
MEMORANDUM

June 10, 2020

TO: Mayor and Council

CC: Sadhu Johnston, City Manager
Paul Mochrie, Deputy City Manager
Karen Levitt, Deputy City Manager
Lynda Graves, Administration Services Manager, City Manager's Office
Rena Kendall-Craden, Civic Engagement and Communications Director
Rosemary Hagiwara, Acting City Clerk
Anita Zaenker, Chief of Staff, Mayor's Office
Neil Monckton, Chief of Staff, Mayor's Office
Alvin Singh, Communications Director, Mayor's Office
Theresa O'Donnell, Deputy Director, Planning, Urban Design and Sustainability
Templar Tsang-Trinaistich, Issues Manager, Planning, Urban Design and Sustainability

FROM: Gil Kelley
General Manager, Planning, Urban Design and Sustainability

SUBJECT: 2538 Birch Street (formerly 1296 West Broadway)
Timeline of dates and Broadway Plan Interim Rezoning Policy (IRP)

The following information is offered in response to questions from Council at the June 9 Council Meeting with regards to the Moderate Income Rental Pilot Program (MIRHPP) application at 2538 Birch (formerly 1296 West Broadway) and adherence to timelines outlined in the Broadway Plan Interim Rezoning Policy (IRP):

Timeline and sequence of events:

- The MIRHP program was approved by Council in November 2017.
- The pre-enquiry application under MIRHPP for 1296 West Broadway (now known as 2538 Birch Street) was originally received on February 16, 2018 during the initial MIRHPP proposal intake window.
- An initial response to the pre-inquiry application was provided on March 19, 2018 indicating the proposal was premature, noting the upcoming Broadway Planning work and emerging directions as a key factor.
- A follow-up letter was sent by staff on June 12, 2018, inviting the property owner to participate in the limited pilot program for MIRHPP. This was based on the preliminary

review of the pre-enquiry submission and its fit with key policy objectives of the MIRHPP program as well as on the progress that had been made on the Broadway planning program framework. The letter did not provide support for specific project details (i.e. height and density) but was an invitation to proceed through the MIRHPP as one of the 20 chosen projects.

- On June 20 2018, Council approved the Broadway Planning Program Terms of Reference and the Interim Rezoning Policies.
- A full rezoning enquiry application was received on July 9, 2018. A more detailed letter of response to the rezoning enquiry was sent by staff on October 2, 2018, providing further policy and form of development advice.

Applicability of policy:

- The correspondence pertaining to 1296 West Broadway provided written confirmation that the proposal was selected to participate in the pilot program and conditional confirmation that a future rezoning application could be considered, subject to the proposal proceeding through the standard rezoning process.
- The correspondence inviting the property owner to participate in the pilot program predated Council's approval on June 20, 2018 of the Broadway Planning Program Terms of Reference and Associated Interim Policies. Therefore, the application is in adherence with the IRP.
- The IRP for Broadway Corridor governs any exceptions that allow consideration of rezonings during the planning process. Policy 1 indicates:
"Where, at the time of adoption of this rezoning policy, there is an active rezoning application or where a recent application for rezoning advice has been received, and the applicant has received a written response stating that a rezoning application would be considered (within the past three years), the application will be considered."
- The full rezoning application was submitted on May 17, 2019 and has been referred to public hearing by Council on June 9, 2020. A public hearing date is currently pending.

I hope the above information provides Council with reassurance about the application's adherence to policy. A copy of the Broadway Plan IRP is enclosed for your convenience.

Should you have any questions, please don't hesitate to contact myself or Theresa O'Donnell (Theresa.O'Donnell@vancouver.ca).



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Enclosure

Policy on Consideration of Rezoning Applications and Heritage Revitalization Agreements during Broadway Planning Process

Generally rezonings will not be considered in the Broadway Plan Study area while the Broadway Plan process is underway, in order to not pre-empt or divert the planning process with rezonings which set new directions or preclude options that could emerge during the process.

The policies below will govern any exceptions that allow consideration of applications for rezoning advice (enquiries), rezoning applications, and development applications with Heritage Revitalization Agreements, during the Broadway planning process. Once adopted, the policy will apply until such time as the Broadway Plan is approved by Council.

- Policy 1:** Where, at the time of adoption of this rezoning policy, there is an active rezoning application or where a recent application for rezoning advice has been received, and the applicant has received a written response stating that a rezoning application would be considered (within the past three years), the application will be considered.

- Policy 2:** Rezoning applications will be considered for projects involving 100% social and supportive housing, or community care facilities or group residences or 100% below market rental housing or 100% affordable student housing associated with educational institutions.

- Policy 3:** Rezoning applications which seek relief from any of the terms of this rezoning policy may be considered under exceptional circumstances once reported to Council for direction, at the discretion of the Director of Planning.