



## REFERRAL REPORT

Report Date: June 9, 2020  
Contact: Theresa O'Donnell  
Contact No.: 604.673.8434  
RTS No.: 13872  
VanRIMS No.: 08-2000-20  
Meeting Date: June 23, 2020

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: CD-1 Rezoning: 4506 Rupert Street and 3309 Price Street

### **RECOMMENDATION**

- A. That the application by GBL Architects Inc. on behalf of 4506 Rupert Holdings Ltd. (Inc. no. BC1228769), the registered owners, to rezone 4506 Rupert Street and 3309 Price Street [PIDs: 015-093-867, 010-306-757, 010-306-765, and 010-306-820 respectively; Lot A (Reference Plan 2155), Block 96 District Lots 36 and 51, Plan 849, and Lots 1, 2, and 7, all of Block 96, District Lots 36 and 51, Plan 7903] from C-1 (Commercial) and RS-1 (Residential) Districts to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 1.2 to 2.30 and building height from 10.7 m (35.1ft.) to 15.1 m (49.5 ft.) to permit development of a five-storey, mixed-use building with 51 secured market rental residential units, including four live-work units, be referred to public hearing together with:
- (i) plans prepared by GBL Architects Inc., received November 22, 2019;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
  - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, including approval in principle of the form of development, subject to the Conditions of Approval contained in Appendix B;

FURTHER THAT the Director of legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A for consideration at the Public Hearing.

- B. THAT, if after Public Hearing, Council approves in principle the rezoning and the Housing Agreement described in section (c) of Appendix B, the Director of Legal

Services be instructed to prepare the necessary Housing Agreement By-law for enactment 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, subject to enactment of the CD-1 By-law, the *Subdivision By-law* be amended generally as set out in Appendix C;

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

- D. THAT, if the application is referred to a Public Hearing, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C, be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary By-law, generally as set out in Appendix C, for consideration at the Public Hearing.

- E. THAT, subject to approval of the rezoning application, the Noise Control By-law be amended to include this CD-1 in Schedule A, generally as set out in Appendix C;

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

- F. THAT Recommendations A through E 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 rezone 4506 Rupert Street and 3309 Price Street. The proposal is for a five-storey, mixed-use building with commercial uses at grade, and 51 secured market rental residential units, including four live-work units. The proposed total floor area is

3,553 sq. m (38,243 sq. ft.), at a height of 15.1 m (49.5 ft.) and an FSR of 2.30. The application meets the intent of the *Secured Market Rental Housing Policy (commonly known as Rental 100)* and would contribute 51 secured market rental housing units towards the goals identified in the *Housing Vancouver Strategy*.

The application is also consistent with the Development Cost levy By-law No. 9755 definition of “for-profit affordable rental housing”, for which certain Development Cost Levies may be waived. The application has been assessed, and the proposed use and form of development are supported subject to design development and other conditions outlined in Appendix B. It is recommended the application be referred to Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it, subject to Public Hearing and to the conditions in Appendix B

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

- *Secured Market Rental Housing Policy (2012, last amended 2019)*
- *Rental Incentive Guidelines (2012, last amended 2019)*
- *Rental Incentive Programs Bulletin (2019, last amended 2020)*
- *Renfrew-Collingwood Community Vision (2004)*
- *C-2 District Schedule and Design Guidelines (1996, last amended 2018)*
- *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 Rezoning (2010, last amended 2018)*
- *Community Amenity Contributions — Through Rezoning (1999, last amended 2019)*
- *Vancouver Development Cost Levy By-law No. 9755*
- *Vancouver Utilities Development Cost Levy By-law No. 12183*
- *Urban Forest Strategy (2014)*

### **REPORT**

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

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

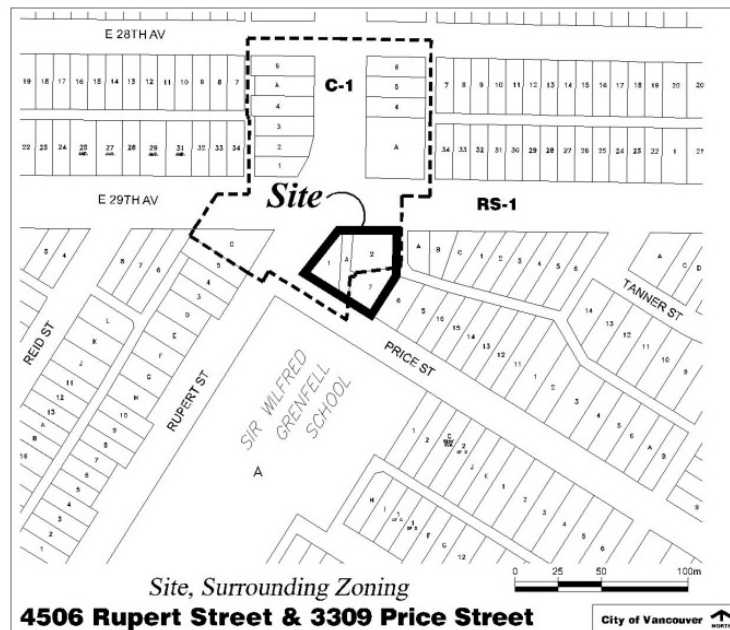
The site is located in the Renfrew-Collingwood neighbourhood, at the intersection of Rupert Street, East 29th Avenue and Price Street (see Figure 1).

The combined site area is 1,734.59 sq. m (18,671 sq. ft.) and is comprised of two parcels with different zoning which front onto three adjacent streets. The Rupert Street frontage is approximately 31.7 m (104 ft.), East 29th Avenue frontage is 33.5 m (110 ft.) and Price Street frontage is 45.7 m (150 ft.). Of the two parcels, the larger western parcel (comprised of three legal titles; Lots 1, 2 and A) is zoned C-1 (Commercial) District and is currently vacant, while the smaller, southeastern parcel is zoned RS-1 (Residential) District and is currently occupied by a two-storey single family house. There is one rental suite in the single family house.

The site is located within a small local commercial node of C-1 (Commercial) District zoning, surrounded by RS-1 (Residential) District zoning, where the predominant development type is

one and two-family homes. A Montessori Pre-School is located directly to the north across East 29th Avenue, and a two-storey mixed-use building is located to the west across Rupert Street. Sir Wilfred Grenfell Elementary School is located to the south.

**Figure 1 – Site at 4506 Rupert Street and 3309 Price Street, showing Surrounding Zoning**



The site is located on the no. 27 bus route between Joyce-Collingwood Skytrain Station and Kootenay Loop and within walking distance of two transit stations - 29th Avenue Skytrain Station to the west, and the Joyce-Collingwood Skytrain Station to the southeast.

**Neighbourhood Amenities** – The following neighbourhood amenities are within walking distance of the site:

- Parks: Cariboo Park (400 m to east), Carleton Park (400 m to southeast), Renfrew Ravine Park (800 to west)
- Childcare: There are three childcare facilities within 800 m of the site

**Local School Capacity** – This site is located within the catchment area of Sir Wilfred Grenfell Elementary School, and Windermere Secondary School, 450 m to the northwest. Per the Vancouver School Board (VSB)'s Draft Long Range Facilities Plan dated May 29, 2019, both elementary and secondary schools have current and forecasted capacity to accommodate additional students. The elementary school's enrolment in 2017/18 was at 89 per cent of its capacity of 503 students. By 2027 the draft forecasted enrolments decrease to approximately 67 per cent of capacity. At the secondary level, the 2017/18 enrolment was at 67 per cent of the school's 1,500 student capacity. The draft forecasted enrolments are approximately 57 per cent of capacity by 2027. The overall enrolment trend for schools in the area anticipates a decline in enrolment.

## 2. Policy Context

**Secured Market Rental Housing Policy** – In May 2012, Council approved the *Secured Market Rental Housing Policy*, commonly known as *Rental 100*, which provides incentives for new

developments where 100 per cent of the residential floor space provided is secured rental housing. Rezoning applications considered under this policy must meet a number of criteria, including security of tenure, location and form of development.

On November 26, 2019, Council approved amendments to the *Secured Market Rental Housing Policy*, and retitled it the *Secured Rental Policy* (“**SRP**”). The *SRP* expands on *Rental 100*, including by consolidating rezoning opportunities for secured rental housing previously contained in the *Affordable Housing Choices Interim Rezoning Policy* and introducing new green building requirements. New rezoning applications and enquiries are required to meet the provisions of the *SRP*. However, in order to ensure consistency and fairness for in-stream applications, the policy requirements of the previous *Secured Market Rental Housing Policy* will continue to apply to applications where a formal rezoning application was submitted prior to November 26, 2019. The rezoning application for 4506 Rupert Street and 3309 Price Street was received on February 27, 2018, and therefore is considered under the previous *Secured Market Rental Housing Policy*.

**Rental Incentive Guidelines** – The intent of the *Rental Incentive Guidelines* is to inform the way in which City incentives, taken at the applicant’s discretion, are applied to eligible secured rental projects. The guidelines also provide further information on the incentives approved by Council in May 2012 through the *Secured Market Rental Housing Policy*, including general direction for the consideration of additional density through rezoning.

**Rental Incentive Programs Bulletin** – To correspond with Council’s approval of the *Secured Rental Policy* in November 2019, a new *Rental Incentive Programs Bulletin* was issued. This bulletin provides updated information on DCL waivers and other incentives available to eligible secured rental projects. However the additional density considerations provided in the *Rental Incentive Guidelines* will continue to apply to applications considered under the *Secured Market Rental Housing Policy*.

**Renfrew-Collingwood Community Vision (2004)** – The Vision includes several directions around expanding commercial areas, increasing residential uses, improving pedestrian safety (i.e. wider sidewalks, more street trees, improved landscaping), and enhancing store fronts around mini-nodes (commercial intersections that provide convenient local services to the surrounding neighbourhood). The intersection of Rupert Street and East 29th Avenue is identified as a mini-node.

**Housing Vancouver Strategy (2017)** – In November 2017, Council approved the *Housing Vancouver Strategy* (2018-2027) and the *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, of shifting housing production towards rental to meet the greatest need, and of 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. This rezoning application, if approved, will contribute towards the targets for purpose-built rental units and family units.

**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 Programs Bulletin* 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*. They include changes to simplify the application process and improve administration of the waiver. Changes were made 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 under the *Utilities DCL By-law* (the “**Utilities DCL**”), provided that the corresponding building permit is issued before September 30, 2021 (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 *Housing Vancouver Strategy*.

## **Strategic Analysis**

### **1. Proposal**

This application proposes a five-storey mixed-use building consisting of commercial uses at grade, facing Rupert Street, and 51 secured market rental housing units. Of the 51 units, four are proposed as live-work units facing East 29th Avenue, nine as stacked townhomes facing Price Street, and the remaining 38 in an apartment form. The proposed building height is 15.1 m (49.5 ft.) with an accompanying FSR of 2.30. The total residential floor area is 3,553 sq. m (38,243 sq. ft.) including 204.9 sq. m (2,206 sq. ft.) of live-work floor space. 435.8 sq. m (4,691 sq. ft.) of commercial floor area is also proposed. The application qualifies for and has requested a waiver of the Development Cost Levies (see Appendix F).

**Figure 2 – View Looking Southeast from Rupert Street and East 29th Avenue**

The original rezoning application was received on February 27, 2018 and showed two buildings, a five-storey building along Rupert Street and East 29th Avenue, and a three-storey building along Price Street. A revised application was received on November 22, 2019 following comments received from the Urban Design Panel and the staff review. The revised application combined the buildings into one to enhance the common outdoor amenity area and improve the building's interface with Price Street and the rear lane. This report is based on the revised application.

## **2. Land Use**

This split-zoned site is zoned C-1 (Commercial) District and RS-1 (Residential) District. The intent of the *C-1 District Schedule and Design Guidelines* is to provide for small-scale commercial nodes catering to the needs of local neighbourhoods and consisting primarily of retail/service uses. Under C-1 zoning, dwelling uses and their design are to be compatible with commercial uses. The intent of RS-1 zoning is to maintain the small-scale residential character, with one and two-family dwellings, secondary suites and laneway homes.

The proposal includes commercial and residential land uses and is consistent with the intent of the *Secured Market Rental Housing Policy*, the *C-1 District Schedule and Design Guidelines* and is compatible with RS-1 zoning. A total of 435.8 sq. m (4,691 sq. ft.) of retail/service space is proposed. 204.9 sq. m. (2,206 sq. ft.) of live-work space along East 29th Avenue is also proposed. Live-work uses create spaces for small businesses, provide opportunities for activating the public realm, and facilitate a gentle transition to the residential uses to the east.

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

The *Secured Market Rental Housing Policy (Rental 100)* and accompanying *Rental Incentive Guidelines Bulletin* provide general direction for the consideration of additional height and density to facilitate the provision of rental housing. Under *Rental 100*, a C-2 form (four storey, 45 ft. height and 2.5 FSR) can be considered on the C-1 portion of the site, subject to urban design

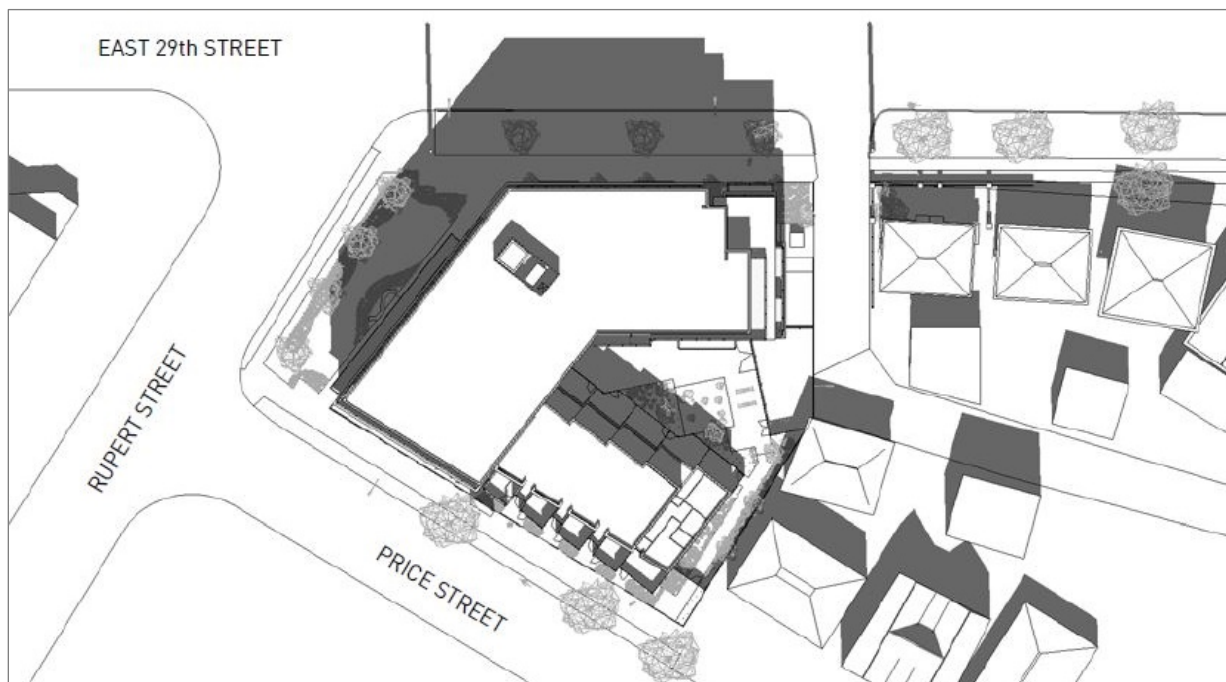
performance, along with slight variances when impacts on the surrounding area are carefully considered.

The RS-1 parcel was included as part of the rezoning application to provide for a better transition to the neighbourhood to the east. Development on that portion of the site should be compatible with the surrounding residential character and maximum building height of 10.7 m (35 ft.) within the RS-1 District Schedule. Transitions to lower scale neighbours should be facilitated by appropriate setbacks and terracing at the rear of the building to minimise the impact on neighbouring development.

This project's form of development, as well as the manner in which it integrates with the surrounding context, is presented in the following sections.

**Massing, Height and Setbacks** – The proposed building is u-shaped around a central courtyard (See Figure 3). The main, western portion of the building is a five-storey structure that wraps around the Rupert Street and East 29th Avenue frontages. The Price Street interface presents as three-storey townhomes, stepping down to two storeys next to the neighbouring single-family houses to the east.

**Figure 3 – Proposed Site Plan**



The proposed five-storey building is supportable. The main building presents as four-storeys along its principal facades, with minor areas extending above, largely due to the roof-slab, elevator overruns, mechanical rooms and some portions of the eastern end of the building (see Figure 4). The commercial and live-work units are designed as double height spaces, with double height windows and column treatments to allow these units to read as a taller single floor rather than two distinct floors. The fifth floor of the building is also stepped back to help reduce the appearance of height, with setbacks from 1.8 m to 2.4 m (6 to 8 ft.) from Rupert Street and East 29th Avenue frontages. Conditions are included in Appendix B to ensure the building's



frontage continues to read as a double-height space and to require the proposed setbacks for the fifth floor to be maintained at the development permit stage.

**Figure 4 – East 29th Avenue Elevation with C-2 Height Envelope Overlaid as Dashed Line**



The first three floors of the building at its northeast corner (on East 29 Avenue and the lane) are setback approximately 3.7 m (12 ft.) from the lane, while the fourth and fifth floors are setback 5.2 m to 9.4 m (17 ft. to 31 ft.) (see Figure 4).

The terraced and stepped massing of the townhomes on Price Street provide a neighbourly transition to the smaller-scaled development to the east (see Figure 5). The townhomes step down to two storeys closest to the east property line. The last townhouse is also setback 3.7 m (12 ft.) from the shared eastern property line.

**Figure 5 – Price Street Elevation**



**Public Realm Interface** – The project provides a considered and compatible interface with the public realm along its three street frontages. The ground floor commercial facade along Rupert Street is proposed as a double-height clear glass surface to allow for greater visual porosity. The commercial area can be demised into smaller retail units, allowing for local serving

commercial uses and an active interface with the pedestrian realm. The commercial fronts are setback approximately 2 ft. to 3 ft., and together with weather protection canopies, provide sheltered space to support outdoor commercial uses (e.g. cafe seating). An expanded public realm is proposed along Rupert Street. Conditions in Appendix B seek design exploration for the corner at Rupert Street and East 29th Avenue to enhance the overall streetscape and public realm.

The live-work spaces are setback approximately 2 m (6.5 ft.) from the property line to allow for landscaped patios along East 29th Avenue. Landscaped townhouse front yard setbacks of 3.7 m (12 ft.) along Price Street also facilitate a transition to the lower scale single family context to the east.

**Amenity Spaces** – An indoor amenity room is accessible from both the residential lobby and central courtyard. The overall size and dimensions of the proposed indoor and outdoor amenity spaces are sufficient to accommodate a broad range of activities for residents and their guests. To refine the programming of the outdoor amenity space, staff recommend demarcating a clear travel path from the commercial garbage room to the garbage collection area along the lane. This recommendation is contained in Appendix B.

**Liveability and Privacy** – A mix of studios, one-bedroom and family-sized units are provided. All units have some form of private outdoor spaces like balconies or patios to ensure adequate natural lighting and ventilation, as well as a sense of openness in the interior.

Staff have determined that the overall unit layouts and location of the unit-types are generally supportable. However, some units on the third storey around the inner-corner have balconies that closely face each other. This may have direct sightlines into each other's living spaces. Staff recommend that the applicant explore screening devices and consider reconfiguring the unit layout and/or floorplan at that corner to resolve these privacy issues. Additionally, staff recommend additional screening devices on the balconies and decks, especially those facing the single-family houses to the east, to minimise overlook. These recommendations are contained in Appendix B.

**Landscape** – There are no existing permit-sized trees on the development site. There are five existing street trees along East 29th Avenue and Price Street. Conditions in Appendix B will require further design development for the public realm, including street trees around the perimeter of the site, and consideration of patterned sidewalks, benches and other public realm features for the public realm area on Rupert Street, all in consultation with the Engineering Department. This expanded public realm area measures approximately 3.7 m x 12 m (12 ft. by 40 ft.) in size and can allow for expanded outdoor commercial uses such as outdoor cafe seating.

Additional landscaping is also proposed throughout the new development. The application will add approximately 11 on-site trees, and additional plant material to the front yards/patios for the at-grade live-work and townhouse units, interior courtyard and along the southeast property line for visual amenity and screening. Further tree planting on-site is requested to increase the visual buffering of the project to the neighbourhood to the east, and to improve the streetscape interface along Price Street. Landscape conditions are included in Appendix B.

**Urban Design Panel Review** - The Urban Design Panel (UDP) reviewed this application on May 30, 2018 and requested revisions to the proposal. Detailed panel comments are presented in Appendix D. The panel recommended the following changes:

- Simplify the overall scheme and explore a mix of uses within one single building;
- Integrate the parking ramp in the building and reduce the parking ramp width in order to increase the courtyard area;
- Enlarge the courtyard;
- Integrate amenity space into the building.

The revised application, received on November 22, 2019 and presented in this report, has addressed and integrated the UDP recommendations and comments.

The proposed building is designed with a massing approach, setbacks and landscaping that is appropriate to this location. The proposal is at the corner of two arterial roads and part of a small commercial node that integrates well with the local residential area. The proposed form, massing and height represent a balanced response to the goal of securing rental units under the *Secured Market Rental Housing Policy*. Staff support the revised application subject to condition outlined in Appendix B.

#### 4. Housing

The *Housing Vancouver Strategy* strives to enhance access to rental housing and sets a number of short- and long-term rental housing targets. This application, if approved, would add 51 secured market rental housing units to the City's inventory of rental housing, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 6).

**Figure 6 – Progress towards 10-Year Housing Vancouver Targets for Secured Market Rental Housing as of March 31, 2020**

Housing Type	10-YEAR TARGETS	Units Approved Towards Targets
<b>Purpose-Built Market Rental Housing Units</b>	20,000	3,503

*\*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.*

**Housing Mix** - This project would deliver a variety of unit types in the form of studio units (11 units) one-bedroom units (19 units) including four live-work units, two-bedroom units (14 units), and three-bedroom units (7 units) (see Figure 7). The two- and three-bedroom units make up 41 per cent of all units, thereby exceeding the minimum 35 per cent family housing requirement under the *Family Room: Housing Mix Policy in Rezoning Projects*. The units are required to meet the objectives of the *High Density for Families with Children Guidelines*, which sets targets regarding on-site amenity space and similar liveability objectives.

**Figure 7 – Proposed Unit Mix**

Type	Count	Percentage
Studio	11	22 %
1-bed	19	37 %
2-bed	14	27 %
3-bed	7	14 %
<b>Total</b>	<b>51</b>	<b>100 %</b>

**Security of Tenure** – All 51 of the rental housing units will be secured through a Housing Agreement or a section 219 Covenant for the longer of the life of the building and 60 years, and would preclude the stratification and/or separate sale of individual units. Conditions relating to securing the units are contained in Appendix B.

**Vacancy Rate** – Vancouver has one of the lowest vacancy rates in Canada. In the fall of 2019, the vacancy rate in the city was 1 per cent. That means only 10 out of every 1,000 market rental units were empty and available for rent. The vacancy rate in this area (Zone 8 Mount Pleasant/Renfrew Heights in the CHMC Market Rental Housing Survey) was higher at 1.3 per cent. A vacancy rate of 3 per cent represents a balanced market.

**DCL Waiver** – The applicant has requested, and is eligible for a *DCL waiver* for the residential floor area. To be eligible for the waiver, this project must meet the maximum average rental rates and unit size restrictions under the *DCL By-law*. These requirements will form part of the Housing Agreement contained in Appendix B. See Appendix F for the DCL waiver analysis.

Section 3.1B(c) of the *DCL By-law* allows for rents to be increased annually from the time of Public Hearing to initial occupancy, as per the maximum allowable increases under the *BC Residential Tenancy Act*. A final rent roll that sets out the initial monthly rents for all units will be required prior to issuance of the occupancy permit in order to ensure compliance with the maximum increases authorized by the *DCL By-law*. After occupancy, rent increases are regulated by the *Residential Tenancy Act (RTA)*.

Figure 8 provides this project's proposed starting rents, the current allowable *DCL By-law* maximum average rent rates, average rents in newer buildings in the eastside of Vancouver, and the estimated monthly cost of home ownership. The proposed rents in this application are a lower and viable alternative to the cost of home ownership, particularly for larger units.

**Figure 8 – Proposed Rents for Market Rental Units, Market Rents in Newer Eastside Buildings, Costs of Ownership and Household Incomes Served**

Unit Type	Project's Average Proposed Rents	DCL By-Law Maximum Averages – Eastside <sup>1</sup>	Average Market Rent in Newer Buildings <sup>2</sup>	Monthly Cost Associated with Purchase of Median Priced Unit – Eastside <sup>3</sup>
Studio	\$ 1,641	\$1,641	\$1,584	\$2,270
1-bed	\$ 1,942	\$1,942	\$1,796	\$2,824
2-bed	\$ 2,611	\$2,611	\$2,378	\$3,852
3-bed	\$ 2,977	\$2,977	\$2,603	\$5,394

1. CMHC Jan 2020, *Rental Market Report 2019* for studio, 1-, 2-, and 3-bedroom units, the maximum DCL rents are the average rents for all residential units built since the year 2005 in the City of Vancouver.

2. October 2019 CMHC *Rental Market Survey* for buildings completed in the year 2010 or later, Vancouver Eastside.

3. BC Assessment 2019, based on the following assumptions in 2019: median of all BC Assessment recent sales prices in Vancouver Eastside in 2019 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.

Figure 9 shows the approximate household incomes required to afford the proposed starting rents in this project.

**Figure 9 – Household Incomes relative to Proposed Rents**

Unit Type	Project's Average Proposed Rents	Household Income Ranges to Rent at or below 30% of before-tax income <sup>1</sup>
Studio	\$ 1,641	\$60,000 - \$69,999
1-bed	\$ 1,942	\$70,000 - \$79,999
2-bed	\$ 2,611	\$100,000 - \$110,000
3-bed	\$ 2,977	\$110,000 - \$125,000

1. As per Statistics Canada, affordable housing is defined as shelter costs equal to or less than 30% of total before-tax household income. Income ranges are used above which allow for further analysis at a neighbourhood or citywide level.

Through the development permit application process, the City will ensure that average unit sizes do not exceed the maximum thresholds set out by *DCL By-law*.

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

As this application involves consolidation of a C-1 parcel (comprised of three legal lots) and a RS-1 parcel containing a secondary rental unit, the updated *TRP Policy* applies. A house, containing one rental unit, is currently occupied with tenants who are aware of the rezoning application. The tenancy is not eligible for protection under the *TRP Policy* due to length of their tenancy. If tenants become eligible after project approval, the applicant will provide a Tenant Relocation Plan to the satisfaction of the General Manager of Arts, Culture and Community Services as per the *TRP Policy* prior to the issuance of the development permit.

All tenancies are protected under the *RTA* that governs how residential properties are rented, and includes specific provisions regarding termination of tenancies. Any disputes would be resolved through the Residential Tenancy Branch.

## 5. Transportation and Parking

This application proposes 34 equivalent vehicle parking spaces for the residential, commercial and live-work uses, including three accessible spaces. In addition, the application proposes one Class B commercial loading space, and one Class A residential loading space, and 101 Class A bicycle parking spaces. This application must meet the Parking By-law, and does not include any transportation demand management measures at this time. The applicant is also required to provide new sidewalks along all three road frontages. Engineering conditions are included in Appendix B.

## 6. Environmental Sustainability and Natural Assets

**Green Buildings** – The *Green Buildings Policy for Rezoning* (amended by Council on April 28, 2017) requires that residential rezoning applications satisfy either the near zero emission

buildings or low emissions green buildings conditions within the policy. This applicant is pursuing the low emissions green buildings requirements. The low emissions green buildings pathway represents City priority outcomes by 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 a preliminary energy modelling analysis detailing building performance strategies to meet the new energy use intensity, greenhouse gas and thermal demand targets, as well as a preliminary Rainwater Management Plan.

**Natural Assets** – There are no existing permit-sized trees on the development site. Five existing street trees along East 29th Avenue and Price Street will be retained. The application proposes to add at least three additional street trees, as well as approximately 11 additional trees on-site. Staff have also recommended additional tree plantings in the interior courtyard and along Price Street (see Landscaping section above and Landscape conditions in Appendix B). There are no streams or watercourses on or near the site.

## 7. Public Input

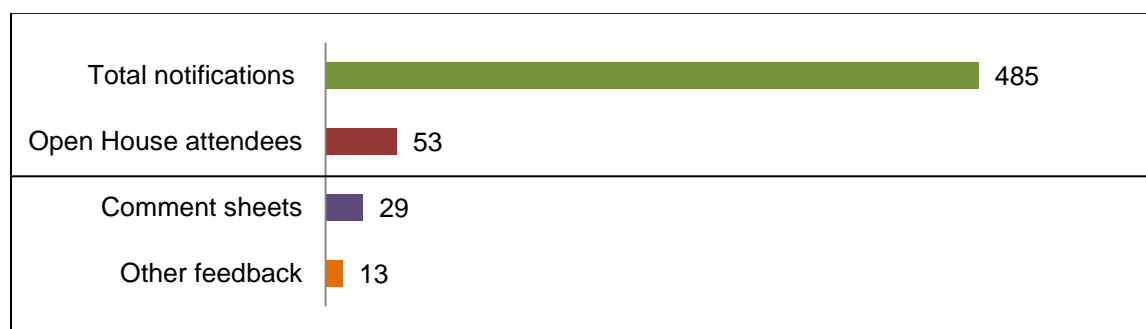
**Pre-application Open House** – On June 28, 2017, a pre-application open house was held at the Renfrew-Collingwood Community Centre, located at 2929 East 22nd Avenue, to solicit early feedback on the proposal. Approximately 15 people attended this open house. The feedback included support for more housing and development on this site, as well as concern about neighbourhood compatibility and traffic safety in the lane.

**Public Notification** – A rezoning information sign was installed on the site on April 18, 2018. Approximately 485 notification postcards were distributed within the neighbouring area on or about April 24, 2018. Notification and application information, as well as an online comment form, was made available on the City of Vancouver Rezoning Centre webpage ([vancouver.ca/rezapps](http://vancouver.ca/rezapps)).

**Community Open House** – On May 14, 2018, a community open house was held from 5:00-7:30 pm at the Slocan Community Hall, located at 2750 East 29th Avenue. Staff, the applicant team, and a total of approximately 53 people attended the Open House.

**Public Response** – Approximately 29 comment sheets, and 13 letters, e-mails, online comment forms, and other feedback were received from the public in response to the May 14, 2018 open house. Appendix D provides a detailed summary of the results of the public consultation.

**Figure 10 – Public Notification and Response**



\* Note that all reported numbers above are approximate

**Note:**

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

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

A summary of the key themes from the public feedback is provided below:

Support for the proposal cited the following:

- Rental housing
- Suitable location due to proximity to transit and businesses
- Density, height and massing
- Commercial uses

Concerns expressed by respondents included the following:

- Safety of lane and access to parking ramp
- Density, height, massing and neighbourhood fit
- Lack of parking

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

*Safety of lane and access to parking ramp* – In response to feedback from both the public as well as design recommendations from UDP, the entrance to the parking ramp from the lane was moved from the middle of the site to be closer to East 29th Avenue. This reduces the travel distance of cars going down the lane to access the underground parking. Suggestions to move the parking ramp access to Price Street were not implemented, as the ramp would disrupt the continuity of the residential character and public realm on Price Street.

*Density, height, massing and neighbourhood fit* – through terracing on the east side of the building and setbacks at the upper levels, the building integrates well with the surrounding smaller-scaled residential context. The proposed two and three-storey building height along Price Street are equal or less than the 10.7 m (35 ft.) height that can be considered under the adjacent RS-1 zoning of the lots to the east.

*Lack of parking* – This project will meet the *Parking By-law* requirements for rental housing with commercial uses. The project is located on the no. 27 bus route, and is within walking distance of two skytrain stations, as well as local businesses and restaurants around the Joyce-Collingwood Skytrain station.



## **PUBLIC BENEFITS**

In response to City policies, which address changes in land use and density, this rezoning application offers the following 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 housing) and engineering infrastructure.

This site is subject to City-wide DCL and City-wide Utilities DCL on the proposed 435.8 sq. m (4,691 sq. ft.) of commercial floor area and 3,553 sq. m (38,243 sq. ft.) of residential floor area.

As permitted under section 3.1A of the *DCL By-law*, the applicant has requested a waiver of DCLs attributed to the residential floor area qualifying as “for-profit affordable rental housing”. In accordance with amendments to the *Utilities DCL By-law* approved by Council November 26, 2019, a waiver of Utilities DCLs will no longer be available, effective as of September 30, 2020. In-stream applications submitted before September 30, 2020 will remain eligible for a Utilities DCL waiver for the residential component of the project, provided that the corresponding building permit is issued before September 30, 2021 (within 12 months of the effective date of the *Utilities DCL By-law* change).

Based on the rates in effect as of September 2019, the value of the waiver of both the DCLs and the Utilities DCLs for the residential floor area is approximately \$984,375. A review of how the application meets the waiver criteria is provided in Appendix F. It is anticipated that the commercial component of the project will generate approximately \$96,822 in DCLs.

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 proposed floor area is below the minimum threshold of 9,290 sq. m (100,000 sq. ft.), therefore no public art contribution will arise from this application.

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

The *Community Amenity Contributions – Through Rezonings* (2019) policy requires lower-density secured market rental applications within the C-1 zones proposing more than four storeys, to be subject to a CAC evaluation. Real Estate Services have assessed the application and costs of securing 51 market rental housing units and determined no additional CAC is expected.

**Rental Housing** - The applicant has proposed that all of the residential units will be secured as rental housing (non-stratified) for the longer of 60 years and the life of the building. The public



benefit accruing from this application is the contribution to the City's secured rental housing stock serving a range of income levels.

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

### ***Financial Implications***

Based on rates in effect as of September 30, 2019, it is anticipated that the commercial component of the project will pay approximately \$96,822 in DCLs. The residential component of the project is expected to qualify for a DCL waiver foregoing approximately \$984,375 of DCLs.

The 51 rental housing units, secured by a Housing Agreement and Section 219 Covenant for 60 years or the life of the building, will be privately owned and operated.

No additional CAC or public art contribution is applicable.

### ***CONCLUSION***

Staff have reviewed the application to rezone the site at 4506 Rupert Street and 3309 Price Street to permit development of a five-storey mixed-use building with 51 secured market rental housing units and conclude that the application is consistent with the objectives of the *Secured Market Rental Housing Policy* and is an appropriate urban design response to the site and context. The application qualifies for incentives provided for secured market rental housing, including additional height, density and a DCL waiver. If approved, this application would contribute 51 rental housing units to goals outlined in the *Housing Vancouver Strategy*.

The General Manager of Planning, Urban Design and Sustainability recommends that the rezoning 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.

\* \* \* \* \*

**4506 Rupert Street, 3309 Price Street**  
**DRAFT BY-LAW PROVISIONS**

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

**Zoning District Plan Amendment**

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-( ) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

*[Note: Schedule A, not attached to this appendix, is a map that appends the City of Vancouver zoning map. Should the rezoning application be referred to public hearing, Schedule A will be included with the draft by-law that is prepared for posting.]*

**Designation of CD-1 District**

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

**Uses**

3. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 ( ), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
  - (a) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law;
  - (b) Live-Work Use, in conjunction with any of the uses listed in this By-law;
  - (c) Cultural and Recreational Uses, limited to Artist Studio, Arcade, Arts and Culture Indoor Event, Billiard Hall, Bowling Alley, Club, Community Centre or Neighbourhood House, Fitness Centre, Hall, Library, Museum or Archives, and Theatre;
  - (d) Institutional Uses, limited to Child Day Care Facility and Social Service Centre;
  - (e) Office Uses;
  - (f) Retail Uses, limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Grocery Store with Liquor Store, Liquor Store, Public Bike Share, Retail Store, Secondhand Store, and Small-scale Pharmacy;

- (g) Service Uses, limited to Animal Clinic, Auction Hall, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Cabaret, Catering Establishment, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Restaurant, School – Arts or Self-Improvement, School – Business, School – Vocational or Trade, and Wedding Chapel;
- (h) Utility and Communication Uses, limited to Public Utility and Radio Communication Station; and
- (i) Accessory uses customarily ancillary to the uses permitted in this Section.

### **Conditions of Use**

- 4.1. No portion of the first storey of a building facing Rupert Street, within a depth of 10.7 m of the front wall of the building and extending across its full width, shall be used for residential purposes except for entrances to the residential portion.
- 4.2. All commercial uses and accessory uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:
  - (a) Farmer's Market;
  - (b) Neighbourhood Public House;
  - (c) Public Bike Share;
  - (d) Restaurant; and
  - (e) Display of flowers, plants, fruits and vegetables in conjunction with a permitted use.
- 4.3. The design and lay-out of at least 35% of the dwelling units must:
  - (a) be suitable for family housing;
  - (b) include two or more bedrooms; and
  - (c) comply with Council's "High-density Housing for Families with Children Guidelines".

### **Floor Area and Density**

- 5.1 Computation of floor space ratio must assume that the site consists of 1734.59 m<sup>2</sup> being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.
- 5.2 The floor space ratio for all uses must not exceed 2.30.

- 5.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, including earthen floors, both above and below base surface, measured to the extreme outer limits of the building.
- 5.4 Computation of floor area must exclude:
- (a) open residential balconies or sun decks and any other appurtenances, which in the opinion of the Director of Planning are similar to the foregoing, except that:
    - (i) the total area of all such exclusions must not exceed 12% of the permitted floor area; and
    - (ii) the balconies must not be enclosed for the life of the building;
  - (b) patios and roof gardens, if the Director of Planning first approves the design of the sunroofs and walls;
  - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment or uses, which in the opinion of the Director of Planning are similar to the foregoing, whose floors or portions thereof so used that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
  - (d) amenity areas, including recreational facilities and meeting rooms accessory to a residential use, except that the total exclusion must not exceed the lesser of 10% of the total permitted floor area or 929 m<sup>2</sup>; and
  - (e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m<sup>2</sup> for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.
- 5.5 The use of floor area excluded under section 5.4 must not include any use other than that which justified the exclusion.

### **Building Height**

6. Building height, measured from base surface to top of parapet must not exceed 15.1 m.

### **Horizontal Angle of Daylight**

- 7.1 Each habitable room must have at least one window on an exterior wall of a building.
- 7.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 7.3 Measurement of the plan or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.

- 7.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council, and:
- (a) The minimum distance of unobstructed view is not less than 3.7 m; or
  - (b) The habitable room is within a unit assigned to moderate income households and containing a minimum of three bedrooms, where the horizontal angle of daylight requirement is relaxed for no greater than one of the habitable rooms in the unit.
- 7.5 An obstruction referred to in section 7.2 means:
- (a) Any part of the same building including permitted projections; or
  - (b) The largest building permitted under the zoning on any site adjoining CD-1 ( ).
- 7.6 A habitable room referred to in section 7.1 does not include:
- (a) a bathroom; or
  - (b) a kitchen whose floor area is the lesser of:
    - (i) 10% or less of the total floor area of the dwelling unit; or
    - (ii) 9.3 m<sup>2</sup>;

### **Acoustics**

8. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustic engineer demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be defined simply as noise level in decibels.

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

### **Zoning and Development By-law**

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

\* \* \* \* \*

**4506 Rupert Street, 3309 Price Street**

**CONDITIONS OF APPROVAL**

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

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

*Note: Consideration by Council at the public hearing of the proposed form of development is in reference to plans prepared by GBL Architects Inc., stamped received November 22, 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. Further design development of commercial and live-work facades should continue to mitigate appearance of height by:
  - (a) Maintaining the façade design expression of the first two floors to read as a double-height space rather than two distinct floors; and,
  - (b) The fifth floor's setbacks should be maintained as shown at both the development and building permit stages to minimise upper storey bulk.

**Note to Applicant:** With regards to the first two floors reading as a single double-height space, this would entail keeping the mezzanine floors adequately setback from the front of the retail and live-work units, and for elements such as the columns to remain to emphasize verticality rather than horizontality. Expressing horizontality at these two floors can result in them being read as two distinct floors.

2. Design development to further refine its public realm interface by:
  - (a) Further articulating the building's Rupert Street – East 29th Avenue corner condition to add not just to building identity but the overall streetscape, and to ground that corner together with the enhanced sidewalk treatment shown;
  - (b) Working with City Engineering to develop strategies for the enhanced public realm and sidewalk treatment along Rupert Street; and,
  - (c) Demonstrating how the street trees can be retained.

**Note to Applicant:** Articulating the building corner need not result in major shift in massing. Staff are open to subtle changes in material, window composition, and/or ground-plane treatment to address that corner.

3. Design development to refine its outdoor amenity space by:
  - (a) Demarcating a clearer travel path from the commercial garbage room to the garbage collection area; and,
  - (b) Providing more details on how the loading bays when not in use could, if possible, be incorporated into the overall outdoor space.

**Note to Applicant:** The garbage travel path need not be dedicated to only that use; it can be co-located within the overall outdoor space. But the path and its hours of operation should be indicated to ensure the seating and play areas are the least impacted by it.

4. Design development to improve privacy and livability by:
  - (a) Resolving potential direct sightline issues due to the proximity of the balconies located at the inner corner on Level Three;
  - (b) Providing adequate screening devices on balconies and decks, especially ones facing the single-family houses to the east;
  - (c) Ensuring the trees along the Southeast property-line immediately adjacent to the RS-1 lot can be adequately maintained; and,
  - (d) Demonstrating how the window locations, sizes and frames, as well as the overall wall-to-window ratio, and shading devise may aid lowering excessive heat gain and preventing heat loss.

**Note to Applicant:** The privacy issue between balconies may be addressed by screening devices, more adequate spacing, and even reconfiguring the unit layout / floorplan at that corner, or a combination.

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

5. Identify on the drawings strategies that consider the principles of CPTED including the following conditions:
  - (a) Limiting opportunities for nuisance activities, mischief in alcoves, and blind corners;
  - (b) Limiting unobserved access or activity and encouraging natural visual surveillance;
  - (c) Mail theft;
  - (d) Site lighting developed with considerations for safety and security; and
  - (e) Reduced opportunities for graffiti;

**Note to Applicant:** Alcoves and other similar visually hidden areas should be designed so as to not be covered or have limited cover and be well lit. Opportunities for graffiti can be mitigated by reducing areas of exposed wall and by covering with vines, hedges or a rough finish material.

6. Design development to improve visibility and security in the underground parking in accordance with the Parking By-law including:
  - (a) Overhead lighting and step lights at exit stairs and doors;
  - (b) 24 hour lights and walls painted white; and

- (c) Visibility at doors, lobbies, stairs and other access routes.

### **Landscape**

7. Design development to substantially increase buffering to the neighbours to the east by increasing tree planting in the central courtyard and along the east property line where possible;
8. Design development to improve streetscape along Price Street by addition of small trees, in a similar treatment to East 29th Avenue frontage;
9. Design development to improve the sustainability strategy, by the following:
  - (a) Explore the provision of green roofs to all available flat roof tops;
  - (b) Provide high quality materials to all landscape areas for durability into the future;
  - (c) Add substantially more landscape around all common entry areas, to accent and soften them;
  - (d) Add vines to any large blank wall facades, ensuring the vine support is sturdy and low maintenance (avoid high maintenance modular “green wall” systems); and
  - (e) Add edible plants, which can be used as ornamentals as part of the landscape design, in addition to urban agriculture plots.
10. Design development to the landscape treatment in common courtyard on slab to allow for planting flush with the ground, while providing adequate planting depths, by lowering the slab 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.

11. 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.
12. 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); and
  - (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.

13. 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; and
  - (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.

14. Provision of coordination between Landscape Plan and architectural Site Plan, for most updated information.
15. Provision of complete information, such as detail references and schedules, confirming all landscape elements.

Standard Landscape Conditions:

16. Provision of a detailed Landscape Plan illustrating soft and hard landscape areas.

**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.

17. 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.

18. 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.

19. 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.

20. 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 proposed street tree to be shown and confirmed on the development permit plans. Contact Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, *"Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion"*.

21. 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.

22. Provision of an outdoor Lighting Plan.

### Sustainability

23. All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning*s (amended May 2, 2018), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>

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

### Zero Waste

24. In order to minimize waste, a salvage strip-out must be done to remove fixtures, systems, and elements such as doors, deck, and fencing, for reuse. Any buildings which are not already subject to the *Green Demo By-law* must achieve a 75 per cent recycling

rate for demolition. Buildings subject to the *Green Demo By-law* must meet the by-law requirements in place at the time of the demolition permit application.

### Engineering Services

25. Water Sustainability Act: Construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or Licence. 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 construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.
28. 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.
29. Design development to improve access and design of bicycle parking and comply with the Bicycle Parking Design Supplement.
  - (a) Provision of automatic door openers for all doors providing access to Class A bicycle storage.
  - (b) Provision of required residential Class B bicycle spaces.

**Note to Applicant:** Clearly show and note required Class B bicycle spaces on plans with minimum dimensions. Consider locating these proximal to the residential lobby.
  - (c) Provision of end-of-trip facilities including clothing lockers for commercial use.

**Note to Applicant:** Reference Section of the Parking Bylaw for additional information.

30. Explore options for improved convenient, internal, stair-free loading access to/from all site uses.

**Note to Applicant:** Access to loading from the residential lobby currently requires crossing of the 10 per cent sloped ramp. Consider redesign of the ramp to provide a level surface to cross over or design development to provide residential access by way of the courtyard.

31. Design development to improve the parkade layout and access design and comply with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services, including the following:

- (a) Provision of required residential accessible spaces.

**Note to Applicant:** Residential accessible spaces must be provided behind the residential security gate. Accessible sized visitor spaces do not count toward residential accessible requirements.

- (b) Provision of design specifications for stacked bicycle racks including dimensions, vertical and aisle clearances.

**Note to Applicant:** Confirm minimum required access aisle width is maintained while stacked system is lowered.

- (c) Provision of wheel stops for all vehicle spaces facing another space or pedestrian circulation route.

**Note to Applicant:** Include for all parking spaces facing residential storage units.

32. Provide the following information in drawing submission at the development permit stage to facilitate a complete Transportation review:

- (a) A complete tech table is required showing the calculations for the minimum required parking, loading, passenger loading, bicycle spaces & end-of-trip facilities and the number of spaces being provided.
- (b) All types of parking and loading spaces individually numbered, and labelled on the drawings.
- (c) Dimension of column encroachments into parking stalls.
- (d) Show all columns in the parking layouts.
- (e) Dimensions for typical parking spaces.
- (f) Dimensions of additional setbacks for parking spaces due to columns and walls
- (g) Dimensions of manoeuvre aisles and the drive aisles at the parkade entrance and all gates.
- (h) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates. These clearances must consider mechanical projections and built obstructions.
- (i) Areas of minimum vertical clearances labelled on parking levels.

- (j) Design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances. The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.
  - (k) Indicate the stair-free access route from the Class A bicycle spaces to reach the outside. Note use of the parking ramp if required.
  - (l) Existing street furniture including bus stops, benches etc. to be shown on plans.
  - (m) The location of all poles and guy wires to be shown on the site plan.
33. Provision of an application for a Permit to Use City Property to be submitted to Engineering Development Services for the proposed canopy encroaching onto City Street. Canopies must be fully demountable and comply with all applicable requirements of the Vancouver Building By-law (Section 1.8.8).
34. When submitting Landscape plans, please place the following statement on the landscape plan; this plan is “NOT FOR CONSTRUCTION” and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive “For Construction” approval and related permits are issued. Please contact Engineering, Development Services and/or your Engineering, Building Site Inspector for details.”
35. Remove pavers from City of Vancouver property.
36. Show property lines on landscape drawings.

#### Rainwater Management

37. Enter into such agreements as are necessary and to require the owner to prepare and deliver a final Rainwater Management Plan (a “**RWMP**”) including supporting Operations and Maintenance (O&M) Manual for the approval of the General Manager of Engineering Services prior to final Occupancy Permit issuance.
38. Provision of a draft final RWMP prior to development permit issuance. As it is acknowledged that not all design components are advanced fully at this stage, placeholders will be accepted in this resubmission with the expectation the final report will include all relevant details.

**Note to Applicant:** A legal agreement related to Rainwater Management will be required prior to issuance of a development permit.

39. Provision of a final RWMP, which includes a written report, supporting calculations, computer models and drawings to the satisfaction of Engineering Services prior to Building Permit Stage 2 issuance.
40. The applicant is requested to schedule a meeting with the Integrated Water Management Branch prior to moving forward with the RWMP and resubmission with the development permit application. To schedule the meeting, contact [rainwater@vancouver.ca](mailto:rainwater@vancouver.ca).

**Note to Applicant:** The resubmission at development permit must include the following amendments:

- Peak flow calculations to use 1:10 year return period. Inlet time = 5 minutes. Travel time to be estimated by applicant. Ensure that the pre-development calculation uses the 2014 IDF curve values and the post-development calculation uses the 2100 IDF curve values.
- Exploration into grading hardscapes into adjacent (or lower level) landscaping as referenced in the report but not detailed on the site plan. Coordination with the landscape architect, soil storage capacities and a grading plan will be required to support this proposal.
- Calculation of the detention tank volume to equal the greater of either the pre-development peak flow storage volume or the amount of the 24 mm rainfall not captured in Tier 1 & Tier 2 practices.
- Justifications for not prioritizing the Tier 1 practice of Rainwater Harvesting & Reuse.
- Removal of the treatment flow rate for water quality treatment device. Instead, provide total contributing area to the device, percent imperviousness, TSS removal criteria and total annual capture requirements.

**Note to Applicant:** Design of the proprietary treatment devices are typically performed by the manufacturer/service provider. 24mm relates to a 70% capture of annual average rainfall. 48mm relates to a 90% capture of annual average rainfall.

## Housing

41. The proposed unit mix, including 11 studio units (21.6%), 19 one-bedroom units (37.3 %), and 14 two-bedroom units (27.5 %) and 7 three-bedroom units (13.7 %) is to be included in the development permit drawings.

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

42. The development 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 on the rooftop with direct line of sight to the play area (S. 2.5.2) if the play area is situated on the rooftop;
  - (c) A minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each dwelling unit;
  - (d) Multi-purpose indoor amenity space at least 37 sq. m (398 sq. ft.) with a wheelchair accessible washroom and kitchenette; and
  - (e) A balcony with 1.8 by 2.7 m minimum dimensions (S. 4.3.2).
43. Prior to issuance of a development permit, applicant to display a sign on the site, throughout construction, that acknowledges that secured market 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.

## **Tenants**

44. If eligible tenants are identified to be residing on the site, the applicant will deliver a Tenant Relocation Plan to the satisfaction of the General Manager of Arts, Culture and Community Services and will enter into a 219 Covenant and/or such other agreements as the General Manager of Arts, Culture and Community Services and the Director of Legal Services determine are necessary to require the applicant to:
- (a) Provide a Tenant Relocation Plan to the satisfaction of the General Manager of Arts, Culture and Community Services as per the Tenant Relocation and Protection Policy that is effective at the time of submission of the development permit application.
  - (b) Provide a notarized declaration that demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.
  - (c) Provide an Interim Tenant Relocation Report prior to issuance of the Demolition Permit. The Report must outline the names of any tenants who have ended their tenancy; the reason for its end (e.g. tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant); the names of tenants still remaining in the building; the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan.
  - (d) Provide a Final Tenant Relocation Report prior to issuance of the Occupancy Permit. The Report must outline the names of tenants; indicate the outcome of their search for alternate accommodations; summarize the total monetary value given to each tenant (moving costs, rents, any other compensation); and include a summary of all communication provided to the tenants.

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

THAT, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning, Development 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. Consolidation of Lots 1, 2 and 7, Plan 7903; and Lot A (Reference Plan 2155), Plan 849; all of Block 96, District Lots 36 and 51 to create a single parcel.
2. Release of Easement & Indemnity Agreement 194611M (commercial crossings) 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.

3. Provision of a Shared Use Loading Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the Class B loading space between the commercial and residential uses, and label the space as ('Residential and Commercial Loading').
4. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
  - (a) Provision of adequate water service to meet the fire flow demands of the project.

Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by R.F. Binnie & Associates Ltd. dated November 17, 2019, no water main upgrades are required to service the development.

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

- (b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.
    - (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 sewers on Price St.
  - (c) Provision of geometric and signal and street lighting improvements at the intersection of Rupert Street and East 29th Avenue, including associated enabling works and adjustments to all existing infrastructure to accommodate the proposed street improvements (including any transition from protected bike lanes to adjacent street network and replacement or modification of related traffic signal equipment).

**Note to Applicant:** City to provide geometric design.

- (d) Provision of street improvements along Rupert Street adjacent to the site and appropriate transitions including the following:
    - (i) 1.53 m (5 ft.) wide front boulevard with street trees where space permits;
    - (ii) 2.14 m (7 ft.) wide broom finish saw-cut concrete sidewalk;
    - (iii) Upgraded street lighting (roadway and sidewalk) adjacent to the site to current COV standards and IESNA recommendations; and



- (iv) Adjustment to all existing infrastructure to accommodate the proposed street improvements.

**Note to Applicant:** Offsite improvements such as expanded public realm treatments and benches adjacent the west side of the site to enhance public realm to meet GVRD maintenance and access requirements. Further refinement of landscape and hardscape details to be defined in consultation with Engineering through development permit process.

- (e) Provision of street improvements along East 29th Avenue adjacent to the site and appropriate transitions including the following:
  - (i) Front boulevard with street trees where space permits;
  - (ii) 2.14 m (7 ft.) wide broom finish saw-cut concrete sidewalk;
  - (iii) Upgraded street lighting (roadway and sidewalk) adjacent to the site to current COV standards and IESNA recommendations;
  - (iv) Removal of the existing driveway crossing and reconstruction of the boulevard, sidewalk, and curb to current standards;
  - (v) Replace damaged sections of the existing curb and gutter adjacent to the lane crossing on East 29th Avenue; and
  - (vi) Adjustment to all existing infrastructure to accommodate the proposed street improvements.
- (f) Provision of street improvements along Price Street adjacent to the site and appropriate transitions including the following:
  - (i) Front boulevard with street trees where space permits;
  - (ii) 2.14m (7 ft.) wide broom finish saw-cut concrete sidewalk;
  - (iii) Upgraded street lighting (roadway and sidewalk) adjacent to the site to current COV standards and IESNA recommendations;
  - (iv) Removal of the existing driveway crossings and reconstruction of the boulevard, sidewalk, and curb to current standards;
  - (v) Curb bulge, including curb and gutter and any required road reconstruction to current standards;
  - (vi) Curb ramps; and
  - (vii) 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.

- (g) Provision of new service kiosk as required by the approved detailed electrical design.

**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)

- (h) 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.

- (i) Provision for re-construction of the lane along development site's frontage as per CoV "Higher-Zoned Laneway" specification.
  - (j) Provision of a new standard concrete pedestrian lane crossing, new curb returns and curb ramps at the existing lane crossing on E 29th Avenue adjacent to the site.
  - (k) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
5. 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.

This proposed development is adjacent to existing BC Hydro electrical works. The applicant shall submit a surveyed clearance drawing to BC Hydro showing all BC Hydro plant and dimensioned clearances from the plant to the development. The applicant shall provide written confirmation from BC Hydro that all required clearances from BC Hydro plant have been satisfied. See BULLETIN 2015-002-EL - Clearances from Existing BC Hydro High Voltage Overhead Conductors and Transformers for more information (<https://vancouver.ca/files/cov/2015-002-clearances-from-the-existing-bc-hydro-high-voltage-overhead-conductors-and-transformers.pdf>).

**Note to Applicant:** Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings. The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan (<https://vancouver.ca/files/cov/2015-002-clearances-from-the-existing-bc-hydro-high-voltage-overhead-conductors-and-transformers.pdf>). All third party service lines to the development shall be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc. The review of third party utility service drawings will not be initiated until the Key Plan is defined.

For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at umb@vancouver.ca.

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.

6. Parking, loading, bicycle, and passenger loading spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.
7. 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.

## Housing

8. Make arrangements to the satisfaction of the General Manager of Planning, Development and Sustainability and the Director of Legal Services to enter into a Housing Agreement and/ or Section 219 Covenant securing all 51 market rental units as for-profit affordable housing units for the longer of 60 years and life of the building, subject to the following conditions and requirements:
  - a) A no separate-sales covenant is required.
  - b) A no stratification covenant is required.
  - c) None of the units are to be rented for less than one month at a time.
  - d) A rent roll is to be provided indicating the agreed initial monthly rents for each rental unit when the Housing Agreement is entered into, and prior to development permit issuance and DCL calculations during the building permit application review process.
  - e) The average initial starting monthly rents for each unit type will be at or below the following rents subject to adjustment as contemplated by Section 3.1B(c) of the *Vancouver Development Cost Levy-By-law*.

Unit Type	Proposed Average Starting Rents
Studio	\$1,641
1-bed	\$1,942
2-bed	\$2,611
3-bed	\$2,977

9. A final rent roll is to be provided, prior to issuance of an occupancy permit, to the satisfaction of General Manager of Planning, Development and Sustainability and the Director of Legal Services, which reflects the agreed initial monthly rents as of occupancy in order to address potential changes in unit mix and/or sizes between the rezoning and development permit issuance, and to allow for the rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum increases Authorized by the *Vancouver Development Cost Levy By-law*.

## **Sustainability**

10. For buildings containing 20 units or more, 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.

## **Environmental Contamination**

11. If 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.

## **Agreements**

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.

\* \* \* \* \*

**4506 Rupert Street, 3309 Price Street**

**DRAFT CONSEQUENTIAL AMENDMENTS**

Note: By-laws will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

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

Council amends Schedule A of the Subdivision By-law in accordance with the plan labelled Schedule A and attached to and forming part of this By-law, by deleting:

- *3309 Price Street [Lot 7, Block 96, District Lots 36 and 51, Plan 7903; PID 010-306-820]*

from the RS-1 maps forming part of Schedule A of the Subdivision By-law.

**DRAFT AMENDMENTS TO THE SIGN BY-LAW No. 11879**

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

“4506 Rupert Street, 3309 Price Street      [CD-1 #]      [By-law #]      C-2”

**DRAFT AMENDMENTS TO THE NOISE CONTROL BY-LAW No. 6555**

Amend Schedule B [Intermediate Zone] by adding the following:

“[CD-1#]      [By-law #]      4506 Rupert Street, 3309 Price Street”

\* \* \* \* \*

**4506 Rupert Street, 3309 Price Street**

**ADDITIONAL INFORMATION**

**1. Urban Design Panel Minutes – May 30, 2018**

Address:	4506 Rupert St and 3309 Price Street
Permit No.:	RZ-2018-00007
Description:	To develop a 4-storey mixed-use building consisting of commercial and live-work units at grade, and a total of 42 secured market rental units; over underground parking with 38 vehicle stalls. The proposed floor area is 3,705 sq. m (39,880 sq. ft.), the floor space ratio (FSR) is 2.14 and the building height is 13.72 m (45 ft.). This application is being considered under the Secured Market Rental Housing (Rental 100) Policy.
Zoning:	C-1 & RS-1 to CD-1
Application Status:	Rezoning Application
Review:	First
Architect:	Matthew Cheng Architect
Owner:	Rosanni Properties LTD
Delegation:	Matthew Cheng, Architect, Matthew Cheng Architecture, Caelan Griffiths, Landscape Architect, PMG Landscape Architects
Staff:	Michelle Yip and Patrick Chan

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**EVALUATION: Resubmission Recommended**

**Introduction:** Michelle Yip, Rezoning Planner, introduced the project as a rezoning application located on the southeast side of Rupert Street and 29th Avenue in Renfrew-Collingwood. It's surrounded by Grenfell Elementary to the south and single-family homes to the east. To the north and west is C-1 zoning, which consists of a mix of single-family homes and some commercial; a Montessori pre-school is located to the north, and to the west is a 2-storey mixed-use building.

The site consists of two lots zoned C-1 and RS-1. The C-1 zoning permits 3-storey mixed-use developments with the intent of providing local-serving, neighbourhood commercial with compatible dwelling uses. The proposal is being considered under the Secured Market Rental Housing Policy (known as Rental 100), which allows for consideration of up to 4 storeys on C-1 sites. The proposal is for a 4-storey development fronting Rupert Street and 29th Avenue, consisting of retail at grade along Rupert Street, live-work units along 29th Avenue, and a total of 42 rental housing units at a density of 2.14 FSR. The RS-1 lot at the rear consists of stacked townhomes.

Dr. Patrick Chan, Development Planner, introduced the policies guiding rezonings for existing C-1 sites; in this case the policy recommends using the C-2 form as a parameter. It was noted that the proposed main building's height, massing and setbacks largely conforms to the C-2 massing envelope. A further upper-storey setback at the main building's northeast corner is provided to further reduce shadowing, overlook, reduce appearance of upper-bulk, and transition better to the lower scale fabric. After outlining the policy framework, the project's site planning was discussed. In particular, how the main building's footprint is a response to the site's geometry. To capture the void space at the site's rear area, a set of separate four stacked

townhouses are placed along Price Street. They are separate from the main building because there was the intention for them to be more similar typologically to the ubiquitous single-family house. A 12 ft. side yard is provided along the east property-line to offer more “breathing space” between the proposed buildings and the existing fabric. This wider side yard also presents a good opportunity for some more substantial planting that can act as screening.

Other than these residential structures, the parking-ramp also enters at the middle of the courtyard as this is an alignment that forms the most direct route from the east-west running lane. The development’s amenity room is placed above this parking-ramp. Design language wise, the building seem to use a series of red and white boxes and planes that are pushed and pulled to break away from the standard 3+1 ratio, and to break down some of its horizontality. A different material is used at the “elbow” of Rupert and 29th Ave to define the building’s focal / entry point.

The development planner’s presentation concluded with some concerns about the courtyard being “pressed from all sides” by the buildings and other structures. This conclusion then opened up to a series of questions querying how bettering the site-planning and locations of programs can be pursued.

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

- The courtyard’s usability with regards to movement to and within it.
- Accessibility of the amenity-room from all units, as well as connection between the amenity-room and potential outdoor amenity-space (other than the at-grade courtyard).
- Livability in fulfilling the outlook and horizontal angle of daylight requirements for some units.
- General massing and character to produce a finer grain appearance.
- General safety issues with regards to the narrow passages between various structures.

The planning team then took questions from the panel.

**Applicant’s Introductory Comments:**

The architectural concept is two points with the columns as an entrance. There is green wall proposed on the building. There is a rental office and amenity proposed that can be combined to increase the courtyard space.

The pocket park is included in the design, and the Rupert side would have more plantings. Along the Price Street elevation there is a “typical” townhouse and metal fencing suggested. The planting is proposed on the street side and the entry ways. The landscape response to the interface is to plant as much resilient evergreen as possible. The courtyard has a bar belled shape design. There is paving proposed on the ground plane to emphasize the feeling of exposure. The bicycle parking is designed along 29th and Price Street.

The applicant team then took questions from the panel.

**Panel Consensus**

- Having reviewed the project it was moved by Mr. Neale and seconded by Ms. Parsons and was the decision of the Urban Design Panel:

THAT the Panel Recommend Resubmission of the project with the following recommendations after incorporating the panel's comments:

- Simplify the overall scheme and explore the single building option
- Integrate the parking ramp to the building and work with engineering to reduce the parking ramp width to 12 feet in order to increase the courtyard area
- Enlarge the court yard
- Integrate amenity space into the building
- Simplify the loading by combing commercial and residential loading bays

### **Related Commentary**

The project is located on two arterial streets and it is an interesting, challenging site. The building does fit the surrounding context and the project does give “a nod” to the neighbourhood. The mix of uses that is very rich that would make the building very livable. The site needs improvement through simplification of the overall scheme. Integrate the parking access and amenity into the building.

The height of the building is supported by the panel and the single family stepping form is supported. The front yard townhouse setback could be reduced to provide more space for the courtyard, which needs more usable space. The double up of patio space is not needed, consider deleting the back patios. Add privacy screenings to avoid overlook issues. Take the retail expression to the next level of resolution of design to make it small retail character. Perhaps access the courtyard from the lobby, by putting in glass walls, to generate awareness of the courtyard. The parkade entrance has CPTED issues.

Consider changing the office space as an amenity room that could spill out onto the roof and receive some sunlight. Perhaps take the townhouse volume and add to the building stepping into a double loaded corridor configuration to simplify the building. It would resolve many of the issues that have been pointed out.

Consider converting to more planting. Along Rupert could use less lawn and more hardscape so it is more usable. The parkade scheme needs to be simplified to avoid accidents. The parklet could use something more interactive.

Overall, simplify the programming, reduce the number of buildings and integrate the parking access with the building amenity space and the building.

Reduce the number of buildings improve parking access.

### **Applicant's Response**

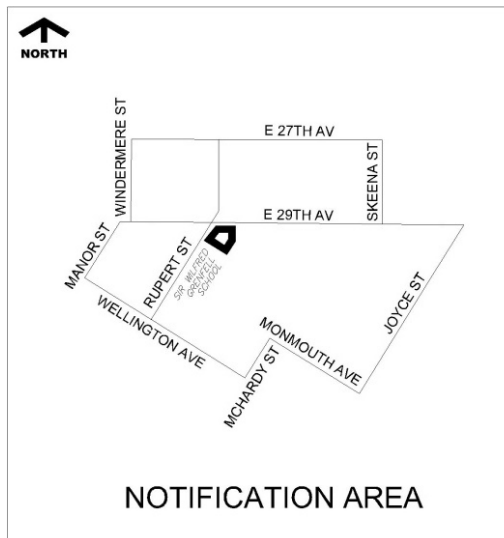
The applicant team thanked the panel and said the comments were inspiring.



### 3. Public Consultation Summary

#### Public Notification

A rezoning information sign was installed on the site on April 18, 2018. Approximately 485 notification postcards were distributed within the neighbouring area on or about April 24, 2018. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage ([vancouver.ca/rezapps](http://vancouver.ca/rezapps)).



#### Community Open House

On May 14, 2018 a community open house was held from 5:00-7:30 pm at the Slocan Community Hall, 2750 East 29th Avenue. Staff, the applicant team, and a total of approximately 53 people attended the Open House.

#### Public Response

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

- 29 comment sheets, and 13 letters, e-mails, online comment forms, and other feedback were received from the public in response to the April 18, 2018 open house.

Total notifications	485
Open House attendees	53
Comment sheets	29
Other feedback	13

\* Note that all reported numbers above are approximate

**Note:**

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

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

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

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

- Affordable housing: The project would contribute to more secured rental housing.
- Location: The proposed location is suitable due to its proximity to public transit and local businesses.
- Building height, density, and massing: The density, height, and massing is suitable, with respondents indicating that they would support greater density if it can provide more units and outdoor open space.
- Commercial space: Overall support for commercial spaces at grade.

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

- Underground parking entrance location: The location of the underground parking entrance should not be located on the narrow back alley due to safety concerns. Respondents suggested locating it on Price Street would be more appropriate.
- Street parking: The proposed development would worsen the current street parking situation. This is further limited when drivers park their vehicles in order to take the Skytrain at 29th Avenue Station.
- Laneway traffic: The laneway exiting onto 29th Avenue would pose as a safety concern as vehicles parked along the street may block the view of drivers exiting. Individuals suggested traffic control measures should be implemented.
- Building height, density, and massing: The height and density would negatively impact the residential neighbourhood and its character. A respondent noted that there is too much density located by the laneway in addition to existing developments.
- Traffic: The project would result in increased traffic in the neighbourhood.
- Pedestrian safety: Traffic control measures should be installed at Price Street to reduce safety concerns as there is a lot of pedestrian traffic generated from the local school.
- Parking within the development: The proposed number of vehicle parking space is not adequate. Respondents would like to see a 1:1 ratio of parking to the number of units. One respondent on the other hand would like to see parking reduced.
- Neighbourhood fit: The proposal would negatively impact the quiet residential neighbourhood.
- Sunlight, noise, and privacy: The proposed development would block sunlight, generate more noise, and result in privacy concerns for neighbouring properties.

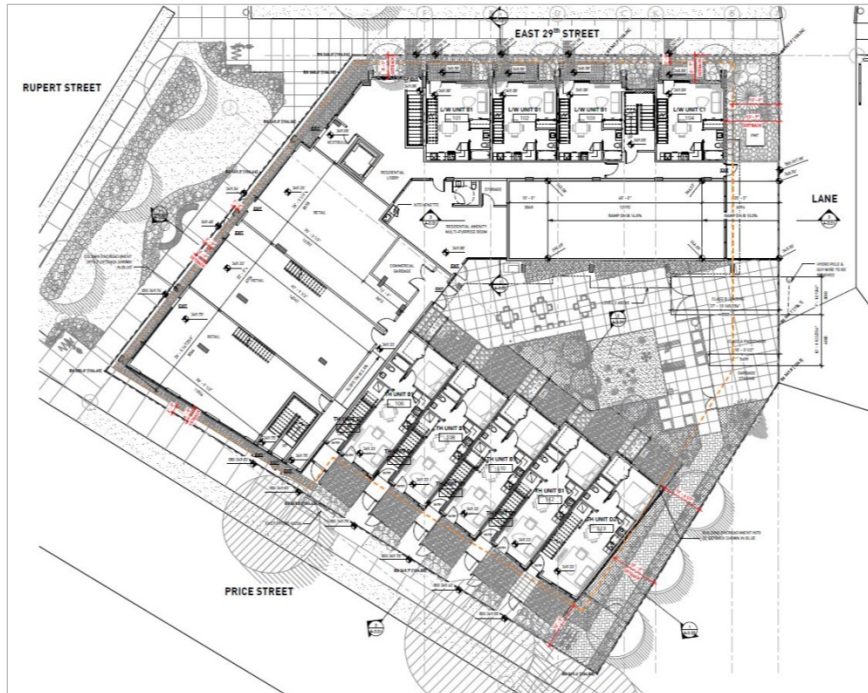
- Community amenity: Would like to see a community amenity such as a park, an outdoor courtyard space, or playground improvements at Cariboo Park.
- The proposed rental project would result in more crime and a decrease in property value
- Existing tenants.
- Would like to see a more cohesive area planning from 22nd Avenue to 29th Avenue
- The project would result in more garbage on the streets.
- More people would move into the neighbourhood because of this development.
- The proposed building needs to be designed in response to alleviating traffic congestion.

\* \* \* \* \*

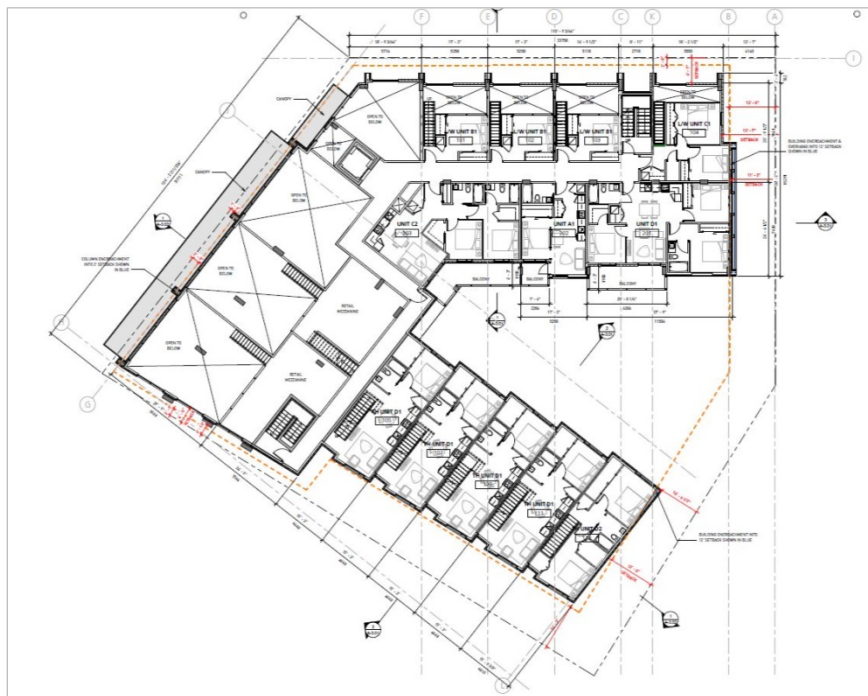
4506 Rupert Street, 3309 Price Street

FORM OF DEVELOPMENT DRAWINGS

Ground Floor



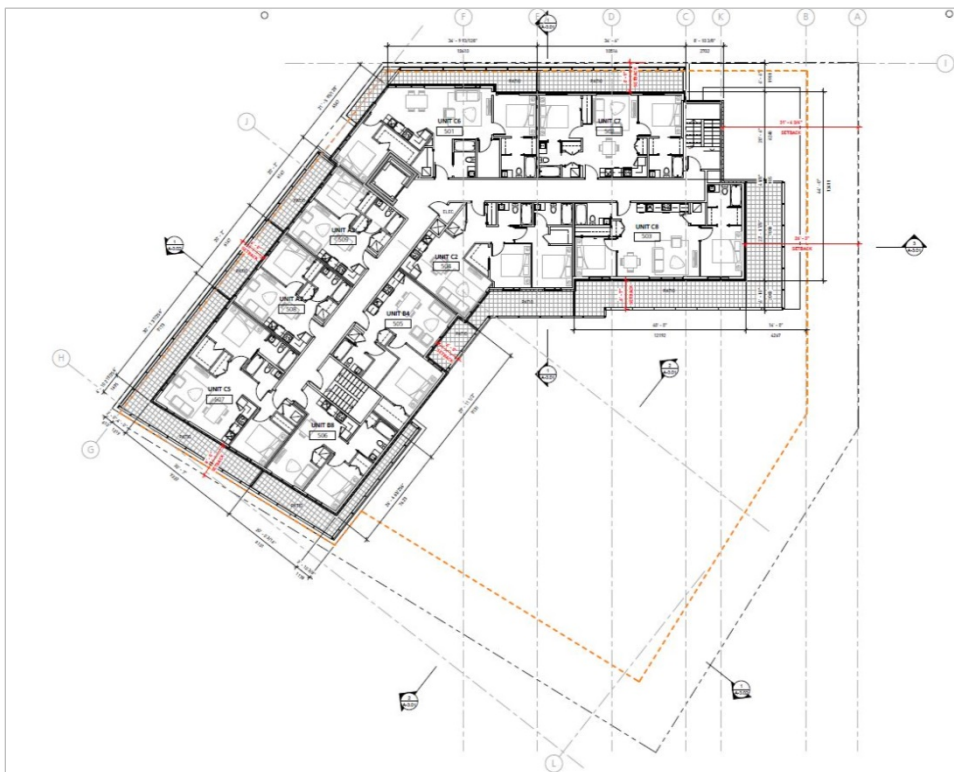
Second Floor



### Third Floor



### Fifth Floor





### East 29th Avenue Elevation



### Rupert Street Elevation



### Price Street Elevation





**4506 Rupert Street, 3309 Price 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 all the proposed dwelling units will not be greater than specified in the DCL By-law.

<b>Unit Type</b>	<b>No. units proposed</b>	<b>DCL By-law maximum average unit size</b>	<b>Proposed average unit size</b>
Studio	11	42 sq. m (452 sq. ft.)	34.1 sq. m (367 sq. ft.)
1-bedroom	19	56 sq. m (603 sq. ft.)	44.5 sq. m (479 sq. ft.)
2-bedroom	14	77 sq. m (829 sq. ft.)	65.9 sq. m (710 sq. ft.)
3-bedroom	7	97 sq. m (1,044 sq. ft.)	85.1 sq. m (916 sq. ft.)

- (d) The average initial rents for all proposed rental housing units do not exceed rents specified in section 3.1A(d) of the DCL By-law.

<b>Unit Type</b>	<b>No. units proposed</b>	<b>DCL By-law maximum average unit rent</b>
Studio	11	\$1,641
1-bedroom	19	\$1,942
2-bedroom	14	\$2,611
3-bedroom	7	\$2,977

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.

\* \* \* \* \*



4506 Rupert Street, 3309 Price Street

**PUBLIC BENEFITS SUMMARY**

**Project Summary:**

5-storey mixed-use building with 51 secured rental housing units.

**Public Benefit Summary:**

The proposal would provide 51 secured rental housing units for the longer of 60 years and the life of the building. The project would also contribute a DCL payment for the commercial floor area.

	Current Zoning	Proposed Zoning
Zoning District	C-1	CD-1
FSR (site area = 1,734.59 sq. m. (18,671 sq. ft.))	1.20	2.30
Buildable Floor Space (sq. ft.)	22,405	42,934
Land Use	Mixed-use	Mixed-use

**Summary of Development Contributions Expected under Proposed Zoning**

City-Wide DCL <sup>1</sup>	\$71,960
City-Wide Utilities DCL <sup>1</sup>	\$24,862
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>	<b>\$96,822</b>

**Other benefits (non-quantified):** 51 rental housing units secured for the longer of 60 years and the life of the building.

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

\* \* \* \* \*

4506 Rupert Street, 3309 Price Street

APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

PROPERTY INFORMATION

Street Address	Property Identifier (PID)	Legal Description
4506 Rupert Street	015-093-867	Lot A (Reference Plan 2155), Block 96, District Lots 36 and 51, Plan 849
	010-306-757	Lot 1, Block 96, District Lots 36 and 51, Plan 7903
	010-306-765	Lot 2, Block 96, District Lots 36 and 51, Plan 7903
3309 Price Street	010-306-820	Lot 7, Block 96, District Lots 36 and 15, Plan 7903

APPLICANT INFORMATION

Developer	4506 Rupert Holdings Ltd., BC1228769
Architect	GBL Architects Inc.
Property Owner	4506 Rupert Holdings Ltd., BC1228769

SITE STATISTICS

Site Area	1,734.59 sq. m (18,671 sq. ft.)
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DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed
Zoning	C-1 and RS-1	CD-1
Uses	Mixed-use	Mixed-use
Floor Space Ratio (FSR)	1.20 FSR	2.30 FSR
Floor Area	2,081.5 sq. m (22,405 sq. ft.)	3,988,70 sq. m (42,934 sq. ft.)
Maximum Height	10.7 m (35.1 ft.) / 3 storeys	15.1 m (49.5 ft.) / 5 storeys
Unit Mix	N/A	<b>Market Rental</b> Studio 11 1-Bed 19 2-Bed 14 3-Bed 7 <b>Total 51 units</b>
Parking Spaces	Per Parking By-law	23 residential vehicle spaces including 2 accessible spaces, 5 commercial vehicle spaces, 3 visitor spaces including 1 accessible space, 1 Class A passenger loading space, 1 Class B commercial loading space.
Bicycle Spaces	Per Parking By-law	101 Class A bicycle spaces. 4 Class B bicycle spaces are also required.
Natural Assets	<b>Existing:</b> 0 permit sized-trees on-site, 5 off-site street trees	<b>Proposed (including existing):</b> New street trees # TBC At least 11 new on-site trees

\* \* \* \* \*