



## REFERRAL REPORT

Report Date: January 5, 2021  
Contact: Yardley McNeill  
Contact No.: 604-873-7582  
RTS No.: 14251  
VanRIMS No.: 08-2000-20  
Meeting Date: January 19, 2021

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: CD-1 Rezoning: 3084 West 4th Avenue and 2010 Balaclava Street

### **RECOMMENDATION**

- A. THAT the application by James Evans on behalf of Retna Investments Inc., the registered owner of the lands at 3084 West 4th Avenue and 2010 Balaclava Street [*PID 005-215-943, Lot 21 Block 29 District Lot 192 Plan 4561 and PID 005-215-951, Lot 22 Block 29 District Lot 192 Plan 4561*] to rezone the lands from RM-4 (Residential) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 1.45 to 2.95 and building height from 10.7 m (35.1 ft.) to 19.3 m (63.4 ft.) to allow construction of a new development containing 35 secured rental housing units, of which 20% of the residential floor area will be secured as moderate income units, under the *Moderate Income Rental Housing Pilot Program*, be referred to Public Hearing, together with:
- (i) plans prepared by Ekistics Architecture, received January 23, 2020;
  - (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 the 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 Recommendations A through B be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

### **REPORT SUMMARY**

This report evaluates an application to rezone 3084 West 4th Avenue and 2010 Balaclava Street from RM-4 (Residential) District to CD-1 (Comprehensive Development) District, under the *Moderate Income Rental Housing Pilot Program* (the “*MIRHP Program*”). The application proposes a six-storey building with 35 secured rental housing units, of which 20% of the total floor area is reserved for Moderate Income Rental Housing Units. The moderate income units will be rented at rates targeted to meet the affordability needs of households earning between \$30,000 and \$80,000 per year, with any increases in rent after the issuance of an occupancy permit to be capped at the *Residential Tenancy Act’s* annual allowable rental increase regardless of a change in tenancy. A height of 19.3 m (63.4 ft.) and a density of 2.95 FSR are recommended.

Staff have assessed the application and conclude that it meets the intent of the *MIRHP Program*. The application is also consistent with the *Development Cost Levy By-law No. 9755* definition of “for-profit affordable rental housing”, for which certain Development Cost Levies may be waived, as described in this report.

If approved, the application would contribute 35 secured rental housing units towards the City’s housing goals as identified in the *Housing Vancouver Strategy*. Staff recommend the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it, subject to the Public Hearing, along with the Conditions of Approval outlined in Appendix B.

## **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

- *Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements and Available Incentives (2017, last amended 2019)*
- *RM-4 and RM4N Districts Schedule (2018)*
- *Kitsilano RM-4 Guidelines (1988, last amended 1992)*
- *Housing Vancouver Strategy (2017)*
- *Rental Housing Stock Official Development Plan (ODP) (2007, last amended 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)*
- *Community Amenity Contributions — Through Rezonings (2020)*
- *Vancouver Development Cost Levy By-law No. 9755*
- *Vancouver Utilities Development Cost Levy By-law No. 12183*
- *Tenant Relocation and Protection Policy (2015, last amended 2019)*

## **REPORT**

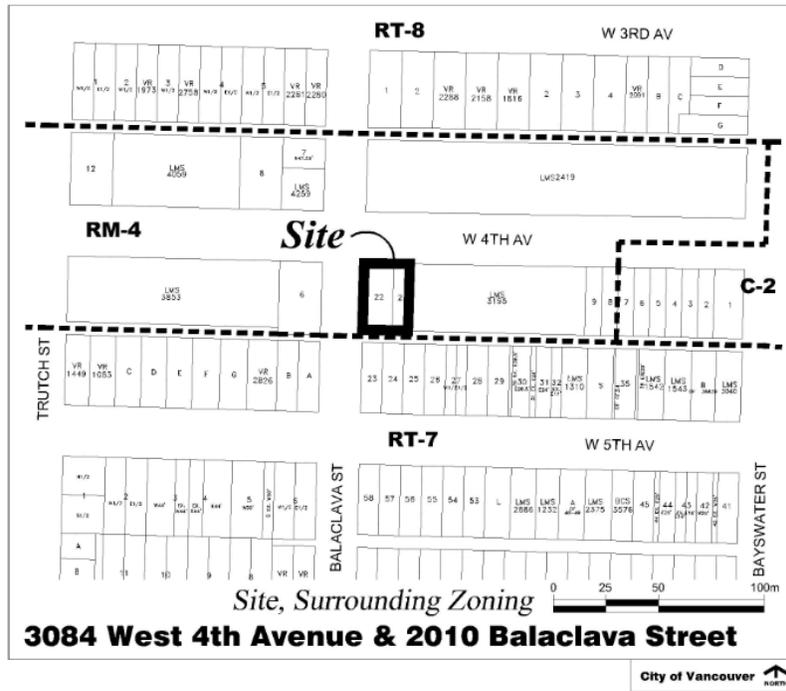
### **Background/Context**

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

This 687.4 sq. m (7,400 sq. ft.) subject site is comprised of two lots at the southeast corner of West 4th Avenue and Balaclava Street in the Kitsilano neighbourhood (see Figure 1). The property has a 21.6 m (70.8 ft.) frontage along West 4th Avenue and 31.7 m (104 ft.) along Balaclava Street. It is occupied by three duplexes constructed in 1943. The six existing units house 13 tenants who qualify for Tenant Relocation under the City's Tenant Relocation Policy. The site does not include any historic features.

The site is zoned RM-4 (Residential) District which permits a maximum density of 1.45 FSR and building heights up to 10.7 m (35.1 ft.) in the form of four-storey apartments. Surrounding properties to the north, east and west are also zoned RM-4 and developed with three and four storey residential buildings. The area to the south is zoned RT-7 with a maximum development potential for multiple dwelling use of 10.7 m (35.1 ft.) in height and 0.6 FSR.

**Figure 1 – Location Map**



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

- Open Space: Tatlow Park, McBride Park
- Community Space: Kitsilano Branch Vancouver Public Library
- Institutional: St. James Milonga Community Centre, Redemption Church, Lord’s Grace Church, City Life Church
- Childcare: Kit’s Cottage Daycare, Jericho Kids Club General Gordon, St. James Day Care Centre

**Local School Capacity** – The site is located within the catchment area of General Gordon Elementary School at 2268 Bayswater Street and Kitsilano Secondary School at 2706 Trafalgar Street. Per the *Vancouver School Board (VSB)’s Draft Long Range Facilities Plan*, dated May 29, 2019, enrolments at General Gordon in 2017 resulted in a shortage of six student spaces. Enrolment by 2027 is expected to have a shortage of 90 spaces; however, nearby Carnarvon Elementary School is expected to have some capacity. In 2017, Kitsilano Secondary School had an operating capacity of 1,371 students. Based on the VSB draft plans, enrolments in 2017 resulted in a surplus of 129 students. By 2027, the draft plan forecasts having an operating capacity for 1,500 students with a surplus to accommodate 38 students. VSB also continues to monitor development and work with City staff to help plan for future growth.

**2. Policy Context**

**MIRHP Program** – Approved in November 2017, the *MIRHP Program* is intended to deliver moderate income rental housing across the city. Between January 1, 2018 and July 1, 2019, the City accepted rezoning proposals for new buildings where 100% of the residential floor area is secured as rental housing and at least 20% of that floor area is permanently secured as moderate income rental housing units. These “moderate income units” are to be rented at rates

targeted to meet the affordability needs of moderate income households earning between \$30,000 and \$80,000 per year. Caps on rental increases for the moderate income units are required at rates set under the provincial *Residential Tenancy Act*, even on a change in tenant. The purpose of the pilot is to test the level of interest from the development industry and demonstrate financial and operational feasibility of these projects in different parts of the city, including the level of affordability which can be achieved.

On November 26, 2019, Council approved an extension of the timeline of the *MIRHP Program* to enable new rezoning proposals to be considered until January 1, 2021. In-stream enquiries may continue to be processed as applications past this date. Following the pilot, staff will report back to Council with recommendations regarding the construction of moderate income rental housing.

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

**Rental Housing Stock Official Development Plan** – 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-law’s 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 establishes maximum unit sizes and maximum initial 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 Incentives Program 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”). However, applications submitted before this date will remain eligible for a waiver of the Utilities DCLs under the Utilities DCL By-law, provided that a building permit is issued by 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*.

**Tenant Relocation and Protection Policy** – In June 2019, Council amended the 2015 *Tenant Relocation and Protection Policy* (“TRP Policy”). The TRP policy is intended to protect tenants by mitigating the impacts of displacement resulting from redevelopment activity, while recognizing that some renewal is necessary to maintain the health of the overall rental stock. A Tenant Relocation Plan is required when tenants are displaced as a result of redevelopment or major renovation activity. At a minimum, these terms include four months’ free rent or more based on length of tenancy, a flat-rate payment towards moving expenses, and assistance finding three alternate accommodations that best meet the tenants identified priorities. Eligible tenants may exercise a Right of First Refusal to return to one of the replacement rental units in the new building with a 20% discount on starting market rents, or at new below-market rates, provided they meet the eligibility requirements under those policies.

## **Strategic Analysis**

### **1. Proposal**

This application proposes a residential building with a total floor area of 2,027.4 sq. m (21,823 sq. ft.) and density of 2.95 FSR, as shown in Figure 2. The application includes 35 secured rental housing units, with 20% of the total floor area secured as moderate income units. The recommended height is 19.3 m (63.4 ft.).

**Figure 2 – Perspective looking southeast from West 4th Avenue and Balaclava Street**



### **2. Land Use**

The site is comprised of two lots zoned RM-4, which permits multiple dwelling uses. The intent of the RM-4 District Schedule and the Kitsilano RM-4 Guidelines is to achieve high quality residential development. New development should be compatible with the character of the neighbourhood and limit impact on adjacent residential properties. To encourage the delivery of

below-market housing opportunities, the *MIRHP Program* allows for consideration of higher density residential uses along arterials.

This proposal is consistent with the intent of the *MIRHP Program* and compatible with the RM-4 guidelines. All of the residential floor area would be secured as rental, in perpetuity.

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

The *MIRHP Program* permits consideration of building height of six storeys on sites in the RM-4 District. This proposal was selected for the *MIRHP Program* due to the ability to deliver moderate income and market rental units served by transit, local amenities and services. The proposal meets the policy parameters that limit consideration of sites in RM districts to underutilized sites with a low number of existing tenants.

As there are limited urban design directions under the *MIRHP Program*, staff evaluated the proposed form of development based on the following considerations:

- Intent of existing zoning and the *MIRHP Program*;
- Height – response to location and context;
- Neighbourliness – impact mitigation to adjacent neighbourhood development;
- Appropriateness of neighbourhood character and expression; and
- Proximity to transit and amenities.

**Existing Zoning** – If development were to occur under the existing *RM-4 District Schedule*, it would be limited to multiple dwelling use with a maximum height of 10.7 m (35.1 ft.) and density of 1.45 FSR, likely in the form of a four-storey residential building with strata ownership.

**Figure 3: Original Balaclava Street Elevation**



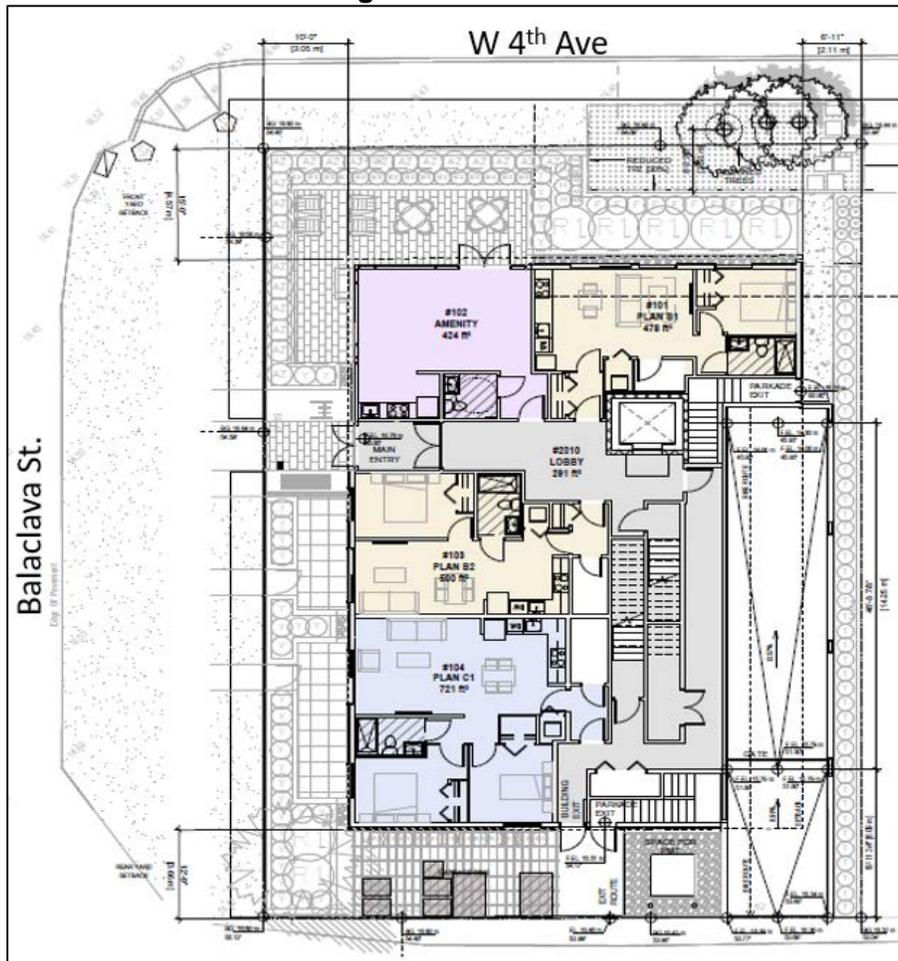
**Height** – The *MIRHP Program* allows for consideration of a six-storey building on this site given its location along an arterial street. The application proposes a building height of 20.23 m (66.38 ft.) as seen in Figure 3. The upper level is setback from the floors below, which gives the appearance of a five-storey building when viewed from street level. Staff recommend decreasing the overall height to 19.3 m (63.4 ft.) to minimize the impact on adjacent lower

density development. The draft CD-1 By-law in Appendix A reflects the staff recommended height and conditions are included in Appendix B to reduce the floor-to-floor height, lower the solid guardrail height and minimize the massing on the top floor of the building.

**Transition and Neighbourliness** – The *MIRHP Program* identifies neighbourhood context as an important consideration. The context includes a variety of building types including character homes with generous front yard landscaping and trees. The site is located close to pedestrian-oriented shopping areas.

To achieve neighbourhood fit, the sixth floor has been setback from the floors below which reinforces a five-storey street wall expression. The building has been designed to retain several mature coniferous trees at the northeast corner of the site with a building footprint positioned to maintain the critical root zone (see Figure 4). The building is setback from West 4th Avenue by 4.6 m (15 ft.) which helps retain the trees and soften the transition to the adjacent four-storey apartment building.

**Figure 4: Site Plan**



The residential entry is on Balaclava Street, adjacent to the indoor and outdoor amenity space at the northwest corner. The siting of the amenity space at grade helps activate the public realm and create opportunities for social interactions. The building is setback 3.05 m (10 ft.) from Balaclava Street which provides space for individual entries and patios to ground-floor units.

These individual entries help create a streetscape that reinforces a pedestrian scale and fosters a connection with the detached houses south of the site.

Further measures will be pursued through the development permit process, as noted in the conditions in Appendix B.

**Architectural Expression** – The design of the proposed building exhibits a simple contemporary architectural style. Adjacent buildings in the RM-4 zone are varied in expression, while those in the RT-7 zone to the south display traditional character. Further design development is recommended in Appendix B to better respond to the character of the existing neighbourhood. Recommendations include improved articulation of the building facades, more prominent individual unit entries, and incorporating landscape features drawn from the immediate context such as large-scale trees, lush landscaping, pergolas and decorative entry gates.

**Shadow Impacts** – An analysis of the shadow performance demonstrates there would be limited impact on the surrounding area, due to the building's location on the southeast corner of the intersection.

Figure 5 shows an example of how the building design may change to respond to design conditions in Appendix B. The transitional relationship of the proposed building would be improved with increased planting along the perimeter of the site, arbors mark the street entry to each unit at grade, and urban agriculture plots and landscaping replace where the waste receptacle staging area was shown. Further design conditions can be found in Appendix B to refine the project's public realm.

**Figure 5: Revised Balaclava Street Elevation**



**Amenity** – The application proposes an indoor amenity room of 42.36 sq. m (456 sq. ft.) on the ground floor, co-located with an adjacent outdoor amenity area. The area has been determined by staff to be sufficient in size to accommodate a broad range of activities for residents and their guests. Further design development is recommended to incorporate additional outdoor amenity features such as a children's play area and urban agriculture opportunities.

**Livability** – A mix of studio, one-bedroom, and two-bedroom units are provided. All units provide private outdoor space in the form of balconies and decks. The *MIRHP Program* allows consideration of reduced unit sizes and alternate configurations, subject to the project's location, evaluation of livability, design performance, and affordability. Considerations include the reduction of the studio unit size from a minimum of 37 sq. m (398 sq. ft.) to 29.7 sq. m (320 sq. ft.). Some studio units less than 37 sq. m (398 sq. ft.) are proposed as permitted under the MIRHP program. This application does not propose any inboard bedrooms. Further design development is recommended in Appendix B to improve livability.

**Landscape** – Soft and hard landscaping is proposed. There are a total of three City trees proposed to be retained. These mature trees are an important feature at the northeast corner of the site, adjacent to West 4th Avenue. Further landscaping, urban agriculture, and incorporating a children's play area are recommended in Appendix B. Staff also recommend green roofs where possible to further enhance sustainability objectives and social interactions. Additional landscape conditions in Appendix B will increase landscaping, screen parking and loading areas, and better integrate the building into the site.

**Urban Design Panel Review** – The Urban Design Panel reviewed this application on May 13, 2020 and supported the proposal with recommendations to further improve the landscaping, the open space along the lane, and the tree retention strategy, and to further develop the architectural expression. For detailed panel comments, refer to Appendix C.

Staff recommend approval of the application subject to conditions in Appendix B. For detailed panel comments, refer to Appendix C.

#### 4. Housing

The *Housing Vancouver Strategy* and associated *3 Year Action Plan* was the culmination of a year-long process of gathering, synthesizing and testing new ideas and approaches to addressing housing affordability in Vancouver. The *MIRHP Program* is a new approach to help provide an important supply of homes for households who are not eligible for social housing but cannot afford market rental housing. The addition of new moderate income rental units and market rental units to the city's inventory contributes towards the Housing Vancouver target as shown in Figure 6.

**Figure 6 - Progress Towards 10-Year Housing Targets as of September 30, 2020**

| Housing Type                       | CATEGORY                            | 10-YEAR TARGETS | Units Approved Towards Targets | Progress Towards Targets |
|------------------------------------|-------------------------------------|-----------------|--------------------------------|--------------------------|
| Purpose-Built Rental Housing Units | Market Rental                       | 16,000          | 4,341                          | 27%                      |
|                                    | Developer-Owned Below Market Rental | 4,000           | 288                            | 7%                       |
|                                    | Total                               | 20,000          | 4,629                          | 23%                      |

*\*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.*

*\*Since the last progress report, Council has approved an additional 129 market rental units and 32 MIRH units during the period of September 30, 2020 to December 1, 2020, for a total of 267 MIRH units.*

**Vacancy Rates** – Vancouver has exhibited historically low vacancy rates during the last 30 years. In 2019, the purpose-built apartment vacancy rate was 1.0% in Vancouver, which was equivalent to approximately 585 units. The vacancy rate (based on the Canadian Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the Kitsilano and Point Grey area was 0.6%, meaning six out of every 1,000 market rental units in the area were empty and available for rent. A vacancy rate of 3.0% is considered to be a balanced rental market.

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

**Housing Mix** – The proposed units are to be designed in accordance with the *Family Room: Housing Mix Policy for Rezonings* which includes provision of at least 35% family units (with two and three bedrooms) in new rental projects. The MIRHP Program further requires a minimum of 35% of moderate income units be family units. This application provides for a range of household types and would deliver 13 family units (37%) across the project, and 3 moderate income family units (37.5%) thereby meeting the family unit requirements in both the market rental and moderate income rental portions of the proposal. The complete unit mix is illustrated in Figure 7. No three-bedroom units are required or provided.

**Figure 7 – Proposed Unit Mix, Market and Moderate Income Rental**

| <b>Market</b>  |    | <b>Moderate Income</b> |   |
|----------------|----|------------------------|---|
| Studio         | 6  | Studio                 | 2 |
| 1-bed          | 11 | 1-bed                  | 3 |
| 2-bed          | 10 | 2-bed                  | 3 |
| Total          | 27 | Total                  | 8 |
| Total 35 units |    |                        |   |

**Proposed Rents and Income Thresholds** – In 2016, the median household income in the Kitsilano neighbourhood was \$72,839. Under the *MIRHP Program*, all of the housing units in the project must be secured as rental with a minimum of 20% of residential floor area as moderate income units. This application would deliver approximately eight units to be rented at rates that meet the affordability requirements of moderate income households under the MIRHP Program, as illustrated in Figure 8.

To be eligible for moderate income rental housing, a household must have a gross annual income that meets the requirements for the specific unit type, and there must be at least one household member per bedroom. The eligibility requirements are described in further detail in the *Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements and Available Incentives* document. All residents in the building will have equal access to common indoor and outdoor amenities and facilities illustrated in the architectural drawings in Appendix D.

**Figure 8 – Proposed Rents for Moderate Income Units, Market Rents in Newer Westside Buildings, and Costs of Ownership**

| Unit Type | Proposed Average Starting Rents – MIRHPP Units | Average Market Rent in Newer Buildings – Westside (CMHC, 2019) <sup>1</sup> | DCL By-law Maximum Averages – Westside (CMHC, 2019) <sup>2</sup> | Monthly Costs of Ownership for Median-Priced Unit – Westside – (BC Assessment 2019) <sup>3</sup> |
|-----------|--|---|--|--|
| Studio    | \$950  | \$1,804   | \$1,805  | \$2,819  |
| 1 Bedroom | \$1,200  | \$1,999   | \$2,136  | \$3,413  |
| 2 Bedroom | \$1,600  | \$3,059   | \$2,872  | \$5,191  |
| 3 Bedroom | n/a  | \$3,876   | \$3,275  | \$8,571  |

<sup>1</sup> Data from the October 2019 CMHC Rental Market Survey for buildings completed in the year 2010 or later on the Westside of Vancouver.

<sup>2</sup> 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 as published by CHMC in the fall 2019 Rental Market Report plus 10%.

<sup>3</sup> 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.

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

Average market rents in newer rental buildings on the Westside are also shown in the middle two columns in Figure 7. A market rental studio unit could be affordable to a single person employed in occupations such as administrative services management. A two-bedroom market rental unit could be affordable to a couple employed in occupations such as technical roles in construction or engineering.

The market rental housing component will provide options that are significantly more affordable than home ownership as illustrated in Figure 8.

**Development Cost Levies (DCL) Waiver** – The applicant has requested and is eligible for a DCL waiver. The average proposed starting rents across the moderate income rental units, which comprise at least 20% of the residential floor area that is counted in the calculation of the floor space ratio, are required to meet the maximum average rents as outlined in the *DCL By-law* and the *Rental Incentive Programs Bulletin*.

The *DCL By-law* does not allow rents for the moderate income rental units to be increased ahead of initial occupancy, and subsequent increases are permanently capped at the annual allowable rate permitted under the *Residential Tenancy Act* [S.B.C. 2002] c. 78, regardless of any change in the tenancy. The applicant will be required to submit a DCL Waiver Form,

including a final rent roll that sets out the starting monthly rents for the moderate income rental units prior to issuance of the building permit and the occupancy permit in order to ensure compliance with the DCL By-law and the *MIRHP Program*.

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

**Security of Tenure** – All 35 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. The agreement is to be enacted by Council by by-law and registered on title to secure starting rents for the moderate income units and will prohibit the stratification and separate sale of individual units. The agreement will also limit the rates at which rents for the moderate income units may be increased, even on a change in tenant. Annual reporting on the operation of the moderate income units will be required and will contain information including rents and verification of tenant eligibility. Property owners will also be responsible for verifying that households continue to qualify every five years after they move in and when a household member moves in or out. The addition of new moderate income units and market rental units contributes towards Housing Vancouver targets. Conditions related to securing the units are contained in Appendix B.

**Existing Tenants** – If Council approves this application, the six units now existing on the subject site would be replaced with 35 new secured rental units. Redevelopment of the site would require the relocation of existing tenants.

The *Tenant Relocation and Protection Policy (2019)* applies to this site and the applicant has provided a draft Tenant Relocation Plan (TRP), which will be secured as a condition of rezoning (summarized in *Appendix C*). A final TRP will be required at the time of development permit issuance, with an Interim Tenant Relocation Report required prior to demolition permit issuance and a final Tenant Relocation Report prior to issuance of the occupancy permit.

At the time of application all six units on site were tenanted. One tenancy had started less than one year prior to the rezoning application being received; these tenants do not qualify for the provisions of the City's *Tenant Relocation and Protection Policy*. Of the five tenancies covered by the TRPP, the average length of tenancy was five years; however, one tenant has been in the apartment building for more than ten years. Rents ranged from \$1,528 to \$1,711 per month, with an average of \$1,644 per month.

Under the amended *TRPP*, eligible tenants receive a minimum of four months' free rent or more based on length of tenancy, a flat-rate payment towards moving costs, and assistance finding three alternative accommodation options that best meet the tenants identified priorities. Eligible tenants who choose to do so can exercise a First Right of Refusal to return to one of the replacement units in the new building at 20% below market rates or at rates for the moderate income units, provided they meet the eligibility requirements. All tenancies are protected under the *BC Residential Tenancy Act* that governs how residential properties are rented, and includes specific provisions around ending tenancies. Any disputes would be resolved through the Residential Tenancy Branch.

## 5. Transportation and Parking

Vehicle parking is provided in one level of underground parking, accessed from the lane. The application proposes 13 vehicle parking spaces and 54 bicycle spaces. The applicant must meet the requirements of the Parking By-law, which provides for reductions in the number of parking spaces required. Based on the proximity to transit, the development is eligible for parking reductions up to 20% with an additional 30% reduction for the supply of MIRHPP units. The site is well served by public transit with five bus routes serving the site within a two-block radius. The closest bus stop is located 100 m away (one-minute walk). The site is also adjacent to the Balaclava Bikeway.

Engineering conditions related to transportation, public realm and parking are included in Appendix B.

## 6. Environmental Sustainability and Natural Assets

**Green Buildings** – The *Green Building Policy for Rezoning*s requires that rezoning applications satisfy either the near zero emission buildings or the low emissions green buildings conditions within the policy. This application has chosen to satisfy the *Green Building Policy for Rezoning*s under the low emissions green building requirements. The low emissions green buildings pathway represents City priority outcomes, establishing limits on heat loss, energy use, and greenhouse gases, and drawing on industry best practices to create more efficient, healthy and comfortable homes and workplaces. The applicant has submitted preliminary energy modelling analysis detailing building performance strategies to meet the new energy use intensity, greenhouse gas and thermal demand targets.

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

There are currently three existing City trees adjacent to this development on West 4th Avenue. This application proposes to retain the three City trees and add four new maple trees along Balaclava Street. The final number of trees planted will be determined through the development permit process.

There are no natural water courses on the site.

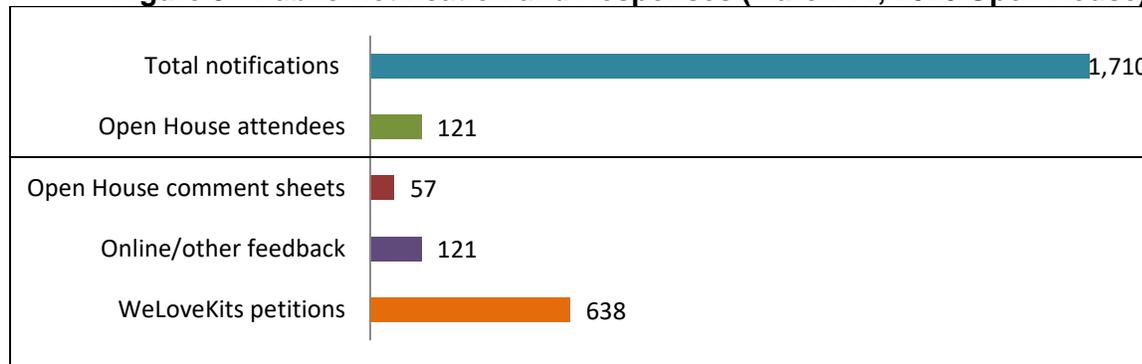
## 7. Public Input

**Pre-application Open House** – On February 27, 2019, a pre-application open house was held at St. James Milonga Community Center to solicit early feedback on the proposal. Approximately 75 people attended this open house. The feedback indicated some support for rental housing and renewal of the existing duplexes on site and some concerns with respect to the proposed height, parking, fit with the neighbourhood context and impact on the local community.

**Public Notification** – A rezoning information sign was installed on the site on February 12, 2020. Approximately 1,710 notification postcards were distributed within the neighbouring area on or about February 19, 2020. Notification and application information, as well as an online comment form, were provided on the City of Vancouver Rezoning Centre webpage ([vancouver.ca/rezapps](http://vancouver.ca/rezapps)).

**Community Open House** – On March 11, 2020, a community open house was held from 4:30pm to 9:00 pm at the MacMillan Space Centre. City staff, the applicant team, and approximately 121 people attended the open house.

**Figure 9 - Public Notification and Responses (March 11, 2020 Open House)**



\* 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.).

**Public Response** – Approximately 178 comments have been received via comment sheets, letters, emails or online comment forms. A petition in opposition, signed by 638 individuals as of November 4, 2020, has been received. Appendix D provides a detailed assessment of the results of the public consultation. A summary of the key themes and staff responses is provided below.

Support for the proposal cited the following:

- Provision of rental housing
- Building height, density, and design
- Proximity to transit

Concerns expressed by respondents included the following:

- Building height, density, design and neighbourhood context
- Local school capacity
- Tree protection
- Parking, traffic and safety

- Consultation process

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

*Building Height, Density, Design and Neighbourhood Context* – As part of the *MIRHP Program*, staff conducted a “pre-enquiry” review of all submissions that allowed proposals to be evaluated at a preliminary stage, vetted for eligibility under *MIRHP Program* and other City policies, and ranked based on a number of performance criteria established on the basis of key policy objectives. These objectives included delivering a diversity of rental projects that include permanently secured moderate income units across the city in a range of zoning districts, neighbourhoods, building scales and locations, and exploring industry interest in this rental housing model.

Criteria used to evaluate the projects included:

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

This proposal was selected for inclusion in the *MIRHP Program* based on the strength of its performance under the above criteria. In particular, the application proposes to deliver new moderate income and market rental units in a location that is well served by transit, amenities and services. Staff felt that the block could accommodate the additional two storeys of height above what could be achieved under the existing zoning as the site is located on an arterial and close to neighbourhood amenities. In addition, retention of existing mature conifer trees at the northeast corner of the site will assist in softening the transition to the adjacent four-storey context to the east.

*Local School Capacity* – Staff recognize the current enrollment levels and enrolment trends for the elementary schools in the area are beyond their capacities, however there is space to accommodate growth at the secondary level. The VSB continues to monitor development and work with City staff to help plan for future growth.

*Parking, Traffic, and Safety* – The proposal must meet the Parking By-law. New vehicle trips generated by the development are anticipated to be nominal and have no meaningful impact on existing roadway network conditions.

*Consultation Process* – The *MIRHP Program* was approved by Council in 2017 to assist with achieving targets set out in the *Housing Vancouver Strategy*, regarding moderate income households. A site sign was erected and website created, along with notification of 1,710 local residents, informing them of the proposal and providing information on how to learn about the proposal and submit their comments. Throughout the rezoning review, opportunities to comment on the proposed development were available through the pre-application open house, City-led open house and project website. Staff received over 175 pieces of feedback at the City-led open house on March 11, 2020, and directly via email, letter, phone call, or other means. All feedback

received has assisted staff with the rezoning review and directly contributed to the recommendations included within this report.

### **PUBLIC BENEFITS**

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

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

The site is subject to City-wide DCLs and Utilities DCLs on the proposed 2,027.4 sq. m (21,823 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.

Based on the rates in effect as of September 30, 2020, it is anticipated that the project will generate approximately \$218,452 in Utilities DCLs. The value of the waiver of the City-wide DCL for the residential floor area is approximately \$393,194.

As described previously in this report, *MIRHP Program* projects for which applications are submitted before September 30, 2020 will remain eligible for a Utilities DCL waiver for the qualifying rental residential floor area, provided that a building permit is issued by September 30, 2021.

The DCL By-law requires that, where rents are determined under section 3.1A(d), they are to apply at initial occupancy. A final rent roll that sets out the initial monthly rents for the moderate income rental units will be required prior to issuance of the occupancy permit in order to ensure compliance with the DCL By-law. After occupancy, rents for the moderate income rental units will not be permitted to increase on an annual basis further than the RTA limits, even on a change in tenancy, as per the *MIRHP Program*. The development permit application process will ensure that average unit sizes do not exceed the maximums set out in the DCL By-law.

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

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

The *Community Amenity Contributions – Through Rezonings* policy provides an exemption for routine, lower density secured market rental rezoning applications that align with the Secured Market Rental Housing Policy (2012) and Rental Incentive Guidelines (2019). However, because this application involves loss of existing rental units on site, a proforma review is still required. Real Estate Services have assessed the application and costs of securing 20% of the residential floor area for moderate income units and determined no additional CAC is expected.

**Rental Housing** – The applicant has proposed that all of the residential units will be secured as rental housing (non-stratified) for the longer of 60 years and the life of the building of which no less than 20% of the residential floor area will be secured as moderate income units. 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.

### **Financial Implications**

Based on the rates in effect as of September 30, 2020, it is anticipated that the project will pay \$218,452 in Utilities DCLs. The project is expected to qualify for a waiver of City-wide DCLs of \$393,194. The project will remain eligible for a Utilities DCL waiver provided that a building permit is issued by September 30, 2021.

The 35 units of rental housing units, secured by a Housing Agreement and Section 219 Covenant for 60 years or the life of the building, will be privately owned and operated.

No additional CAC or public art contribution is applicable.

### **CONCLUSION**

Staff have reviewed the application to rezone the site at 3084 West 4th Avenue and 2010 Balaclava Street from RM-4 to CD-1 to permit development of a six storey residential building with 35 secured rental housing units, of which a minimum of 20% of the residential floor area will be secured as moderate income units, and conclude that the application is consistent with the objectives of the *Moderate Income Rental Housing Pilot Program*. The incentives of additional height, density, and a waiver of DCLs will assist with the delivery of needed rental housing units. Staff further conclude that the recommended form of development represents an appropriate urban design response to the site and context. If approved, this application 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 Public Hearing together with a draft CD-1 By-law as generally shown in Appendix A. Further, it is recommended that, subject to the Public Hearing, the application, including the form of development as shown in the plans in Appendix E, be approved in principle, subject to the applicant fulfilling the Conditions of Approval in Appendix B.

\* \* \* \* \*

**3084 West 4th Avenue and 2010 Balaclava Street  
DRAFT BY-LAW PROVISIONS**

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

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 appends the City of Vancouver zoning map. Should the rezoning application be referred to public hearing, Schedule A will be included with the draft by-law that is prepared for posting.]*

**Designation of CD-1 District**

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

**Definitions**

3. Words in this by-law have the meaning given to them in the Zoning and Development By-law, except that:
  - (a) for the purpose of calculating the total dwelling unit area for section 5.1 of this By-law, "Dwelling Unit Area" is the floor area of each dwelling unit, measured to the inside of all perimeter walls excluding any floor area as required by section 6.4 of this By-law; and
  - (b) "Moderate Income Rental Housing Units" means dwelling units that meet the requirements of approved Council policies and guidelines for Moderate Income Rental Housing, as secured by a housing agreement registered on title to the property.

**Uses**

4. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 ( ), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law; and
- (b) Accessory uses customarily ancillary to the uses permitted in this Section 3.

### Conditions of Use

- 5.1 A minimum of 20% of the total dwelling unit area must be Moderate Income Rental Housing Units.
- 5.2 The design and lay-out of at least 35% of the market dwelling units and at least 35% of the moderate income 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

- 6.1 Computation of floor space ratio must assume that the site consists of 687.4 m<sup>2</sup> being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.
- 6.2 The floor space ratio for all uses must not exceed 2.95.
- 6.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, including earthen floors, both above and below base surface, measured to the extreme outer limits of the building.
- 6.4 Computation of floor area and dwelling unit area must exclude:
  - (a) open residential balconies or sundecks and any other appurtenances, which in the opinion of the Director of Planning are similar to the foregoing, except that:
    - (i) the total area of all such exclusions must not exceed 12% of the permitted floor area; and
    - (ii) the balconies must not be enclosed for the life of the building;
  - (b) patios and roof gardens, if the Director of Planning first approves the design of the sunroofs and walls;
  - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment or uses, which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used that are at or below base

surface, except that the exclusion for a parking space must not exceed 7.3 m in length;

- (d) amenity areas, including recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10% of the total permitted floor area; and
  - (e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m<sup>2</sup> for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.
- 6.5 The use of floor area excluded under section 6.4 must not include any use other than that which justified the exclusion.
- 6.6 Where floor area associated with storage space is excluded under section 6.4 (e), a minimum of 20% of excluded floor area above base surface must be located within the Moderate Income Rental Housing Units as storage space.

### **Building Height**

- 7.1 Building height, measured from base surface to top of parapet, must not exceed 19.3 m.
- 7.2 Despite the provisions of section 7.1 and of section 10.18 of the Zoning and Development By-law, the Director of Planning may permit a greater height than otherwise permitted for mechanical appurtenances such as elevator machine rooms or similar features.

### **Horizontal Angle of Daylight**

- 8.1 Each habitable room must have at least one window on an exterior wall of a building.
- 8.2 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.
- 8.3 Measurement of the plane or planes referred to in section 8.2 must be horizontally from the centre of the bottom of each window.
- 8.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council, and:
- (a) The minimum distance of unobstructed view is not less than 3.7 m; or
  - (b) The habitable room is within a unit assigned to moderate income households and containing a minimum of three bedrooms, where the horizontal angle of daylight requirement is relaxed for no greater than one of the habitable rooms in the unit.
- 8.5 An obstruction referred to in section 8.2 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 ( ).

8.6 A habitable room referred to in section 8.1 does not include:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
  - (i) 10% or less of the total floor area of the dwelling unit; or
  - (ii) 9.3 m<sup>2</sup>.

**Acoustics**

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

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

**Zoning and Development By-law**

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

\* \* \* \* \*

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**3084 West 4th Avenue and 2010 Balaclava Street  
CONDITIONS OF APPROVAL**

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

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

*Note: Consideration by Council at the public hearing of the proposed form of development is in reference to plans prepared by Ekistics Architecture, received January 23, 2020, 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 of the proposed height to reduce the scale of the building and improve neighbourhood compatibility as follows:
  - (a) reduce overall building height to 19.3 m by providing a typical 10 ft. floor-to-floor height;
  - (b) reduce apparent building height by use of a tripartite design, establishing a base, middle and top with different materials, textures and colour, and a visually lighter top floor; and,
  - (c) reduce the apparent parapet height at the 5th floor by setting the guardrail back from the edge of the roof, reducing the amount of solid guardrail and substituting a translucent material such as glass, and providing landscaping to soften the roof edges.
  
- 1.2 Design development to the architectural form, massing and character to better blend with the Kitsilano context, with the following suggested directions:
  - (a) Incorporate higher quality, textured building materials, including traditional residential materials such as masonry and wood, with colour variation for visual interest;

Note to Applicant: The RM-4 Design Guidelines state, "...new development should incorporate sympathetic exterior materials and detailing". Increased use of colour, pattern, texture and detailing can be used to add visual interest to the building's simple cubic form. Feature masonry in key locations would also help relate to the context. Wood soffits are desirable to promote a residential character. Consider using a variety of natural earth tones to blend with the neighbourhood.

- (b) Articulate the building facades to better relate to the scale and proportion of the surrounding buildings;

Note to Applicant: More variation in the wall planes by creating projections and voids would greatly enhance architectural expression with shadow and texture to improve neighbourhood compatibility.

- (c) Provide high-quality windows with substantial mullions and deep, recessed glazing to add shadow and texture to the facades;
- (d) Emphasize the residential entrance with a more prominent canopy integrated with the proposed pergola, augmented with feature landscaping both at grade and at the second floor;

Note to Applicant: Landscape elements such as pergolas, arbors, trellises, flower boxes and decorative gates are features often seen in Kitsilano, defining site edges and entries, providing screening, and opportunities for vine and other planting. The entry canopy design should relate to its Kitsilano context, while establishing a unique identity for the project. A robust landscape structure with planting would help give scale to the building. Introduction of warmer wood-like materials at the lower levels of the building is desirable. (Refer also to Landscape Conditions)

- (e) Provide direct access from each ground-floor unit to the adjacent public sidewalk, with porch entry canopies or similar features to highlight each unit door as possible; and

Note to applicant: Visually prominent porches and individual unit entries are desirable wherever possible. Doors and porches should incorporate high quality design and materials. Sliding doors are not supported as entry doors.

- (f) Provide individual private patios that are 1.8 m (6 ft.) with a 1.2 m (4 ft.) landscape buffer interfacing with the sidewalk with substantial landscaping and high quality low fencing to define the edge.

1.3 Design development to improve the streetscape and the building's connection to the public realm as follows:

- (a) Reconfigure the parkade to minimize its footprint, to provide more opportunity for large-scale tree planting off the slab;
- (b) Set the north parkade wall, adjacent to the existing mature City trees at the northeast corner, back a minimum of 4.6 m (15 ft.) to align with the building face and increase the size of the root protection zone;
- (c) Eliminate proposed retaining walls within the setback areas, and substitute layered shrub and tree planting in a naturalistic pattern around the site edges with some on the street-side face of the perimeter fencing;

- (d) Develop a landscape feature at the northwest corner coordinated with the outdoor amenity area and any existing street furniture (Refer also to Engineering Services Condition 1.43);
- (e) Improve the pedestrian experience by providing street furniture and benches inside the property line at key locations around the site.

Note to Applicant: The RT-7 and RT- 8 Design Guidelines note Kitsilano exhibits a wide variety of architectural styles, with extensive green landscaping providing a "cohesive framework improving the chances of a compatible fit between buildings". The RM-4 Design Guidelines state, "new landscaping should complement and enhance landscaping on adjacent properties". Large-scale shade trees are needed to fit into the immediate context, and to soften the bulk of the building. The parkade should be reduced in size, pulled in from the property lines, and lowered to not project above grade. Ancillary below grade spaces should be reduced to the minimum size needed in order to increase the area of undisturbed soil outside the parkade wall. The parkade section should slope down to the lowest possible ceiling height at the building perimeter and maximize soil volume for tree planting. Re-use of existing mature site vegetation, such as the existing magnolia at the northwest corner, and other elements found on site, such as boulders, is encouraged. (Refer to Landscape Conditions 1.9, 1.10, 1.13, and 1.14.)

1.4. Design development to improve the south residential interface with the neighbouring properties across the lane, as follows:

- (a) Relocate the garbage and recycling out of the south setback area, possibly below grade or within the building envelope;
- (b) Develop the south setback area as a secondary outdoor amenity, with opportunities for urban agriculture and possibly a children's play area;

Note to Applicant: Lush, layered planting with flowering trees and shrubs, such as magnolia and dogwood, and with ornamentals, such as palm trees, is recommended to establish a more neighbourly interface. The south parkade exit stair could be reconfigured to strengthen the indoor-outdoor connection. Explore opportunities for landscape screening between the PMT and the ramp. (Refer also to Landscape Condition 1.9.)

- (c) Develop the southwest corner as a landscape feature, with a large-scale feature tree to soften views of the building from the south and west;
- (d) Consider installing a row of upright deciduous trees inside the property line along the lane to screen views from the south;
- (e) Coordinate balcony locations and type with tree planting (i.e. shift south-facing balconies to the west facade, provide inset balconies at the corners, or substitute Juliet balconies); and,

Note to Applicant: This also applies to the northeast corner balconies, to be coordinated with the existing conifers on the City boulevard.

- (f) Consider incorporating glazed corners at the fifth floor, to visually reduce massing.

1.5 Design development to improve the east residential interface, as follows:

- (a) Enclose the parkade ramp to mitigate the impact of vehicular noise and exhaust fumes on the residential neighbour;
- (b) Coordinate the proposed fencing type, location and planting with the existing conditions at the adjacent Santa Barbara Apartments site to maximize the green landscape buffer along the east property line and soften the six-storey façade; and

Note to Applicant: An existing laurel hedge in a raised planter of varying widths currently provides screening along the property line. The best location of a new fence should be established in dialogue with the neighbour at the Development Permit stage. (Refer also to Landscape Condition 1.13)

- (c) Coordinate architectural treatments of the east façade with the adjacent buildings, courtyard, and landscaping, including:
  - (i) locations of proposed windows with existing windows of adjacent buildings to mitigate overlook, with consideration of translucent glazing where required;
  - (ii) special treatments of blank wall surfaces; and,
  - (iii) consideration of green roof at the first floor over the parkade ramp (Refer to Landscape Condition 1.13).

1.6 Design development to ensure a high standard of livability as follows:

- (a) In outdoor amenity area(s), include spaces suitable for a range of children's play activities and urban agriculture, ranging in size from 130 sq. m (1,399 sq. ft.) to 280 sq. m (3,014 sq. ft.) and situated to maximize sunlight access;
- (b) Confirm on Development Permit drawings indoor amenity room and washroom are wheelchair accessible throughout;
- (c) Provide usable private open space for all residential units; and

Note to Applicant: This can be achieved by providing balconies measuring 1.8 m (6 ft.) deep with a minimum area of 4.6 sq. m (50 sq. ft.). Reductions to this depth may be considered by demonstrating the ability to accommodate elements such as a table and seating for two people and offer generous common amenity spaces on site. Reductions may also be considered as necessary to maintain the health of any immediately adjacent trees in conflict with a larger balcony. Refer to the *High Density Housing Guidelines for Families with Children* for more information.

- (d) Provide adequate room sizes to accommodate reasonable furniture layouts.

Note to Applicant: The unit count and unit mix from the rezoning application may only be varied at the discretion of the Director of Planning or Development Permit Board. Detailed unit plans and furniture layouts are to be included as part of a Development Permit application. Livable units are a goal of the City. Staff will work with you through the Development Permit process to ensure unit layouts are viable.

- 1.7 Submission of a bird-friendly strategy for the design of the building in the application for a development permit.

Note to Applicant: Refer to the *Bird-Friendly Design Guidelines* for examples of built features that may be applicable. For more information, see the guidelines at: <http://guidelines.vancouver.ca/B021.pdf>

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

- 1.8 Design development to consider Crime Prevention through Environmental Design (CPTED) principles, and incorporate CPTED strategies in the drawings, as follows:
- (a) Maximize visibility and natural surveillance throughout the pedestrian realm and the underground parking;
  - (b) Provide non-glare, decorative pedestrian-scale lighting around the building;
  - (c) Provide 24-hour lighting in the underground parkade, including step lights at exit stairs and doors;
  - (d) Provide glazing for visibility into publicly accessible areas such as access routes, elevator lobbies, stairs, and storage rooms;
  - (e) Paint the parkade walls white;
  - (f) Avoid creation of hidden alcoves and concealed spaces along the streets and underground; and,
  - (g) Reduce opportunities for graffiti around the building by limiting access to walls with landscaping and by using rough finished materials.

### **Landscape**

- 1.9 Design development to present a softer, greener and more street-friendly edge to the neighbourhood along the site perimeter, especially at the south and east, by the following:
- (a) Soften the parkade ramp by deleting raised planters and the raised wall at the southeast corner, and adding flush planting beds with more substantial planting; and
  - (b) Improve lane interface by relocating the garbage and recycling area and replacing with street-facing planter beds.

- 1.10 Design development to improve public realm along Balaclava Street by planting a minimum of three new street trees, in coordination with Engineering and the Park Board.
- 1.11 Design development to expand programming of the outdoor amenity area(s) by the addition of a children's play area and urban agriculture plots located to maximize solar orientation, suggested to be on the rooftop as an intensive green roof and a secondary, more active amenity area.
- 1.12 Design development to ensure the feasibility of the retention of the three City trees at the northeast corner, by provision of further assurances by the arborist and discussion of the methods of protection, including an increased 4.6 m (15'-0") setback to the parkade wall.

Note to Applicant: Retention of the three cedar trees provides scale, enhances the public realm, and represents an important neighbourhood natural amenity. Assurances that this is feasible should be provided by the arborist. Changes to the parkade will be required. (Refer to Urban Design Condition 1.2.)

- 1.13 Design development to improve the sustainability strategy, by the following:
  - (a) Explore the provision of green roofs to all available flat rooftops (see also Urban Design Condition 1.4);
  - (b) Provide high quality materials to all landscape areas for durability into the future;
  - (c) Add substantially more landscape around all common entry areas, to accent and soften them;
  - (d) Consider addition of vines to any blank wall facades, ensuring the vine support is sturdy and low maintenance (avoid high maintenance modular "green wall" systems); and
  - (e) Add edible plants, which can be used as ornamentals as part of the landscape design, in addition to urban agriculture plots.
- 1.14 Design development to the landscape treatment on slab to allow for planting flush with the ground, while providing adequate planting depths, by reconfiguring the parkade wall, and lowering the slab to the greatest extent possible, rather than planting in raised planters.

Note to Applicant: Wherever possible, planted landscapes on slab should be designed to maximize soil depths. This will require integration of the landscape design and the parkade structure. Soil depths should exceed CSLA Landscape Standard. At the perimeter of the building, the slab can be angled downward (1 m across and 1.2 m down) to maximize contiguous soil volumes.

- 1.15 Design development to locate, integrate and fully screen parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.

1.16 Design development to the Integrated Rainwater Management Strategy to explore opportunities for on-site rainwater 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 to the rooftop areas, where possible;
- (d) consider linear infiltration bio-swales along property lines, at lower site areas;
- (e) use permeable paving;
- (f) employ treatment chain systems (gravity fed, wherever possible); and
- (g) use grading methods to direct water to soil and storage areas.

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

1.17 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.

1.18 Provision of coordination between Landscape Plan and architectural Site Plan, for most updated information.

1.19 Provision of complete information, such as detail references and schedules, confirming all landscape elements.

1.20 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.

- 1.21 Provision of detailed architectural and landscape cross sections (minimum 1/4 in. 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.

- 1.22 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.

- 1.23 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.

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

Note to Applicant: New proposed street 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*".

- 1.25 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.

- 1.26 Provision of an outdoor Lighting Plan.

## Sustainability

- 1.27 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).

## Zero Waste

- 1.28 In order to minimize waste, a salvage strip-out must be done to remove fixtures, systems, and elements such as doors, deck, and fencing, for reuse. Any buildings which are not already subject to the *Green Demolition By-law* must achieve a 75% recycling rate for demolition. Buildings subject to the *Green Demolition By-law* must meet the by-law requirements in place at the time of the demolition permit application.

## Engineering Services

- 1.29 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 of 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.
- 1.30 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.
- 1.31 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site.

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

- 1.32 Submission of an updated landscape and site plan to reflect the public realm changes including all of the off-site improvements sought for this rezoning. Where a design or detail is not available, make note of the improvement on the site and/or landscape plans. The landscape plan is to include the following note:

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

- 1.33 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.
- 1.34 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.
- 1.35 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 Integrated Water Management (IWM) Branch prior to moving forward with the RWMP and resubmission with the DP application. To schedule the meeting, contact [rainwater@vancouver.ca](mailto:rainwater@vancouver.ca).

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

- (a) A RWMP report to accompany any drawings, outlining how the requirements have been met.
  - (b) Peak flow calculations to use 1:5 year return period. Minimum Inlet time = 10 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.
  - (c) Recalculate the required 24 mm capture for the site, as the volume listed as 'Soil detention over impervious' is actually the potential soil volume capacity and can only be claimed if it can be demonstrated that that volume of water is being directed to the landscaping. Coordination with the landscape architect, soil storage capacities and a grading plan will be required to support any proposal of grading hardscapes into adjacent landscaping.
  - (d) Ensure the detention tank volume will be 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 and Tier 2 practices.
- 1.36 Provide an updated site map detailing how rainwater will be directed or retained in each area. Include the following:
    - (a) All routing of rainwater throughout the site.
    - (b) Area and depth of landscaping to support the claim of absorbent landscaping as a rainwater capture method.
    - (c) Summary table of the catchment areas.

- 1.37 Parking, loading, bicycle, and passenger loading spaces must be provided and maintained in accordance with the requirements of the Parking By-law.
- 1.38 Design development to improve access and design of bicycle parking and comply with the Bicycle Parking Design Supplement.
- 1.39 Provision of an alcove for the bike room access off the vehicle parking ramp and maneuvering aisle.
- 1.40 Provision of bicycle spaces number 53 and 54 located in the parkade to be located in bicycle lockers.
- 1.41 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 visibility at the bottom of the parkade ramp and within the parkade to reduce conflicts between vehicles and bicycles. Mirrors are required.
- 1.42 Provision of 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, and labelled on the drawings.
  - (c) Dimension of column encroachments into parking stalls.
  - (d) Show all columns in the parking layouts.
  - (e) Dimensions for typical parking spaces.
  - (f) Dimensions of additional setbacks for parking spaces due to columns and walls.
  - (g) Dimensions of manoeuver aisles and the drive aisles at the parkade entrance and all gates.
- 1.43 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.
- 1.44 Areas of minimum vertical clearances labelled on parking levels.
- 1.45 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.

- 1.46 Indicate the stair-free access route from the Class A bicycle spaces to reach the outside. Stair ramps are not generally acceptable.
- 1.47 Existing street furniture including bus stops, benches, etc. to be shown on plans.
- 1.48 The location of all poles and guy wires to be shown on the site plan.

## Housing

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

Note to Applicant: Any changes in the unit mix from the rezoning application may only be considered at the discretion of the Director of Planning or Development Permit Board provided that the mix does not go lower than 35% of the dwelling units designed to be suitable for families with children and meets the intent of the unit mix guidelines in the *Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements and Available Incentives* (<https://bylaws.vancouver.ca/zoning/policy-rezoning-mirhpp.pdf>).

- 1.50 The development should comply with the *High-Density Housing for Families with Children Guidelines*, including the provision of:

- (a) Common outdoor amenity areas with a children's play area;

Note to Applicant: Play equipment is not required for the children's play area but a soft surface play area and creative landscape/play features (such as balancing logs and boulders, sandbox, creative motor-skills developing features etc.), which provide a myriad of creative play opportunities for a range of ages, are encouraged.

- (b) seating with direct line of sight to the play area; and
- (c) a minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each dwelling unit.

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

## PART 2: CONDITIONS OF BY-LAW ENACTMENT

THAT, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning, Development and Sustainability, the General Manager of Engineering Services and the General

Manager of Arts, Culture and Community Services (or successors in function), as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

**Engineering Services**

- 2.1 Consolidation of Lots 21 and 22, Both of Block 29, District Lot 192, Plan 4561 to create a single parcel.
- 2.2 Release of Restrictive Covenant 34344M (restricting subdivision of Lot 22) prior to building occupancy.

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

- 2.3 Provision of a building setback and statutory right of way (SRW) for public pedestrian use over a portion of the site, adjacent to West 4th Avenue, to achieve a 4.5 m offset distance from the back of the existing curb to the building face. The SRW will be free of any encumbrance such as vents, structure, stairs, door swing benches, bicycle parking at grade, planter walls and plantings at grade and is to accommodate the underground parking structure within the SRW agreement.

Note to Applicant: A survey plan prepared by a British Columbia Land Surveyor showing the existing dimension from the back of the City curb to the existing property line to determine the final setback and SRW width is required.

- 2.4 Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the Rezoning Site (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the Services are provided. No development permit for the site will be issued until the security for the Services is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion. Except as explicitly provided for in Condition 2.5, the Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

- (a) Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by H.Y. Engineering Ltd. dated November 1, 2019, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 200 mm. Should the development require water service connections larger than 200 mm, the developer shall upsize the existing main on Balaclava Street from West 4th Avenue to West 5th Avenue. The developer is responsible for 100% of the cost of the upgrading. 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(s) at 3084 West 4th Avenue does not require any upgrades:
- i. The post-development 10-year flow rate discharged to the storm sewer shall be no greater than the 10-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for climate change.
  - ii. Development to be serviced to the existing 1050 mm STM and 300 mm SAN sewers in West 4th Avenue.
  - iii. 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) Street improvements along West 4th Avenue adjacent to the site and appropriate transitions including the following:
- i. 1.22m (4') wide front boulevard with street trees where space permits;
  - ii. 2.14m (7') wide broom-finish saw-cut concrete sidewalk;
- Note to Applicant: Standard City of Vancouver surface treatments for all sidewalks on City of Vancouver dedicated property.
- iii. Curb ramp;
  - iv. Adjustment to all existing infrastructure to accommodate the proposed street improvements.
- (d) Street improvements along Balaclava Street adjacent to the site and appropriate transitions including the following:
- i. Front boulevard with street trees where space permits.
  - ii. Minimum 2.14 m (7') wide broom-finish saw-cut concrete sidewalk.
- Note to Applicant: Standard City of Vancouver surface treatments for all sidewalks on City of Vancouver dedicated property.
- iii. Protected raised asphalt bike lane.
  - iv. Curb and gutter, including any required road re-construction to current standards. If feasible, relocate existing catch basin on the east side of Balaclava Street near the intersection of West 4th<sup>th</sup> Avenue to align with the proposed curb and gutter. If not feasible, replace the existing catch

basin with a new catch basin.

- v. Curb ramp.
- vi. Adjustment to all existing infrastructure to accommodate the proposed street improvements (including any transitions from protected bike lanes to adjacent street network and replacement or modification of related traffic signal equipment).

Note to Applicant: The City will provide a geometric design for these street improvements.

- (e) Provision of a new standard concrete pedestrian lane crossing, new curb returns and curb ramps, on both sides of the lane, at the existing lane entry on Balaclava Street adjacent to the site.
- (f) Rebuild lane to centerline along the development site's frontage. Ensure the drainage path of the new section of the lane successfully meets the drainage path of the existing lane at the lane tie in location.
- (g) Provision of the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
- (h) Provision of improvements at the intersection of Balaclava Street and West 4th Avenue Including:
  - i. Upgrades to the existing traffic signal including an accessible pedestrian signal, and associated enabling works to modify and adjustments to all existing infrastructure to accommodate the proposed street improvements (including any transition from protected bike lanes to adjacent street network and replacement or modification of related traffic signal equipment).
- (i) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City of Vancouver (COV) standards and Illuminating Engineering Society of North America (IESNA) recommendations.
- (j) Provision of intersection lighting upgrades at Balaclava Street and West 4th Avenue to current COV standards and IESNA recommendations.
- (k) Provision of new or replacement duct bank adjacent to the development site that meets current City standards. Duct banks are to consist of electrical and communication ducts and cables, and connected to existing electrical and communications infrastructure.
- (l) Provision of lane lighting on standalone poles with underground ducts.

Note to Applicant: The ducts should be connected to the existing COV street lighting infrastructure.

Notes 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)

2.5 Provision of one or more Latecomer Agreements for the following works, which constitute excess and/or extended services:

- (a) Upgrades to the existing traffic signal including an accessible pedestrian signal (APS) at the intersection of Balaclava Street and West 4th Avenue.

Note to Applicant: The benefitting area for these works is limited to the four adjacent corner properties.

2.6 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.

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](mailto:umb@vancouver.ca).

## Housing

2.8 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and/or Section 219 Covenant to secure all residential units as secured rental housing units, including at least 20% of the residential floor area that is counted in the calculation of the dwelling unit area per the CD-1 By-law secured as moderate income

units subject to the conditions set out below for such units and in accordance with the requirements set out in the Moderate Income Rental Housing Pilot Program, for the longer of 60 years or the life of the building, and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require.

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

- (a) A no separate sales covenant;
- (b) A no stratification covenant;
- (c) A provision that none of such units will be rented for less than one month at a time;
- (d) All rental units will be secured as rental for a term of 60 years or the life of the building, whichever is greater;
- (e) That the average initial starting monthly rents for each moderate income unit, which comprise at least 20 % of the residential floor area that is counted in the calculation of the floor space ratio, will be at or below the following rents, not subject to adjustment, as set out in section 3.1A(d) of the Vancouver Development Cost Levy By-law and section 2a of the *Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements And Available Incentives* Administration Bulletin:

| <b>Moderate Income<br/>Rental Housing Type</b> | <b>Maximum Average<br/>Starting Rents</b> |
|--|---|
| Studio   | \$950                                     |
| 1-bedroom                                      | \$1,200                                   |
| 2-bedroom                                      | \$1,600                                   |
| 3-bedroom                                      | \$2,000                                   |

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

- (f) That rent increases for the moderate income units following the issuance of an Occupancy Permit will be capped at the *Residential Tenancy Act* maximum annual allowable increase, as published by the Province of British Columbia, regardless of a change in occupancy;
- (g) The applicant will verify eligibility of new tenants for the units secured at moderate income rates, based on the following:

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

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

- (k) The average size of the For-Profit Affordable Rental Housing Units will be at or below the following sizes:

| <b>Unit Type</b> | <b>Average Size<br/>(Apartment)</b> |
|------------------|-------------------------------------|
| Studio           | 42 square metres                    |
| 1 Bedroom        | 56 square metres                    |
| 2 Bedrooms       | 77 square metres                    |
| 3 Bedrooms       | 97 square metres                    |
| 4 Bedrooms       | N/A                                 |

2.9 Enter into a Section 219 Covenant and/or such other agreements as the General Manager of Arts, Culture and Community Services and the Director of Legal Services determine are necessary to require the applicant to:

- (a) Provide a Tenant Relocation Plan to the satisfaction of the General Manager of Arts, Culture and Community Services as per the *Tenant Relocation and Protection Policy* that is effective at the time of submission of the Development Permit Application.

- (b) Provide a notarized declaration that demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.
- (c) Provide an Interim Tenant Relocation Report to the satisfaction of the General Manager of Arts, Culture and Community Services prior to issuance of the Demolition Permit. The Report must outline the names of any tenants who have ended their tenancy; the reason for its end (e.g. tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant); the names of tenants still remaining in the building; the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan.

Note to Applicant: If a long period of time elapses between Public Hearing and before issuance of Demolition Permit, the City may request an additional Interim Tenant Relocation Report be submitted.

- (d) Provide a Final Tenant Relocation Report to the satisfaction of the General Manager of Arts, Culture and Community Services prior to issuance of the Occupancy Permit. The Report must outline the names of tenants; indicate the outcome of their search for alternate accommodations; summarize the total monetary value given to each tenant (moving costs, rents, any other compensation); and include a summary of all communication provided to the tenants.

## **Sustainability**

- 2.10 For buildings containing 20 units or more, the applicant will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services, that requires the future owner of the building to report energy use data, on an aggregated basis, for the building as a whole and certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

## **Environmental Contamination**

- 2.11 If applicable:

- (a) Submit a site profile to Environmental Services (Environmental Protection);
- (b) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into agreements deemed necessary to fulfill requirements of Section 571(B) of the Vancouver Charter; and

- (c) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, are provided to the City.

### **Agreements**

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

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

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**3084 West 4th Avenue and 2010 Balaclava Street  
ADDITIONAL INFORMATION**

**1. Urban Design Panel Minutes**

Address: 3084 West 4th Ave and 2010 Balaclava Street  
Permit No. RZ-2020-00001  
Description: To develop a six-storey residential building with 35 secured rental units over one level of underground parking consisting of 15 vehicle spaces and 54 bicycle spaces. This application is being considered under the Moderate Income Rental Housing Pilot Program.  
Application Status: Rezoning Application  
Review: First  
Architect: Ekistics Architecture – Mark Blackwood, Piyush Sanghadia  
Landscape Architect: Marlene Messer, PMG Landscape Architects  
Staff: Carly Rosenblat and Brenda Clark

**EVALUATION: Support with Recommendations (10/0)**

**Introduction:**

Rezoning Planner, Carly Rosenblat, began the presentation by explaining this is a rezoning application for two lots at the south east corner of West 4th Avenue and Balaclava Street in the Kitsilano neighborhood. Both lots are zoned RM-4 and are currently developed with three rental duplexes. The site is approximately 7,500 sq.ft. in size. There are currently six tenanted units on site with 13 tenants on site who qualify for Tenant Relocation under the City's policy.

The properties to the north, east, and west are zoned RM-4 which permits multi-family dwellings at a density up to 1.45 FSR and building heights to a maximum of 10.7m (35.1 ft.). These surrounding buildings are 3 to 4 storeys in height. To the south, are single family homes zoned RS-7.

The site is located on an active transit network. Within a two block radius, there are five bus routes serving the site.

**MIRHPP**

The enabling rezoning policy is the Moderate Income Rental Housing Pilot Program (MIRHPP), which is a limited pilot program that enables up to 20 rezoning city-wide for new buildings that provide 100% secured market rental housing, with a minimum of 20% of the residential floor area permanently secured for moderate income households with incomes between \$30,000-\$80,000 per year. If approved by Council, the rental units will be secured through a Housing Agreement which will be registered on title and in effect for 60 years or the life of the building, whichever is longer.

As part of the MIRPP selection process, staff vetted projects for eligibility and ranked based on a number of performance criteria established on key policy objectives. 3084 West 4th Avenue proposes to deliver a number of new moderate income and market rental units in a location that is well-served by rapid transit and would replace all rental units and provide more housing than what currently exists. This project was also chosen for MIRHPP as it meets the policy

parameters that limit consideration of sites in RM districts to highly underutilized sites with a low number of existing tenants.

Under the MIRHPP policy, additional height up to six-storeys may be considered for RM zones on arterials, with higher forms at arterial intersections. Additional considerations for rezoning include neighbourhood context.

### **Proposal**

This proposal is to rezone from RM-4 to CD-1 to permit a six-storey residential building with 35 secured rental units. The proposed density is 2.95 FSR which is equivalent to approximately 2,027 sq.m (or 21,824 sq.ft.) in floor area and a height of 20.23 m (or 66.37 ft.). It includes underground parking that contains the equivalent of 15 vehicle parking stalls and 54 bicycle parking spaces.

To note, 15 vehicle parking spaces are provided but only 13 physical spaces. Under section 4.1.15 of the Vancouver Parking By-law, accessible Parking Spaces count as two parking spaces.

The applicant is retaining the boulevard trees on-site.

### **Form of Development**

Development Planner, Brenda Clark, summarized the project as generally supportable for rental housing, with good access to public transit, shopping and community services. The Kitsilano neighbourhood is very walkable. West 4th Avenue is a primary arterial, featuring a mix of commercial nodes and a variety of apartment buildings of various scales. There are commercial nodes two blocks to the east on Bayswater Street, and two blocks to the west on Blenheim Street.

The frontage is approximately 72 ft. along West 4th Avenue, and 105 ft. long Balaclava Street. The building is proposed as six-storeys with a shoulder setback (at level 6) on the north, west and south sides, with a maximum height of 20.12 m (66 ft.). It interfaces with the Santa Barbara Apartment complex adjacent to the east, single family homes (RT-8) to the south across the lane, with three and four-storey apartments to the north along West 4th Avenue. Proposed setbacks are as follows:

North: 4.6 m (15'-0"), increased to retain trees at NE corner. (Required: 6.1 m (20'-0"))  
West: 3.05 m (10'-0"). Required 7.62 (25'-0")  
South: 6.7 m (22'-0") Required 7.62m (25'-0")  
East: 1.0 m (3'-3") to the parkade, 2.1 m (6'-11") to building face. Required 1.5 m (5'-0").

The public realm and level one include the following features:

- Main residential entry on Balaclava;
- Outdoor amenity located at NW corner, co-located with adjacent indoor amenity at the ground floor;
- Parkade set back at the NE corner to retain 3 significant conifers, and soften the transition to adjacent apartment building;
- Ground-oriented units (with patios) along the street frontages;
- Garbage-recycling located at the south fronting the lane
- The parkade ramp is located at the SE corner of the site

Form of Development issues include:

- Kitsilano character, including high quality materials, architectural detail and texture, as well as lush landscaping (RM-4 Design Guidelines).
- Lane interface to single family neighbours to south (2 storeys), including six to two-storey massing transition, as well as location of garbage/recycling;
- East interface to Santa Barbara apartments, including open ramp; and
- Provision of common outdoor space such as children's' play area;

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

**1. Please comment on overall proposed form, massing, height and density, within the existing built form context**, with consideration of three key factors:

- a. West 4th is a primary arterial;
- b. the RM-4 and RT-7/8 zoning context; and,
- c. the City's current need to accommodate future growth.

**2. Does the proposal successfully transition to the surrounding area and buildings?**

Please comment on interface to adjacent residential properties to the east and south, with suggestions for improvement, if necessary.

**3. Please comment on architectural and landscape response to neighbourhood character.** Please advise on proposed form and materiality, perimeter treatment, outdoor amenity and children's play.

The planning team then took questions from the panel.

**Applicant's Introductory Comments:**

The applicant noted the design of the site is related to the eclectic mix of traditional and west coast contemporary architecture in this area. The applicant noted the site is located at the south east corner of 4th and Balaclava. West 4th Avenue is an arterial road with lots of access to beaches, parks, with a variety of commercial nodes.

There are prominent commercial nodes to the east at 4th and McDonald, and to the west around 4th and Alma. There are five bus stops nearby including one in front of the development, making this project's site and density ideally located, and an ideal candidate for a rental housing program.

The applicant noted the project started with a six-storey block, the intent is to keep the design minimal and its articulation simple, with massing changes at a few locations to help reduce the scale of the building. The top floor of the building has been set back. The entrance lobby on Balaclava is glazed, near the indoor-outdoor amenity at the north-west corner. Balcony projections follow the pattern of the side the building is facing. The applicant noted use of low maintenance materials such as prefinished fiber cement panels. The windows and guardrails are glass. There are dark grey trims in combination with light color panel elements. The applicant noted they tried not to present a continuous material across West 4th Avenue. The darker cladding continues behind the retention of existing trees. The landscape is a simple palette.

The underground parking slab is raised above grade and softened by shrubs and landscaping in planters. The applicant noted they tried to open up the corners to allow for more sunlight. The

applicant intends to keep the existing City trees at the north-east corner, as they are large and add scale to the street.

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. HENDERSON** and seconded by **MR. SHARMA** and was the decision of the Urban Design Panel:

THAT the Panel SUPPORT of the project with the following recommendations to be reviewed by City Staff:

- Consider relocating the garbage and recycling below grade;
- Design Development to present a greener, more gardeny edge to the project, especially to the neighbours to the east and the south; reconsider the raised planters.
- Pursue architectural and landscape excellence in light of the current context.
- Ensure retention of the existing trees at the north-east corner;

### **Panel Commentary**

- Form, Massing, Height and Density in relation to the context
- There was general support from the panel regarding the massing, form, height and density.
- The panel recognized this project as a new typology in the neighborhood, requiring architectural excellence to successfully blend into the area.
- A panelist noted the increase in density is important for housing affordability, but the project should be further developed to better integrate into Kitsilano.
- The panel liked the step back for the trees however it may compromise other aspects of the building
- Strong parti and volumes. Consider decreasing the column of the white top at the parapet.
- The project is a workable fit but it is challenging to the single family zone to the south. It needs to go further to reduce the height and bulk.
- The lane setback relaxation is not supportable.
- The vertical dark strip and wall panel needs to read stronger.
- The proposal is appropriately scaled and is a handsome building.
- The dark top makes the building look taller
- Transition to the surrounding context
- The building is an appropriate transition to either side and across West 4th Avenue.
- The building is not well transitioned to the south and the lanes along the single family zone that have a lot of green and amenity on neighbouring sites along the lane. Landscape can help make this transition.
- To transition to the surrounding area and especially lower buildings to the south, the panel noted the garbage and recycling are too visually prominent, and the setback along the lane would be better used for more outdoor amenity or urban agriculture, if garbage/recycling were relocated underground.
- To be more neighbourly to the project to the east, a green roof could be installed at the second floor above the parkade ramp roof, the ramp should be enclosed, and more landscape buffering provided.
- Rethink the proposed colours to make the project more neighbourly.

- Architectural and Landscape Response to neighbourhood character
- From an overall perspective, this project should pursue architectural and landscape excellence to ensure the new typology provides an appropriate response to its current context.
- The panel members recommended improvements to the character of the landscaping, and to reconsider the raised walls along the property edges to create a friendlier green frontage in keeping with Kitsilano. Dropping the suspended slab esp. over the bike parking would assist.
- The panel commented on the architectural expression, resolution of the staggered windows and balconies, and asked whether the offset as proposed is sufficient to appear playful.
- The windows on the east should be offset from windows on the existing building.
- The panel commended the applicants for mature trees proposed to be retained, as they are effective in providing scale, enhancing the public realm, and providing greenery to the adjacent street. However, a good tree retention strategy is necessary to ensure their long-term survival.
- Struggle with the ground plane and the rigidity of the landscape. The landscape needs a more unique character. Also there is little space for storm water and trees.

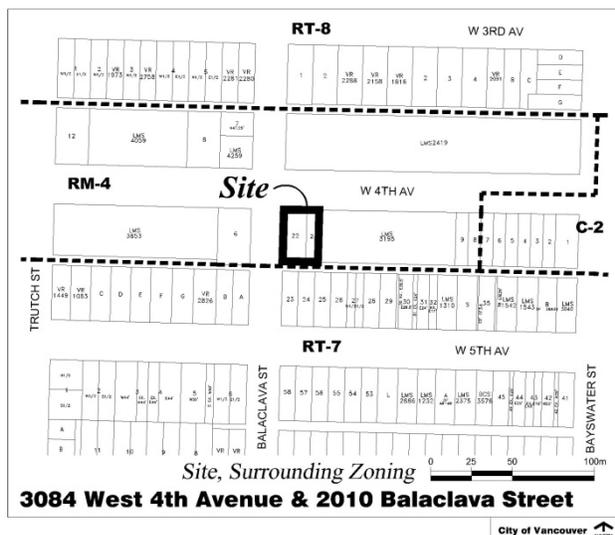
Other:

- The panel suggested to consider accommodating the amenity on the rooftop.
- In terms of open space, one panel member suggested the unit at north-east corner could have a balcony treatment at the ground plane.
- Consider including some 3 bedroom units.
- The entry is well announced and the adjacent amenity placement is appropriate.

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

## 2. Public Consultation Summary

A rezoning information sign was installed on the site on February 12, 2020. Approximately 1,710 notification postcards were distributed within the neighbouring area on or about February 19, 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](http://vancouver.ca/rezapps)).



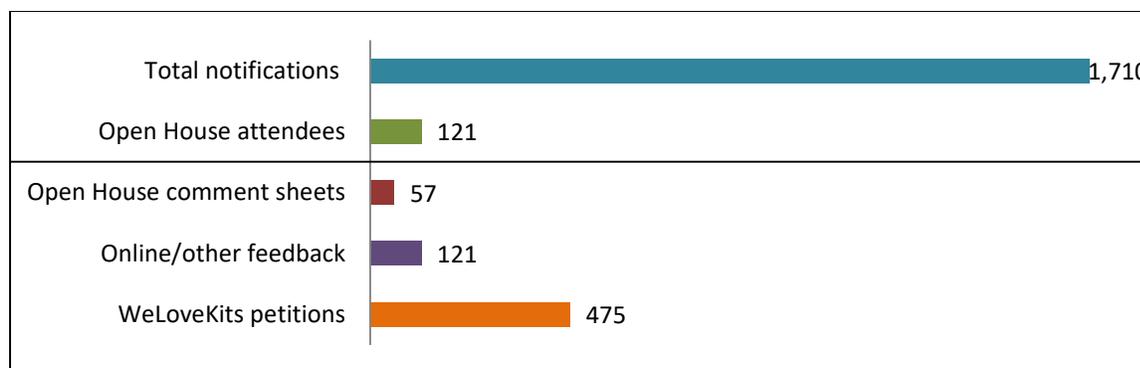
### Community Open House

On March 11, 2020 a community open house was held from 4:30-9:00 pm at the H.R. MacMillan Space Centre, 1100 Chestnut Street. Staff, the applicant team, and a total of approximately 121 people attended the Open House.

### Public Response

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

- 57 comment sheets, 121 letters, e-mails, online comment forms, and other feedback were received from the public in response to the March 11, 2020, open house.
- 475 petitions from WeLoveKits community organization were signed by the public in response to this project.



\* 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:*

- **Housing affordability:** This proposal would respond to the affordable housing need, particularly in the west side of Vancouver. This would allow for more diverse housing types, people, and students to live in this neighbourhood.
- **Building height, density, and massing:** The height and density at this location is appropriate. More height and density would be further supported due to its proximity to public transit and need for housing.
- **General support:** The project received general support from respondents.
- **Building design:** The proposed design would fit well into the neighbourhood character and looks inviting.
- *Generally, comments of concern fell into the following areas:*
- **Building height, density, and massing:** The proposed development would be too tall and out of scale with the surrounding low rise context. Respondents cited that four storeys should be the maximum height proposed on this lot and in the neighbourhood.
- **Neighbourhood context:** The proposed project would negatively impact the neighbourhood character, resulting in further changes and commercialization of Kitsilano.
- **Parking within the development:** There would not need to be more parking spaces within the development, to prevent impacts on street parking. Respondents noted that

they still need to use their vehicles to drive to school or work. A few respondents cited that there are too much parking proposed as the location is close to public transit.

- **Building design:** The proposed box-like building design would not align with the neighbourhood character. Respondents suggested improving the design.
- **Shadowing and sunlight:** The development would block sunlight and result in neighbouring homes being shadowed.
- **Setback:** The setback of the development is too small and inconsistent with the surrounding buildings.
- **Affordable housing:** There would not be enough affordable housing provided, with respondents questioning if the rental cost could increase over time.
- **Unit size:** The units are very small and not family friendly, particularly, they would only be suitable for singles and couples.
- **Local schools capacity:** The local schools are already at maximum capacity and would not be able to accept more students. More schools would need to be built before allowing density into this area.
- **Precedence:** The project would set a negative precedence for tall buildings in the area.
- **Developer:** The developer is maximizing profit through the MIRHPP policy.
- **Existing zone:** The project should be developed under the existing zone. Respondents also noted that it is possible to have affordable housing with current zoning.
- **Existing rentals:** The project would replace more existing rentals than the proposed number of units.
- **Traffic:** Local traffic would be negatively impacted, resulting in congestion and safety concerns.
- **Privacy:** The proposed project would invade the privacy of neighbouring homes.
- **Views:** Views would be impacted by the project.

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:*

- Would like to see Council approve this project as affordable housing is a priority.
- There are no concerns for shadow impacts.
- The proposal should not go to the Urban Design Panel due to its simplicity.
- The MIRHPP policy is supported and would like to see more similar developments.
- Appreciate the location of the proposal as it is close to UBC, downtown, the Broadway Corridor, and public transit.
- The proposed building would be more suitable than the existing building and its current use of land.
- The project would be a suitable addition to the neighbourhood that has many old rental buildings.
- Appreciate the tree preservation efforts.
- The changes that were made since the pre-application stage are appropriate.
- The number of units proposed should not be reduced.

- Local businesses would benefit from more residents living in the area.
- Appreciate the location of the amenity space as it would allow for community interaction.
- Parking within the development would be adequate given its proximity to public transit and retail.
- The benefits of affordable housing outweigh the concerns that were voiced.

*General comments of concern:*

- Respondents do not feel heard from the City. There needs to be deep listening in order to achieve genuine community engagement.
- The site would be a poor choice due to the small lot size.
- There would need to be more dedicated family units.
- The lack of infrastructure to support the development would be concerning.
- There are insufficient amenities provided by the developer.
- The MIRHPP policy would need to allow for more moderate income units as part of this proposal.
- Voices opposed to the project would be more vocal than those who support affordable housing.
- The street boulevard should be used for development to allow the proposed density to be accommodated with a lower building height.
- Remove requirements for on-site parking spaces and use street parking.
- Consider adding laneway housing for increased density.
- There should be ground level commercial space for a more vibrant pedestrian street.
- Question on why density could not be allocated to other vacant properties or neighbourhoods.
- The proposed building is not net zero ready or have passive house standards, which would go against the City's sustainability policies. Respondents suggested more sustainable development.
- The development quality is poor in comparison to the Santa Barbara building next door. Respondents suggested the Santa Barbara building would be a good development model.
- Question if the building is truly only financially viable at six storeys.
- Question if there could be a few shorter buildings rather than one six storey building.
- The Santa Barbara building would be negatively impacted.
- The location of the open house was far from the proposed site, causing challenges.
- The units located at the top storeys would have higher rents due to its views.
- The developer should not receive density relaxation if they are not paying the Development Cost Levies.
- The old growth trees on site would be at risk and should be protected.
- The proposal would intrude into the neighbourhood.
- There would not be enough space for wheelchairs.
- Question why there is only one elevator for the whole building, causing concerns for seniors.
- Good principles of planning are violated by this proposal.

- The units would be rented for Airbnb units in the future.
- This proposal pushes for large changes rather than smaller incremental changes that are easier to accept.
- Homeowners are very constrained in how they develop their homes, while this development would be allowed relaxed density.
- There would be a need to consider all developments in the neighbourhood rather than one development.
- Density should not be allowed on side streets, while along arterials would be more appropriate.
- The parking ramp position would require design development to eliminate light cast onto neighbouring buildings
- Residents chose to live in this neighbourhood due to its single family dwelling and this proposal would impact their choice.
- Noise, vehicle pollution, and light would negatively impact the quality of life.
- There would not be enough greenspace.
- Concerned that moderate housing units would not actually go to moderate income earners.
- The proposal would not be situated in a transit node.
- The building would need more connection to the pedestrian street.
- Property values would be negatively impacted by the development.
- The project would not respect transitions to surrounding area and homes as outlined in the MIRHPP policy.

*Neutral comments/suggestions/recommendations:*

- The project open house was originally in conflict with the Secured Rental Incentive information session.
- Increase the building footprint or decrease setback to allow more two and three bedroom units.
- Need to address dog waste if this building would allow pets.
- The units seem small but the development would be embraced in the neighbourhood.
- Vancouver is behind in moving towards higher density developments considering the current housing crises.
- Question on whether there has been considerations on Asian style balconies to increase the unit sizes.

### 3. Summary of Tenant Relocation Plan Terms

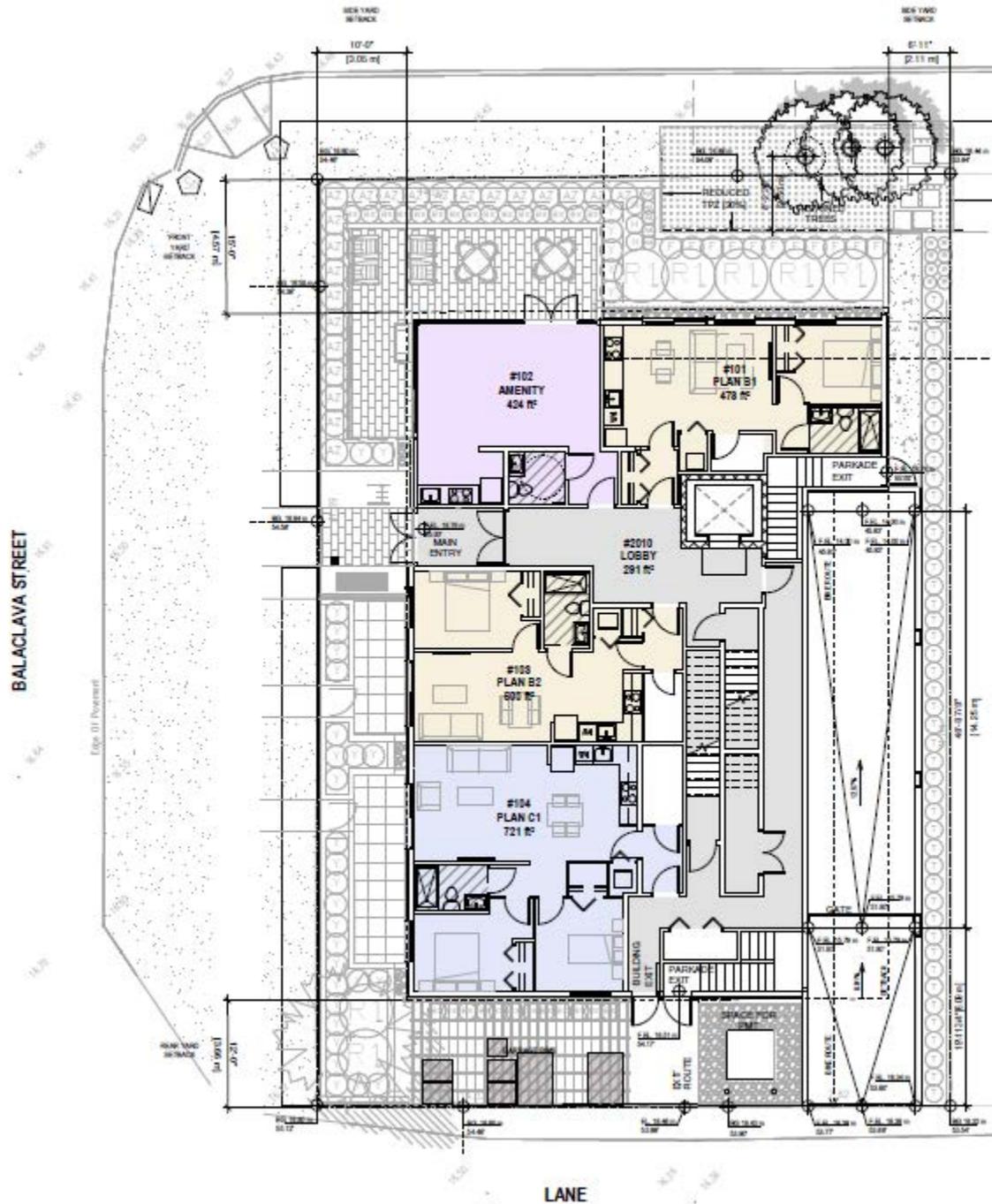
| <b>Tenant Relocation and Protection Requirements</b>  | <b>Tenant Relocation Plan Offer</b>  |
|---|--|
| Financial Compensation  | <ul style="list-style-type: none"> <li>• Compensation in the form of free rent, a lump sum payment, or a combination of both, will be available for each unit eligible for Tenant Relocation Plan according to the following schedule:               <ul style="list-style-type: none"> <li>○ 4 months' rent for tenancies up to 5 years;</li> <li>○ 5 months' rent for tenancies over 5 years and up to 10 years;</li> <li>○ 6 months' rent for tenancies over 10 years and up to 20 years;</li> </ul> </li> <li>• There are no tenancies over 14 years</li> <li>• For tenancies less than 1 year, no compensation</li> </ul> |
| Notice to End Tenancies   | <ul style="list-style-type: none"> <li>• Landlord to provide regular project updates to tenants throughout the development approvals process.</li> <li>• A minimum of four months' notice to end tenancy after all permits are issued is required (e.g. all development, building, and demolition permits in place).</li> </ul>  |
| Moving Expenses<br>(flat rate or arrangement of an insured moving company)                        | <ul style="list-style-type: none"> <li>• A flat rate of \$1,000 will be provided at a minimum to all eligible tenants.</li> </ul>  |
| Assistance in Finding Alternate Accommodation<br>(3 options)                                      | <ul style="list-style-type: none"> <li>• Applicant has hired tenant relocation specialist to assist tenants in Finding Alternative Accommodations.</li> <li>• Applicant has committed to provide three options in Vancouver that best meet the tenants' needs based on the Tenants Needs Survey and their specified requirements.</li> <li>• Assistance with housing applications, references, transportation to viewings as required by the tenant.</li> </ul>  |
| Additional Support for Low Income Tenants or Tenants Facing Other Barriers to Appropriate Housing | <ul style="list-style-type: none"> <li>• The applicant is partnering with a tenant relocation specialist team to assist existing tenants with finding alternate accommodation.</li> <li>• Although no low income tenants or tenants facing other barriers have been identified, applicant is ready to provide additional support as needed should the tenant survey / interviews reveal otherwise.</li> </ul>  |

|   |   |
|---|---|
|   |   |
| <ul style="list-style-type: none"><li>• First Right of Refusal</li><li>• (Where starting rents are anticipated to be higher than what the tenant currently pays, provide a 20% discount off starting rents for any returning tenants)</li></ul> | <ul style="list-style-type: none"><li>• The applicant has committed to offering all current tenants who are named on leases, regardless of their TRP eligibility, the right of first refusal at a 20% discount off starting rents in similar units in the new development once completed.<br/>Any subsequent rent increases for returning tenants will be in line with the Residential Tenancy Act.</li></ul> |

\* \* \* \* \*

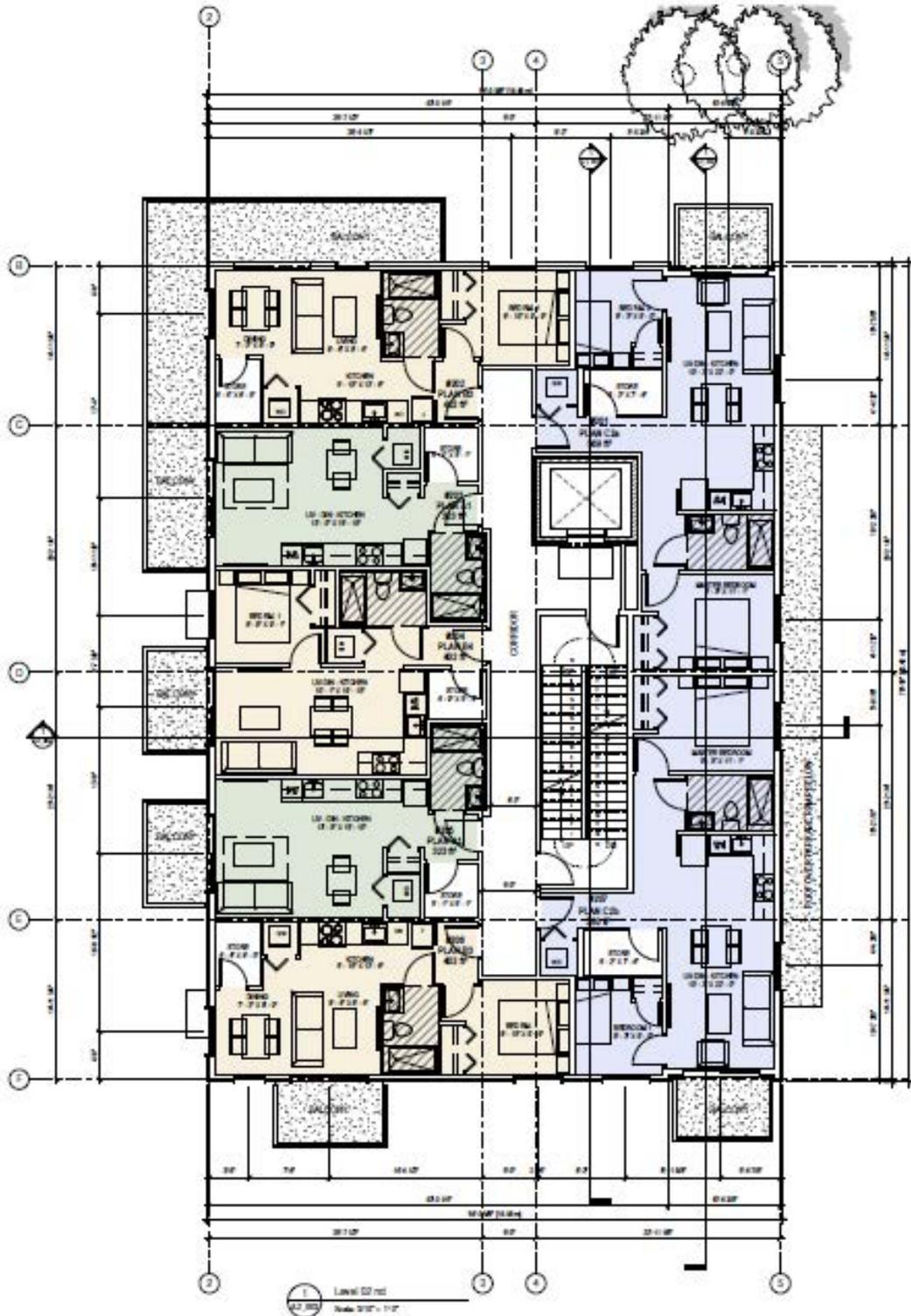
3084 West 4th Avenue and 2010 BalACLAVA Street  
FORM OF DEVELOPMENT DRAWINGS

Original Level 1

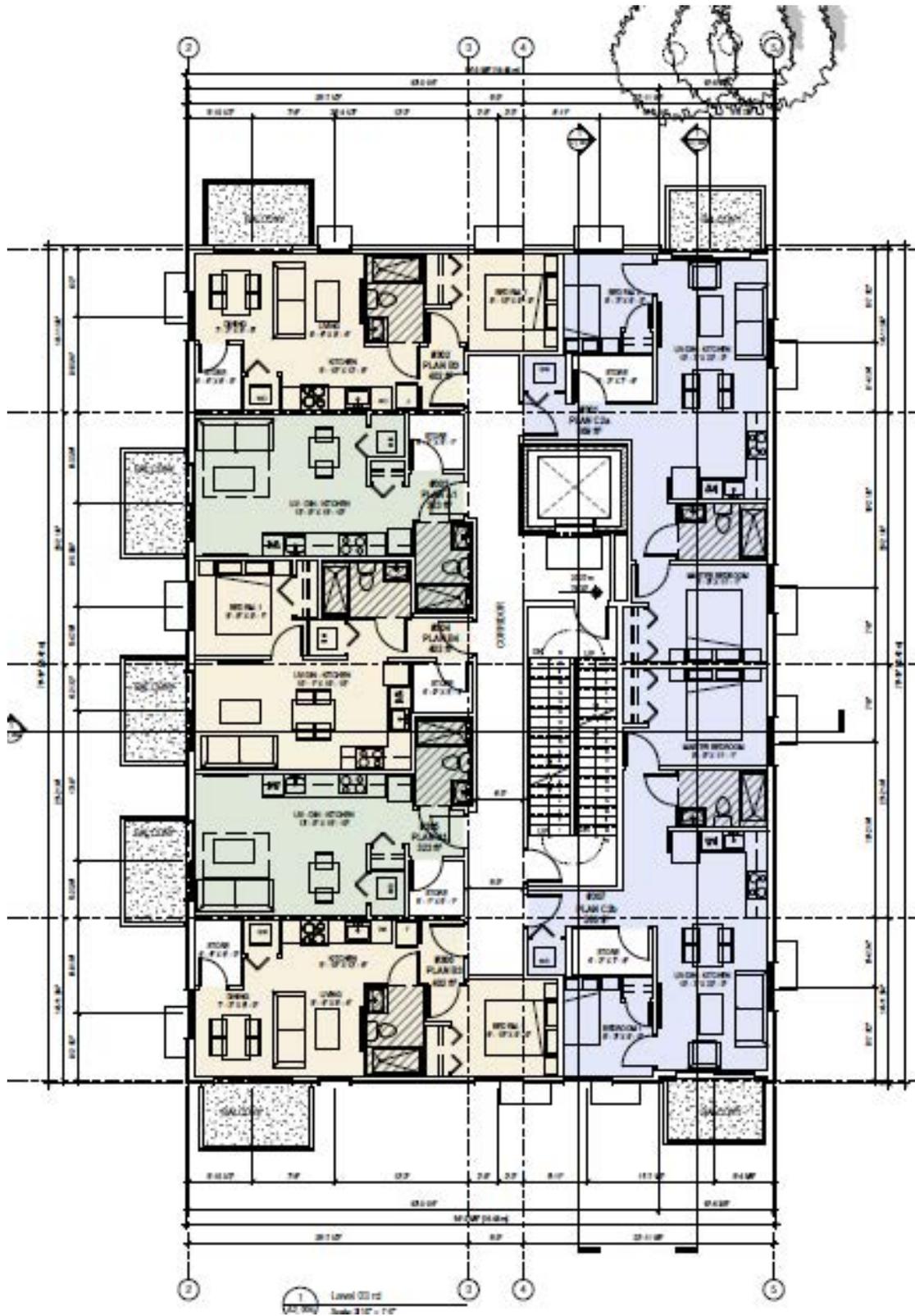




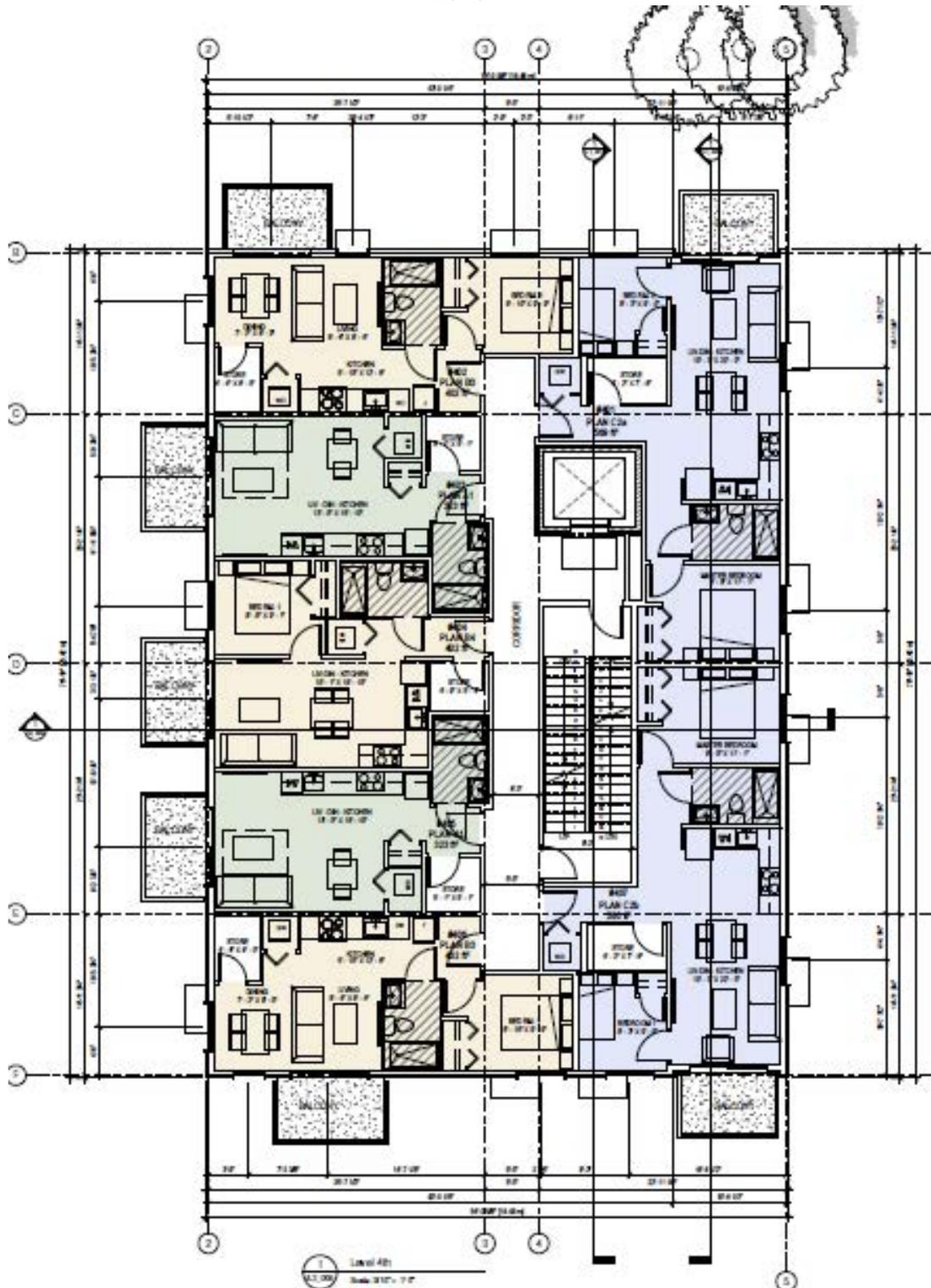
Level 2



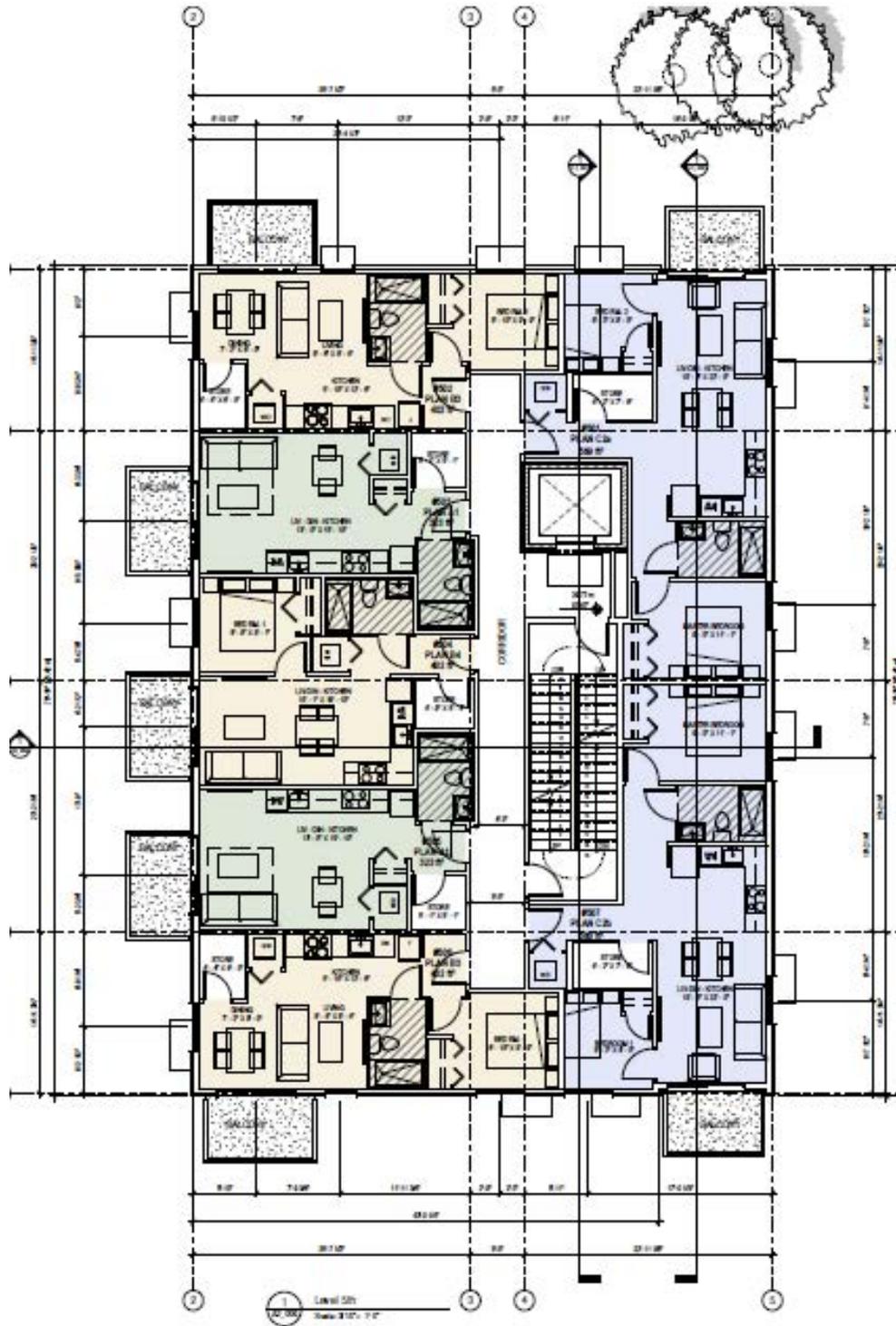
Level 3



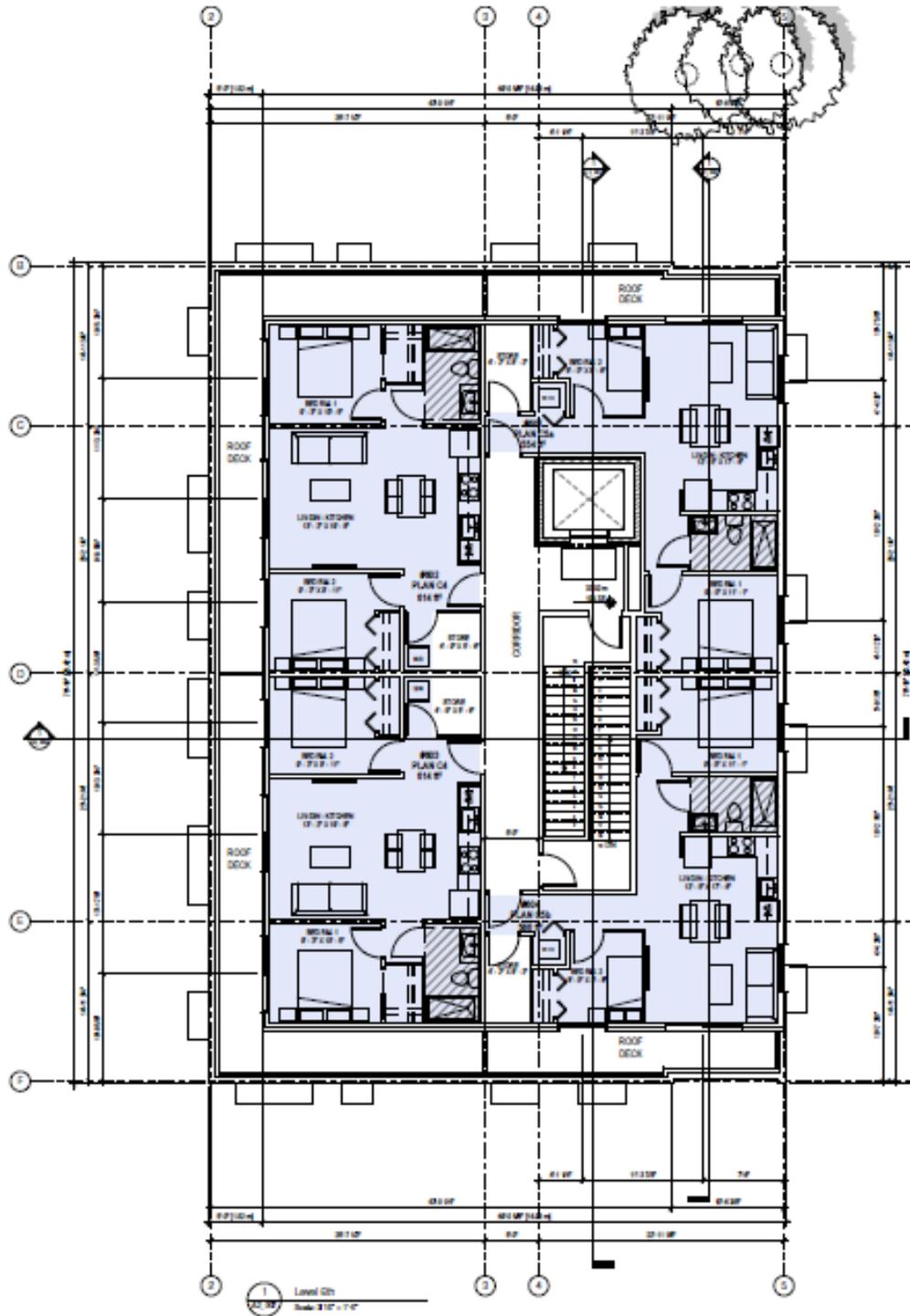
Level 4



Level 5



Level 6



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**3084 West 4th Avenue and 2010 Balaclava Street  
DEVELOPMENT COST LEVY WAIVER ANALYSIS**

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

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

| <b>Unit Type</b> | <b>No. units proposed</b> | <b>DCL By-law maximum average unit size</b> | <b>Proposed average unit size</b> |
|------------------|---------------------------|---|-----------------------------------|
| Studio           | 8                         | 42 sq. m (452 sq. ft.)                      | 30.0 sq. m (323 sq. ft.)          |
| 1-bedroom        | 14                        | 56 sq. m (603 sq. ft.)                      | 38.5 sq. m (414 sq. ft.)          |
| 2-bedroom        | 13                        | 77 sq. m (829 sq. ft.)                      | 54.7 sq. m (589 sq. ft.)          |

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

| <b>Unit Type</b> | <b>No. units proposed</b> | <b>DCL By-law maximum average unit rent</b> |
|------------------|---------------------------|---|
| Studio           | 2                         | \$950                                       |
| 1-bedroom        | 3                         | \$1,200                                     |
| 2-bedroom        | 3                         | \$1,600                                     |

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.

\* \* \* \* \*

**3084 West 4th Avenue and 2010 Balaclava Street  
PUBLIC BENEFITS SUMMARY**

**Project Summary:**

Proposal to construct a six-storey building with 35 secured rental housing units, of which 20 % of the floor area will be secured as moderate income units.

**Public Benefit Summary:**

The proposal would provide 35 secured rental housing units towards the Housing Vancouver Strategy, of which 20% of the floor area will be secured as moderate income units, for the longer of 60 years and the life of the building.

|   | <b>Current Zoning</b> | <b>Proposed Zoning</b> |
|---|-----------------------|------------------------|
| Zoning District                               | RM-4                  | CD-1                   |
| FSR (site area = 687.4 sq. m (7,400 sq. ft.)) | 1.45                  | 2.95                   |
| Buildable Floor Space (sq. ft.)               | 10,730                | 21,823                 |
| Land Use                                      | Residential           | Residential            |

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

|   |                  |
|---|------------------|
| City-Wide DCL <sup>1</sup>                        | \$0              |
| City-Wide Utilities DCL <sup>1, 2</sup>           | \$218,452        |
| <b>TOTAL VALUE OF PUBLIC BENEFITS<sup>2</sup></b> | <b>\$218,452</b> |

**Other benefits (non-quantified):** 35 secured rental housing units, of which 20% of the floor area will be secured as moderate income units for the longer of 60 years and the life of the building.

<sup>1</sup> Based on rates in effect as at September 30, 2020 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.

<sup>2</sup> Based on rates in effect as of September 30, 2020; however, 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).

\* \* \* \* \*

**3084 West 4th Avenue and 2010 Balaclava Street**  
**APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

**PROPERTY INFORMATION**

| Street Address        | Property Identifier (PID) | Legal Description                          |
|-----------------------|---------------------------|--|
| 3084 W 4th Avenue     | 005-215-943               | Lot 21 Block 29 District Lot 192 Plan 4561 |
| 2010 Balaclava Street | 005-215-951               | Lot 22 Block 29 District Lot 192 Plan 4561 |

**APPLICANT INFORMATION**

|                       |                        |
|-----------------------|------------------------|
| <b>Developer</b>      | James Evans            |
| <b>Architect</b>      | Ekistics Architecture  |
| <b>Property Owner</b> | Retna Investments Inc. |

**SITE STATISTICS**

|                  |                             |
|------------------|-----------------------------|
| <b>Site Area</b> | 687.4 sq. m (7,400 sq. ft.) |
|------------------|-----------------------------|

**DEVELOPMENT STATISTICS**

|                                | Permitted Under Existing Zoning                                     | Proposed   | Recommended  |
|--------------------------------|---|--|--|
| <b>Zoning</b>                  | RM-4  | CD-1   | CD-1   |
| <b>Uses</b>                    | Residential   | Residential  | Residential  |
| <b>Floor Space Ratio (FSR)</b> | 1.45 FSR  | 2.95 FSR   | -  |
| <b>Floor Area</b>              | 996.8 sq. m (10,730 sq. ft.)  | 2,027.4 sq. m (21,823 sq. ft.)   | -  |
| <b>Maximum Height</b>          | 10.7 m (35.1 ft.)   | 20.23 m (66.38 ft.) / 6 storeys  | 19.3 m (63.4 ft.).   |
| <b>Unit Mix</b>                | N/A   | <b>Market:</b><br>Studio      6<br>1-Bed      11<br>2-Bed      10<br><b>Subtotal    27</b>     | <b>Moderate Income:</b><br>Studio      2<br>1-Bed      3<br>2-Bed      3<br><b>Subtotal      8</b> |
|                                |   | <b>Total 35 units</b>  |  |
| <b>Parking Spaces</b>          | Per Parking By-law  | Total: 13 vehicle spaces*<br>Includes 2 accessible spaces which each count as 2 vehicle spaces | Per Parking By-law   |
| <b>Bicycle Spaces</b>          | Per Parking By-law  | 54 Class A<br>3 Class B  | Per Parking By-law   |
| <b>Natural Assets</b>          | <b>Existing:</b><br>0 on-site by-law trees<br>3 existing City trees | <b>Proposed (including existing):</b><br>4 on-site by-law trees<br>3 existing City trees       |  |

\* \* \* \* \*