



REFERRAL REPORT

Report Date: October 20, 2020
Contact: Michael Naylor
Contact No.: 604.871.6269
RTS No.: 14088
VanRIMS No.: 08-2000-20
Meeting Date: November 3, 2020
[Submit comments to Council](#)

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 1325 West 70th Avenue

RECOMMENDATION

- A. THAT the application by Matthew Cheng Architect Inc., on behalf of Leonic Investments Inc., the registered owner of the lands at 1325 West 70th Avenue [*PID 004-377-362; Lot 20 Block 39 of Block B District Lots 319, 323 and 324 Plan 2833; and Lots 1, 2, and 3 all of Lot 40 Block B District Lots 319, 323 and 324 Plan 6877; PIDs 004-394-305, 004-394-313, and 004-394-321 respectively*] to rezone the lands from RM-3A (Multiple Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 1.44 to 2.40 and the maximum building height from 10.7 m (35 ft.) to 17.6 m (58.4 ft.), to permit the development of a six-storey building containing 65 secured market rental housing units, be referred to a Public Hearing, together with:
- (i) plans prepared by Matthew Cheng Architect Inc., received December 20, 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 draft CD-1 By-law generally in accordance with Appendix A for consideration at Public Hearing.

- B. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, after the Housing Agreement has been agreed to and signed by the property owner and their mortgagee(s) and prior to enactment of the CD-1 By-law.
- C. THAT Recommendations A and B be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

This report evaluates an application to rezone the site located at 1325 West 70th Avenue from RM-3A (Multiple Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey building containing 65 secured market residential units. The site is located in the Hudson neighbourhood of the Marpole Community Plan (the “Plan”).

Staff have assessed the application and conclude that it meets the intent of the Plan. 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 in principle, subject to the Public Hearing, and conditions contained within Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council Policies for this site include:

- Marpole Community Plan (2014)
- Housing Vancouver Strategy (2017)
- Rental Housing Stock Official Development Plan (2018)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992)
- Green Buildings Policy for Rezonings (2010, last amended 2018)
- Urban Forest Strategy (2014)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183

REPORT

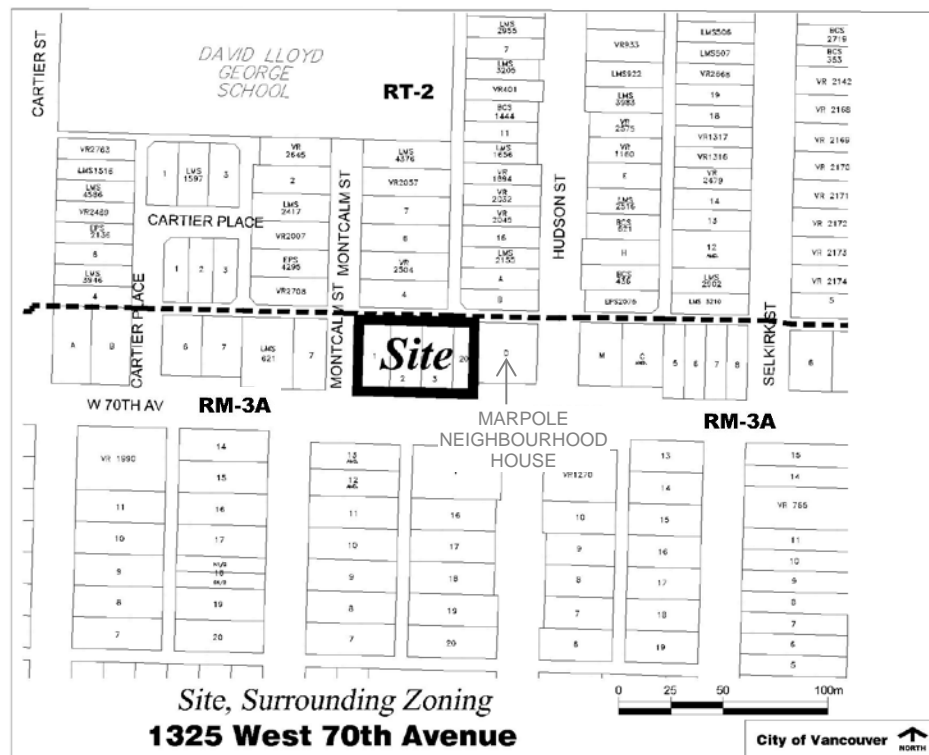
Background/Context

1. Site and Context

The subject site is comprised of four legal parcels located northeast of West 70th Avenue and Montcalm Street (see Figure 1). The total site size is 1,886.7 sq. m (20,309 sq. ft.), with a frontage of 55.3 m (181 ft.) along West 70th Avenue and a depth of 28.9 m (95 ft.) along Montcalm Street. The site is zoned RM-3A and developed with a three-storey apartment building, which is currently vacant due to a fire that has rendered the building uninhabitable.

Directly adjacent to the site is the Marpole Neighbourhood House, a recently refurbished community facility. To the north is David Lloyd George Elementary School, which is currently in the design phase for future replacement. The blocks along West 70th Avenue and to the south are zone RM-3A and primarily consist of two- and three-storey strata and rental apartments. The blocks to the north are zoned RT-2, consisting of single-detached houses and duplexes.

Figure 1 – Site at 1325 West 70th Avenue and surrounding zoning



Nearby public amenities include the Marpole Neighbourhood House, Ebune Park, and Ebisu Park. The site is a four-minute walk to bus route #100 along West 70th Avenue and a five-minute walk to route #17 along Oak Street. There are two cycling routes nearby: West 67th Avenue and Oak Street bikeways.

2. Policy Context

Marpole Community Plan – In 2014, Council adopted the Marpole Community Plan. The subject site is located within the Hudson neighbourhood. Subsection 6.2.5 of the Plan specifically supports 100% rental residential development in existing RM zones. The maximum allowable density is 2.50 FSR with buildings up to six storeys in height. Supportable density is an estimate based on intended urban design performance with respect to site size, form/typology, height and scale appropriate for respective locations and transition to adjacent properties. Under the Plan, sites along West 70th Avenue fall under this same rezoning policy.

The housing strategy in the Plan also requires multi-dwelling rental developments to comply with the Family Room: Housing Mix Policy for Rezoning Projects and to have a minimum of 35% of the units be suitable for families (two bedrooms or more).

Housing Vancouver Strategy (2017) – In November 2017, Council approved the Housing Vancouver Strategy (2018-2027) and the 3-Year Action Plan (2018-2020). The strategy seeks to shift the supply of new homes toward the right supply, with targets for new units along a continuum of housing types. The Housing Vancouver targets were based on the core goals of retaining diversity of incomes and households in the city, of shifting housing production towards rental to meet the greatest need, and of coordinating action with partners to deliver housing for the lowest income households. Overall, 72,000 new homes are targeted for the 10-year period, including 12,000 social, supportive and non-profit co-operative units and 20,000 purpose-built rental units. This rezoning application, if approved, will contribute towards the targets for purpose-built rental units and family units.

Rental Housing Stock ODP (2018) – The Rental Housing Stock Official Development Plan (RHS ODP) requires one-for-one replacement of existing rental housing units on redevelopments of three or more units in certain RM, FM, and CD-1 zoning districts. The one-for-one rental replacement requirements under the RHS ODP apply to this site.

Development Cost Levy By-laws – Under Section 3.1A of the Vancouver Development Cost Levy By-Law No. 9755 (the “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 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.

Prior to September 30, 2020, eligible projects were also entitled to a waiver under the Vancouver Utilities Development Cost Levy By-law No. 12183 (the “Utilities DCL By-law”). In-stream rate protection provided under the Vancouver Charter allows eligible projects to apply for a waiver of the Utilities DCL provided that the corresponding building permit is issued before September 30, 2021 (within 12 months of the effective date of the Utilities DCL By-law change).

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

Strategic Analysis

1. Proposal

In accordance with the Plan, the application proposes a six-storey residential building with a total of 65 secured market residential units (see Figure 2). Two levels of underground parking are accessed from the lane at the east side of the site. The overall density proposed is 2.40 FSR with a proposed height of 17.6 m (58.4 ft.). At the ground floor on southwest corner, an indoor and outdoor amenity room is proposed, with a second outdoor amenity space on the roof. Four on-site trees have been identified for retention with the building face and parkade set back to accommodate them.

Figure 2: View from West 70th Avenue looking northwest



2. Land Use

This application proposes residential use which is consistent with the intent of the Plan and the residential nature of the surrounding area.

3. Density, Height and Form of Development

(see application drawings in Appendix D and statistics in Appendix G)

This application proposes a six-storey residential building located in the upper Hudson neighbourhood. This area is characterized by affordable low-rise rental housing and established RT-2 zoned single-detached and duplex homes. As per the Plan, incremental development of new rental housing along West 70th Avenue can be up to six storeys, accompanied by improvements to the public realm.

This project fronts West 70th Avenue and backs on to RT-2 zoned properties separated by a lane. As such, upper stories are set back to minimize appearance and scale and to reduce

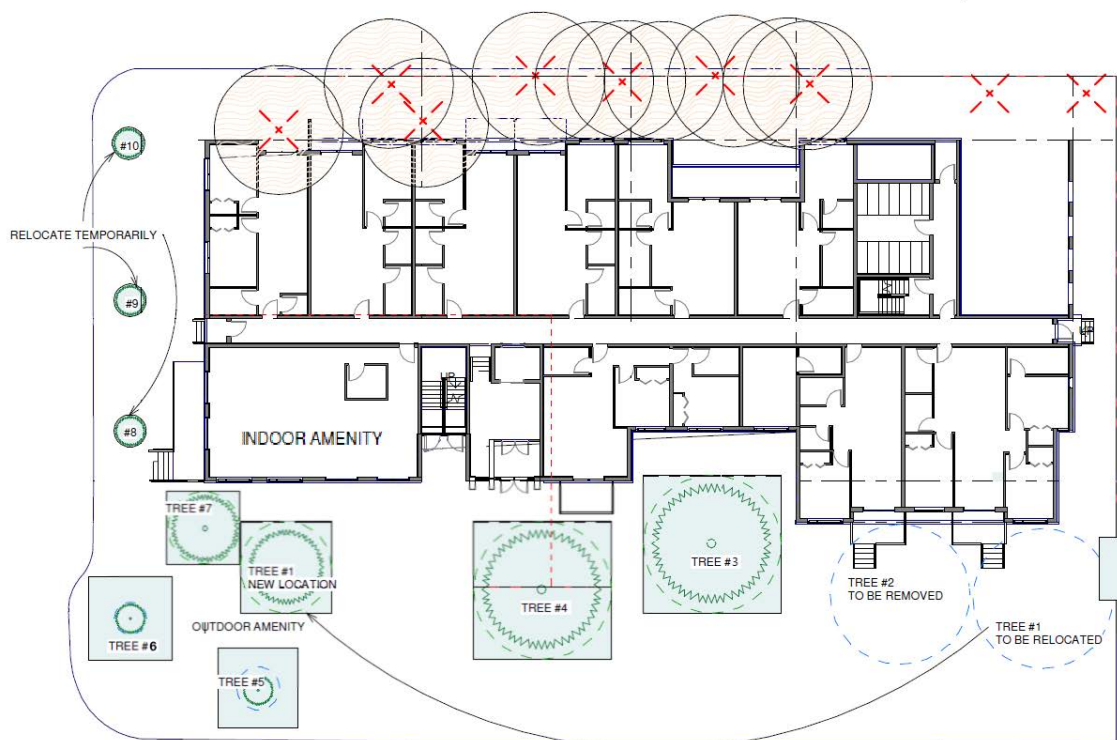
shadow impacts. The building is set back along West 70th Avenue to accommodate existing trees and enhance the public realm. This results in a modest shift of the building to the rear.

Indoor amenity space with contiguous outdoor space is provided at ground level, with additional outdoor space provided on the roof. A setback along West 70th Avenue is provided for public realm improvements, including increased sidewalk widths, street trees and future amenities such as seating and bike racks.

At 161 feet wide, the building is broken up with insets and variation in height to mitigate the appearance of the long building (Figure 3). The retention and relocation of mature trees on-site will further add visual interest to the street. The application generally adheres to setbacks and activation of the street frontages and based upon urban design performance review, proposed density and height are appropriate for this site.

A review by Urban Design Panel was not required due to the consistency of the project with the expectations of the Plan. Staff recommend approval of the proposed form of development subject to conditions outlined in Appendix B.

Figure 3: Ground floor plan



4. Housing

The Housing Vancouver Strategy (Housing Vancouver) strives to enhance access to rental housing and sets a number of short- and long-term rental housing targets. This application, if approved, would contribute 65 secured market rental housing units (29 net new) to the City's inventory of rental housing set out in the Housing Vancouver Strategy as shown in Figure 4.

Figure 4: Progress Towards 10-Year Housing Vancouver Targets for Purpose-Built Market Rental Housing as of August 31, 2020

Housing Type	10-year target	Units approved towards targets
Purpose-Built Market Rental Housing Units	20,000	4,418

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

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

****Includes Developer-Owned Below-Market Rental Housing*

Vacancy Rates – Vancouver has exhibited historically low vacancy rates in the last 30 years. In October 2019, the purpose-built apartment vacancy rate was 1.0%. The vacancy rate (based on the CHMC Market Rental Survey) for the Marpole area within which this site is located is 1.0%. This means that 10 out of every 1,000 market rental units in this area are empty and available for rent. A vacancy rate of three per cent represents a balanced market.

Housing Mix – On July 13, 2016, Council adopted the Family Room: Housing Mix Policy for Rezoning Projects which requires that a minimum of 35% of the units be family units with two bedrooms or more. These units are to be designed in accordance with the High Density Housing for Families with Children Guidelines. The application proposes 37% of the residential units as two or more bedrooms (see Figure 5). This application as proposed is consistent with the policy and a provision is included in the CD-1 By-law to maintain the minimum unit mix requirements.

Figure 5: Proposed Unit Mix

Type	Count	Percentage
Studio	4	6%
1-bed	37	57%
2-bed	17	26%
3-bed	7	11%
Total	65	100%

Security of Tenure – All 65 units would be secured through a Housing Agreement including a Section 219 Covenant, for the longer of 60 years or the life of the building, which would preclude the stratification and/or separate sale of individual units. The one-for-one rental replacement requirement of the Rental Housing Stock Official Development Plan are met and exceeded with a net increase of 31 secured rental units. Conditions related to securing the units are contained in Appendix B.

Existing Tenants – On August 3, 2018 the existing rental building was damaged by a fire in one of the units. The building was rendered uninhabitable due to the fire, smoke and water damage. A “frustrated tenancy” is when an unexpected event beyond anyone's control occurs making it impossible to meet the original terms of the tenancy agreement. In this case, all tenants ended their tenancy in August 2018.

All tenancies were protected under the BC Residential Tenancy Act that governs how residential properties are rented, and includes specific provisions for ending tenancies. The BC Residential Tenancy Act requires the landlord refund rent for the month already paid in the event of a frustrated tenancy. Any disputes would be resolved through the Residential Tenancy Branch. The updated TRP Policy does not include provisions for frustrated tenancies.

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

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

Average Rents and Income Thresholds – Figure 6 shows the proposed starting rents, the current allowable DCL By-law maximum average rent rates, average rents in newer buildings on the west side 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. The approximate household incomes required to afford the proposed starting rents in this project are shown in Figure 7.

Figure 6: Proposed Rents for Market Rental Units, Market Rents in Newer Westside Buildings, Costs of Ownership and Household Incomes Served

Unit type	Projects' Average Proposed Starting Rents	DCL By-law Maximum Averages – Westside ¹	Average market rents in newer buildings – Westside ²	Monthly cost associated with purchase of median priced unit – Westside ³
Studio	\$1,495	\$1,805	\$1,804	\$2,819
1-bed	\$1,779	\$2,136	\$1,999	\$3,413
2-bed	\$2,124	\$2,872	\$3,059	\$5,191
3-bed	\$2,945	\$3,275	\$3,876	\$8,571

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 Westside.
3. BC Assessment 2019, based on the following assumptions in 2019: median of all BC Assessment recent sales prices in Vancouver Westside 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 7: Approximate household incomes required to afford the proposed starting rents

Unit type	Projects' Average Proposed Rents	Household Income Ranges to Rent at or below 30% of before-tax income ¹
Studio	\$1,495	\$50,000-\$60,000
1-bed	\$1,779	\$70,000-\$80,000
2-bed	\$2,124	\$80,000-\$90,000
3-bed	\$2,945	\$100,000-\$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.

5. Transportation and Parking

Vehicle parking and bicycle spaces are provided on two levels of the underground parkade, accessed from the lane. The application proposes a total of 50 parking spaces and 112 Class A bicycle spaces. To meet the Parking By-law, one additional vehicle parking space, one Class A passenger loading space, and three Class B bicycle spaces will be required.

Engineering conditions are included in Appendix B.

6. Environmental Sustainability and Natural Assets

Green Buildings – The Green Buildings Policy for Rezoning (amended on May 2, 2018) requires that residential rezoning applications satisfy either the near zero emission buildings or the low emissions green buildings conditions outlined in the policy.

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

Conditions related to environmental sustainability are included in Appendix B.

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

A "by-law sized tree" has a tree trunk diameter of 20 cm or greater and requires a tree permit when it is proposed to be removed. For this application, there are a total of 28 by-law sized trees on the site and five City street trees.

Staff have reviewed the arborist report and support removal of 24 trees, retention of three trees, and relocation of one on-site tree. Three City street trees will also be relocated for parkade

excavation. The decision to remove, retain, and relocate trees are based on their species, health and locations. The applicant is proposing to plant 18 new trees at-grade.

Landscape conditions are set out in Appendix B.

Public Input

Pre-Application Community Consultation – A pre-application open house was held by the applicant on September 16, 2019 at the Marpole Neighbourhood House at 8585 Hudson Street. The applicant team and approximately 12 individuals attended the pre-application open house with two comment forms submitted.

Public Notification – A rezoning information sign was installed on the site on February 27, 2020. Approximately 2,613 notification postcards were distributed within the neighbouring area on or about July 3, 2020. Notification and application information, as well as an online comment form, was provided on the Shape Your City Vancouver website (<https://shapeyourcity.ca/>) and listed on the Rezoning Centre webpage (vancouver.ca/rezapps).

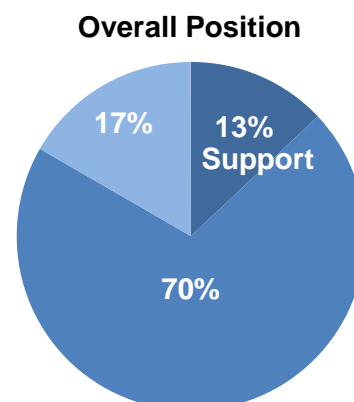
Virtual Open House – In-person open houses were put on hold based on the provincial health authority's restrictions for public gatherings since the COVID-19 pandemic. In lieu of an in-person event, a virtual open house was held from July 6, 2020 to July 26, 2020 on the Shape Your City platform. Digital presentations from the City and the applicant were posted for online viewing, along with a digital model representation of the proposed application.

Due to the pandemic, the City's process for public discussion and obtaining feedback had to shift. Some benefits of the asynchronous approach using Shape Your City include allowing people to access materials online at a time and from a location of their choosing, and an extended timeframe for providing feedback.

Public Response and Comments – Public input was received throughout the application process through online questions and comment forms, and by email and phone. A total of 70 submissions were received. Of the 54 respondents who indicated their overall position on the application, seven were in support, 38 were opposed, and another nine had mixed thoughts.

Figure 8: Public Response

Public notification	
Notification Postcards	2,613
Public response	
Online questions	15
Online comment forms	54
Other input	1
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Total submissions	70



* This is an optional question and may not directly reflect the qualitative feedback received below.

Below is a summary of feedback received from the public by topic and ordered by frequency.

Generally, comments of support fell within the following areas:

- **Additional housing stock:** The proposed development would create more rental housing stock in the west side of Vancouver.
- **Building height, density, and massing:** The height and density of this proposed development is appropriate for the Marpole area and conforms to the local area plan.
- **Building design:** Rooftop amenity space is appreciated and well designed for the residents that will be using this space.

Generally, comments of concern fell within the following areas:

- **Building height, density and massing:** The proposed building height and density does not fit in with the local neighbourhood context. The shadows from this building would block sun access to backyards. The height of the building would block views.
- **Traffic:** Traffic congestion on Hudson Street and West 70th Avenue is a concern as both are used as access to Oak Street and the bridge. The back lane behind the project is heavily used by pedestrians, especially by children going to school. Safety concerns are raised due to increased traffic flow that might result from the proposal. Construction of this project and of David Lloyd George Elementary's new school building will block access to streets and lanes for residents.
- **Parking:** The application has insufficient off-street parking for the residents and would cause parking to spill over onto nearby streets. It could cause competition for on-street parking for the residents of the proposed building, current residents and the users of Marpole Neighbourhood House.
- **Affordability:** Concern that new developments in this area could cause a spike in rents and result in evictions and a decrease in affordable rental housing options.
- **Building Design:** Concerns over the lack of originality of the proposal's façade design, its colour pallet and the articulation in form.

Staff Response – In response to concerns, staff requested and reviewed further shadow studies by the applicant (as shown in Appendix D). A design development condition has been added to reduce shadowing impact on the properties to the north. Street, lane, and other public realm upgrades, which will address parking and traffic concerns, form a part of the Engineering conditions set out in Appendix B.

A more detailed summary of public comments on the application is provided in Appendix C.

PUBLIC BENEFITS

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

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

This site is subject to the City-wide DCL and Utilities DCL on the proposed 4,526.2 sq. m (48,720 sq. ft.) of residential floor area.

As permitted under section 3.1A of the DCL By-law, the applicant has requested a waiver of DCLs attributed to the residential floor area qualifying as “for-profit affordable rental housing”. 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, effective as of September 30, 2020, the waiver of the Utilities DCL is no longer available. However, under in-stream rate protection, this project will remain eligible for the Utilities DCL waiver on qualifying rental residential floor area, provided that the corresponding building permit is issued before September 30, 2021 (within 12 months of the effective date of the Utilities DCL By-law change).

Based on the rates in effect as of September 30, 2020, it is anticipated that the project will generate approximately \$487,687 in Utilities DCLs, if it does not meet in-stream rate protection requirements. The value of the waiver of the City-wide DCL for the residential floor area is approximately \$877,934.

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

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

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

The Community Amenity Contributions Policy for Rezoning provides an exemption for routine, lower density secured market rental housing rezoning applications that align with the Secured Market Rental Housing Policy and the Rental Incentive Programs Bulletin. Staff note that as this site is currently zoned RM-3A and proposes to rezone to six storeys, the application is eligible for this CAC exemption. The offered public benefit achieved through this application is securing 65 market rental housing units.

Rental Housing – The applicant has proposed that all of the residential units will be secured as rental housing (non-stratified) for the longer of 60 years and the life of the building. The public benefit accruing from this application is the contribution to the City’s secured rental housing

stock serving a range of income levels. See Appendix F for a summary of all the public benefits for this application.

See Appendix E for details of the Marpole Community Plan Public Benefits Implementation Tracking and Appendix G for a summary of all of the public benefits for this application.

Financial Implications

Based on rates in effect as of September 30, 2020, it is anticipated that the project will pay approximately \$487,687 in DCLs. The residential component of the project is expected to qualify for a waiver of the City-wide DCL of approximately \$877,934.

The 65 rental housing units will be privately owned and operated, secured by a Housing Agreement and Section 219 Covenant for the longer of 60 years and 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 1325 West 70th Avenue from RM-3A to CD-1 to permit development of a six-storey residential development with 65 secured rental units. Assessment of this 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 Marpole Community Plan with regards to land use, density, height, and form and would make a contribution to the achievement of key housing goals outlined in the Housing Vancouver Strategy.

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

* * * * *

1325 West 70th Avenue
PROPOSED BY-LAW PROVISIONS

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

Zoning District Plan Amendment

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

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

Designation of CD-1 District

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

Uses

3. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Dwelling Uses, limited to Multiple Dwelling; and
 - (b) Accessory uses customarily ancillary to the uses permitted in this section.

Conditions of use

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

Floor area and density

- 5.1 Computation of floor area must assume that the site area is 1,886.73 m², being the site area at the time of the application for the rezoning application evidenced by this By-law, and before any dedications.
- 5.2 The floor space ratio for all uses must not exceed 2.40.
- 5.3 Computation of floor area must include all floors, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the buildings.
- 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 floor area of all such exclusions must not exceed 12% of the residential floor area, and
 - (ii) the balconies must not be enclosed for the life of the building;
 - (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
 - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses, which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the 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 per 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 exclusions for amenity areas must not exceed 10% of permitted floor area.
- 5.6 The use of floor area excluded under sections 5.4 and 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 17.63 m.

Horizontal angle of daylight

- 7.1 Each habitable room must have at least one window on an exterior wall of a building.

- 7.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 7.3 Measurement of the plane or planes referred to in Section 7.2 must be horizontally from the centre of the bottom of each window.
- 7.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement, if:
- (a) the Director of Planning or Development Permit Board first considers all of the applicable policies and guidelines adopted by Council; and
 - (b) the minimum distance of unobstructed view is not less than 3.7 m.
- 7.5 An obstruction referred to in Section 7.2 means:
- (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted under the zoning on any site adjoining CD-1 ().
- 7.6 A habitable room referred to in Section 7.1 does not include:
- (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 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 the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be defined simply as noise level in decibels.

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 ().

* * * * *

**1325 West 70th Avenue
CONDITIONS OF APPROVAL**

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

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Consideration by Council at the public hearing of the proposed form of development is in reference to plans prepared by Matthew Cheng Architect Inc., received December 20, 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

- 1.1 Design development to provide additional setbacks at the rear to further reduce scale and mitigate shadow impacts on residential properties to the north.
- 1.2 Design development of studio units to have a minimum 400 sq. ft. floor area with a minimum narrow unit dimension of not less than 12 ft.
- 1.3 Design development to improve the public realm interface as follows:
 - (a) Exterior side yard facing Montcalm Street should be treated as a front yard with entries and patios to Unit 101 and amenity room;
 - (b) Enhance activation of the lane with private patios and robust landscaping and preserve existing trees where possible (see Landscape Condition 1.7);
 - (c) Provide a paved sidewalk width of at least 8 ft. and planted boulevard of at least 6 ft. to create a generous and comfortable space for pedestrians;
 - (d) Evidence of parking garage appearing above grade should be avoided. Exposed blank foundation walls at raised entrances should be softened with landscaping;

Note to Applicant: Exposed concrete should be high-quality, smooth architectural concrete. Parged or board-formed concrete are not supported.

- (e) Ensure delineation of public and private realms at amenity room and ground level units; and

Note to Applicant: This can be achieved with changes in grade, materials, screening devices and landscaping.

- (f) Locate pad mounted transformer (PMT) away from street interface.

Note to Applicant: Consider relocating PMT adjacent to parking entry ramp to minimize impact on dwelling units.

- 1.4 Design development to provide a more prominent architectural expression for the main residential entry and create a privacy buffer for Unit 109.
- 1.5 Design development to maintain high quality exterior cladding material, such as proposed brick, at subsequent phases of development.
- 1.6 Identification on the architectural drawings of any built features intended to create a bird-friendly design.

Note to Applicant: See Bird-Friendly Design Guidelines at:
<https://guidelines.vancouver.ca/guidelines-bird-friendly-design.pdf>

Landscape

- 1.7 Design development to confirm retention of tree #3 and #4 (both pine trees in good condition) and provide the following:
 - (a) Updated arborist report and tree management plan; and
 - (b) Coordination of the arborist report and landscape architectural tree management plan.

Note to Applicant: Retention of existing healthy trees had been requested at the time of Rezoning Enquiry. Proposed relocation of tree #1 and tree #2 may not be feasible due to their size and condition.

- 1.8 Design development to improve outdoor amenity space at Level 1 by:
 - (a) Proper programming for social interactions; and
 - (b) Integrating a second, smaller children's play area, ensuring there is visual access from contiguous indoor amenity area.

Note to Applicant: Informal play elements can be considered.

- 1.9 Design development to improve children's play area at the roof deck common amenity;

Note to Applicant: This can be achieved by better programming and integration with other Landscape elements.

- 1.10 Provision of partially shaded areas on roof deck amenity area.

Note to Applicant: This can be achieved by adding small trees to the planting scheme. Provide details of planters to confirm adequate depth of soil is provided for sustainable growth and health of trees;

- 1.11 Provision of screening between patio at unit 101 and PMT.

- 1.12 Provision of two significant replacement trees on grade (not over parkade structure) with a minimum caliper of 10cm to make up for the canopy loss.

- 1.13 Provision of confirmation from Park Board regarding relocation of trees #8, #9 and #10.

- 1.14 Provision of improved sustainability by the provision of edible plants, in addition to urban agriculture plots.

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

- 1.15 Design development to the Integrated Rainwater Management Strategy to explore opportunities for on-site rain water infiltration and soil absorption, as follows:

- (a) Maximize natural landscape best management practices.
- (b) Minimize the necessity for hidden mechanical water storage.
- (c) Increase the amount of planting on the roof level, where possible.
- (d) Use permeable paving.
- (e) Employ treatment chain systems (gravity fed, wherever possible).
- (f) Use grading methods to direct water to soil and storage areas.

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

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

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

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

Provision requirements at the time of Development Permit application:

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

Note to Applicant: The plans should be at 1/8":1' 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.

- 1.18 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.

- 1.19 Provision of a "Tree Management Plan", coordinated with arborist report to show:

- (a) Scaled and dimensioned tree protection barriers around the trees on private and public property coordinated with Arborist Report;
- (b) Tree numbering for all on site and off site trees; and
- (c) Notations of all recommendations from Arborist, e.i. trigger points, grading and pruning specifications, etc.

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

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Engineering Services (Streets Design Branch) at 604-871-6131 to confirm tree planting locations and Park Board at 3-1-1 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 in. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion"*.

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

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

- 1.22 Provision of an outdoor Lighting Plan.

Crime Prevention through Environmental Design (CPTED)

1.23 Design development to consider the principles of CPTED, having particular regard for:

- (a) preventing theft in the underground parking;
- (b) encouraging natural visual surveillance;
- (c) enhancing visibility at doors, lobbies, stairs and other access routes;
- (d) including site lighting with considerations for safety and security; and
- (e) reducing opportunities for graffiti.

Note to Applicant: This is of particular concern at exit stair adjacent to main entry, indentations off lane of units 105 and 106, and entrance to bike storage at parking entry ramp.

Sustainability

1.24 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).

Engineering

1.25 Construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or Licence. Applications for provincial Approvals or Licences 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. For more information: <https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights/water-licences-approvals>

1.26 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 is required for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.

- 1.27 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.
- 1.28 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law No. 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.
- 1.29 Provision of a finalized Transportation Assessment and Management Study (TAMS), to the satisfaction of the General Manager of Engineering Services including the following updates:
 - (a) turning swaths for the ramp on level P1 and P2; and
 - (b) reduce conflicts for vehicles on the P1 and P2 ramps.
- 1.30 Design development to improve access and design of bicycle parking and comply with the Bicycle Parking Design Supplement.
 - (a) provision of minimum 10% bicycle parking lockers accommodating a maximum of one bicycle each;
 - (b) provision of a minimum 1.2 m wide access route between the bicycle parking spaces and the outside;
 - (c) provision of minimum 5% oversized Class A bicycle parking spaces and a minimum 1.5 m aisle width for oversized bicycle parking spaces;
 - (d) provision of Class B bicycle parking spaces as per By-law; and
 - (e) provision of Automatic Door Openers as per By-law.
- 1.31 Design development to improve access and design of loading spaces and comply with the Parking and Loading Design Supplement:
 - (a) provision 1 Class A Passenger loading space at grade as per By-law.
- 1.32 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 secure gate separating visitor parking and residential parking; and
 - (b) provision of improved interface of the parkade access and street/lane.

Note to Applicant: The following information is required for drawing submission at the development permit stage to facilitate a complete Transportation review:

- a complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided;
- all types of parking and loading spaces individually numbered, and labelled on the drawings;
- dimension of column encroachments into parking stalls;
- show all columns in the parking layouts;
- dimensions for typical parking spaces;
- dimensions of additional setbacks for parking spaces due to columns and walls;
- dimensions of manoeuvre aisles and the drive aisles at the parkade entrance and all gates;
- 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;
- areas of minimum vertical clearances labelled on parking levels;
- 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;
- indicate the stair-free access route from the Class A bicycle spaces to reach the outside. Stair ramps are not generally acceptable;
- existing street furniture including bus stops, benches etc. to be shown on plans; and
- the location of all poles and guy wires to be shown on the site plan.

1.33 Show all City-supplied building grades on architectural and landscape drawings.

1.34 Provide detailed landscape drawings for proposed works on City property.

1.35 When submitting Landscape plans, please place the following statement on the landscape plan; this plan is *“NOT FOR CONSTRUCTION” and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive “For Construction” approval and related permits are issued. Please contact Engineering, Development Services and/or your Engineering, Building Site Inspector for details.*”

1.36 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.

- 1.37 Prior to development permit, provide a Final Hydrogeological Study which addresses the following conditions:
- (a) two possible groundwater management strategies were presented in the Preliminary Hydrogeological Study prepared by Horizon Engineering. Confirm the groundwater management strategy for post construction and provide design drawings;
 - (b) provide a clear explanation as to how the estimated flow rate of 8 to 16 litres per minute was calculated;
 - (c) provide additional details related to how the pumping test was completed (e.g. duration of pumping and recovery periods, flow rate, etc) and what method(s) were used to calculate the provided hydraulic conductivity values;
 - (d) explain what is meant by "*The groundwater seepage gradient was conservatively estimated to be 0.11 based on the extrapolated slope gradient of the fine grained silt encountered in our test holes*" (page 6). Clarify what this gradient represents and how it was used by the study author; and
 - (e) provided an updated site plan (Figure 2) that includes a scale.

Prior to Building Permit stage 2, the Hydrogeological Study prepared by Horizon Engineering has recommended the following:

"The volume of intercepted groundwater at the excavation footprint be measured during construction to verify the volumetric groundwater flow rate and depth of groundwater table."

- During excavation, provide a memo to groundwater@vancouver.ca verifying the volumetric flow rate of groundwater seepage into the excavation and depth to groundwater. The memo should state if the findings change the Groundwater Management Plan or change the ability of the development to meet the requirements outlined in the Groundwater Bulletin.

Note to Applicant: A hold will be placed on Building Permit stage 2, to be lifted once this condition is met.

- The applicant must measure and report discharges to the City collection system. This monitoring must include daily average flow rates, and should be submitted monthly to groundwater@vancouver.ca.

Note to Applicant: A hold will be placed on Building Permit stage 2, to be lifted once the City confirms that monitoring data has been submitted for the entire construction period.

Note to Applicant: In April 2020, the City revised its Groundwater Management Bulletin, including the addition of a checklist for hydrogeological submissions. The revised bulletin can be found at: <https://bylaws.vancouver.ca/bulletin/bulletin-groundwater-management.pdf>

Green Infrastructure

1.38 Resubmission of the RWMP (Rainwater Management Plan) Report is required prior to DP issuance, with specific attention to the following:

- (a) The justification for not providing a rainwater harvesting system is out of date and incomplete. Effective January 1, 2019, all new and existing alternative water systems require an operating permit, which addresses health concerns noted in the submission;
- (b) In order to claim that rainwater harvesting is not physically viable due to anticipated supply/demand for non-potable water, a preliminary annual non-potable water budget must be included, noting the mandatory uses for treated non-potable water such as water closets, urinals and trap primers;
- (c) The report shall be reviewed and signed by a Professional Engineer registered in good standing with EGBC; and
- (d) Further comments may be provided following resubmission.

Note to Applicant: The resubmission should also address the following:

- Provide a site map detailing how rainwater will be directed or retained in each area;
- Calculation of the detention tank volume to equal the greater of either the pre-development peak flow storage volume or the amount of the 24 mm rainfall not captured in Tier 1 & Tier 2 practices;
- exploration into grading hardscapes into adjacent (or lower level) landscaping as referenced in the report but not detailed in a site plan - coordination with the landscape architect, soil storage capacities and a grading plan will be required to support this proposal;
- provide information on the how the water quality requirement will be achieved on this site, as water quality treatment is required for the first 24 mm of all rainfall from the site that is not captured in Tier 1 or Tier 2 practices and 48 mm of treatment is required for high traffic areas;
- update the R-value for the Post-development peak flow calculations - 'Planting on Grade, Sandy Soil' as 0.05 is too low. See the City of Vancouver Engineering Design Manual for comparable R-values; and
- provide more information on the form and function of the green roof system proposed.

Note to Applicant: A legal agreement related to Rainwater Management will be required prior to issuance of a Development Permit.

Housing

- 1.39 The proposed unit mix, including 4 studio units (6%), 37 one-bedroom units (57%), 17 two-bedroom units (26%), and 7 three-bedroom units (11%) is to be included in the Development Permit drawings.

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

- 1.40 The building should be designed in accordance with the High-Density Housing for Families with Children Guidelines, including the provision of:
- (a) a children's play area of at least 130 sq. m (1,400 sq. ft.) in size (S. 3.3.2 (a));
 - (b) seating with direct line of sight to the play area (S. 2.5.2);
 - (c) a minimum of 2.3 sq. m. (24.7 sq. ft.) of bulk storage for each dwelling unit; and
 - (d) wheelchair accessible washroom and kitchenette within the multi-purpose indoor amenity spaces.
- 1.41 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.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

- 2.1 Consolidation of Lots 1, 2 and 3, all of Lot 40 Plan 6877; and Lot 20 of Block 39, Plan 2833; all of Block B, District Lots 319, 323 and 324 to create a single parcel and subdivision of that site to result in the dedication of the south 17 ft. (the Building Line area) for road purposes.

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>

- 2.2 Provision of a Services Agreement to detail the on-site 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.

The proposed development shall be serviced by interconnected water services. Based on the current configuration of the water system, the development cannot be serviced with a set of interconnected services. The development shall be responsible for 100% of the costs of modifications to the water system to allow for the development to be serviced by interconnected services. The development shall either:

- (i) Be responsible for installation of approximately 120 m of new distribution water main and associated appurtenances on West 70th Avenue, from Montcalm Street to Hudson Street; or
- (ii) Be responsible for appropriate modifications to the existing 450 mm water transmission main fronting to property to allow the transmission main to properly function as a distribution main for the property, including but not limited to installation of new gate valves.

Note to Applicant: The choice of which above option is implemented is at the sole discretion of the General Manager of Engineering Services (GMES), and will be decided when detailed evaluation and design of each option is explored prior to Development Permit issuance. Any work described above shall be completed to the satisfaction of the GMES, with 100% of the costs being borne by the developer.

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, including:

- (i) Separate 85.66 m of 550 mm combined main to 600 mm storm and 200 mm sanitary on West 70th Avenue.

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

The developer may submit a flow monitoring study to confirm the extent of the upgrade, which is to be reviewed and accepted by City Engineer. The study shall provide data for minimum 3 months of wet weather flow and dry weather flow, to allow for model calibration and flow estimate verification. The required upgrades may be modified based on the outcomes of the flow monitoring study, at the discretion of the City Engineer. Contact utilities.servicing@vancouver.ca for direction prior to initiating any flow monitoring work.

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

Developer's Engineer to submit design brief, calculations and/or model, and design drawings to the City. All submittals including upgrade design drawings (90% design stage or better) are required to be reviewed and accepted by the City Engineer prior to development permit issuance.

Development to be serviced to proposed 600 mm of storm and 200 mm of sanitary mains in West 70th Avenue.

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 West 70th Avenue adjacent to the site and appropriate transitions including the following:
 - (i) 1.83 m (6 ft.) wide front boulevard with street trees where space permits;
 - (ii) 2.44 m (8 ft.) wide broom finish saw-cut concrete sidewalk;
 - (iii) Upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations;
 - (iv) New concrete curb and gutter along 70th Avenue and Montcalm Street;
 - (v) Curb ramps;
 - (vi) Adjustment to all existing infrastructure to accommodate the proposed street improvements.
- (d) Provision for upgrade of entire Hudson Street and West 70th Avenue intersection lighting to current City standards and IESNA recommendations.
- (e) Provision of lane lighting on standalone poles with underground ducts. The ducts should be connected to the existing City Street Lighting infrastructure.
- (f) Provision to construct speed humps in the lane north of West 70th Avenue between Montcalm Street and Hudson Street.

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

- (g) Provision for the mill and regrade of the lane adjacent to the development site to centerline to accommodate City-supplied building grades.

- (h) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
 - (i) 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, 8 ft. long and 18 in. deep, centre on each street tree adjacent to the sidewalk and any off street bike facility.
- 2.3 Engineering Services will require all utility services to be underground for this “conditional” development. 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 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. The applicant shall provide written confirmation from BC Hydro that all required electrical plant is provided for on-site.

Green Infrastructure

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

Housing

- 2.5 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 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 additional conditions:
- (a) A no separate-sales covenant.
 - (b) A no stratification covenant.
 - (c) That none of such units will be rented for less than one month at a time.
 - (d) All rental units will be secured as rental for a term of 60 years or the life of the building, whichever is greater;
 - (e) That a rent roll be provided indicating the agreed initial monthly rents for each rental unit, when the Housing Agreement is entered into, prior to development permit issuance and prior to DCL calculations during building permit issuance.

- (f) That 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	1325 West 70th Avenue proposed average starting rents
Studio	\$1,495
1-bed	\$1,779
2-bed	\$2,124
3-bed	\$2,945

- (g) That a final rent roll 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, that 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.
- (h) Such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability (or successor in function) and the Director of Legal Services may in their sole discretion require.

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

Environmental Contamination

2.6 If applicable:

- (a) Submit a site profile to the Environmental Services (Environmental Protection);
- (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 to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as registerable charges pursuant to the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the By-law and at no cost to the City.

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

* * * *

1325 West 70th Avenue
PUBLIC CONSULTATION SUMMARY

Engagement Events, Notification, and Responses

	Dates	Results
Events		
Pre-application open house (applicant-led)	September 16, 2019	12 attendees
Virtual open house (City-led)	July 6 – 26, 2020	276 participants (aware)* <ul style="list-style-type: none"> • 131 informed • 54 engaged
Public Notification		
Postcard distribution – Notice of Virtual Open House	July 3, 2020	2,613 notices mailed
Public Responses		
Pre-application comment forms	September 16, 2019	2 submittals
Online questions	July 6 – 26, 2020	15 submittals
Online comment forms	June – August, 2020	54 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	June – August, 2020	54 submittals total <ul style="list-style-type: none"> • 7 responses • 38 responses • 9 response
Other input	March – August, 2020	7 submittals

Note: All reported numbers above are approximate.

*The Shape Your City platform allows staff to capture more nuanced levels of engagement associated with the rezoning application, categorized as:

- **Aware:** Number of unique visitors to the application webpage that viewed only the main page.
- **Informed:** Visitors who viewed documents or the video/photo gallery associated with the application; *informed* participants are a subset of *aware* participants.
- **Engaged:** Visitors that submitted a comment form or asked a question; *engaged* participants are a subset of *informed* and *aware* participants.

Map of Notification Area



Analysis of All Comments Received

Below is an analysis of all public feedback by topic and ordered by frequency.

Generally, comments of support fell in the following areas:

- **Additional Housing Stock:** The proposed development would create more rental housing stock in the west side of the City of Vancouver.
- **Building height, density, and massing:** The height and density of this proposed development is appropriate for the Marpole area and conforms to the local area plan.
- **Building design:** Rooftop amenity space is appreciated and well designed for the residents that will be using this space.

Generally, comments of concern fell within the following areas:

- **Building height, density, and massing:** The proposed building height and density does not fit in with the local neighbourhood. The shadows from this building would block sun access to backyards. The height of the building would block views and a three-storey building should be considered instead.

- **Traffic:** Traffic congestion on Hudson Street and West 70th Avenue is a concern as both are used as access to Oak Street and the bridge. The back alley behind the project is heavily used by pedestrians, especially children, going school. Safety concerns are raised due to increased traffic flows as a result of this proposal. Construction of this project and David Lloyd George Elementary school will block access to streets and lanes for residents.
- **Parking:** The application has insufficient parking for the residents and would cause street parking to spill onto nearby streets. There could cause competition over street parking for the residents of this application, current residents, and the users of Marpole Neighbourhood House.
- **Affordability:** Concern that new developments in this area could cause a spike in rents and result in evictions and a decrease in affordable rental housing options.
- **Building Design:** Concerns over the lack of originality for the proposal's façade, colour pallet and the articulation in form.

The following are other comments received from the public but were not as frequently occurring as the above topics.

General comments of support:

- Support for the project forgoing the Urban Design Panel process as it is a waste of tax payer dollars and City staff's time.
- The preservation of existing trees on this site.

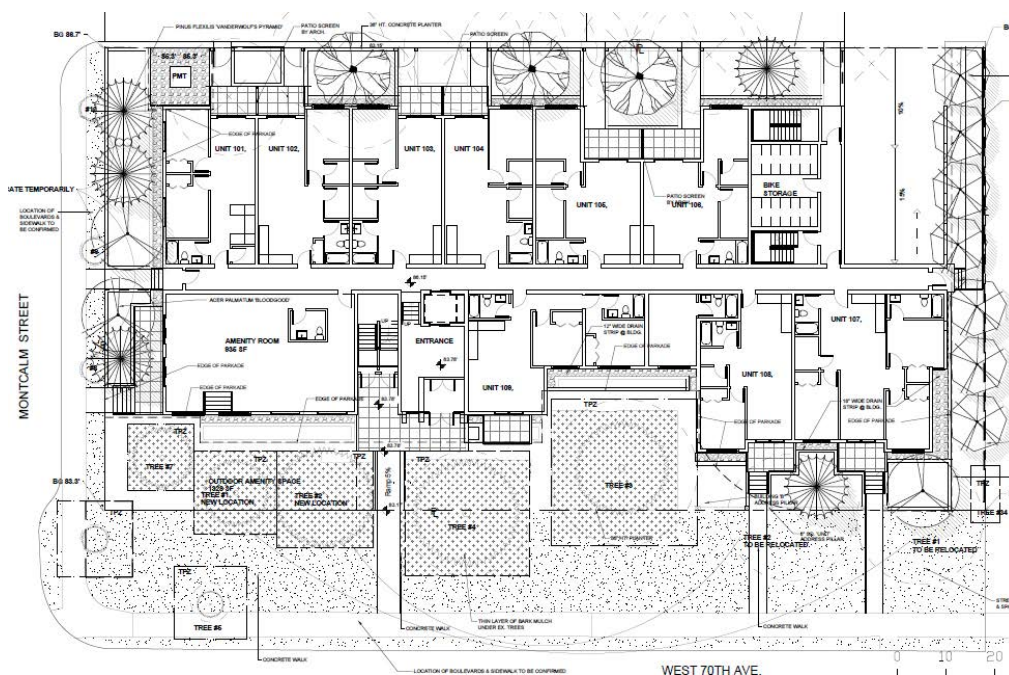
General comments of concern:

- Back alley attracts a lot of unwanted activities such as drug use and the proposal will attract more vagrant activities as a result.
- Lack of sufficient green space for proposed project and neighbourhood.
- Increase in noise during construction phase.
- Increase in population will cause disturbances to the neighbourhood.
- Loss of property values to the houses directly behind this proposal.
- The creation of another CD-1 by-law makes it difficult to understand Vancouver's zoning and land use by-laws at a higher level.

Neutral comments/suggestions/recommendations:

- More could be done for cycling and general walkability in the area.
- Consider the use of standard zoning districts to allow this sort of development to go through the process more quickly in the future.
- A mix of materials such as bricks should be considered for the proposal.
- A three-storey building should be considered instead.

* * * * *



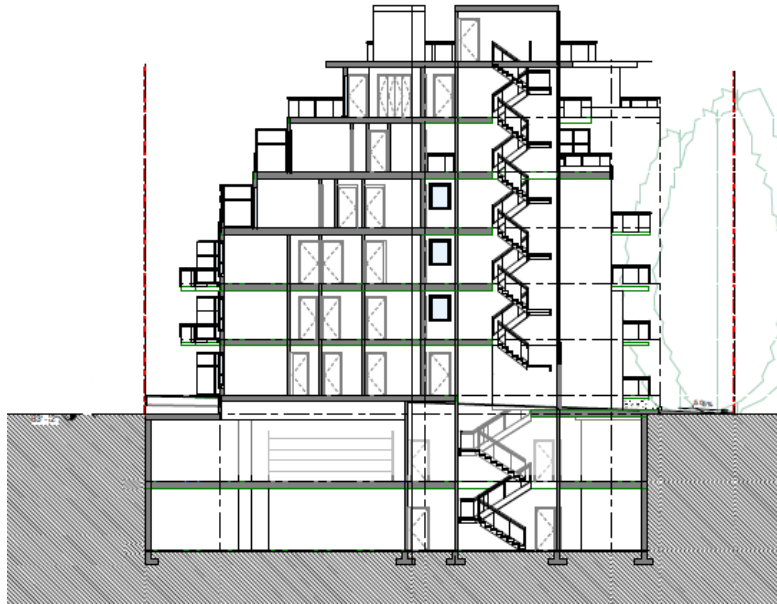
West Elevation



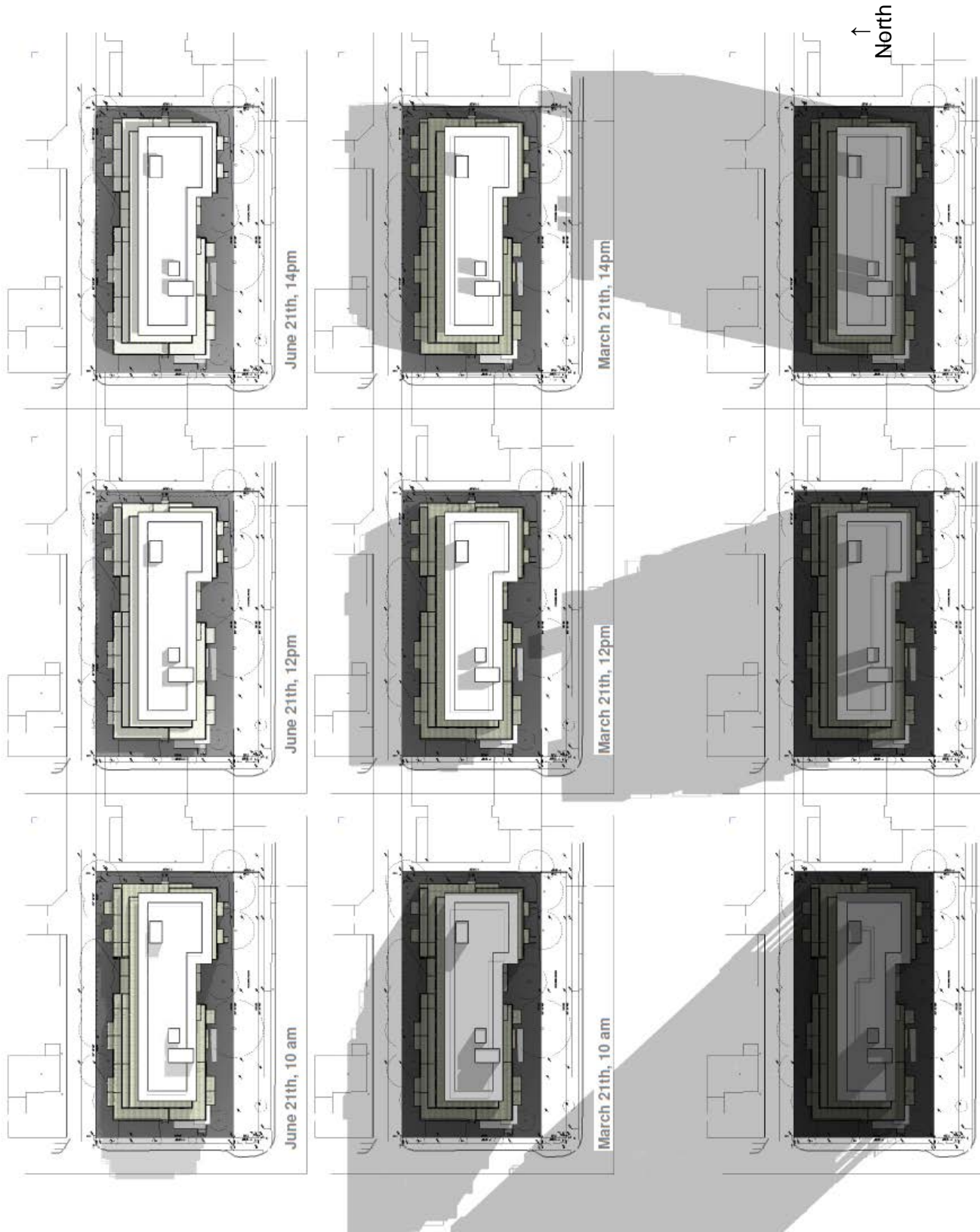
South Elevation



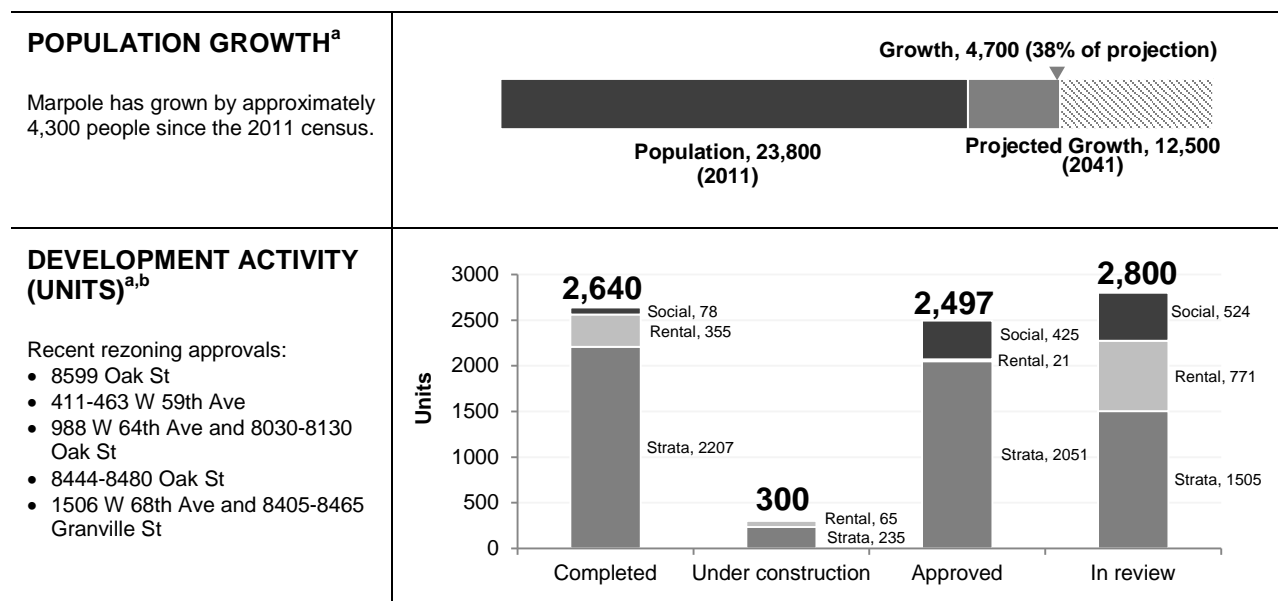
Sections



Shadow Study






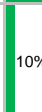
PUBLIC BENEFITS IMPLEMENTATION TRACKING
MARPOLE COMMUNITY PLAN (2014)^a
Updated End of Year 2019



PUBLIC BENEFITS ACHIEVED SINCE 2014^a

Category	Anticipated Public Benefits (+) ^c by 2044	Completed (•) or In Progress (◦)	% ^d
Housing ^a	<ul style="list-style-type: none"> + Approx. 500 units of social housing from cash community amenity contributions + Approx. 300 units of social housing + Approx. 350 secured market rental units + 10% social & 10% secured market rental in Pearson Dogwood 	<ul style="list-style-type: none"> • 78 social housing units at temporary modular housing sites^e • 355 secured market rental units ◦ 65 secured market rental units (under construction) 	30%
Childcare	<ul style="list-style-type: none"> + Approx. 234 spaces for children 0-4 + Approx. 244 spaces for children 5-12 	<ul style="list-style-type: none"> • 74 spaces for children 0-4 • 24 spaces for children 5-12 	20%
Transportation/ Public Realm	<ul style="list-style-type: none"> + Pursue improvements to the public realm and secure walking and cycling connections through sites as development occurs + Renew sidewalks as required and improve accessibility + Provide more and better walking and cycling access to the Fraser River + Work with TransLink and Coast Mountain Bus Company to maintain and enhance the existing transit network in Marpole + Pursue the construction of a new Canada Line station at West 57th Avenue 	<ul style="list-style-type: none"> • SW Marine Dr bikeway • Arbutus Corridor temporary pathway and removable bollards • Oak St improvements 	10%
Culture	<ul style="list-style-type: none"> + Preserve and stabilize cultural assets + Retain/create multi-use neighbourhood creative spaces + Public art + Reflect significant heritage themes (e.g. Musqueam presence) in public realm, public art and other opportunities as they arise. 	<ul style="list-style-type: none"> • Joy Kogawa House acquired and renovated • MC2 Artist Studios (2 units) • Public art from rezonings ◦ Public art with xʷməθkʷəy̓əm (Musqueam) (in RFP) 	30%
Civic/Community	<ul style="list-style-type: none"> + Renew the Marpole Library + Replace or renew the existing Marpole-Oakridge Community Centre + Work with YMCA as potential partner to deliver aquatic services 	<ul style="list-style-type: none"> • Land acquired for Marpole Civic Centre ◦ Marpole Community Centre renewal and outdoor pool at Oak Park (approved) 	25%
Heritage	<ul style="list-style-type: none"> + Explore opportunities with Musqueam and other partners for funding to recognize historical and cultural importance of the Marpole Midden and čəsnaʔəm sites + 5% allocation from cash community amenity contributions in Marpole 	<ul style="list-style-type: none"> ◦ Ongoing efforts for Fraser Arms Hotel and protection of čəsnaʔəm site ◦ 5% allocation from cash community amenity contributions in Marpole 	N/A

Table continues on next page

 Social Facilities	<ul style="list-style-type: none"> + Marpole Oakridge Family Place relocation and expansion + Neighbourhood House renewal and expansion + Explore opportunities for affordable office space for community-based non-profit organizations 	<ul style="list-style-type: none"> • Marpole Oakridge Family Place • Restoration of Marpole Place 	 40%
 Parks	<ul style="list-style-type: none"> + Fraser River park + Pearson Dogwood park + 1-2 plazas through redevelopment + Upgrade 2 parks 	<ul style="list-style-type: none"> • 63rd & Yukon plaza ○ Ash Park playground upgrades ○ Winona Park playground upgrades ○ William Mackie Park renewal 	 10%

EXPLANATORY NOTES

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

Population Growth

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

Development Activity

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

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

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

Public Benefits Achieved

Public benefits projects that have either been completed or are under construction are included in this section. This tracker also includes information about the progression of larger projects in the scoping/planning/design phase, and 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.

^c See chapter 17 of the [Marpole Community Plan](#) for detailed information about the City’s commitments to deliver public benefits in Marpole.

^d Percentages reflect estimated progress toward overall Public Benefits Strategy targets outlined in chapter 17 of the [Marpole Community Plan](#).

^e These 78 social housing units are temporary modular housing that were not anticipated in the Marpole Plan; therefore, they do not count towards the Plan’s housing goal.

1325 West 70th Avenue
DEVELOPMENT COST LEVY WAIVER ANALYSIS

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

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

Unit Type	No. of units proposed	DCL By-law maximum average unit size
Studio	4	42 sq. m (452 sq. ft.)
1-bed	37	56 sq. m (603 sq. ft.)
2-bed	17	77 sq. m (829 sq. ft.)
3-bed	7	97 sq. m (1,044 sq. ft.)

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

Unit Type	No. of units proposed	DCL By-law maximum average unit rent*	Proposed Average Unit Rent*
Studio	4	\$1,641	\$1,495
1-bed	37	\$1,942	\$1,779
2-bed	17	\$2,611	\$2,124
3-bed	7	\$2,977	\$2,945

*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.

* * * * *

1325 West 70th Avenue
PUBLIC BENEFITS SUMMARY

Project Summary

A six-storey residential building containing 65 secured rental units.

Public Benefit Summary

The proposal would provide approximately 65 dwelling units which would be secured as rental housing for 60 years or the life of the building, whichever is longer.

	Current Zoning	Proposed Zoning
Zoning District	RM-3A	CD-1
FSR (site area = 1,886.7 sq. m / 20,309 sq. ft.)	1.44	2.40
Buildable Floor Space (sq. ft.)	12,185	48,720
Land Use	Multi-Family Residential	Multi-Family Residential

Development contributions under proposed zoning

City-wide DCL ¹	\$0
City-wide Utilities DCL ^{1, 2}	\$487,698
TOTAL	\$1,365,509

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.

² Based on rates in effect as of September 30, 2020; however, under in-stream rate protection this project will remain eligible for the 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).

**1325 West 70th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

Property Information

Address	PID	Legal Description
1325 W 70th Ave	004-377-362	Lot 20 Block 39 of Block B District Lots 319, 323 and 324 Plan 2833
1325 W 70th Ave	004-394-305	Lot 1 of Lot 40 Block B District Lots 319, 323 and 324 Plan 6877
1325 W 70th Ave	004-394-313	Lot 2 of Lot 40 Block B District Lots 319, 323 and 324 Plan 6877
1325 W 70th Ave	004-394-321	Lot 3 of Lot 40 Block B District Lots 319, 323 and 324 Plan 6877

Applicant Information

Architect/Applicant	Matthew Cheng Architect Inc.
Property Owner	Leonic Investments Inc.

Development Statistics

	Permitted Under Existing Zoning	Proposed
Zoning	RM-3A	CD-1
Site Area	1,886.7 sq. m (20,309 sq. ft.)	1,886.7 sq. m (20,309 sq. ft.)
Land Use	Residential	Residential
Maximum FSR	1.44	2.40
Maximum Height	10.7 m (35 ft.)	17.63 m (58.4 ft.)
Floor Area	1,132 sq. m (12,185 sq. ft.)	4,526.2 sq. m (48,720 sq. ft.)
Residential Units	36 (vacant)	4 studio (6%) 37 one-bedrooms (57%) 17 two-bedrooms (26%) 7 three-bedrooms (11%) 65 Total
Parking, Loading, and Bicycle Spaces	Per Parking By-law	50 parking spaces (51 required) 0 passenger loading (1 required) 112 bicycle spaces (3 additional Class B required)
Natural Assets	5 City street trees 28 On-site trees	18 New on-site trees 3 Retained on-site 3 Relocated City street trees 2 Retained City street trees 1 Relocated and retained on-site tree

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