Design development of the tower podium integration.

Related Commentary:

There was general support for the following:

- Panel members supported the design, height and uses of the project.
- Panel members supported the public art work implemented.
- Many panel members supported the materiality used.
- Panel members supported the roof-top amenities.

And areas of improvement:

- Some panel members had concerns towards the size and use of the public space plaza.
- Many panel members recommended further development of the public realm.
- Many panel members recommended an increase in the height and density of the project.
- Panel members had concerns for restricted visibility of the art work.
- Panel members had reservations about the non-prominent entrance to the office space
- Some panel members noted the need for a better realignment of the building to the ground and podium.
- The public realm on Broadway should be improved.

Applicant's Response: The applicant team thanked the panel for their comments.

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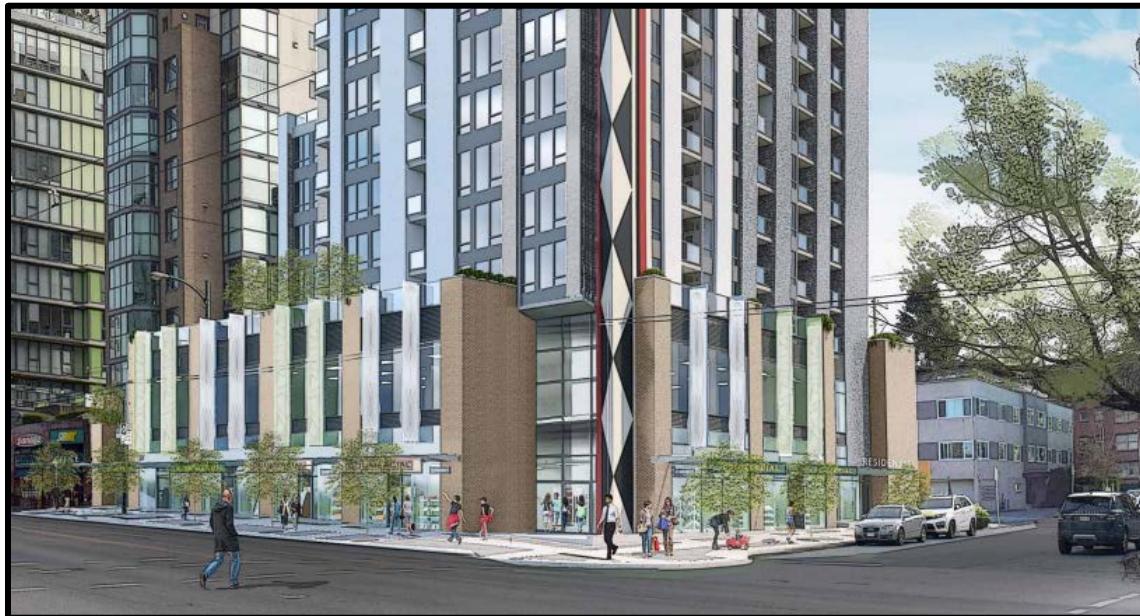
**2538 Birch Street
FORM OF DEVELOPMENT DRAWINGS**

For a complete set of application drawings visit:
<https://rezoning.vancouver.ca/applications/2538birch/index.htm>

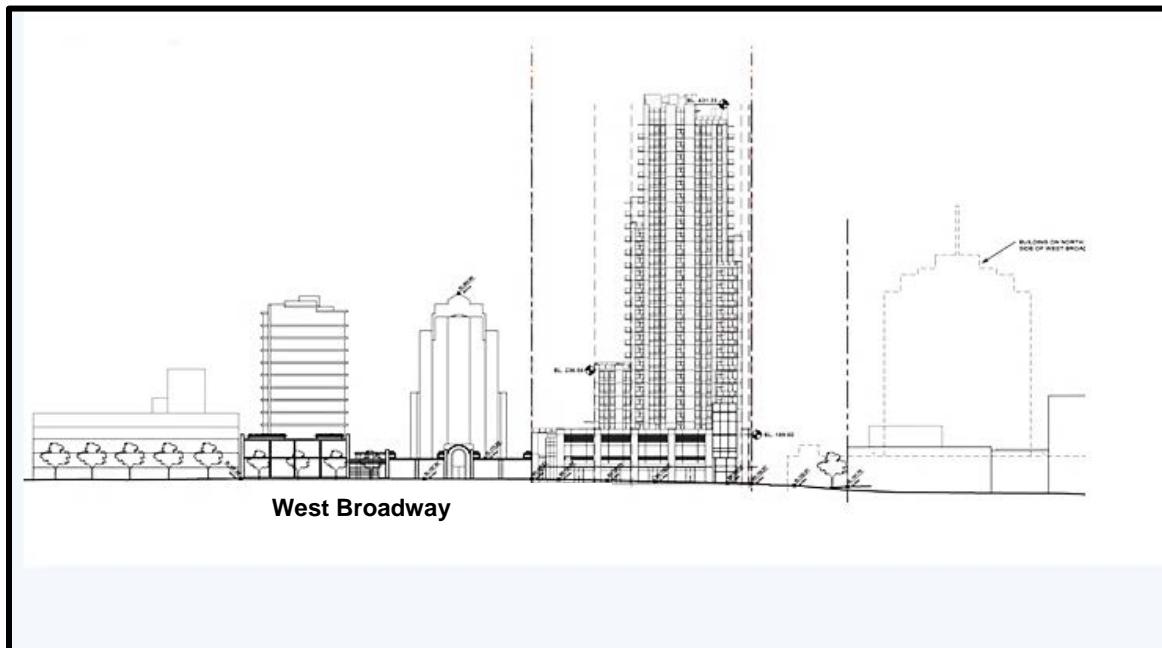
Perspective of building looking south-west along West Broadway



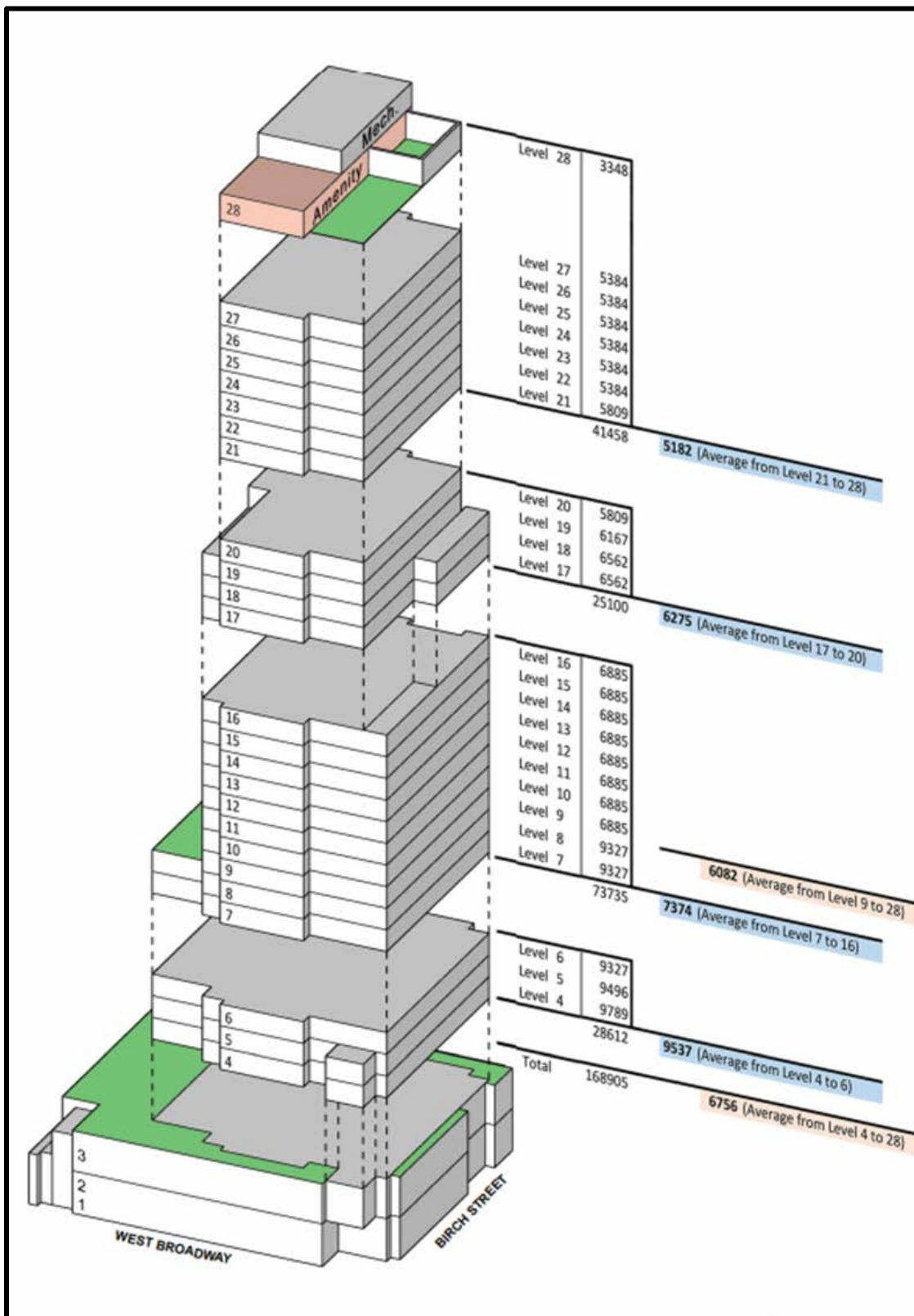
Perspective of Preliminary Public Art Proposal on Building Façade



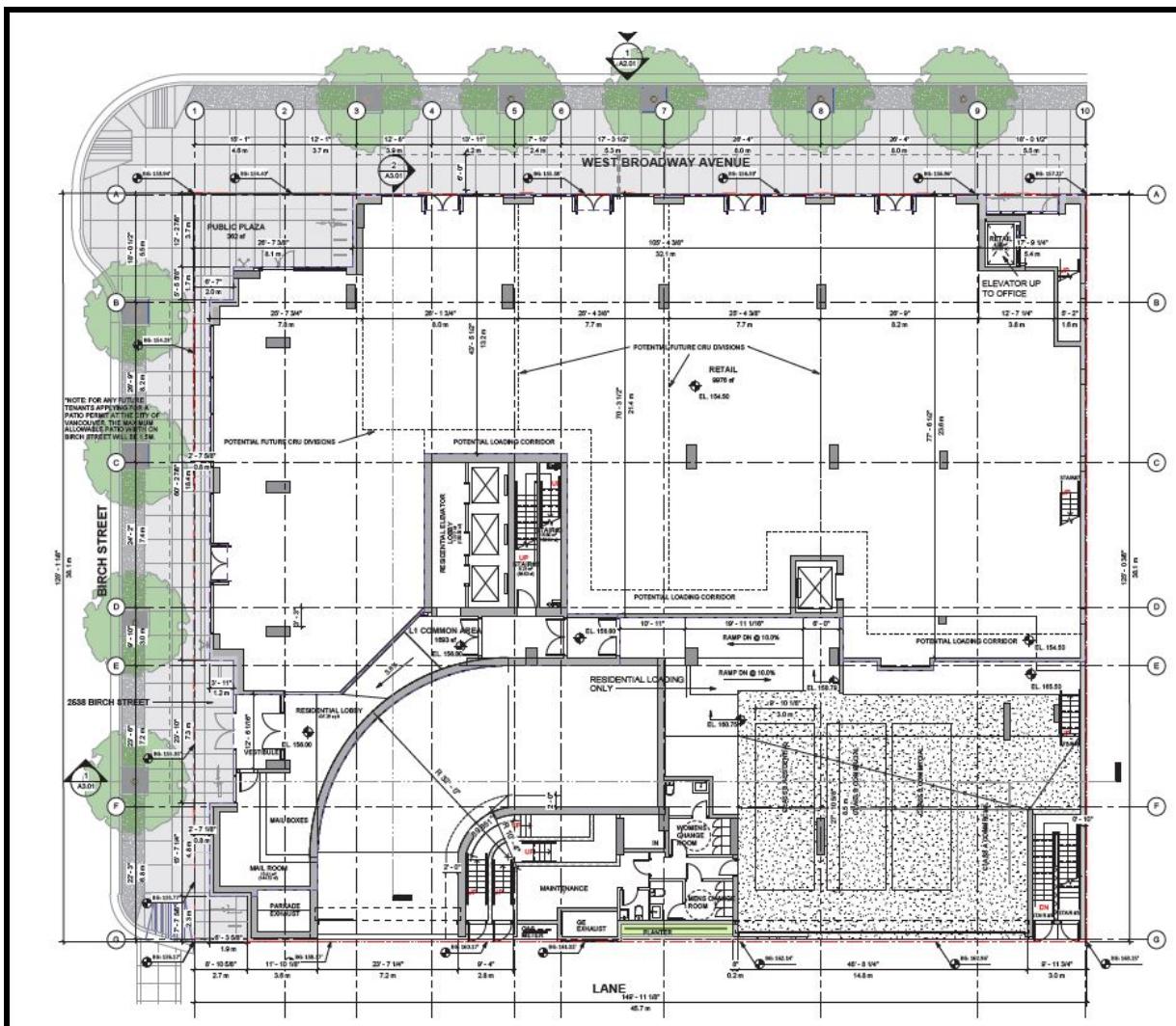
West Broadway Building Height Streetscape



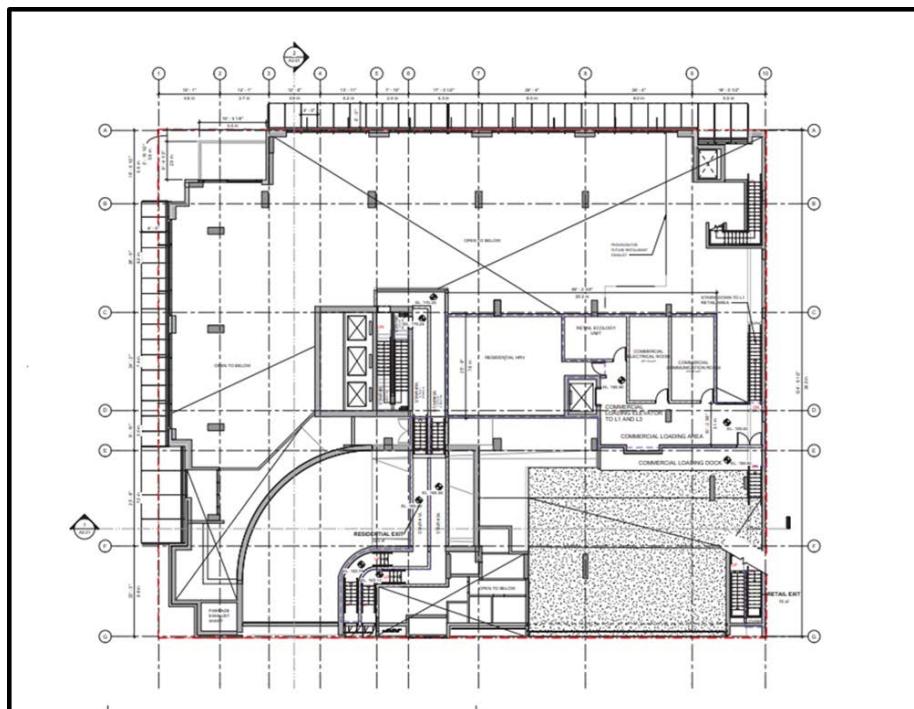
Massing Model



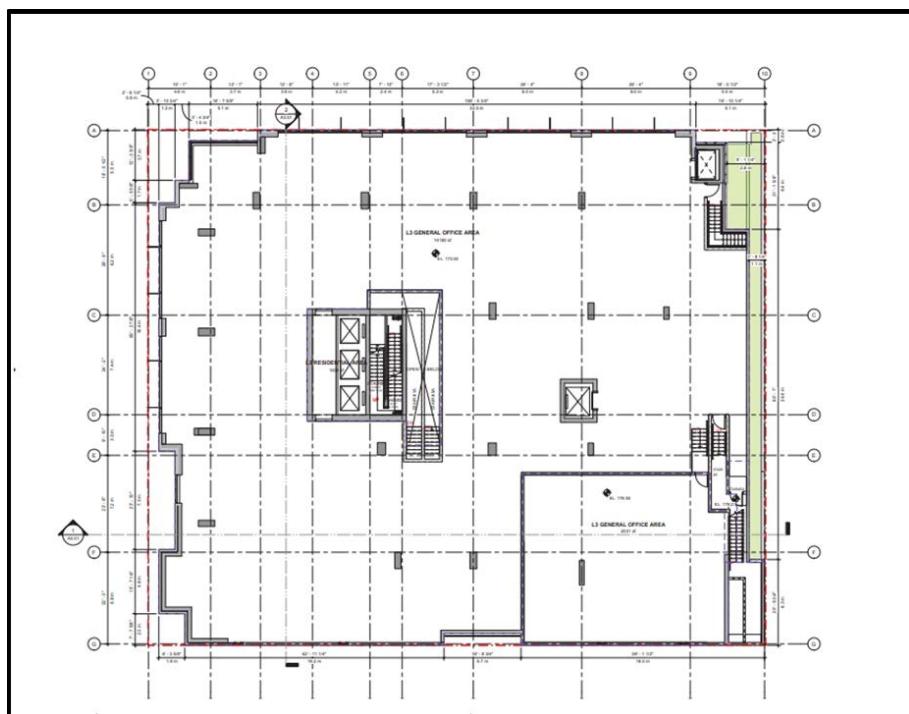
Ground Floor Plan



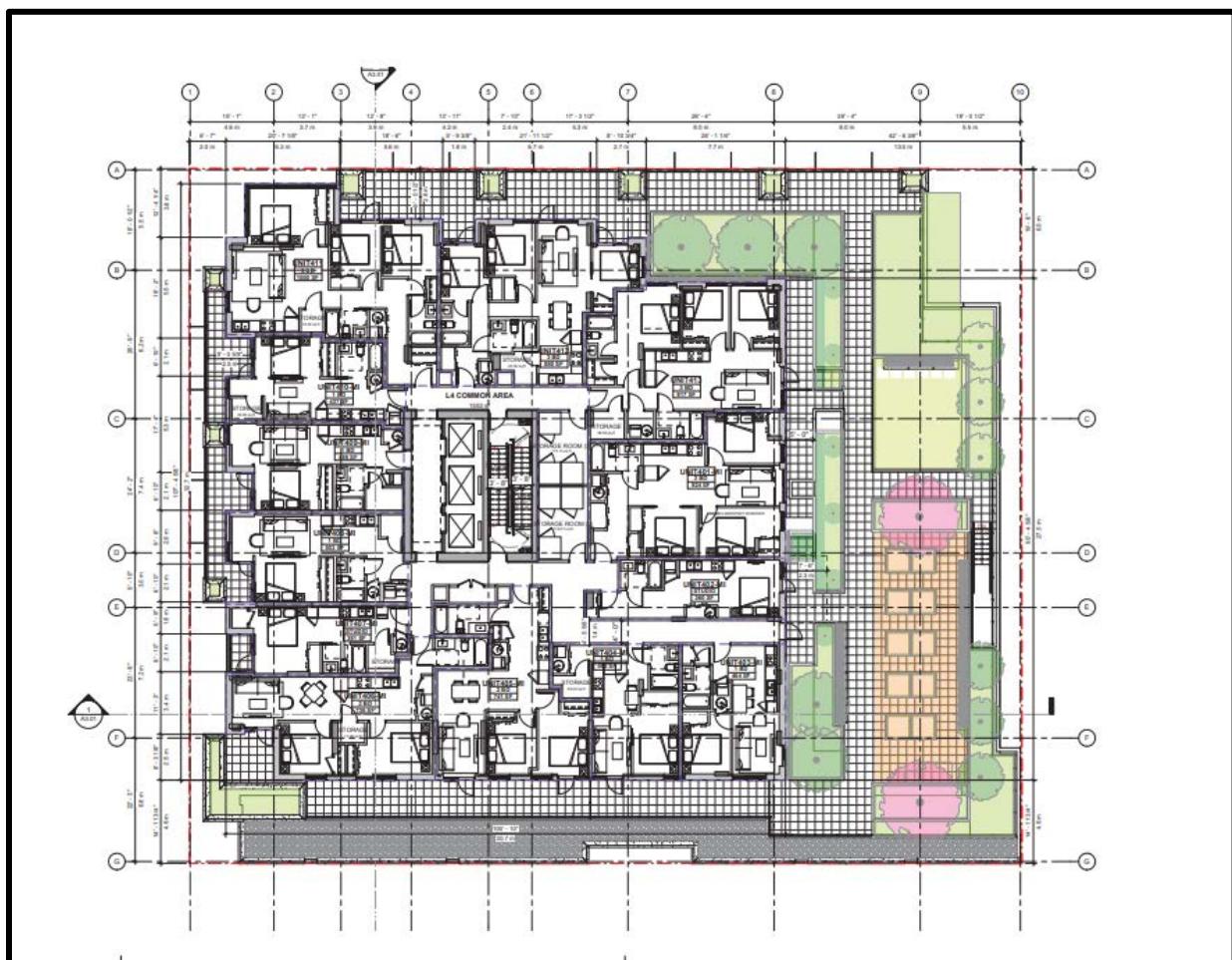
Mezzanine Floor Plan



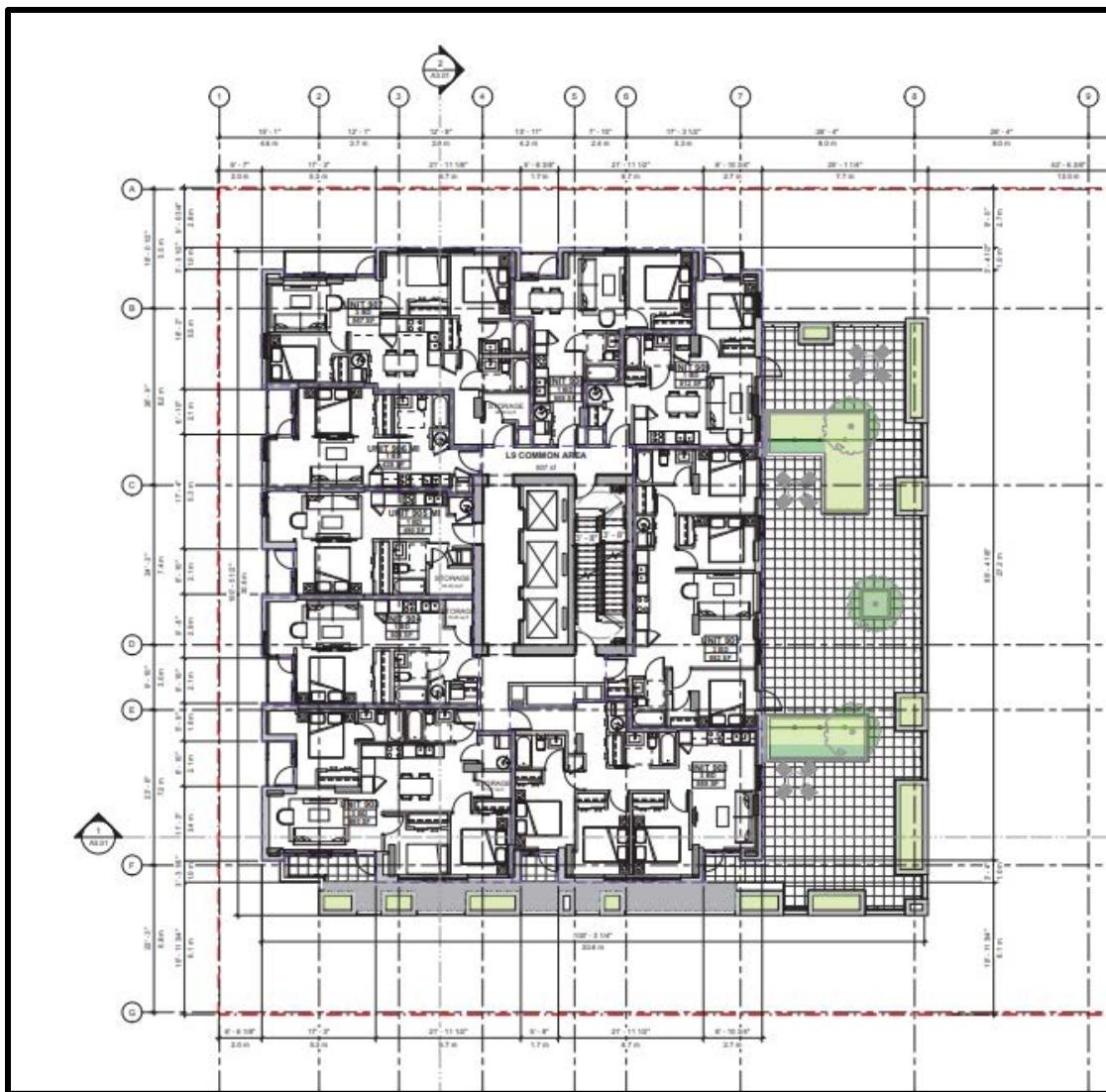
Second Floor Plan (Offices)



Third Floor Plan (Residential with amenity space)



Eighth Floor Plan (Residential with amenity space)



Twenty-seventh Floor Plan (Amenity Area)



Shadow Studies- March 21(Spring Equinox)

Shadow Studies

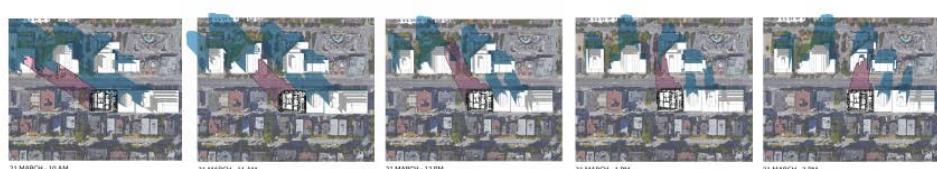
The shadow study shows the minimal change of the proposed 28 storey building compared to the approved 17 storey building. The building will cast a shadow on office buildings on the north side of West Broadway for a short period during the day, depending on the time of the year. The proposed building does not cast shadows south of the lane between West Broadway and 10th Avenue.

March 21st

17 STOREY BUILDING



28 STOREY BUILDING



DIFFERENCE



- █ EXISTING SHADOWS
- █ 17-STORY BUILDING SHADOWS
- █ 28-STORY BUILDING SHADOWS



Shadow Studies – June 21

Shadow Studies

June 21st

17 STOREY BUILDING



28 STOREY BUILDING



DIFFERENCE



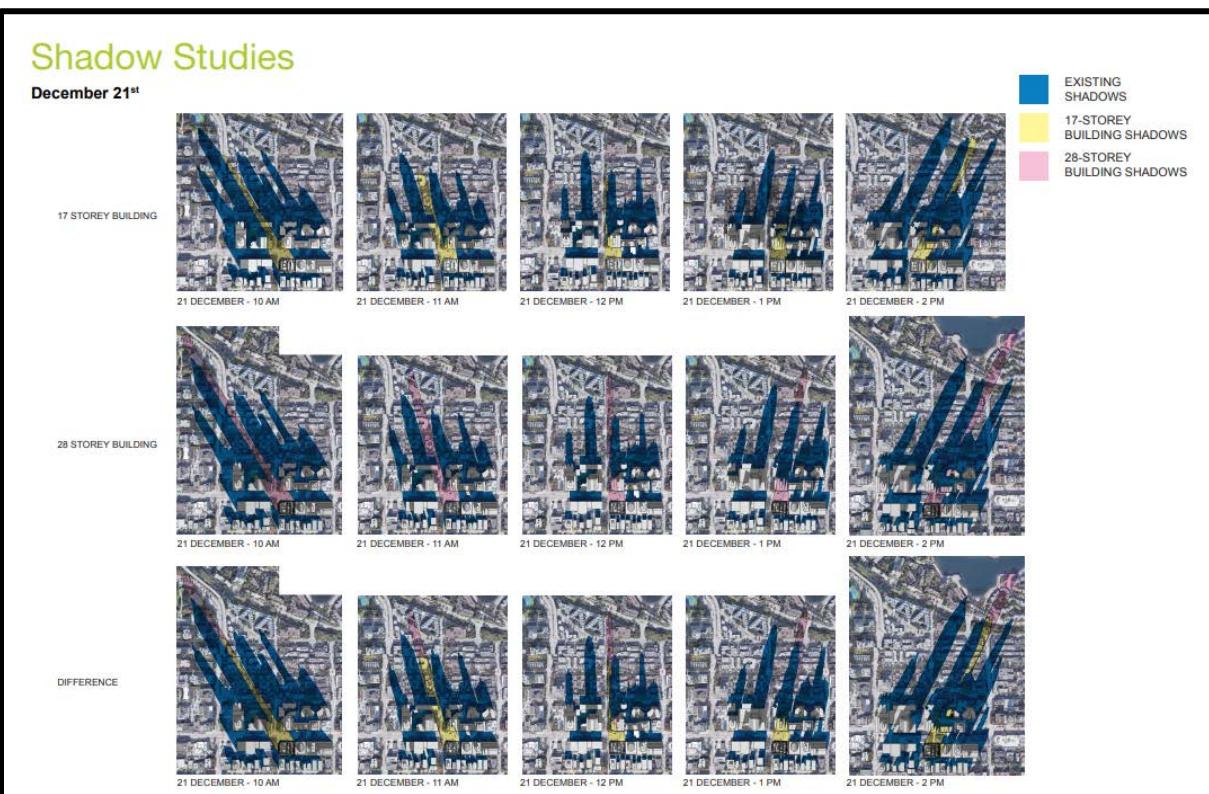
- █ EXISTING SHADOWS
- █ 17-STORY BUILDING SHADOWS
- █ 28-STORY BUILDING SHADOWS



Shadow Studies- September 21 (Fall Equinox)



Shadow Studies- December 21



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2538 Birch Street
DEVELOPMENT COST LEVY WAIVER ANALYSIS

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

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

Unit Type	No. units proposed	DCL By-law maximum average unit size	Proposed average unit size
Studio	32	42 m ² (450 sq. ft.)	34 m ² (370 sq. ft.)
1-bedroom	131	56 m ² (600 sq. ft.)	43 m ² (460 sq. ft.)
2-bedroom	66	77 m ² (830 sq. ft.)	61 m ² (653 sq. ft.)
3-bedroom	19	97 m ² (1,044 sq. ft.)	79 m ² (855 sq. ft.)

- (d) The average initial rents for moderate income units do not exceed rents specified in section 3.1A(d) of the DCL By-law. The following data reflects the DCL Waiver Request Form submitted by the applicant.

Unit Type	No. units proposed	DCL By-law maximum average unit rent*	Proposed average unit rent*
Studio	9	\$950	\$950
1-bedroom	27	\$1,200	\$1,200
2-bedroom	16	\$1,600	\$1,600
3-bedroom	6	\$2,000	\$2,000

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

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

2538 Birch Street
PUBLIC BENEFITS SUMMARY

Project Summary:

To amend CD-1 (708) , Bylaw No. 12179 to permit approximately 258 rental units with 22% residential floor area reserved for moderate income units

Public Benefit Summary:

The proposal would provide approximately 258 dwelling units with 22% residential floor area reserved for moderate income units (approximately 58 moderate income units) which would be secured as rental housing for 60 years or the life of the building, whichever is longer.

	Current Zoning	Proposed Zoning
Zoning District	CD-1(708)	CD-1
FSR (site area = 1,743 sq. m (18,762 sq. ft.)	7.07	10.55
Buildable Floor Space (sq.ft.)	132,586	197,787
Land Use	Commercial/Residential	Commercial/Residential

Summary of Development Contributions Expected Under Proposed Zoning

City-wide DCL ¹	\$439,859
City-Wide Utilities DCL ¹	\$151,972
Public Art	\$391,618
TOTAL	\$983,449

Other Benefits (non-quantified components):

Approximately 258 dwelling units with 22% residential floor area reserved for moderate income units (approximately 58 moderate income units) will be secured for rental housing for the life of the building or 60 years, whichever is longer

¹ Based on rates in effect as of 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.

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2538 Birch Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

PROPERTY INFORMATION

Street Address	Property Identifier (PID)	Legal Description
2538 Birch Street	030-417-261	LOT 1, BLOCK 353, DISTRICT LOT 526, GROUP 1, NEW WESTMINSTER DISTRICT PLAN EPP 81033

APPLICANT INFORMATION

Developer	Jameson Development Corporation
Property Owner	1061511 B.C. Ltd. (registered owner)and Jameson Broadway & Birch Limited Partnership (beneficial owner)
Architect	IBI Group

SITE STATISTICS

Site Area	1,743 sq.m. (18,762 sq.ft)
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DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed		Recommended (Other than proposed)
Zoning	CD-1 (708)	CD-1		-----
Uses	Mixed-use	Mixed-use		-----
Max. Density	7.07	10.55		
Floor Area	12,318 sq.m (132,586 sq. ft)	18,375 sq. m (197,787 sq.ft.)		
Maximum Height	52.14m	88m		
Unit Mix	Market Units 153 secured market rental units	Market Studio: 23 1-bed: 104 2-bed: 60 3-bed: 13 Total: 200	Moderate Income Studio: 9 1-bed:27 2-bed:16 3-bed:6 Total:58	Total : 258
Parking, Loading and Bicycle Spaces	As per Parking By-law	Parking spaces Class A Bicycle spaces Class B Bicycle spaces		As per Parking By-law:
Natural Assets Trees	9 street trees	20 new on-site trees proposed, 9 on-site trees retained		

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