



REFERRAL REPORT

Report Date: July 7, 2020
Contact: Theresa O'Donnell
Contact No.: 604.673.8434
RTS No.: 13947
VanRIMS No.: 08-2000-20
Meeting Date: July 21, 2020

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 2336-2366 Charles Street

RECOMMENDATION

- A. THAT the application by Human Studio Architecture + Urban Design, on behalf of 2366 Charles St Properties GP Ltd., the registered owner, to rezone 2336-2366 Charles Street [*Lots 9 to 12 of Lot C, Block 134, District Lot 264A, Plan 5712; PIDs 011-085-614, 011-085-622, 011-085-631, and 004-172-973 respectively*], from C-1 (Commercial) District and RT-5 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 1.2 (C-1) and 0.7 (RT-5) to 3.2 and the building height from 10.7 m (35.1 ft.) to 22.0 m (72.2 ft.) to permit the development of a six-storey mixed-use building containing commercial spaces at-grade and secured market rental residential units, be referred to a Public Hearing, together with:
- (i) plans prepared by Human Studio Architecture + Urban Design, received December 12, 2019;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
 - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, including approval in principle of the form of development, subject to the Conditions of Approval contained in Appendix B;

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

- B. THAT, if after public hearing, Council approves in principle this rezoning and the Housing Agreement described in Part 2 of Appendix B, the Director of Legal

Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.

- C. THAT, subject to enactment of the CD-1 By-law, the *Sign 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 *Sign By-law* at the time of enactment of the CD-1 By-law.

- D. THAT, subject to enactment of the CD-1 By-law, the *Noise Control 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 *Noise Control By-law* at the time of enactment of the CD-1 By-law.

- E. THAT, subject to enactment of the CD-1 By-law, the *Parking By-law* be amended to include this CD-1 in Schedule C and to provide parking regulations generally as set out in Appendix C;

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

- F. THAT Recommendations A to 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 assesses an application to rezone 2336-2366 Charles Street from C-1 (Commercial) District and RT-5 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey mixed-use building with commercial uses at-grade and 62 secured market rental residential units.

Staff have assessed the application and conclude that it meets the intent of the *Grandview-Woodland Community Plan*. If approved, the application is anticipated to contribute approximately 62 secured market rental housing units to the City's affordable housing goals as identified in the *Housing Vancouver Strategy*. Staff recommend that the application be referred to a public hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it, subject to the public hearing, along with the conditions of approval contained in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council Policies for this site include:

- *Grandview-Woodland Community Plan (2016)*
- *Housing Vancouver Strategy (2017)*
- *Rental Incentive Guidelines (2012, last amended 2019)*
- *Rental Incentive Programs Bulletin (2012, last amended 2020)*
- *Family Room: Housing Mix Policy for Rezoning Projects (2016)*
- *Tenant Relocation and Protection Policy (2015, last amended 2019)*
- *High-Density Housing for Families with Children Guidelines (1992)*
- *Green Buildings Policy for Rezoning (2010, last amended 2018)*
- *Urban Forest Strategy (2014)*
- *Community Amenity Contributions Policy for Rezoning (1999, last amended 2020)*
- *Vancouver Development Cost Levy By-law No. 9755 (2008, last amended 2019)*
- *Vancouver Utilities Development Cost Levy By-law No. 12183*

REPORT

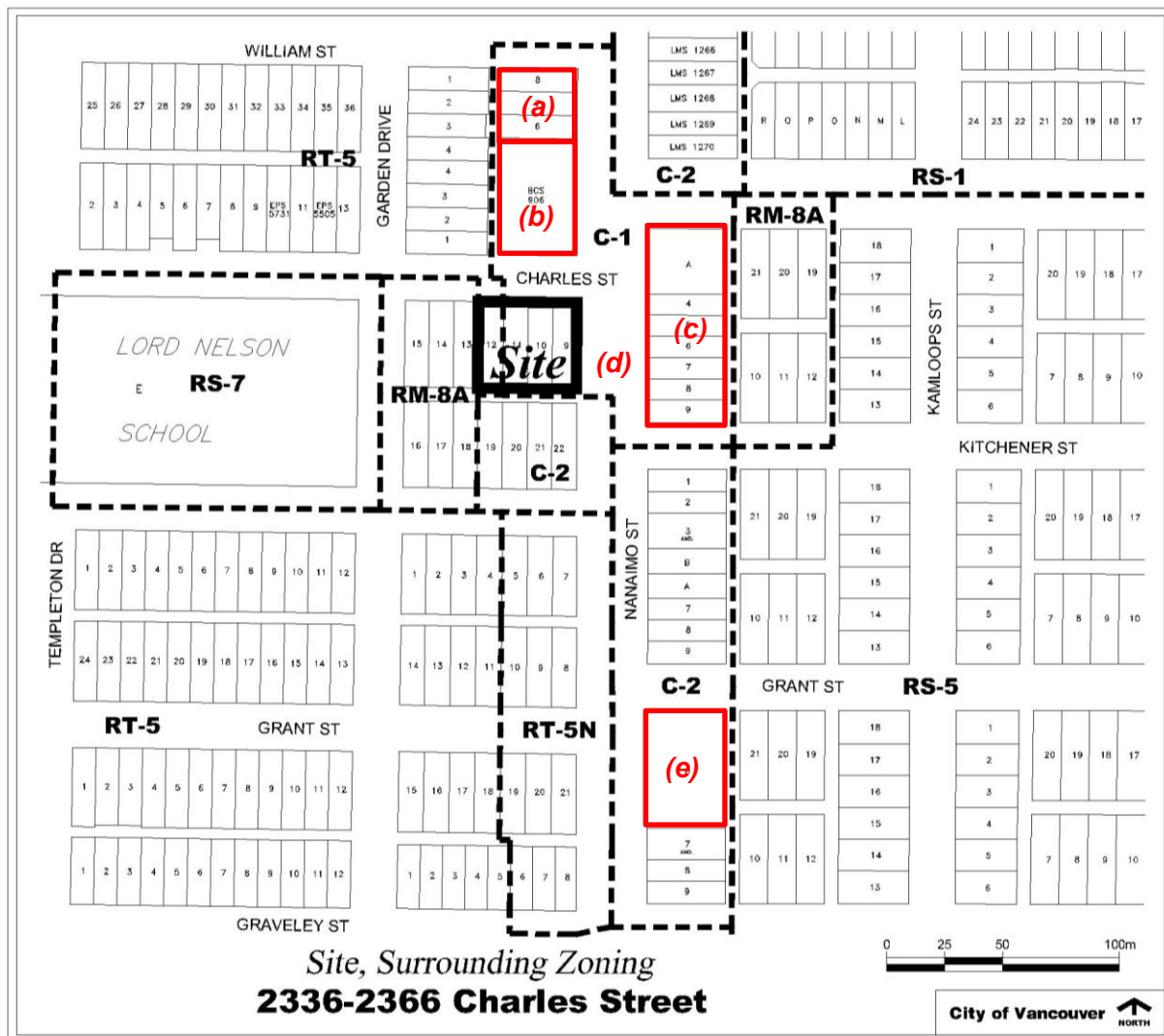
Background/Context

1. Site and Context

The site is located at the southwest corner of Charles Street and Nanaimo Street (see Figure 1), within the *Grandview-Woodland Community Plan* (the "Plan") boundary. The site is a four-lot assembly with a total site size of 1,583.9 sq. m (17,049.5 sq. ft.), a frontage of 37.3 m (122.4 ft.) along Nanaimo Street and a combined frontage of 42.4 m (139.0 ft.) along Charles Street. The site is relatively flat east to west, with minimal change in elevation; north to south the site slopes down approximately 1.5 m (4.8 ft.) across the 37.3 m (122.4 ft.) frontage. Three of the four lots (2346-2366 Charles Street) are zoned C-1 (Commercial) District and the remaining lot (2336 Charles Street) is zoned RT-5 (Two-Dwelling) District.

There are currently four detached houses on site. At the time of the original rezoning application in February 2019, the four properties were leased back to the previous owners. None of the four houses were constructed prior to 1940's, nor were they identified in the Plan as potential heritage sites or part of a character streetscape cluster.

The site is in an established local commercial node in a desirable family neighbourhood. Some key developments and places in the immediate area are shown in Figure 1 and are listed below:

Figure 1: Surrounding Context and Zoning

- (a) 1205-1235 Nanaimo Street – Part of the existing Charles Street shopping node. Three lots currently developed with a single-storey commercial retail building at the corner of William Street and Nanaimo Street; a two-storey commercial building; and a vacant lot.
- (b) 2389 Charles Street (“Charles Place”) – Part of the existing Charles Street shopping node, a three-storey mixed-use development (constructed in 2004 under existing C-1 zoning) with at-grade commercial space fronting Nanaimo Street and courtyard oriented townhomes on levels two and three with residential access off Charles Street.
- (c) 1300-block Nanaimo Street – Part of the existing Charles Street shopping node, currently developed with single-storey commercial buildings featuring retail space fronting Nanaimo Street.
- (d) Nanaimo Street – The City is currently upgrading critical sewer infrastructure along Nanaimo Street between McGill Street and 4th Avenue. In coordination with these sewer upgrades, improvements are being made to Nanaimo Street. These improvements include removing a travel lane between 2nd Avenue and Pandora Street thereby reducing pedestrian crossing distances and discouraging speeding; upgrading

pedestrian crossings at key intersections; installation of a painted bike lane and associated intersection improvements to reduce conflicts with vehicles; adding new left-turn lanes; upgrading traffic signals; and street repaving and sidewalk repairs where needed.

- (e) 2408 Grant Street (“The Ella”) – Development site with an approved four-storey mixed-use building with at-grade commercial space fronting Nanaimo Street in accordance with the C-2 District Schedule.

The site is half a block away from Lord Nelson Elementary School. Saint Lui Park is located one block west and Templeton Secondary School six blocks north. It is also within walking distance (approximately 10 minutes) to a number of other parks including Victoria Park, Garden Park, and Clinton Park and is in close proximity to four bikeways: Lakewood Bikeway (along Lakewood Drive), Central Valley Bikeway (along Grandview Highway North), the Union-Adanac Corridor (along Adanac Street), and Sunrise Bikeway (along Slocan Street). Transit access is available along Nanaimo Street with the Number 7 bus route providing direct links to downtown and the Nanaimo SkyTrain station.

2. Policy Context

Grandview-Woodland Community Plan – Future land use on the subject site is guided by the *Grandview-Woodland Community Plan* (approved July 2016). The plan anticipates development on this site (for a minimum frontage of 36.6 m (120 ft.)) providing a mixed-use building with at-grade commercial space and residential above with a density up to 3.2 FSR and a building height of up to six storeys. The site is located within the Nanaimo Precinct sub-area of the Plan and policy direction for this area is to support the development of designated “Shopping Nodes” along Nanaimo Street at the intersections of Charles Street, East 1st Avenue, and Broadway. The focus of the shopping node areas along Nanaimo Street is on enhancing the vitality of the small, locally-serving retail and service nodes with new mixed-use development. Planned public realm improvements and enhanced streetscapes along Nanaimo Street will contribute to improved walkability and further enhance these commercial nodes.

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

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

waiver. Current rental rates and unit sizes are outlined in the *Rental Incentive Programs Bulletin* and are updated on an annual basis.

On November 26, 2019, Council approved changes in principle to the DCL By-law and the Utilities DCL By-law to remove the waiver for “for-profit affordable rental housing,” effective September 30, 2020; however, applications submitted prior to September 30, 2020 will remain eligible for a waiver of the DCLs for the residential portion of the project under the Utilities DCL By-law, provided that a building permit is issued on or before September 30, 2021.

Staff note that the term “for-profit affordable rental housing” as defined by the *Vancouver Charter*, and used in relation to the DCL By-law and Utilities DCL By-law does not necessarily create rental units that are affordable to all Vancouver residents. The DCL Waiver provides opportunities for the creation of a range of rental levels, in accordance with the housing continuum objectives of the *Vancouver Housing Strategy*.

3. Application History

Original Application – The original rezoning application for this site was submitted in February 2019 and proposed a six-storey mixed-use development with at-grade commercial space fronting Nanaimo Street and strata-titled residential units above. This proposal generally met the overall building height, land use and density provisions of the Plan.

Revised Application – In December 2019, based on recommendations from the Urban Design Panel (UDP) to improve the “neighbourliness” of the proposed development, a revised rezoning application was submitted. The revised scheme remained a six-storey courtyard-oriented mixed-use development with strata-titled residential units and commercial at grade; however, a range of changes were made to improve the design’s neighbourhood fit and overall general liveability.

In April 2020, the applicant proposed to change the tenure of the residential floor area from strata-titled to secured market rental. The proposed height and density remain unchanged.

STRATEGIC ANALYSIS

1. Proposal

In accordance with the Plan, this application proposes to rezone the site from C-1 (Commercial) District and RT-5 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District to accommodate the development of a six-storey building with at-grade commercial space and 62 secured market rental residential units over two levels of underground parking accessed from the lane. The recommended height is 22.0 m (72.2 ft.) with an accompanying FSR of 3.2. Staff recommend reinstating the height from the original application, which was lowered in the revised application to approximately 20.7 m (68.0 ft.), to support retail viability and residential livability.

At the ground level (see Figure 2), five Commercial Retail Units (CRUs) front Nanaimo Street with the two corner CRUs wrapping around the corners to Charles Street and the lane to the south. The retail units are sized to support local serving commercial tenants and uses as well as providing active and animated public realm interface. Transitioning to the neighbourhood to the west, zoned for the three storey RM-8 townhouses typology, ground-oriented units provide residential character and scale along Charles and at the lane. The main residential entrance for

the upper floors is from an inset courtyard fronting Charles Street. The proposal includes a high proportion of family units with approximately 60 per cent of units as two- and three-bedroom. A common outdoor amenity including play space is located on level two (see Figure 3).

Figure 2: Proposed Site Plan

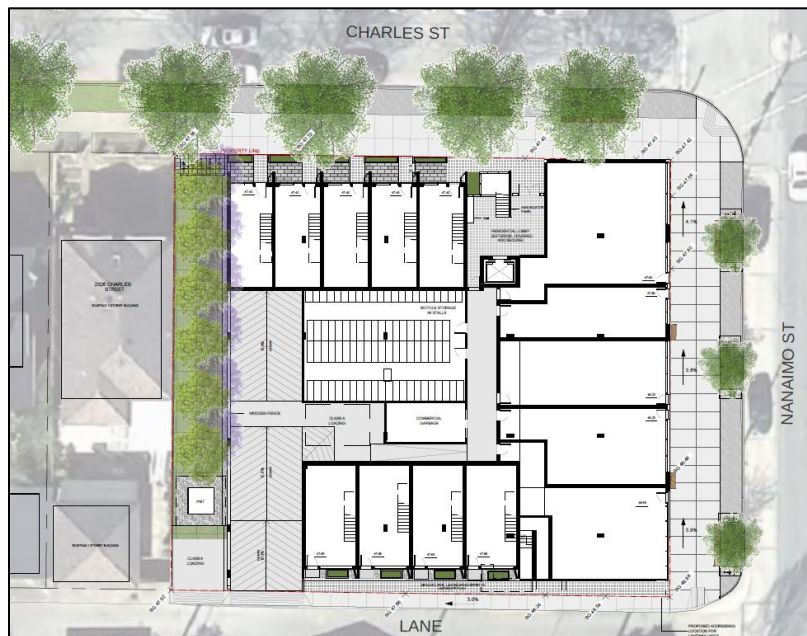
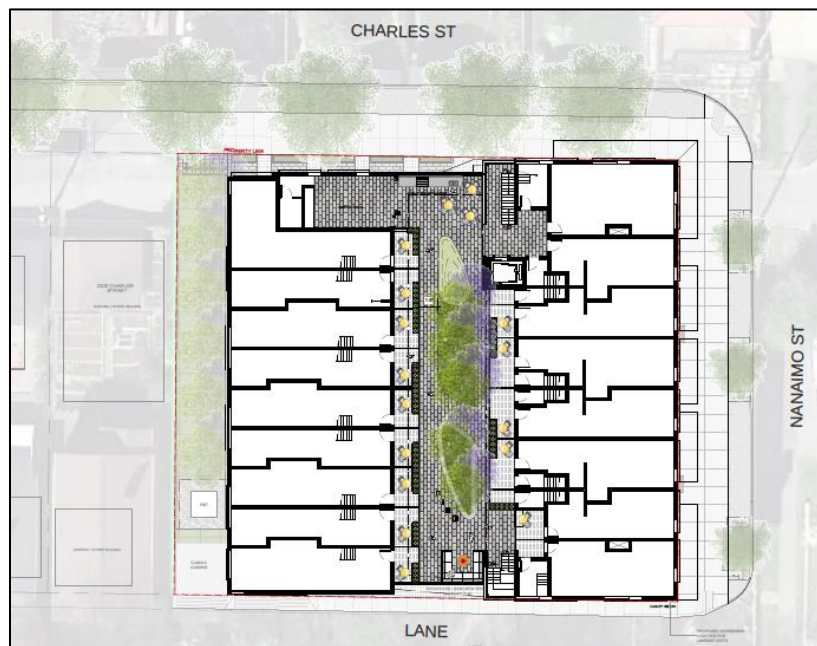


Figure 3: Proposed Site Plan – Courtyard Level 2



2. Land Use

The application proposes a mixed-use development with commercial and residential uses consistent with the existing land use context as well as what is anticipated under the Plan. Further, market rental housing is strongly encouraged by the Plan as well as the *Housing Vancouver Strategy*.

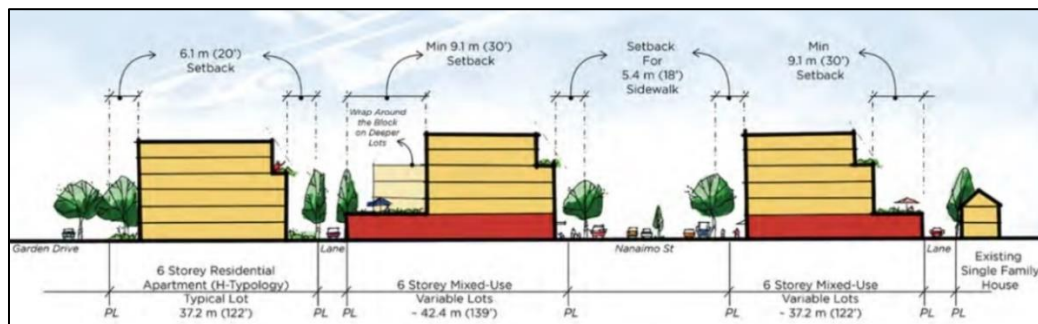
3. Density, Height and Form of Development (refer to drawings in Appendix E and project statistics in Appendix G)

In assessing urban design performance, staff take into consideration the built form guidance outlined in the Plan for Nanaimo Street, specifically designated Shopping Nodes.

Plan Directions – A six-storey mixed-use building is envisioned at this location with a supportable density up to 3.2 FSR, subject to minimum frontage requirements of 36.6 m (120 ft.). Fifth- and sixth-storey floor plates should not exceed 594.6 sq. m (6,400 sq. ft.). At grade, buildings on this block along Nanaimo Street are anticipated to be set back from the front property line a distance enough to sufficiently achieve a minimum 5.5 m (18 ft.) sidewalk.

On deeper corner sites, the Plan seeks an L-shaped configuration. Six-storeys with anticipated four-storey street wall and resulting shoulder setbacks along the west side of Nanaimo Street and a four-storey wing facing the flanking street (see Figure 4).

Figure 4: Nanaimo Shopping Nodes Typical Section



Density – The maximum density allowed on the site under the Plan is a floor space ratio of 3.2. The proposal is in alignment with this direction.

Height – The application is comprised of a six-storey form along Nanaimo Street and five-storey form separated by a courtyard. In accordance with the Plan, six-storeys can be considered for the site, considering the arterial width of Nanaimo Street, which is approximately 30.5 m (100 ft.). As well, six-storey represents an incremental increase in height relative to the four-storeys achievable on the neighbouring C-2 zoned site (immediately south across the lane).

The revised application lowered overall height in response to community feedback; however, a condition to reinstate the 22.0 m (72.2 ft.) per the original application has been recommended to improve ceiling height for retail viability. Overall height is measured from the top of the sawtooth roof elements. If measured from the predominant flat roof, the height would be approximately 20.3 m (66.5 ft.). This is consistent with Urban Design Panel recommendations (see Figure 5).

Figure 5: Proposed Building Looking Southwest**Figure 6: Charles Street Elevation Looking South**

Form of Development – The Plan's illustrated section shows a standard six-storey building form for this location; however, a courtyard-oriented form is proposed. While a courtyard building typology is not specifically anticipated by the Plan, it can be considered if the liveability of the neighbouring properties is not unduly impacted. Courtyard building forms are generally

encouraged as the typology allows for more family units and improved liveability benefits such as cross ventilation and increased daylighting.

Through the use of a courtyard form, the overall building bulk has been lessened by allocating the density to two massing forms as part of the courtyard typology. Although the floorplate at the fifth-storey exceeds the Plans floorplate limit of 594.6 sq. m (6,400 sq. ft.), the intent of the four-storey street wall is achieved through a delineated four storey street wall along Nanaimo Street and a three storey street wall with upper level setbacks at the west interface. The floorplate limit also did not take into account the changed zoning from duplex to townhouse district for the neighbouring west properties.

The proposal reinforces the retail vitality of Nanaimo Street and the shopping node with small, local serving retail units and transparent facades to encourage public realm activation and retail visibility. Urban Design condition 5 seeks additional improvements to support the vitality of commercial retail uses on this site.

Shadowing – Shadowing impacts are minimal given the site's orientation. Shadowing occurs at approximately 10-11 am of the Spring and Fall Equinox on the adjacent property immediately to the west (2326 Charles Street). A condition to provide an increased yard setback at the lane will further improve solar access to the west as well as lessen the perceived building depth at the west elevation.

Urban Design Panel – The Urban Design Panel reviewed the initial rezoning application on May 15, 2019 (see Appendix D). While the Panel was generally supportive of the courtyard form and height, they made specific recommendations for further design development with regards to:

- Increasing the neighbourliness of the buildings on the western face by minimizing the overlook and scale of the western block;
- Maximizing daylighting and use of the courtyard;
- Improving the sociability of the amenity area;
- Maximizing daylighting into dwelling units;
- Development of the physical character to address the finer grain to the neighbourhood;
- Improving the overall livability and use of private exterior space;
- Improving the overall form, expression and character of the building; and
- Better balancing community and privacy.

A revised application that was submitted on December 12, 2019. The revisions include:

- An increase to the west (rear) setback of approximately 1.4 m (4.5 ft.) to an average 4.4 m (14.5 ft.) to the third storey; the west setback to the upper floors (levels four and five) were maintained at an average of 6.6 m (21.5 ft.);
- Angled windows originally proposed facing the neighbouring properties at the rear revised with screened windows;
- Additional landscape screening proposed along the west (rear) façade;
- Side yard setbacks along Charles Street reduced from 3 m (10 ft.) to 2 m (6.67 ft.);
- The common amenity room has been relocated from south face along the lane to the north face along Charles Street;
- Shoulder setback above third storey along Nanaimo Street revised to the fourth storey with reduced setback depth;

- The rear five-storey building height was lowered by 1.8 m (6 ft.) and the six-storey building height (fronting Nanaimo Street) was lowered by approximately 1.2 m (4 ft.).

The revised application was reviewed by the Urban Design Panel on February 5, 2020 and received the panel's support. There was unanimous support of the courtyard form and a consensus that the project improved with the resubmission, particularly on contextual fit and mitigating impacts on the liveability of the neighbouring properties. The panel also made further recommendations to continue to improve neighbourliness and liveability through the subsequent stages of the permitting process. Staff have incorporated panel commentary in the Conditions of Approval, Urban Design and Landscape conditions.

Conclusion – This application varies in anticipated building form from the Plan by proposing the internal courtyard, thereby creating two building elements on the east and west from Level two and up. Staff generally support the proposal and its courtyard building type because of the increased liveability of the units and upon review of neighbourhood fit and impacts.

Staff have reviewed the recommendations of the Panel, as well as the site-specific conditions, and have concluded that the proposal generally complies with the built form guidelines of the Plan and is appropriate for the context. Refinements to the design will occur at the development permit stage to further improve the performance of the building as pertains to its massing, articulation, functionality, livability, public realm interface, sustainability and landscaping.

4. Housing

This application, if approved, would add approximately 62 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 7). It would also contribute to the Plan's market rental target as shown by Figure 7 below (also see Public Benefit Implementation Tracking in Appendix H).

Figure 7: 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*
Purpose Built Market Rental Housing Units	20,000	3,503

Note: Tracking progress towards 10-year Housing Vancouver targets began in 2017.

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

Need for Purpose-Built Rental Housing – Additional purpose-built rental housing is needed to create more housing options for renters in the city. Vancouver has one of the lowest purpose-built rental vacancy rates in Canada. In the fall of 2019, the vacancy rate in the city was one per cent. That means only 10 out of every 1,000 market rental units were empty and available for rent. A vacancy rate of three per cent is considered to be a balanced rental market. The vacancy rate for this area (Zone 9 - East Hastings Zone in the CMHC Market Rental Housing Survey) in 2019 was lower than the city-wide average, at 0.4 per cent.

The *Grandview-Woodland Community Plan* also sets out a target of 1,400 secured market rental units to be achieved through the 30-year life span of the Plan (2016 – 2046).

This application, if approved, would be the eighth rental housing project approved in Grandview Woodlands since 2017 (see Figure 8). The 62 rental housing units proposed by this application would bring the net total number rental housing units approved in Grandview Woodlands since 2017 to 313 units, representing 22% of the Plan's rental housing target.

Figure 8: PB Rental Approved / Pending Approval in Grandview Woodlands since 2017

	Year Approved	Net Rental Housing Units
928 Commercial Drive	2017	10
1102 Commercial	2018	7
2109 E Hastings	2018	42
1615-1691 E Broadway	2018	47
1837-1857 E.11th Ave	2018	72
815-825 Commercial Dr & 1680 Adanac St	2019	38
1535-1557 Grant Street	2019	35
2336-2366 Charles Street	Pending approval	62
Total		313

Housing Mix – On July 13, 2016, Council adopted the *Family Room: Housing Mix Policy for Rezoning Projects* that requires that a minimum of 35% of the units be family units with two or more bedrooms. As submitted, this application proposes approximately 60% of the total 62 residential units as two or more bedrooms (see Figure 9). The application as proposed is consistent with the Family Room policy and a provision is included in the CD-1 Bylaw to maintain the minimum unit mix requirements.

Figure 9: Proposed Unit Mix

Type	Count	Percentage
Studio	n/a	0%
1-bed	25	40.3%
2-bed	25	40.3%
3-bed	12	19.4%
Total	62	100%

Development Cost Levy Waiver – The applicant has requested 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 DCL waiver analysis.

Figure 10 shows 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 10: 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 ¹	Average Market Rent in Newer Buildings ²	Monthly Cost Associated with Purchase of Median Priced Unit – Eastside ³
Studio	\$ 1,641	\$1,641	\$1,584	\$2,270
1-bed	\$ 1,925	\$1,942	\$1,796	\$2,824
2-bed	\$ 2,600	\$2,611	\$2,378	\$3,852
3-bed	\$ 2,950	\$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 11 shows the approximate household incomes required to afford the proposed starting rents in this project.

Figure 11: 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 ¹
Studio	\$ 1,641	\$60,000 - \$69,999
1-bed	\$ 1,925	\$70,000 - \$79,999
2-bed	\$ 2,600	\$100,000 - \$110,000
3-bed	\$ 2,950	\$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.

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, in accordance with 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*.

The DCL waiver also regulates maximum unit size as unit size can contribute significantly to affordability. Staff note that the proposal includes some units which exceed the DCL waiver unit size requirements. Through the development permit application process, the City will ensure that average unit sizes do not exceed the maximum thresholds set out by the *Rental Incentive Programs Bulletin*. The unit count may change slightly during the subsequent development permit application stage when refinements to floor plans occur.

Security of Tenure – All residential units in the project will be secured as rental through a Housing Agreement and a Section 219 Covenant for the longer of 60 years and the life of the building. A Section 219 Covenant will be registered on title to prohibit, among other things, the stratification, separate sale of individual units and rentals for a term of less than one month. Conditions related to securing the units are contained in Appendix B.

Existing Tenants – The recently amended *Tenant Relocation and Protection Policy* extends policy coverage to projects involving consolidation of two or more lots that contain existing secondary rental. This includes single-family houses, basement suites, duplexes, or individually-rented condos where the new development is proposing five or more dwelling units.

The site has four detached houses with a total of four units, all of which are leased back to the previous home owners. Because the tenancy agreements began after property transfer and are of less than two years as of the date of the rezoning application, there are no eligible tenants as defined under the *Tenant Relocation and Protection Policy*.

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

5. Transportation and Parking

Parking access is proposed from the lane running east/west between Charles Street and Kitchener Street accessed from either Garden Drive or Nanaimo Street. Two full levels of underground parking are proposed. Under the Parking By-law, the minimum required parking for the proposed uses on the site is 55 spaces, with 12 dedicated to commercial use (including one accessible space) and 43 to residential use (including three accessible spaces). A total of 65 parking spaces are proposed, including four accessible spaces. Proposed parking spaces appear to meet the Parking By-law requirements; however, staff note that commercial parking spaces have not been designated on the application drawings.

Loading – For the proposed floor area and uses, the Parking By-law would require a minimum of two Class B loading spaces for retail. The application proposes two Class A loading spaces at grade level off the lane. As proposed the loading does not meet the requirements of the Parking By-law and will have to be adjusted; however, staff support the relaxation of one of the two required Class B loading spaces with the provision of two Class A loading spaces for a requirement of one Class B loading space and two Class A loading spaces. Staff will be seeking shared use of the one Class B loading amongst all uses.

Bicycle Spaces – Under the Parking By-law, the minimum required bicycle parking is 134 Class A spaces and four Class B spaces. The applicant proposes 134 Class A spaces and five Class B bicycle spaces meeting the requirements.

Conditions regarding parking and loading provisions are contained in Appendix B.

6. Environmental Sustainability and Natural Assets

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

This application has opted to satisfy the low emissions green buildings requirements. The low emissions green buildings pathway represents City priority outcomes, establishing limits on heat loss, energy use, and greenhouse gases, and drawing on industry best practices to create more efficient, healthy and comfortable homes and workplaces.

The applicant has submitted preliminary energy modelling analysis detailing building performance strategies to meet the new energy use intensity, greenhouse gas and thermal demand targets. Additionally, all developments will need to meet rainwater management requirements for retention, rate control, cleaning and safe conveyance. Conditions are included in Appendix B.

Natural Assets – The *Urban Forest Strategy* was developed to find ways to help preserve, protect and strengthen Vancouver’s urban forest and tree canopy for the future. In April 2014, Council amended the *Protection of Trees By-law* to maintain a healthy urban forest by requiring permission be granted to remove only trees that meet certain conditions. The intent is to retain and protect as many healthy, viable trees as possible, while still meeting the challenges of development, housing priorities and densification. This is in keeping with City goals to achieve resilient and healthy natural systems in our urban areas. A “by-law tree” has a trunk diameter of 20 cm or greater and requires a tree permit when it is proposed to be removed.

There are currently no existing by-law trees on site. The applicant is proposing to plant 11 new trees on site, six along the western setback area and five in the proposed courtyard. There are eight street trees surround the site - all viable City trees will be retained. The final number of trees planted will be determined through the development permit process.

PUBLIC INPUT

Pre-Application

Prior to making a rezoning application, the applicant held a four-day community drop-in engagement as well as a community open house. Summary of this engagement event and community feedback received is contained in the Public Consultation Summary in Appendix D.

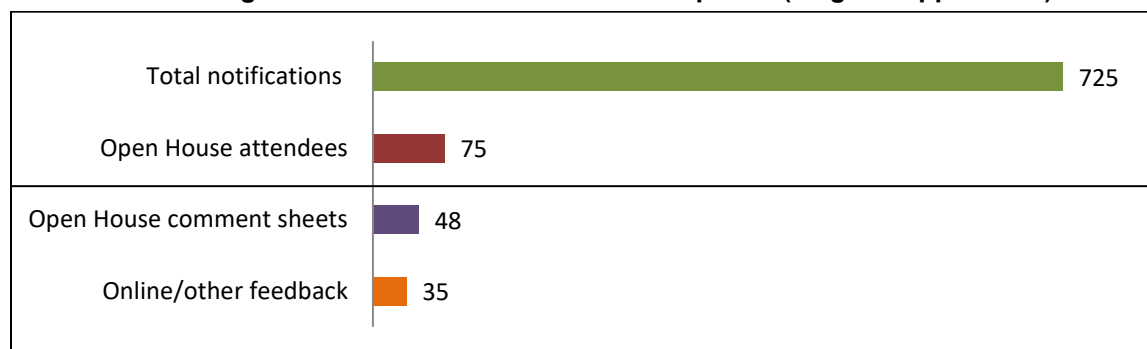
Original Application (February 2019)

A detailed Public Consultation Summary is contained in Appendix D, with a summary of the feedback and staff response provided below.

Notification – After the City received a rezoning application, a rezoning information sign was installed on the site on April 16, 2019. Approximately 725 notification postcards were distributed within the neighbouring area on or about April 18, 2019. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).

Public Open House – A community open house was held from 5:00-8:00 pm on May 2, 2019, at Lord Nelson Elementary located at 2235 Kitchener Street. Staff, the applicant team, and a total of approximately 75 people attended the open house.

Public Response – In response to the public consultation, approximately 83 pieces of feedback were received, including open house comment sheets, a petition with five signatures, emails, and additional written submissions (see Figure 12).

Figure 12: Notification and Public Response (Original Application)

* Note that all reported numbers above are approximate

Note:

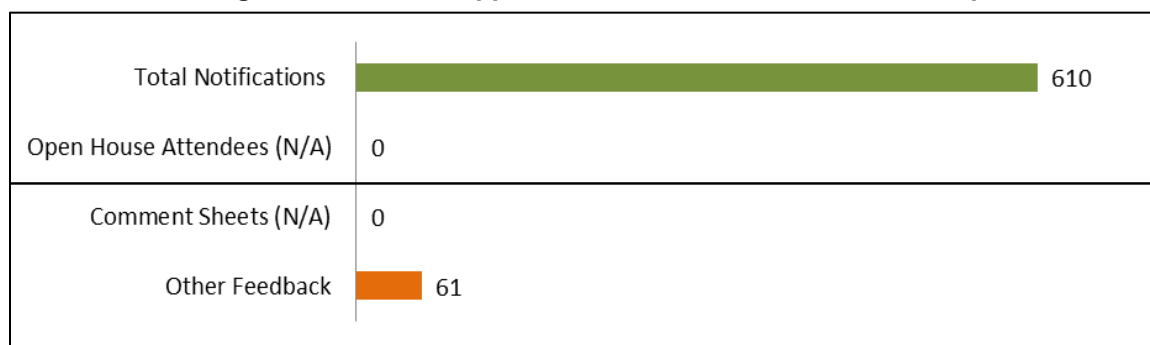
Each comment form or online response can include a number of comments which may reference points in support, potential concerns and questions or neutral/general statements. Therefore, staff focus on qualitative theming of comments and overall percentages are not provided.

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.).

Revised Application (December 2019)

Notification for Revised Rezoning Application – The information on the site sign was revised and a new sign was installed on the property on February 10th, 2020. Approximately 610 notification postcards were distributed within the neighbouring area on or about February 4th, 2020. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).

Public Response – In response to the postal mailout on February 4th, 2020, a total of 61 emails or online comments were received.

Figure 13: Revised Application - Notification and Public Response

* Note that all reported numbers above are approximate

Note:

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

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

Overall, feedback received from the original application and feedback received from the revised application remain the same. Support for the proposal includes the courtyard building design and ground floor commercial and residential units, provision of more affordable housing options in this family neighborhood, and appropriate density and height for this arterial location. Four key concerns were heard, including the building height being too high for the context, that the proposed height deviates from the Plan, that there would be increased traffic and concerns about road safety, and that this project would cause a strain on community amenities.

Staff Response to Key Concerns – While the surrounding neighbourhood is predominately duplex zoned, Nanaimo Street is an approximately 30.5 m (100 ft.) wide arterial corridor with local serving commercial uses and multiple-storey residential buildings. Just south of the site, buildings up to four-storeys can be considered under the C-2 zoning and immediately west of the site buildings of up to three-and-a-half storeys can be considered under the RM-8A zoning. Staff recommend that a six-storey is an appropriate building height for this location. As well, in accordance with the Plan, six storeys can be considered and the proposed building height is in alignment with the approved Plan. Through conditions included in Appendix B, further design development will be required to better integrate the building into the surrounding area by notching the west façade to reduce the building length, and continued improvement with neighbourliness.

For a six-storey development at an arterial road location, a Transportation Assessment and Management Study (TAMS) is not required. This is because the potential increase in traffic is considered limited and staff do not anticipate any traffic congestion in local streets either. Further, significant improvement to Nanaimo Street corridor is near completion; improved pedestrian and cyclist conditions including controlled street crossings can be expected.

As noted earlier in the report, this neighbourhood has a wide range of community amenities from parks, neighbourhood services, access to transit, and nearby schools. The site is located within the catchment of Lord Nelson Elementary school at 1355 Garden Drive, which is currently operating at or above capacity. However, per the Vancouver School Board (VSB)'s *Draft Long Range Facilities Plan* dated May 29, 2019, utilization of school facilities varies widely across the city with excess capacity recorded in 2017 at nearby elementary schools such as Britannia, Grandview, Queen Alexandra, and the Queen Victoria Annex. By 2027, the draft plan forecasts an overall surplus of spaces. Lord Nelson Elementary also includes a Neighbourhood Learning Centre and childcare services through The Village at Lord Nelson operated by Frog Hollow Neighbourhood House.

In terms of Secondary schools, the site is located within the catchment area for Templeton Secondary, located at 727 Templeton Drive approximately 1.0 km north from the site. Greater capacity is found at the Secondary level, where capacity utilization is 57 per cent of its 1400 seat capacity in 2017, with a draft forecasted surplus of 629 spaces in 2027.

PUBLIC BENEFITS

In response to City policies concerning changes in land use and density, this application addresses public benefits as follows:

Required Public Benefits

Development Cost Levies (DCLs) – DCLs collected from development help pay for facilities made necessary by growth including parks, childcare facilities, replacement housing (social/non-profit housing) and engineering infrastructure.

This rezoning site is subject to City-wide DCLs and City-wide Utilities DCLs on the proposed 4,597.75 sq. m (49,490 sq. ft.) of residential floor area, as well as the 473.0 sq. m (5,093 sq. ft.) of commercial floor area.

In accordance with the provisions of Section 3.1A of the DCL By-law, the applicant has requested a waiver of both the DCLs and Utilities DCLs attributed to the residential floor area secured as for-profit affordable rental housing. A review of how the application meets the waiver criteria is provided in Appendix F.

In accordance with amendments to the Utilities DCL By-law approved in-principle by Council on November 26, 2019, a waiver of Utilities DCLs will no longer be available, effective as of September 30, 2020. In-stream applications will remain eligible for a Utilities DCL waiver, 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 September 30, 2019 rates, the value of the waiver of both DCLs and the Utilities DCLs is approximately \$1,273,872, and it is anticipated that the commercial component of the project will generate approximately \$105,120 in DCLs.

The DCL By-law requires that where rents are determined under section 3.1A(d) of the DCL By-law, they are to apply at initial occupancy. The City will ensure that average unit sizes do not

exceed the maximum thresholds set out by DCL By-law through the Development Permit application process.

DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the City's [DCL Bulletin](#) for details on DCL rate protection.

Public Art Program – The *Public Art Policy and Procedures for Rezoned Developments* requires rezoning proposals having a floor area of 9,290.0 sq. m (100,000 sq. ft.) or greater to contribute public art or provide 80% cash in lieu as a condition of rezoning. As the proposed floor area is below the minimum threshold, no public art contribution will arise from this application.

Offered Public Benefits

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

The *Community Amenity Contributions Policy for Rezoning*s requires lower-density secured market rental applications within the C-1 zones proposing more than four-storeys, to be subject to a CAC evaluation. As part of this application, the applicant has offered the following:

Rental Housing – The applicant has proposed 100 per cent of the residential floor area (62 units) as secured rental housing at or below the maximum average rental rates under the *DCL By-law*. The public benefit accruing from this application is the contribution of units to the City's secured rental housing stock for the longer of 60 years and the life of the building. A Housing Agreement and Section 219 Covenant will be registered on title to preclude, among other things, the stratification of the building, separate sale of individual units and rentals for less than one month at a time.

Real Estate Services have assessed the application and determined no additional CAC is expected.

Grandview-Woodland Community Public Benefits Strategy – The Grandview-Woodland Public Benefit Strategy identifies public benefits and infrastructure to support growth in the area, including both short-term and long-term priorities in and around the Plan area. To monitor and track progress towards the achievement of community amenities in accordance with the Grandview-Woodland Community Plan, a summary of public benefits and progress to date is provided in Appendix G.

See Appendix H for a summary of 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 \$105,120 in DCLs. The residential component of the project is expected to qualify for a DCL waiver foregoing approximately \$1,273,872 of DCLs.

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

No additional CAC or public art contribution is applicable.

CONCLUSION

Staff have reviewed the application to rezone the site at 2336-2366 Charles Street from C-1 and RT-5 to CD-1 to permit the development of a six-storey mixed-use development consisting of at-grade commercial uses and 62 secured market rental residential units. Assessment of the rezoning application has concluded that the proposed form of development is an appropriate urban design response to the site and neighbourhood context, and the application is generally consistent with the directions of the *Grandview-Woodland Community Plan*.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to public hearing together with a draft CD-1 By-law as generally shown in Appendix A. Further, it is recommended that, subject to the public hearing, the application including the form of development, as shown in plans in Appendix E, be approved in principle, subject to the applicant fulfilling conditions of approval in Appendix B.

* * * * *

2336-2366 Charles Street
PROPOSED CD-1 BY-LAW PROVISIONS

Note: A By-law to rezone an area to CD-1 will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Zoning District Plan Amendment

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

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

Designation of CD-1 District

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

Uses

3. Subject to approval by Council of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in the 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) Cultural and Recreational Uses, limited to Arts and Culture Indoor Event, Artist Studio;
 - (c) Institutional Uses, limited to Child Care Facility;
 - (d) Office Uses, limited to Financial Institution, General Office, and Health Care Office;
 - (e) Retail Uses, limited to Farmers' Market; Furniture or Appliance Store; Grocery or Drug Store; Grocery Store with Liquor Store; Liquor Store; Neighbourhood Grocery Store; Public Bike Share, Retail Store and Secondhand Store;
 - (f) Service Uses, limited to Animal Clinic, 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, Repair Shop – Class B, Restaurant, School – Arts or Self-Improvement, School – Business, School – Vocational or Trade;

- (g) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of use

- 4.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:
- (a) Farmer's Market;
 - (b) Public Bike Share
 - (c) Neighbourhood Public House,
 - (d) Restaurant; and
 - (e) display of flowers, plants, fruits and vegetables.
- 4.2 The design and layout of at least 35% of the dwelling units must:
- (a) be suitable for family housing;
 - (b) include two or more bedrooms; and
 - (c) comply with Council's *"High Density Housing for Families with Children Guidelines"*.

Floor area and density

- 5.1 Computation of floor space ratio must assume that the site consists of 1,583.9 m², 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 combined must not exceed 3.2.
- 5.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, 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 for dwelling units; and
 - (ii) the balconies must not be enclosed for the life of the building;

- (b) patios and roof gardens only if the Director of Planning first approves the design of sunroofs and walls;
 - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing; those floors or portions thereof so used, which are at or below base surface, except that the minimum exclusion for a parking space must not exceed 7.3 m in length; and
 - (d) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² for a dwelling unit there will be no exclusion for any of the residential storage area above base surface for that unit.
- 5.5 Computation of floor area may exclude amenity areas, except that the total exclusion for amenity areas must not exceed 10% of permitted residential floor area.
- 5.6 The use of floor area excluded under sections 5.4 or 5.5 must not include any use other than that which justified the exclusion.

Building height

6. Building height, measured from base surface, must not exceed 22.0 m.

Horizontal angle of daylight

- 7.1 Each habitable room must have at least one window on an exterior wall of a building.
- 7.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.
- 7.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement, if:
- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
 - (b) the minimum distance of unobstructed view is not less than 3.7 m.
- 7.5 An obstruction referred to in section 7.2 means:
- (a) any part of the same building including permitted projections; or

- (b) the largest building permitted under the zoning on any site adjoining CD-1 ().

7.6 A habitable room referred to in section 7.1 does not include:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
- (i) 10 % or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².

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 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.

Portions of dwelling units	Noise levels (Decibels)
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 ().

* * * * *

2336-2366 Charles 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 public hearing minutes for any changes or additions to these conditions.

PART 1: CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

Note: Consideration by Council at the public hearing of the proposed form of development is in reference to plans prepared by Human Studio Architecture + Urban Design, received December 12, 2019, and provides that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with the development application.

That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

Urban Design

1. Design development to improve scale and massing of the (west) five-storey building form to be more compatible with the neighbouring property by the following:
 - (a) Enhance the front yard setback (facing Charles Street) to better transition to the neighbouring property.

Note to Applicant: This can be achieved by providing a notched setback measuring approximately 7.9 m (26 ft.) x 3 m (10 ft.) from the northwest corner of the property applied to all floor levels. The setback aligns with front yard setback proposed at the fifth level and one unit width at the ground level.
 - (b) Enhance the lane setback to improve perceived building depth and solar access to the neighbouring property.

Note to Applicant: This can be achieved by providing a notched setback measuring 7.9 m (26 ft.) x 3 m (10 ft.) from the southwest corner of the property, applied to all floor levels.
2. Design development to minimize privacy and overlook impacts to neighbouring properties by the following:
 - (a) Relocated roof decks (Units 401 & 406) to face Charles Street and the lane.

Note to Applicant: Remaining roof top can be proposed as a green roof or left uninhabited.
 - (b) Screen roof decks (Units 402-405) with landscaping and delete canopies.

Note to Applicant: Although there are large trees proposed at the west side yard, a green buffer at the roof deck can provide additional screening until the trees reach maturity. Canopies add to massing and discourage landscaped planting. (Refer to Landscape condition #8).

- (c) Relocate bike storage from northwest corner.

Note to Applicant: Residential building entry can be reconfigured to increase niche areas for bike storage. (Refer to Landscape condition #8).

- (d) Minimize the negative impacts of parkade access through proper treatment such as enclosure, screening, high quality finishes and landscaping.

Note to Applicant: These measures should be applied at the west elevation as well as the lane elevation.

- 3. Design development to improve the livability and solar access of the courtyard space by the following:

- (a) Simplify building forms within the courtyard space.

Note to Applicant: A minimum separation of 7.3 m (24 ft.) clear should be provided and overhanging floors avoided.

- (b) Enhance the design of the courtyard space to maximize sun access.

Note to Applicant: This can be achieved by increasing courtyard space separation above the fourth level, increasing the 7.3 m (24 ft.) separation at all levels, or combined with opening up the courtyard at the southern interface.

- 4. Design development to improve overall livability by the following:

- (a) Minimize overlook between units.

Note to Applicant: Windows and doors facing the courtyard should be carefully located. Further conditions may apply upon review of unit plans showing living room and bedroom locations.

Note to Applicant: Delete the window surrounds shown encroaching onto Charles Street (A2.02, A203) and any other features encroaching onto City property.

- (b) Ensure bedrooms in loft units meet horizontal angle of daylight requirements.

Note to Applicant: Loft units should be converted to studios given bedrooms are in an inboard location.

- (c) Provide access to units from parking level within the site.

Note to Applicant: Access should not intrude into private outdoor space/patios of other units.

- (d) Provide separation of residential circulation with back-of-house service corridor for commercial retail units (CRUs) at ground level.
- (e) Consideration to explore increasing unit widths at level two.
- 5. Design development to improve the retail/commercial units as follows:
 - (a) Provide a minimum 4.6 m (15 ft.) floor-to-floor height for the southeast corner retail unit to deliver a viable retail use;
 - (b) Provide continuous weather protection.
- 6. Design development of the building elevations by:
 - (a) Provide a more prominent architectural expression for the main residential entry;
 - (b) Enhance corner expression at the upper storey (Nanaimo Street and Charles Street).

Note to Applicant: This can be achieved by reducing extent of blank wall condition.

 - (c) Consider simplification of material palette and fenestration.
- 7. Identification on the architectural and landscape drawings of any built features intended to create a bird friendly design.

Note to Applicant: Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

Landscape

- 8. Design development to improve interface with western neighbour by performing the following:
 - (a) Providing larger coniferous trees to create a stronger buffer and improve privacy;

Note to Applicant: Tree species should be carefully selected to suit the planting condition and the proposed rainwater cells.
 - (b) Upon relocating the bike parking facility, extend the buffer planting to the north property line.

Note to Applicant: Provide shrub plantings with visual interest and a smooth transition from shrub planting to the raingarden planting.
 - (c) Providing landscape screens on all west-facing balconies (Refer to Urban Design condition #2).

Note to Applicant: 0.9 m (3 ft.) wide permanent planters would be supported.

9. Design development to improve the courtyard by performing the following:

- (a) Ensure that there is sufficient circulation space and a smooth transition between common amenity area and private patios while providing programming areas and places to stay. (Refer to Urban Design condition #3);
- (b) Ensure that there is sufficient soil volume for tree plantings in the courtyard;

Note to Applicant: Soil depths should exceed Canadian Landscape Standards, specifically 0.9 m (3 ft.) of soil depth for all tree plantings. This would require coordination with the architectural and structural consultants. Lower and/or slope the slab where possible to accommodate adequate soil depth.

- (c) Provision of large-scale sections throughout the courtyard to confirm functionality and viability of tree plantings. Further conditions may be forthcoming upon receiving additional information.

10. Design development to the rainwater cells along the west property line.

Note to Applicant: Site should be strategically graded to direct water into the rainwater cells, where possible.

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

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

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

12. Design development to provide a landscape buffer for the PMT to filter views.

Note to Applicant: Buffer should be provided without impeding on required access to the PMT.

13. Design development to incorporate edible plants in the planting plan, especially the planted area around the amenity deck.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design.

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

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

15. 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.

16. 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.

17. 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.

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

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan as follows:

"Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".

19. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 9.3 sq. m (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.

20. Provision of enlarged detailed elevations for all vertical landscape structures and features (i.e. green walls, trellis).
21. Provision of an outdoor Lightning Plan.

Crime Prevention Through Environmental Design (CPTED)

22. Design development to respond to CPTED principles, having particular regards for:
 - (a) theft in the underground parking;
 - (b) residential break and enter;
 - (c) mail theft; and
 - (d) mischief in alcove and vandalism, such as graffiti.

Sustainability

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

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

Housing

24. Design Development to ensure that average unit sizes meet the *DCL By-Law* Average Maximum Unit Sizes across all unit types.

Note to Applicant: The *DCL By-Law* Maximum Average Unit Sizes must be met in order for the project to qualify for the DCL Waiver. The maximum average unit sizes, excluding storage space and balcony space excluded from FSR calculations and floor area used for stairways are contained in Table 3 of the *Rental Incentives Bulletin* (2020).

25. Design Development to maintain a higher percentage of two- and three-bedroom units in the proposal.

Note to Applicant: The current proposed unit mix results in approximately 60% family units in comparison with the minimum required 35% family units under the City policy. Refinements to the proposal during the subsequent Development Permit application stage should target 50% of the dwelling unit design to be suitable for families with children.

26. The development should be designed in accordance with the *High-Density Housing for Families with Children Guidelines*, including the provision of:
- (a) children's play area of at least 130 sq. m (1,400 sq. ft.) in size;
 - (b) seating on the rooftop with direct line of sight to the play area 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. Consider positioning this space on the rooftop adjacent to the children's play area to enable parental supervision from the amenity room; and
 - (e) a balcony with 1.8 m (6 ft.) by 2.7 m (9 ft.) minimum dimensions.
27. 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.

Engineering

28. 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.
29. 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.
30. 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.

31. 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 and 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.
32. Provision of generous and continuous weather protection adjacent the CRUs on both frontages.
33. Provision of a landscape and site plan that generally reflect the improvements to be provided as part of the Services Agreement.
34. 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. Delete the sidewalk and driveway crossing proposed on street right-of-way in the lane.
36. Design development to improve access and design of bicycle parking and comply with the Bicycle Parking Design Supplement.
 - (a) Provision of automatic door openers on the doors providing access to the bicycle storage rooms.
 - (b) Provision of the required commercial bicycle parking spaces. The commercial bicycle parking spaces are to be horizontal spaces.
 - (c) Provision of the required clothing lockers for the commercial Class A bicycle parking spaces.
 - (d) Provision of the required oversize bicycle spaces.
37. Design development to improve access and design of loading spaces and comply with the Parking and Loading Design Supplement.
 - (a) Provision of the Class A passenger loading space to be located at grade.
 - (b) Provision of convenient, internal, stair-free loading access to / from all site uses.

Note to Applicant: The Class A loading space proposed in front of the PMT requires the use of Engineering right-of-way for loading operations.

- (c) Provision of clear unloading areas or raised rear dock, minimum 1.8 m (5.9 ft.) wide, with suitable access to facilitate goods loading / unloading.
38. Design development to improve the parkade layout and access design and comply with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services, including the following:
- (a) Provision of improved two-way flow for vehicles on the ramp and in the parking areas.

Note to Applicant: A view slot is recommended for the bottom of the main parkade ramp and parabolic mirrors are recommended at all 90 degree turns throughout the parking levels.
 - (b) Provision of improved sightlines for the Class A loading space located perpendicular off the main parkade ramp.
 - (c) Provision of minimum 6.6 m (21.7 ft.) maneuvering aisle widths throughout the parking levels.
 - (d) Remove column encroachments into parking spaces.
 - (e) 2.3 m (7.5 ft.) of vertical clearance is required for access and maneuvering to all disability spaces and passenger spaces.
 - (f) Provision of secure residential accessibility spaces. The spaces are to be located behind the residential security gate.
39. The following information is required for drawing submission at the development permit stage to facilitate a complete Transportation review:
- (a) A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.
 - (b) All types of parking and loading spaces individually numbered, dimensioned, and labelled on the drawings.
 - (c) Dimension of column encroachments into the parking stalls.
 - (d) Show all columns on the parking level drawings.
 - (e) Dimensions for typical parking space.
 - (f) Dimensions of manoeuvre aisles and the drive aisles at the parkade entrance and all gates.
 - (g) 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.

- (h) Areas of minimum vertical clearances labelled on parking levels.
 - (i) Design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances. The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.
 - (j) Indicate the stair-free access route from the Class A bicycle spaces to reach the outside. Stair ramps are not generally acceptable.
 - (k) Provide wheel-stops for parking spaces that are perpendicular to other parking spaces.
 - (l) Gridlines to be provided on the development permit drawings for reference.
 - (m) Existing street furniture including bus stops, benches etc. to be shown on plans.
 - (n) The location of all poles and guy wires to be shown on the site plan.
40. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage. If this cannot be confirmed then an on-site garbage bin staging area is to be provided adjacent the lane.

Green Infrastructure

- 41. Provision of a draft final Rainwater Management Plan (RWMP) prior to DP 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.
- 42. Provision of a final RWMP, which includes a written report, supporting calculations, computer models and drawings to the satisfaction of Engineering Services prior to BP Stage 2 issuance.
- 43. A legal agreement related to Rainwater Management will be required prior to issuance of a Development Permit.

Note to Applicant: The applicant is requested to schedule a meeting with IWM Branch prior to moving forward with the RWMP and resubmission with the DP application. To schedule the meeting, contact rainwater@vancouver.ca.

Note to Applicant: The resubmission at DP must include the following amendments:

- (a) 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.
- (b) Provide a landscaping and grading plan (with soil volumes) to support the proposal of landscaping capture.

- (c) Provide the detailed design and projected volumes of runoff (to the greatest extent possible) that will be directed to the proposed Rainwater Harvest & Re-use system.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

1. Consolidation of Lots 9 to 12 of Lot C, Block 134, District Lot 264A, Plan 5712 to create a single parcel.

A subdivision plan and application to the Subdivision and Strata Group is required. For general information see the subdivision website at:
<http://vancouver.ca/home-property-development/apply-to-subdivide-or-join-properties.aspx>

2. As indicated in the charge summary, release of the four Restrictive Covenants on the site's titles restricting development over the northerly portions of the site – 64733H (see 50735K), 60892H (see 46146K), 59366H (see 44516K) and 56145H (see 40106K) – will be required.
3. Provision of a Shared Use Loading Agreement to the satisfaction of the General Manager of Engineering Services for one Class B loading space between the commercial and residential uses. Label the space 'Residential and Commercial Loading', and provide times of use for the shared Class B loading space.
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.
 - (i) Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by Aplin Martin dated January 23, 2020, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 150 mm. Should the development require water service connections larger than 150 mm, the developer shall upsize the existing main on Charles Street from Nanaimo to Garden Drive. The developer is responsible for 100% of the cost of the upgrading.

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

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

Implementation of development at 2336-2366 Charles Street will require the following in order to maintain acceptable SAN sewer flow conditions:

- (i) The post-development 5-year flow rate discharged to the storm sewer shall be no greater than the 5-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for climate change.
- (ii) Development to be serviced to the 200 mm SAN sewers on Charles Street.

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

- (c) Provision of street improvements along Charles Street adjacent to the site and appropriate transitions including the following:
 - (i) Light broom finish saw-cut concrete sidewalk from the front boulevard to the property line. Note the sidewalk width may be reduced to a minimum of 2.14 m (7 ft.) wide in front of the residential units;
 - (ii) Upgraded street lighting (roadway and sidewalk) adjacent to the site to current City of Vancouver standards and IESNA recommendations;
 - (iii) New pavement to the centerline on Charles Street adjacent to the site;
 - (iv) New concrete curb and gutter on Charles Street adjacent to the site; and
 - (v) Adjustment to all existing infrastructure to accommodate the proposed street improvements.
- (d) Provision of street improvements along Nanaimo Street adjacent to the site and appropriate transitions including the following:
 - (i) Light broom finish saw-cut concrete sidewalk from the front boulevard to the property line;

- (ii) Upgraded street lighting (roadway and sidewalk) adjacent to the site to current City of Vancouver standards and IESNA recommendations;
- (iii) New concrete curb and gutter on Nanaimo Street adjacent to the site;
- (iv) Adjustment to all existing infrastructure to accommodate the proposed street improvements.
- (e) Provision to rebuild existing Charles Street south asphalt lane as per City of Vancouver Streets Restoration Manual “Higher Zoned Lane” specification.
- (f) Provision of lane lighting on standalone poles with underground ducts.
- (g) Provision of a new standard concrete lane crossing, new curb returns and curb ramps at the existing lane crossing on Nanaimo Street adjacent to the site.
- (h) Provision of new standard commercial concrete crossings at driveways.
- (i) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
- (j) 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.

- (k) Provision of street trees where space permits. Final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. Tree species to the approval of the City Arborist. Street tree planting to include appropriate soil volumes and approved root barriers of rigid construction, 2.4 m (8 ft.) long and 0.5 m (1.5 ft.) deep, centre on each street tree adjacent to the sidewalk and any off street bike facility.
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.

Housing

6. Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and/ or Section 219 Covenant securing all residential 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) The average unit sizes meet the DCL By-Law Average Maximum Unit Sizes across all unit types.
 - (e) 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.
 - (f) 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	\$1,925
2-bed	\$2,600
3-bed	\$2,950

- (g) A final rent roll is to be provided, prior to issuance of an occupancy permit, to the satisfaction of General Manager of Planning, Urban Design 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.

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

Sustainability

7. 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 owner, and all future owners, 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

8. As applicable:
- (a) Submit a site profile to the Environmental Protection Branch (EPB);
 - (b) As required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the *Vancouver Charter*, and
 - (c) If required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, City Engineer 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 a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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

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

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

* * * * *

2336-2366 Charles 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.

SIGN BY-LAW NO. 11879

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

“2336-2366 Charles Street [CD-1 (#)] [By-law #] C-2”

NOISE CONTROL BY-LAW NO. 6555

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

“[CD-1 (#)] [By-law #] 2336-2366 Charles Street”

DRAFT AMENDMENTS TO THE PARKING BY-LAW No. 6059

In Schedule C, Council adds:

Address	By-law No.	CD-1 No.	Parking Requirements
2336-2366 Charles Street	()	()	Parking, loading and bicycle spaces in accordance with by-law requirements except that the Director of Planning and General Manager of Engineering Services, on conditions that are satisfactory to them, may allow the substitution of one Class B loading space with the provision of two Class A loading spaces in lieu.

* * * * *

2336-2366 Charles Street
ADDITIONAL INFORMATION

1. Urban Design Panel

The Urban Design Panel (UDP) initially reviewed this rezoning application package on May 15, 2019.

EVALUATION: Resubmission Recommended (8-2)

• **Introduction:**

Rezoning Planner, Kent MacDougall began by noting the proposal is a 6-storey mixed-use development. The site is located on the southwest corner of Nanaimo Street and Charles Street, between Charles St and Kitchener St. The subject site is a 4-lot assembly located within the Nanaimo sub-area of Grandview-Woodland. Currently zoned C-1 & RT-5 and occupied by single-family houses. All 4 lots face north onto Charles St. and back onto a lane running parallel to Charles Street. The lane has access off Nanaimo St. and Garden St.

Site size is approximately 1,583 sq. m. (17,039 sq. ft.). The lots have a combined frontage of approx. 37.3 m (122.4 ft.) along Nanaimo St., and a frontage of approx. 42.4 m (139.0 ft.) along Charles St. (depth).

Immediately north of the site on the west side of Nanaimo St is a 3-storey mixed-use development (Ground floor Commercial), immediately east of the site on the East side of Nanaimo St is a single-storey Commercial retail development fronting Nanaimo.

Lord Nelson Elementary School and Saint Lui Park is a ½-1 block west of the site. Templeton Secondary School and Templeton Park are located 6-7 blocks north. The site is largely surrounded currently by single-family homes (largely zoned RT-5).

The site is serviced by the number 7 (Nanaimo Station-Dunbar) bus route through downtown. This site is considered under the Grandview-Woodland Community Plan (GWCP), adopted by Council in July 2016. Site is located in the Nanaimo Street Precinct; specifically in the “Shopping Nodes” area. The plan allows consideration of mixed use developments up to 6 storeys with a density of 3.2 FSR provided there is a minimum 36.6m/120 ft. frontage and the fifth and sixth floorplates do not exceed 594.6m² / 6,400 ft².

Setbacks:

- Front sufficient to achieve a minimum 5.5 m (18 ft.) sidewalk
- Side setbacks may vary.

The GWCP allows for:

- South: Duplex (0.75 FSR)) – Sites Currently zoned RT-5 (Two-Family or Duplex)
- North: 6 storey mixed-use – Applicant initiated rezoning
- East: 6-storey mixed use (currently single-storey commercial)
- West: Grandview precinct ‘Residential Core’ – RT-5 Two-Family / Duplex.

Proposal is located within View Cone 27 which protects views of the North Shore Mountains from Trout Lake Park. Proposed development appears to comply with the view cone max height.

Development planner, Carl Stanford began by noting, the site is located within the Nanaimo sub-area of Grandview-Woodland on the southwest corner of Nanaimo Street and Charles Street. It is roughly square in shape measuring 37 m/ 122' deep along Nanaimo and 42m /139' along Charles Street and has a total area of 1582m²/ 17,024 sq. ft. The site is currently occupied by four single-family homes constructed in 1928. It has an approximate fall along Nanaimo St of 1.46m/ 4.8' and is relatively level along Charles St.

The area to the south and west is zoned RT-5N/RT-5, is primarily residential and low rise consisting of single-family dwellings. The area to the east and north is zoned C-1 and consists of one-storey commercial retail and 3 storey mixed use development respectively North: C-1 zoning consisting of 3- storey mixed use development.

- North: C-1 zoning consisting of 3-storey mixed use development.
- East: C-1 zoning consisting of one-storey commercial retail.
- South: RT-5N and RT-5 zoning consisting of single-family dwellings.
- West: RT-5 zoning consisting of single-family dwellings.

Lord Nelson Elementary school and Saint Lui Park is located one block west of the subject site with Templeton secondary school located six blocks north. The immediate adjoining single family dwelling to the west will be shadowed in the morning year around.

The Grandview-Woodland Community Plan (Policy 6.6.2) allows consideration of mixed-use developments up to six storeys in this area with a 3.2 FSR, provided that there is a minimum 36.6m/ 120 ft. frontage and that the fifth- and sixth-storey floorplates don't exceed 594.6 m²/ 6400 sq. ft.

It recommends a provision of public realm improvements that could include increased sidewalk width, street trees and amenities such as seating, patios, bike racks, and public art. A small public plaza should be created at the southeast corner of Nanaimo and Charles Street and shadowing on the plaza space should be designed to be minimized during afternoon periods.

View cone 27.2 has a maximum height limit of 66.5m/218' and C-1 zoning has a maximum height of 9.2m with a conditional increase of 10.7m. The application proposes to rezone 2336-2366 Charles Street from RT-5 /C-1 to CD-1 to permit the development of a 6-storey mixed use building with 64 strata residential units and 765 m²/ 8234 sq.ft of retail. The proposal has an FSR of 3.2 of which 0.48 is dedicated to retail floor area of retail floor area and overall height of 22.4m/74' equivalent here to 6 floors. Policy consideration is under the Grandview Woodland Community Plan (2016).

The floorplate size varies with an average of approximately from 1119m²/ 12,044sq.ft for the first 4 floors. The fifth floor measures 947m²/ 10,193sq.ft and sixth floor measures 500m²/ 5382sq.ft. The Grandview Wood plan sets a maximum floorplate at the fifth and sixth levels of 6400sq.ft. Five CRU units (two w/ mezz) are accessed off Nanaimo Street at grade with 1 bed two storey townhouses provided along Charles St and the Lane (addressed off Nanaimo). The townhouses have an inboard windowless loft bedroom at their upper level.

A two storey parkade is accessed off the lane at the western edge with the PMT located on the boundary. The parkade provides 64 parking spaces, one class B & one class A loading space,

non-residential parking spaces and approximately 133 bicycle spaces on Level P1 and 4 class B bicycle spaces are proposed at grade off Nanaimo St.

52% of dwelling units in the scheme are family units (10 studio at 15%, 21 1Bed at 33%, 24 2-Bed at 38% and 9 3-Bed at 14%). Private outdoor areas are not provided for all dwelling units but this is intended to be offset by shared private open spaces.

The main residential entrance lobby is located mid-block along Charles St and leads to a level 2 podium where 2 & 3-bed townhouses are accessed on the west wing together with 1/2bed apartments on the east. The amenity room and shared outdoor space for the residential is located on Level 2 in the south western edge. Vertical circulation to level 4 is provided off level 2 with level 3 accommodating the upper floor of the west wing townhouses and the upper floor of the east wing apartments also accessed directly off L2 via front door staircases.

At level 4 an external perimeter corridor wraps around the buildings west facade providing access to two levels of apartments. The applicant has provided a letter from their code consultant for an alternative compliance path at BP addressing egress concerns. At level 5 townhouses are accessed above and below from an internal corridor on the east wing and the west wing has apartments accessed from the floor below with private amenity above. Only the east wing pops up to a sixth floor level for the uppermost levels of the townhouses

Setbacks:

The Grandview Woodlands Plan 6.62 requires:

- Front setback of a minimum 5.5 m/ 18' sidewalk
- Rear setback of 9.1 m/ 30' for residential use
- Side requirements vary (~2.1m/ 7')

For sites adjacent to R zoned sites, without an intervening lane the C2 guideline are used as a best practice model for advisable setbacks and would recommend a minimum of a 3.7m/ 12ft. setback from the rear yard to west at grade and a minimum 10.7m/ 35' to 14.4m/47' setback approximately above the fourth floor.

In either case 2.4m/ 8' has been provided here at grade improving to the uppermost levels to 6.7m/ 22' with relaxations requested respectively.

The applicant has envisioned metal cladding to the Nanaimo frontage with 'Hardi plank type' material elsewhere but the situation is fluid.

Advice from the Panel is sought on the following:

1. Height, Setbacks & Shadowing:

- a. Does the proposal demonstrate a satisfactory attempt to mitigate shadowing on the adjoining context?
- b. Is the transition of scale to the west and the setbacks shown appropriate?
(Please Note: Consider that although the Grandview Woodlands Plan indicates more conventional sectional treatments with larger setbacks, it does not rule out alternate proposals)

2. Architectural Expression and Design:

- a. Is the massing, and articulation of the proposed form of development consistent with the residential character anticipated for this area in the Grandview Woodlands Plan?
(Please Note: Consider that the 5th floor plans exceed the maximum area in the GW plan for floorplates of 6400sq.ft by ~4000sq.ft at this level.)
- b. Please comment on the proposal's detailed design, particularly the architectural expression, and materiality?
(Please Note: Consider the durability & quality & further that the applicant has envisioned metal cladding to the Nanaimo frontage with 'Hardi plank type' material elsewhere but the situation is fluid.)

3. Livability

- a. Has the proposal successfully demonstrated the livability of the courtyard model outlined in their rationale?
(Please Note: Consider private outdoor spaces such as balconies for the family-sized units, connectivity between indoor and outdoor amenity spaces, and lastly, ease of wayfinding and entrance identity.)
- b. Is the inner courtyard sufficiently activated, usable and free from shadow?

4. Public Realm Interface

- a. Is the public realm along Nanaimo sufficiently activated with provision for a lively public realm?
(Please Note: Consider the number and type of entries at grade, entry locations, canopy depths & canopy soffit design, building use, the amount of glazing at pedestrian level; and the public realm design.)

• Applicant's Introductory Comments:

The core intentions of this project are to establish traditional type streets where you walk by your neighbor's door for improved sociability. This project aims to avoid the social isolation crises and allow solar access and ventilation. There is a site wrapping circulation strategy so neighbors are visible.

The double sided units allow for 3 bedroom units that are livable and affordable. This is a housing form that is desperately needed in this neighborhood. All units have private outdoor space and all dwelling units will get late afternoon sun shadow which is in accordance with the GWP. There are 5 townhouse units facing Charles Street and 5 facing the lane, which intended to be of 'facing the lane concept' type unit.

The City of Vancouver has strict guidelines regarding the Courtyards. The intent was to balance the units to the west adjacent and maximize the courtyard. We opened up the space and enclosed it up top; multiple units are accessible off the courtyard. The ends of the courtyard were left as active nodes, this allowed for the courtyard to have some lushness.

The Grandview Woodlands plans request a setback of one level up, and would like one level down to respond to view impact. Materials include zinc cladding and 'Hardi Plank' type color paneling but materials are still being explored.

All the views are directed to the south to respond to concerns on overlook consideration. There is planting to address privacy concerns. The green buffer allows for privacy but still allows residents to engage with neighbors. There are street trees in front, and the intent is to break up the concrete and get some more permeability. There will also be a rain water harvesting technology incorporated into the project.

- **Panel's Consensus on Key Aspects Needing Improvement:**

Having reviewed the project it was moved by Mr. Wen and seconded by Ms. Stamp and was the decision of the Urban Design Panel:

THAT the Panel recommends **RESUBMISSION** of the project with the following recommendation to be reviewed by City Staff:

- Design development to increase the neighbourliness of the buildings on the western face by minimizing the overlook and scale on the western block;
 - Design development of the courtyard to maximize daylighting and use;
 - Design development to improve sociability of the amenity areas;
 - Design development to maximize daylight into the dwelling units;
 - Design development to the physical character of the building to address the finer grain of the neighbourhood;
 - Design development to improve overall livability and use of private exterior space;
 - Design development to improve the overall form, expression and character of the building; and,
 - Design development to better balance community and privacy;
- **Related Commentary:**

Although there were overall mixed reviews expressed with regard to the proposal, the panel appreciated the positive social attitude of the project. As such most panel members agreed the street edge and town house at grade worked well and the idea of a courtyard centred building was a good typology. With this in mind the panel noted their appreciation for the social community aspect expressed in a market strata condominium building. The panel also noted in general that the transition of private to public space was done well. Most panel members however suggested the applicant research further the social typology versus neighbourliness to better establish a line between privacy and social interaction with neighbour.

Most panel members had no issues with the floorplate restrictions and one panelist noted that the Grandview Woodland area is in need of densification however most panel members agreed the expression and articulation of form on the western block was quite dense and transitioned poorly to the neighbours. Most panel members noted that although the bulk of the building pulled the normal typology apart, the expression of the buildings does not reduce this bulk, merely redistributing it within a constricted site and as a result it is not sufficiently refined with regard to its relationship with the surrounding housing. There needs to be a scale transition on the west side. The massing on the west side is struggling the most. The west side is the more challenging side.

Some panel members noted that neighbours across the lane will be impacted by shadowing and there is no lane transition from the courtyard to these neighbours. The proposal appears to not have attempted to mitigate the shadowing impact. The panel noted more shadow

studies for the courtyard is needed. Most panel members noted the courtyard has issues with shadowing and usability and suggested further development. The courtyard in the middle bulks up the size of the buildings. It was suggested that to resolve the issues previously discussed the applicant consider keeping courtyard but rotating it.

Some panel members noted that the saw tooth expression in the elevations although visually striking needed a stronger rationale based on functionality. In addition some panel members expressed concern on the extent of solid wall with small windows. Most panel members agreed that darker materials added to the perception of mass and suggested using materials that are lighter in colour. The elevations at levels 1, 2, 3 are monotonous compared to the rest of the building. The building fronting Nanaimo was more successful in its architectural expression and materiality but the Western block felt neglected. The Buildings to the west should also be at same level of quality as the Eastern building fronting Nanaimo. The Nanaimo frontage feels a little weighty, and there is a need to examine the materiality and detailing for all facades.

Consideration should be given to a refined distinctive treatment of the base, middle, and top of the building with a unifying language leveraging a cohesive high quality material palette. Changes in material expression should have a functional basis underlined by a rigorous rationale.

Some panel members noted that constructability issues at the rezoning stage will be a continuing concern as the project develops and needs further consideration and clarification. There is not enough information regarding the detail design. The floor to height ratio needs consideration. Some panel member expressed concern with how units are being stacked in a wooden frame as the 6 and 4 storey wood frame structures are quite different. The entry and exit layouts need to be looked at especially units opening to loading area. There appears to be fire separation and acoustic issues and overall code issues need to be looked at to ensure the form of development is viable. The circulation is out of the box thinking but creates issues to resolve. The ramp and loading access are not ideally located. The mechanical will be difficult to access with the concrete wall.

Most panel members noted that the units have livability issues, with the majority of them narrow with very small windows and daylight issues. Most panel members agreed that there are not enough windows and more windows allow the opportunity to open up the building. The lower balconies will make for dark living spaces at grade level. Most panel members noted a need to have more light and access. Most panel members noted that amenities should not be read as another unit but rather have their own functional program. A panelist suggested having a large amenity at the back and on the top of building. Other suggestions included consider putting an amenity room on level 5 in the Nanaimo building. Some panel members noted that the townhouse units at the lane are at grade, and encourage them to be raised up to improve privacy.

Some panel members noted the importance of how the building hits the grade and interfaces with the public realm and that it needed additional detail. Most panel members felt continuous canopy cover along the street, additional detail on the retail strategy, and awnings/canopies over the entries was important. The public realm is good on Nanaimo, appreciate the seating area and lounge. Suggest a few benches looking towards the view on Nanaimo.

The public realm should encourage public interaction and gathering, lend significance to the site and be well integrated with the surrounding streets and sidewalks.

Overall there are issues of livability, shadowing, neighbourliness and the overlook. Tall landscaping, screening etc. on the west property line could be a solution or rotating the courtyard but in general further development is required.

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

2. Urban Design Panel

The Urban Design Panel (UDP) reviewed this rezoning application package for a second time on February 5, 2020.

EVALUATION: Support with recommendations (5-1)

Introduction:

Rezoning Planner, Kent MacDougall, began by noting the proposal is a 6-storey mixed-use development consisting of 62 strata-titled residential units 60% of which are family-oriented units meeting the requirements of the City's housing mix policy. The proposal also includes 5 ground floor commercial retail units fronting Nanaimo Street. The site is a 4-lot assembly located at the southwest corner of Nanaimo Street and Charles Street. The site is currently zoned C-1 and RT-5 and occupied by single-family houses. The application is being considered under the Grandview-Woodland Community Plan (GWCP). The subject site is located within the "Nanaimo" sub-area of the GWCP; specifically within a Plan designated "Shopping Node". The goal of these nodes are to enhance small, local-servicing retail and service nodes to provide better services closer to home. At the Charles Street shopping node location (as well as Nanaimo St and Broadway & East 1st Avenue) the Plan allows for consideration of mixed use developments up to 6-storeys with a density of 3.2 FSR.

In terms of surrounding context, immediately north of the site on the west side of Nanaimo is currently a 3-storey mixed-use development, which the Plan allows for consideration of up to 6-storey mixed-use. To the east of the site, across Nanaimo, are currently single-storey commercial retail developments where the Plan also allows for consideration of 6-storey mixed-use development at this location. It was highlighted to the Panel that since the consideration of the original application, amendments have been made to the Plan/zoning in the immediate surrounding area. The changes include:

- South of the site, currently single-family houses, has recently been rezoned to C-2 allowing for 4-storey mixed-use development.
- Immediately west of the site, currently single-family houses, has recently been rezoned to RM-8A allowing for 3-storey townhomes.

Development Planner, Susan Chang, began by noting Nanaimo St. (although an arterial) is a predominantly residential street with 3 shopping nodes. This is a corner lot within one of the shopping nodes that is currently oriented towards Charles Street and is reflected in the lane location. This mixed use proposal will change the orientation towards Nanaimo with the west interface as the rear yard. This orientation will be reinforced by the recent changes to zoning on neighboring sites, C-2 (to the south) and RM-8A townhouse zone (to the west).

The GW Plan seeks on deeper corner sites, an L shaped configuration. 6 storeys with anticipated 4 storey street wall and resulting shoulder setbacks and a 4 storey wing facing the flanking street. A 6,500 sf floor plate limit is anticipated on the 5th and 6th storey to reinforce the 4 storey streetwall. Site is 122' x 139' along Charles with the southeast corner as the high point and sloping down approximately 4.5' to remaining corners. The proposed courtyard form varies from the anticipated form of development as the sectional illustration seeks a 30' rear yard setback with a lane and floor plate limits on the upper storeys. We can consider alternatives however livability for all housing on the street including the neighbouring sites should be ensured.

This is the second review by Panel. Resubmission recommendations from the previous Panel (May, 2019) include:

- to increase the neighborliness of the buildings on the western face by minimizing the overlook
- and scale on the western block;
- development of the courtyard to maximize daylighting and use;
- improve the sociability of the amenity area;
- maximize daylighting into the dwelling units;
- development of the physical character to address the finer grain to the neighborhood;
- improve overall livability and use of private exterior space;
- improve the overall form, expression and character of the building
- better balance community and privacy.

Summary of the revisions:

- increase to west setback approx.. 4.5' to an average 14.5' to the third storey and 4 & 5 reduced by 1' to a 21' setback
- FY reduced along Charles St. from 10' to 6'-8"
- Angled windows originally proposed facing the neighboring property (larger setback) revised
- with screened windows.
- Amenity room has been moved from south face to north face.
- shoulder setback above 3th storey revised to 4th storey with reduced shoulder setbacks.
- Height lowered by approximately 4'.

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

Taking into consideration Grandview Woodland Plan's anticipated form of development and surrounding zoning changes, has the revised proposal successfully addressed previous Panel recommendations, in particular:

- a) Impacts to the west neighbouring property in terms of overlook/privacy and scale;
- b) Overall form and physical character to address the finer grain scale of the neighborhood;
- c) Overall livability, and use of private outdoor space;
- d) Courtyard in terms of maximized daylighting and use.

Is the revised courtyard form of development supportable in terms of neighborhood fit.

- **Applicant's Introductory Comments:**

The applicant noted their intent to increase housing that supports social interaction, by proposing a courtyard model in a zoning that it is not typical of this model. In response to the previous Panel recommendations, Nanaimo Street has been improved while respecting the neighbors, courtyard setbacks have been increased and enhancements provided to the retail frontages. The proposed application breaks the massing into two forms for a better relationship to the neighborhood. The public realm is a bit more shadowed but it does rotate to different places. Overlook has been addressed with screening, fritted windows and larger trees to buffer as a green screen. The applicant noted there previously was a corridor that has been removed. Regarding the architectural quality, there is more building envelope which has cost implications so looking for a materiality that really works. Brick is proposed to replace Zinc. The applicant noted they performed a daylighting study. 60 percent of the units are 2 and 3 bedroom units. Units are getting interval views including City Mountain views to contribute to the day to day livability.

Concept of the courtyard is a fundamental core of the project. The courtyard narrows at the top to support the setbacks. The slab has been depressed to get sufficient soil volume. There are tall columnar trees proposed at the west side. The street front is capitalizing on the large trees and there is simple furniture.

The applicant team then took questions from the panel.

- **Panel's Consensus on Key Aspects Needing Improvement:**

Having reviewed the project it was moved by Mr. Davis and seconded by Mr. Rahbar and was the decision of the Urban Design Panel:

THAT the Panel **SUPPORTS** the project with the following recommendations to be reviewed by City Staff:

- Increasing the floor to floor height to provide a more viable retail height, reconsidering the saw tooth roof at the Nanaimo building as a means to potentially increase the floor to floor height to the 10ft;
- Consider simplification of form, material palette and fenestration;
- Explore opportunities to widen the courtyard at the upper two levels.

- **Related Commentary:**

There was unanimous support of the courtyard form, the concept of through units and cross ventilation. The project has improved. The panel recommended simplification of the courtyard to be less articulated which would benefit the energy requirements. Facade expression could be calmer. The programming of the courtyard is successful however there was concern with the tallness and narrowness of the courtyard due to the overhanging upper stories. Other comments by panelist include, vertical circulation within narrow units could be reduced, and horizontal expression facing Nanaimo interrupted by vertical bays felt top heavy, and provides lane townhouses with their own patio instead of a stoop.

Overall comments

Support density, use, and height and massing, courtyard scheme is the right approach.

Question A

Overall support for the proposed revisions.

Additional setback on the west is great.

No need for fritted glass panel on the west – the proposed trees along west PL will do the job.

No concerns with overlook, particularly now that the properties to the west have new zoning (townhouses).

West elevation could use some breaking up/articulation to the brick mass.

Scale of the building works, no issue with height.

Appreciate the sensitivity to the west as it increases the livability of the units on the west.

Question B

Perimeter of the building is successful.

Retail edge wrapping the corner is good.

Calm down material palette - the articulation and form give it interests so no need for so many material changes.

Consider changes to the façade on Nanaimo –middle (levels 2-4) and top (levels 5-6) – top reads heavy.

Saw tooth roof on the Nanaimo building adds to perceived height – nix and have flat roof - this will achieve greater floor to floor heights.

Simplify and calming down façade expression.

Good neighbourhood fit.

Like laneway treatment.

NE elevation – concern with blank walls – consider a change in fenestration – seems out of sync with the random patterning of windows.

Question C

Design of outdoor space is successful.

Overhang in courtyard feels oppressive.

Courtyard design is welcoming to mingle.

Relocated amenity space is great, great landscape design for courtyard.

Unit types need simplification.

This kind of project is needed in the neighbourhood.

Support 6" per floor increase in height.

Narrow units but they work.

Not convinced of the split level units – lots of floor area is taken up by stairs/circulation.

Thru units are great for cross ventilation.

Give the lane townhouses a patio not a stoop – move the planting to the back of sidewalk.

Question D

The courtyard daylight studies are helpful to understand the access to daylight.

Courtyard daylight supports viability of the space.

Better use with direct sunlight.

Concern with how tall the courtyard is and the overhangs contribute to it feeling narrow.

Overhang feels oppressive.

Other

Clear height and retail (north end) needs to be increased by 2'

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

* * * * *

3. PUBLIC CONSULTATION SUMMARY

Applicant's Community Engagement Prior to Rezoning Submission

To seek community feedback at an early stage, the applicant team created a drop-in engagement space that was open for four days as well as held a pre-application open house. Neighbours within approximately two blocks of the rezoning site were notified by mail of these feedback opportunities.

Drop-In Engagement Centre — The drop-in engagement centre was located at 1350 Nanaimo Street and it was held between Tuesday, December 4th to Friday, December 7th from 12–8 pm. The space included information display boards and a scale model showing the proposed development and existing surrounding context. Members of the applicant team were on hand to answer questions related to the proposal. According to the pre-application engagement summary provided by the applicant team, approximately 57 people (exclusive of the pre-application open house) visited the space during the four days it was open.

Pre-Application Open House — An applicant led pre-application open house was held on Thursday, December 6th from 6–9 pm at 1350 Nanaimo Street (same location as the drop-in engagement centre). The event offered a chance for neighbours to review and share their input on the proposed design. The applicant team, staff and approximately 38 people attended this event.

Public Response — In response to the pre-application public consultation, approximately 72 pieces of feedback were received by the applicant team. According to the pre-application engagement summary materials provided by the applicant team, most respondents who attended the pre-application engagement opportunities showed support for the project. The applicant team received additional feedback via email that was summarized in an engagement summary addendum indicating non-support for the proposal. Feedback received reportedly included:

Support for the proposal cited the following:

- The courtyard;
- Overall design -levels, layout, footprint, peaked roofs;
- Number of homes / housing mix;
- Potential for retail

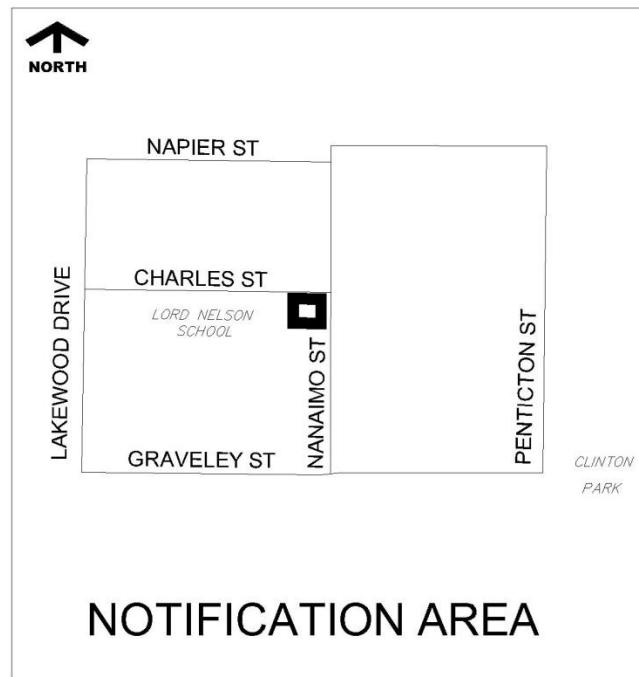
Concern for the proposal cited the following:

- A reduction in height to three of four storeys would increase neighbour support;
- Impact on traffic and parking;
- Maintaining neighbourhood character;
- Improved community consultation;
- Keeping the current zoning;
- Build townhouses;
- Other...

City-Led Public Consultation During the Application

Public Notification # 1

A rezoning information sign was installed on the site on April 16, 2019. Approximately 725 notification postcards were distributed within the neighbouring area on or about April 18, 2019. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).

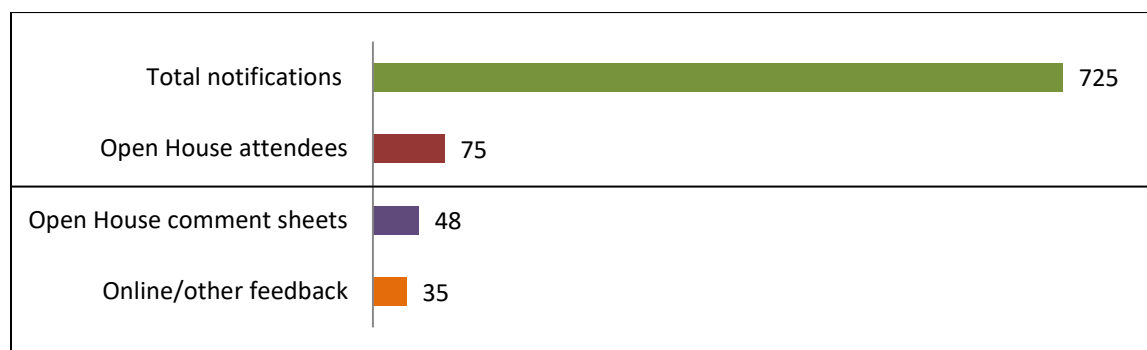


May 2, 2019 Community Open House

On May 2, 2019, a community open house was held from 5:00-8:00 pm, at Lord Nelson Elementary School, 2235 Kitchener Street. Staff, the applicant team, and a total of approximately 75 people attended the Open House.

Public Response

In response to the public consultation, a total of 83 pieces of feedback were received. Public responses to this proposal included 48 comment sheets, a petition with 5 signatures, and 35 letters, e-mails, and online comment forms.



* 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:

- **Appealing building design:** Respondents considered the building's design to be appealing and were appreciative of features such as the design of the courtyard which provides a space for families to gather, diversity of unit types to accommodate various tenants, the peaked roof, and ground-oriented residential and retail units to animate streetscape.
- **Retail node:** Respondents were appreciative of the inclusion of ground-floor retail and the expansion of a shopping area on Nanaimo Street. Respondents considered the availability of retail units to contribute to creating more a walkable neighbourhood, service nearby residents, and create a vibrant public realm.
- **Appropriate density:** Respondents considered the proposed density to be appropriate based on its location and as it contributes to more housing options in the neighbourhood.
- **Provision of new housing options:** Respondents felt that this project will contribute to more affordable housing options in the Grandview-Woodland area. Some respondents were appreciative that these proposed unit mix will provide housing options for the 'missing middle' demographic.
- **Appropriate building height:** Respondents expressed support to maintain or increase the proposed building height.

Generally, comments of concern fell into the following areas:

- **Building height:** Respondents considered six storeys to be out of scale with the existing streetscape. It was suggested that four or five storeys would be more representative of the existing character of the neighbourhood.
- **Increased traffic, congestion, and safety concerns:** Respondents were concerned with the potential for increased traffic volumes on Charles Street and Nanaimo Street. With more residential and retail vehicles entering and existing the proposed building from the alley opposite of Lord Nelson Elementary School entrance, some respondents expressed concern for the safety of pedestrians as they walk to and from school.
- **Shadowing and privacy:** Respondents were concerned that the proposed building would cast shadows on neighbouring buildings, impacts their ability to enjoy their gardens and grow food. Some also commented on how the proposed building will decrease the privacy of residents living in adjacent buildings.
- **Deviation from Grandview-Woodland Community Plan:** Respondents expressed that the proposal deviates from the Grandview-Woodland Community Plan and is contrary to the views expressed by residents in the multi-year community consultation process.
- **Insufficient parking:** Respondents considered the proposed number of vehicle parking to be insufficient and will cause future residents to park on the street where parking is already limited.
- **Precedent setting:** Proposed development may set precedence and encourage adjacent blocks to rezone for increased density thereby changing the character of the neighbourhood.
- **Strain on community amenities:** Respondents expressed concern that additional density will put strain on existing community amenities such as schools and transit. In particular, it was mentioned that Lord Nelson Elementary School is already at capacity as well as frequent bus route #7.
- **Unappealing building design:** Respondents considered the building unappealing or unrepresentative of the neighbourhood's heritage aesthetic and would like the design to better reflect the character in the heritage homes along Charles and Nanaimo Streets.

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

General comments of support:

- Proposed development conforms to the Grandview-Woodland Community Plan.
- Appreciative of the mixed-use building form that will contribute to an increase in a diversity of housing units in Grandview-Woodlands and the inclusion of retail as it will contribute to more walkable neighbourhoods and increase climate adaptability.
- Appropriate amount of vehicle and bicycle parking considering number of units proposed and proximity to transit.
- Appreciates location of proposed development along an arterial street and near schools.
- Building design is reflective of historic character of neighbourhood and embraces values of family housing, liveability, sustainability.

General comments of concern:

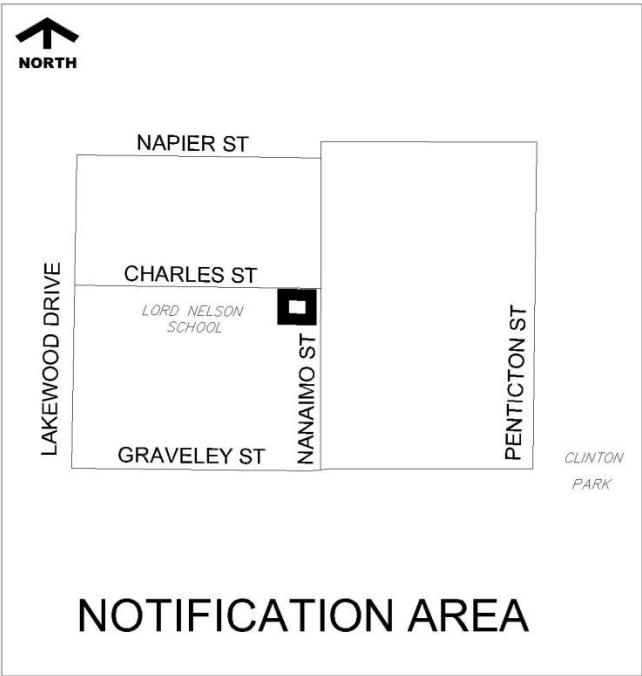
- Concern that units will not be affordable and will not contribute to affordable housing options.
- Noise disruptions from commercial loading area and garbage collection.
- Neighbourhood is not well serviced by frequent transit options. Existing transit options are often overcrowded and cannot accommodate increased density.
- Tenants living in homes located on proposed development parcels should be housed at the same rents as they are currently paying.
- Inadequate green space or outdoor play areas.
- Building reads as a 7-storey building due to design and massing.

Neutral comments/suggestions/recommendations:

- Would like to see electric vehicle charging stations as well as car and bike sharing spaces.
- General questions regarding how added density will impact proposed changes to Nanaimo Street downgrading.
- Would like to see traffic calming measures considered on Charles Street such as the installation of traffic lights or enforcement of school zone speed limits to address concerns for increased traffic congestion in neighbourhood.
- Would like to see more landscaping, screens, and other privacy design elements for units in the lane to address privacy concerns from adjacent residents.
- Preference that building does not include ground-floor retail and should instead be designed for residential uses.
- Preference for proposal to include fewer units of larger square footage to accommodate families considering proximity to school.
- Too much parking provided considering proximity to transit options. Would like to see increased number of bicycle parking spaces.
- Would like to see increased setbacks along Charles Street to animate commercial retail units.
- Preference to see more density occurring on non-arterial roads.
- Would like to see the inclusion of subsidized childcare space or before/after school care in the proposed development.
- Preference to see densification throughout neighbourhood through the development of secondary suites.
- Would like to see a public art installation considered at the retail node on Nanaimo Street.
- Would like to see two elevators included in the proposed design.

Notification for Revised Rezoning Application

The information on the site sign was revised and a new sign was installed on the property on February 10th, 2020. Approximately 610 notification postcards were distributed within the neighbouring area on or about February 4th, 2020. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).



Public Response

In response to the postal mailout on February 4th, 2020, a total of 61 emails or online comments were received.

Total Notifications	<div><div></div></div> 610
Open House Attendees (N/A)	0
Comment Sheets (N/A)	0
Other Feedback	<div><div></div></div> 61

* 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:

- **Proposed height, massing, and density is appropriate:** Respondents considered the height, massing or density of the building at 6-storeys to be appropriate for the neighbourhood.
- **New housing to the neighbourhood is welcomed:** Respondents approved of the new housing supply as it would bring for new tenants to live within the community.
- **Appreciate new commercial space within neighbourhood:** Respondents appreciated the inclusion of commercial space as it would enhance the commercial node by having local serving retail.

Generally, comments of concern fell into the following areas:

- **Inappropriate height, massing, and density for neighbourhood:** Respondents acknowledged that the height of the proposal of 6-storeys was out of place given the context of the neighbourhood and that a 3-4-storey building would be preferred.
- **Increased traffic congestion and safety issues:** Respondents expressed concern that the project would increase automobile traffic within their quiet neighbourhood. In addition, there were safety issues at the intersection of Nanaimo Street, as well as for the school zone at Lord Nelson Elementary School.
- **Neighbourhood has limited school capacity:** Respondents felt that future population density would be inappropriate given that Lord Nelson Elementary School is at capacity and is waitlisted for attendance.
- **Not enough parking to support new density:** Respondents believe that the proposal doesn't provide enough parking per housing unit since the location isn't well served by transit and that spill over of parking would occur from tenants and visitors onto nearby residential streets.
- **Non-supportive of proposal's urban design:** Respondents felt that the proposal's revised design was unchanged, was visually unappealing, not of human scale to the streetscape, and lacked an architectural expression connected to the character of the area.
- **Inappropriate neighbourhood fit:** Respondents viewed the proposal as not respecting the age, history, or character of the neighbourhood or the nearby school.
- **Inappropriate location for new commercial space:** Respondents were opposed to large sized companies locating their businesses within the neighbourhood as it could affect the success of the existing local serving retail.
- **Proposal doesn't offer a level of affordable housing:** Respondents expressed that strata housing was relatively unaffordable for a sizable portion of Vancouver's

population, and that having secured market rental housing should be a requirement under the Grandview Woodland Plan.

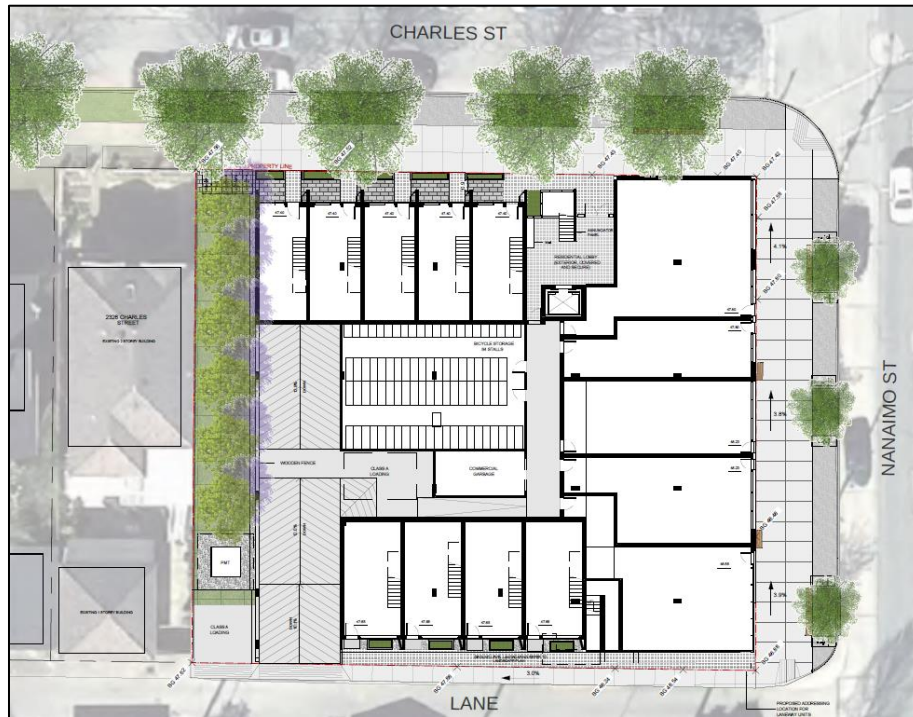
The following are the miscellaneous comments received from the public (note: these were topics that were not ranked as highly as above).

- Proposal is in a location of infrequent transit access
- Future development will lead to overcrowding of the neighbourhood.
- Supportive of proposal's architectural design
- Proposal has a lack of quality landscaping

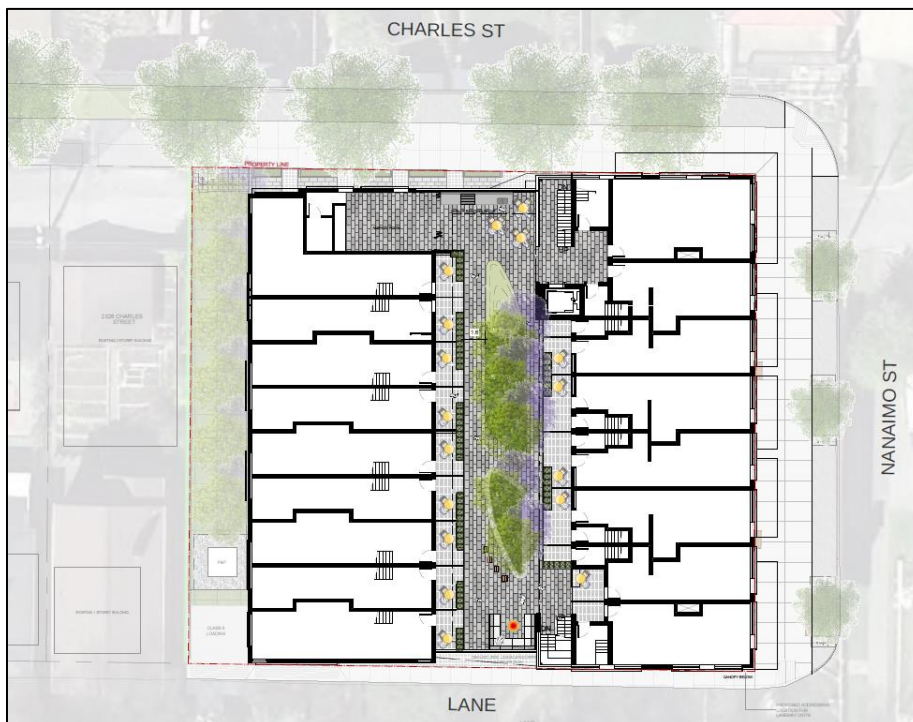
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2336-2366 Charles Street
FORM OF DEVELOPMENT DRAWINGS

Landscape Plan – Ground Floor



Landscape Plan – Level 2 Courtyard



Elevation – West (Fronting Nanaimo Street)



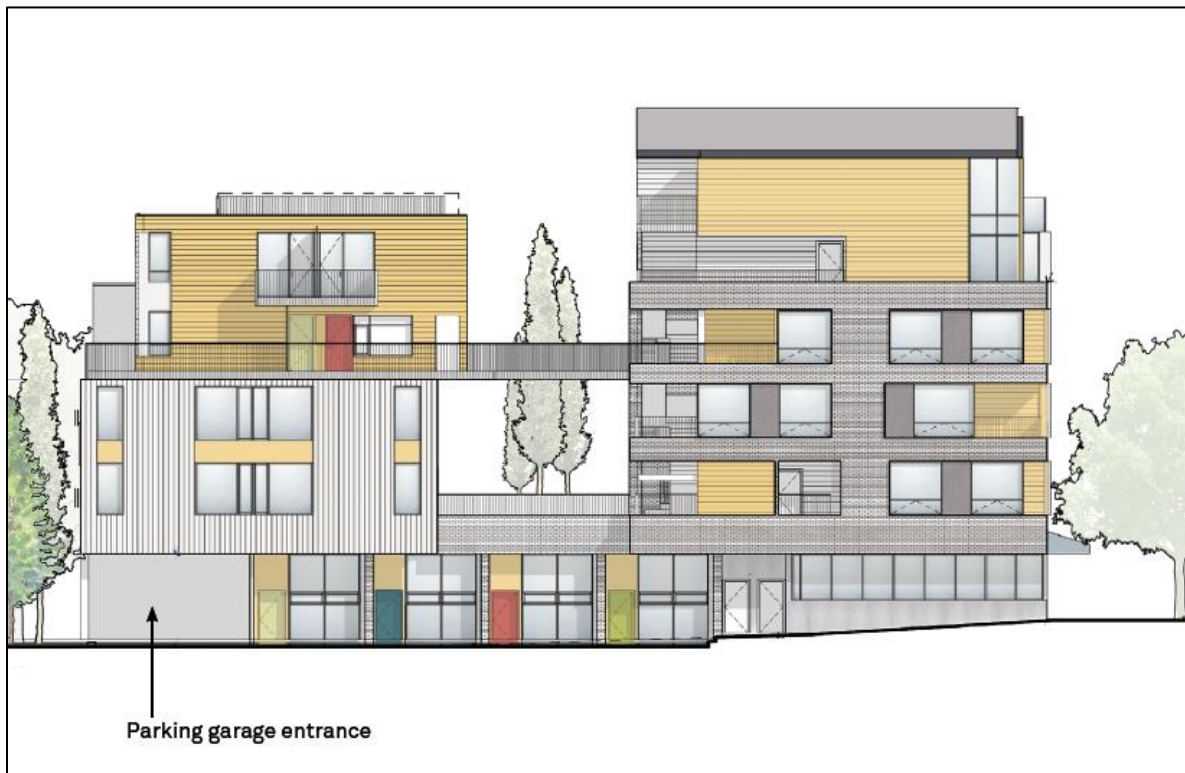
Elevation – East (Rear)



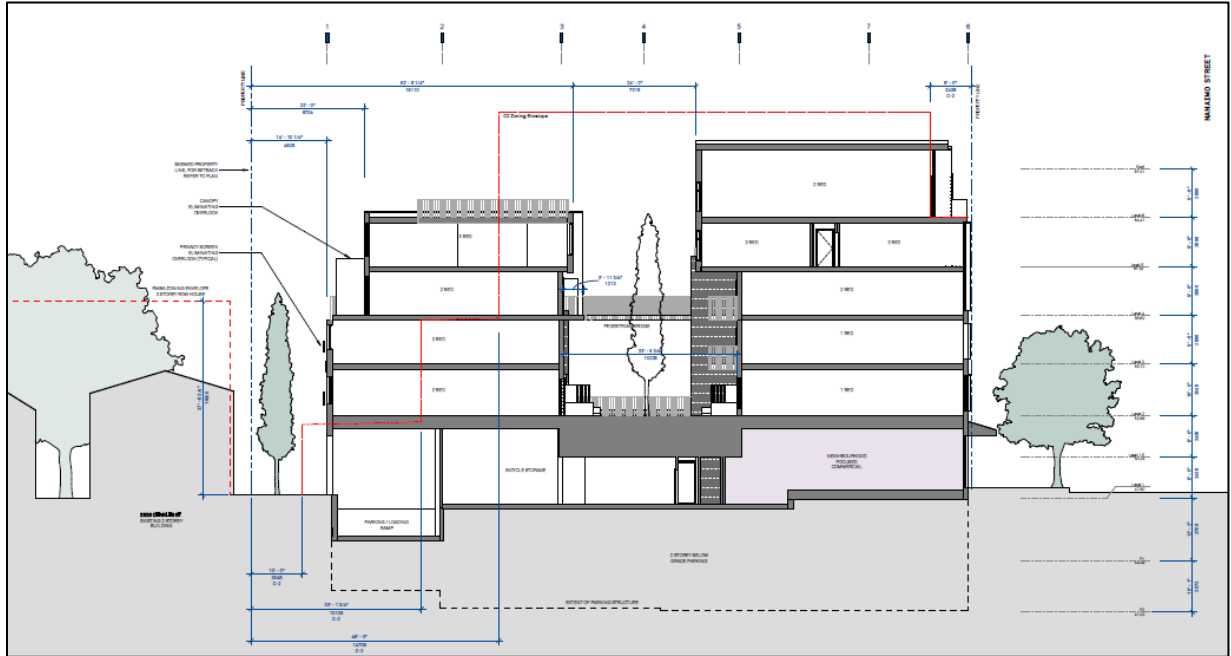
Elevation – North (Charles Street)



Elevation – South (Lane)



Section (East-West)



Renderings (View from Nanaimo Street looking South)



Rendering (View from Nanaimo Street looking North)



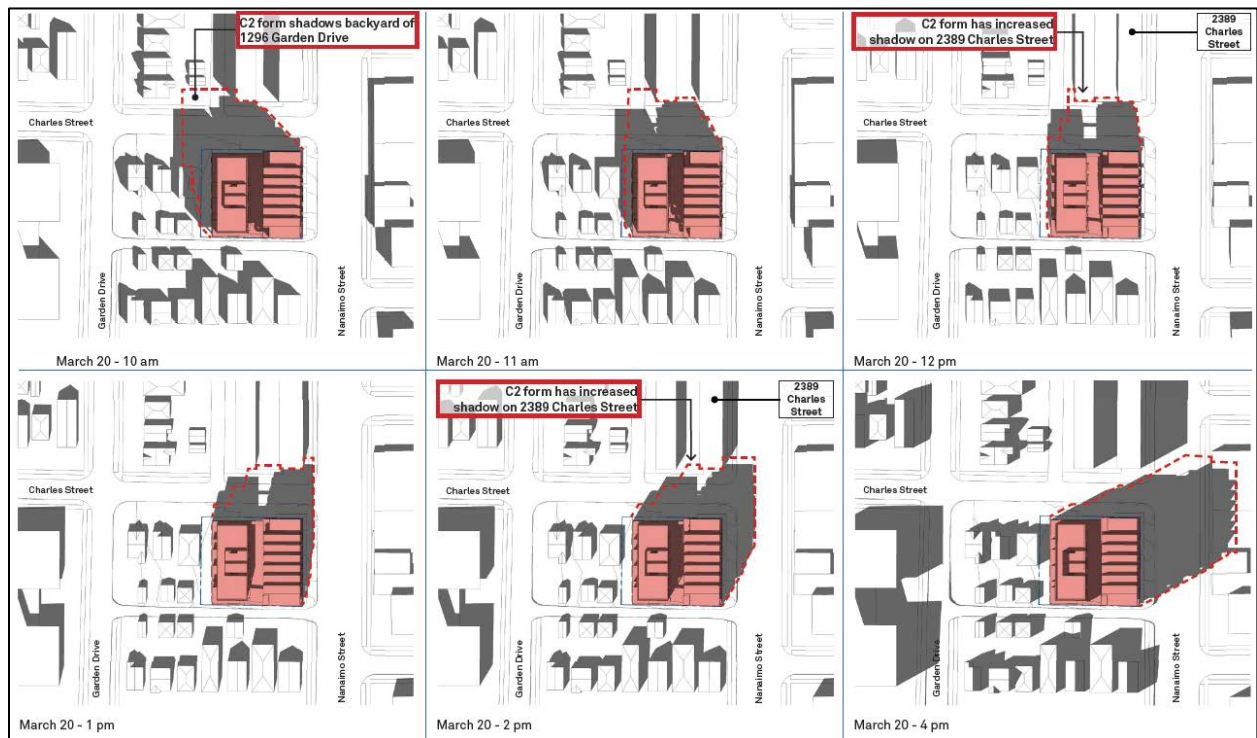
Rendering (View from North – Looking South along Charles Street)



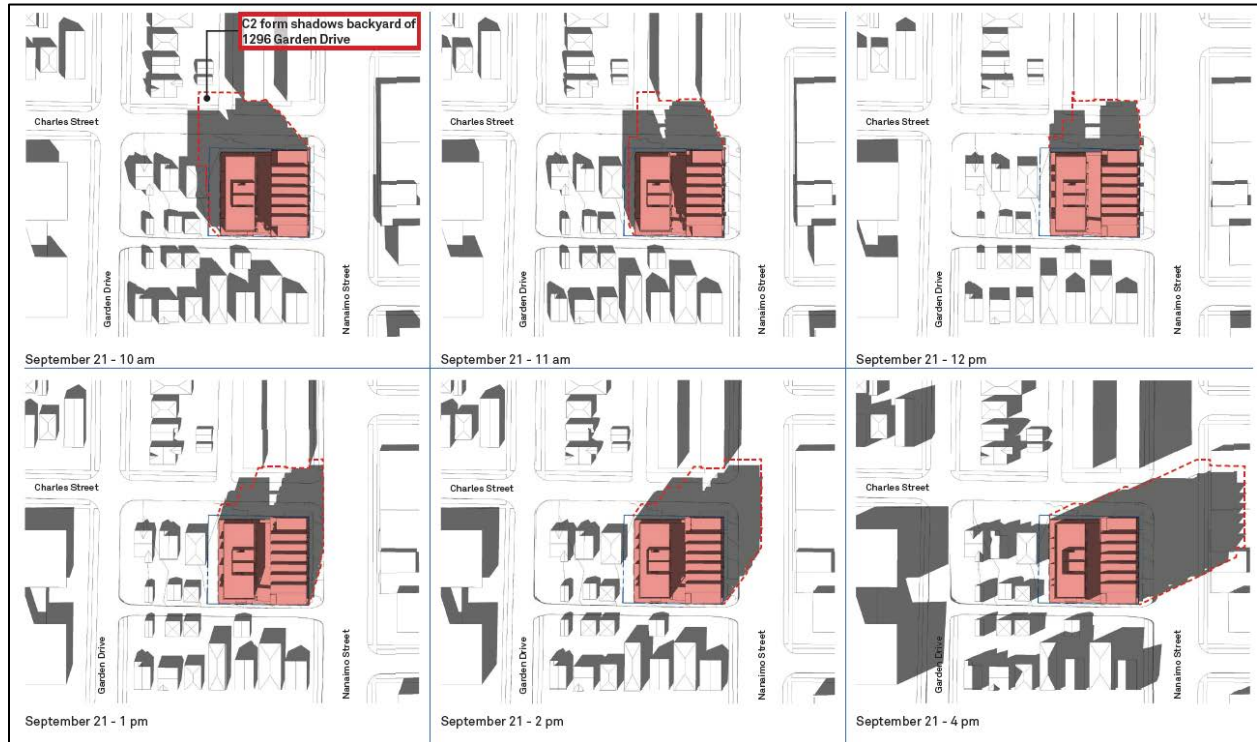
Renderings (Courtyard View North)



Shadow Study – Proposed Massing – March 20



Shadow Study – Proposed Massing - September 21



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2336 – 2366 Charles 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).
- (a) None of the proposed dwelling units will be strata units, as required through the Housing Agreement. (c) The average size of the proposed dwelling units will not be greater than specified in the DCL By-law.
- (b) The average size of the proposed dwelling units will not be greater than specified in the DCL By-law.

Unit type	No. unit proposed*	DCL By-law maximum average unit size	Proposed average unit size*
Studio	0	42 sq. m (450 sq. ft.)	450 sq. ft.
1-bedroom	25	56 sq. m (600 sq. ft.)	600 sq. ft.
2-bedroom	25	77 sq. m (830 sq. ft.)	830 sq. ft.
3-bedroom	12	97 sq. m (1,044 sq. ft.)	1,044 sq. ft.

*To be refined at Development Permit stage. A legal condition at Appendix B will ensure that the average unit size per unit type does not exceed the DCL By-law maximum average unit size.

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

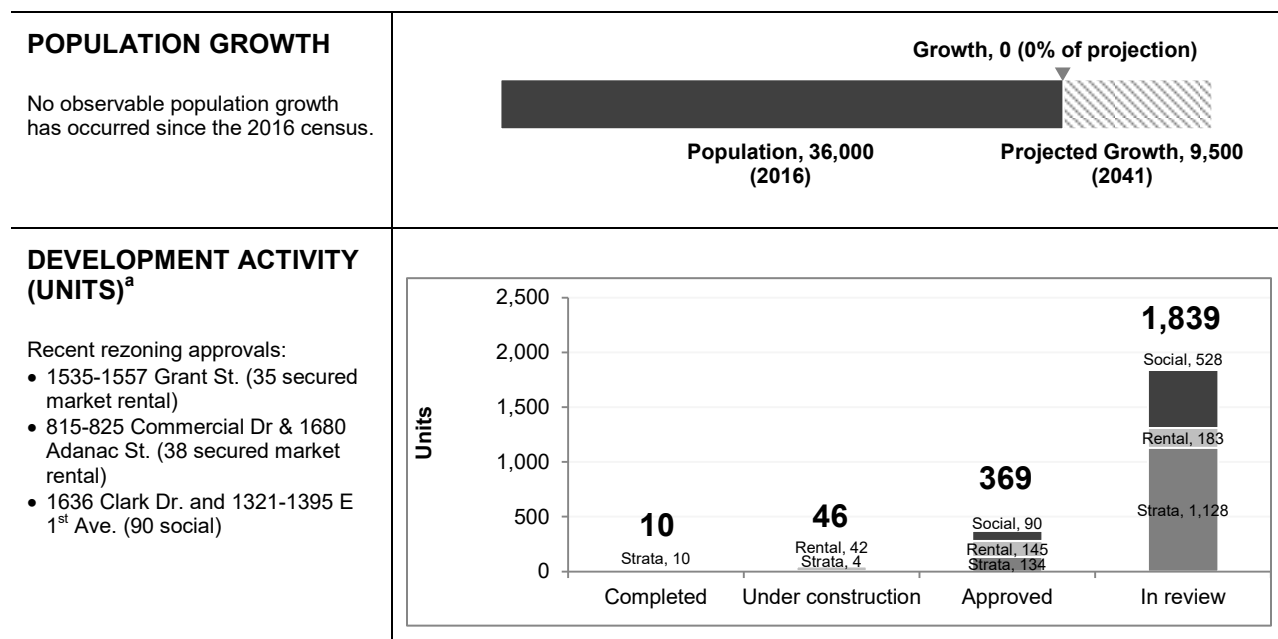
Unit type	No. unit proposed	DCL By-law maximum average unit rent*	Proposed average unit rent*
Studio	0	\$1,641	\$1,641
1-bedroom	25	\$1,942	\$1,925
2-bedroom	25	\$2,611	\$2,600
3-bedroom	12	\$2,977	\$2,925

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

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


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PUBLIC BENEFITS IMPLEMENTATION TRACKING
GRANDVIEW-WOODLAND COMMUNITY PLAN (2016)
Updated Year-End 2019



PUBLIC BENEFITS ACHIEVED SINCE 2016

Category	Anticipated Public Benefits by 2031 (+) ^b	Completed since 2016 (•) or In Progress (◦)	% ^c
Housing ^a	<ul style="list-style-type: none"> + 1,400 non-market units + 1,400 secured market rental units + Support the creation of shelter space, where feasible, and with the support of upper levels of government + Increase the diversity of housing in Grandview-Woodland + Support the protection of existing affordable rental stock; and allow gradual renewal of older/under built stock in RM areas. + Create new secondary rental opportunities in RT areas and via new townhouse/rowhouse and multifamily development 	<ul style="list-style-type: none"> ◦ 42 secured market rental units – 2109 East Hastings Street (under construction) • New RT-5, RM-8A, RM-11, RM-12 districts in GW to support increase in housing diversity 	5%
Childcare	<ul style="list-style-type: none"> + Approx. 159 new spaces for children 0 to four years + Approx. 65 renewed spaces for children 0 to four years + Approx. 90 spaces for school aged children five to 12 years + Approx. 190 renewed spaces for children five to 12 years 	<ul style="list-style-type: none"> • 69 spaces for children 0 to four years (Lord Nelson) • 22 spaces for children five to 12 years (Lord Nelson) 	20%
Transportation/ Public Realm	<ul style="list-style-type: none"> + Safety improvements for all modes with a focus on vulnerable road users and complete street designs + Upgrades and additions to cycling network + Upgrades to walking environment and sidewalk network + Street network and signal upgrades + New and enhanced plazas as part of redevelopment of key sites + Redesign Commercial Drive as a complete street 	<ul style="list-style-type: none"> • E 10th Ave corridor improvements • Street closure at Woodland St. and 2nd Ave ◦ Street trees between Clark Dr. & Nanaimo St. ◦ Commercial Dr. Piazza – pavement to plaza (planning) ◦ Safeway site plaza – as part of larger site redevelopment ◦ Pandora/Portside Greenway (planning) ◦ Nanaimo Street upgrades - utilities and transportation improvements (scheduled completion: Summer 2020) 	5%
Culture	<ul style="list-style-type: none"> + Creation of 23,000 ft² of artist work space integrated with mixed-use sites containing low-income housing for artists and cultural workers + Seek up to 18,000 ft² of non-profit creation/production studios + Seek cultural spaces as part of Britannia Community Centre redevelopment 	<ul style="list-style-type: none"> ◦ Cultural amenities are proposed as part of proposed Britannia Centre redevelopment. 	0%
Civic/Community	<ul style="list-style-type: none"> + Britannia Community Centre renewal and expansion + Fire Hall #9 renewal + Community Policing Centre lease renewal 	<ul style="list-style-type: none"> ◦ Britannia Community Centre renewal (planning) 	0%
Heritage	<ul style="list-style-type: none"> + 5% allocation from cash community amenity contributions in Grandview-Woodland 	<ul style="list-style-type: none"> • 5% allocation from cash community amenity contributions • New RT-5 zone supports retention of existing heritage and character structures 	N/A
Social Facilities	<ul style="list-style-type: none"> + Aboriginal Mother Centre Society renewal and expansion + Kiwassa Neighbourhood House renewal and expansion 	<ul style="list-style-type: none"> ◦ Britannia Community Centre - NPO Hub (scoping) ◦ Britannia Community - Food Centre (scoping) 	0%

	<ul style="list-style-type: none"> + Vancouver Aboriginal Friendship Centre Society renewal and expansion + Urban Native Youth Association redevelopment + Kettle Friendship Society redevelopment 	<ul style="list-style-type: none"> o 1st and Clark Detox and Social Housing Project (planning) 	
 Parks	<ul style="list-style-type: none"> + Renewal and improvement of 8 neighbourhood parks + Install new synthetic turf to replace existing field (location TBD) + Upgrade one track facility (location TBD) + Create new and enhanced plaza areas as part of redevelopment of key sites + Introduce new shared space areas + Increase tree planting in neighbourhood + Work with school boards to allow community use of neighbourhood schools and greenspaces during non-school times 	<ul style="list-style-type: none"> o Land acquisition for potential McSpadden Park expansion o Cedar Cottage Park renewal (under construction) o Pandora Park renewal including off-leash dog area (under construction) o Templeton Park Playground (under construction) 	0%

EXPLANATORY NOTES

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

Population Growth

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

Development Activity

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

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

Recent rezoning approvals listed in this section reflect the last five rezonings (excluding minor text amendments) approved by Council within the last five years in the plan area.

Public Benefits Achieved

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

Other Notes

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

^b See chapter 16 of the [Grandview-Woodland Community Plan](#) for detailed information about the City’s commitments to deliver public benefits in Grandview-Woodland.

^c Percentages reflect estimated progress toward overall Public Benefits Strategy targets outlined in chapter 16 of the [Grandview-Woodland Community Plan](#).

2336-2366 Charles Street
PUBLIC BENEFITS SUMMARY

Project Summary:

A six-storey mixed-use building containing 62 secured market rental units and at-grade commercial spaces fronting Nanaimo Street

Public Benefit Summary:

This proposal would provide 62 secured market rental housing units through a Housing Agreement for the life of the building or 60 years, whichever is longer.

	Current Zoning	Proposed Zoning
Zoning District	RT-5 & C-1	CD-1
FSR (site area = 1,583.9 sq. m (17,049.5 sq. ft.))	0.7 & 1.2	3.2
Floor Area (sq. ft.)	18,319 sq. ft.	54,583 sq. ft.
Land Use	Two-Family Residential & Mixed-use	Mixed-use

Summary of development contributions expected under proposed zoning:

City-wide DCL ¹	\$78,127
City-wide Utilities DCL ¹	\$26,993
TOTAL VALUE OF PUBLIC BENEFITS	\$105,120

¹ 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.

2336-2366 Charles Street APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
2366 Charles Street	011-085-614	Lot 9 of Lot C, Block 134, District Lot 264A, Plan 5712
2356 Charles Street	011-085-622	Lot 10 of Lot C, Block 134, District Lot 264A, Plan 5712
2346 Charles Street	011-085-631	Lot 11 of Lot C, Block 134, District Lot 264A, Plan 5712
2336 Charles Street	004-172-973	Lot 12 of Lot C, Block 134, District Lot 264A, Plan 5712

Applicant Information

Architect	Human Studio Architecture + Urban Design
Developer / Property Owner	Cape Group / 2366 Charles St Properties GP Ltd.

Development Statistics

	Permitted Under Existing Zoning	Proposed	Recommended (Other Than Proposed)
Zoning	RT-5 & C-1	CD-1	
Site Area	1,583.9 sq. m (17,049 sq. ft.)	1,583.9 sq. m (17,049 sq. ft.)	
Uses	Two-Family Residential & Mixed-use	Mixed-use	
Floor Area	1,701.9 sq. m (18,319 sq. ft.)	5,070.75 sq. m (54,583 sq. ft.)	
Floor Space Ratio (FSR)	0.7 & 1.2 FSR	3.2 FSR	
Height	10.7 m (35.1 ft.)	20.7 m (68.0 ft.)	22.0 m (72.2 ft.)
Unit Mix	n/a	Total units: 62 Studio units: 0 (0%) One-bedroom units: 25 (40%) Two-bedroom units: 25 (40%) Three-bedroom units: 12 (19%)	
Parking, Loading And Bicycle Spaces	as per Parking By-law	65 parking spaces 2 Class A loading spaces 134 Class A bicycle spaces 5 Class B bicycle spaces	as per Parking By-law with loading variance of 1 Class B and 2 Class A loading spaces being acceptable.
Natural Assets	13 on-site trees	6 retained on-site trees 11 new on-site trees	