



## REFERRAL REPORT

Report Date: September 7, 2021  
Contact: Yardley McNeill  
Contact No.: 604.873.7582  
RTS No.: 14650  
VanRIMS No.: 08-2000-20  
Meeting Date: September 21, 2021

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: CD-1 Rezoning: 427-477 West 49th Avenue

### **RECOMMENDATION**

- A. THAT the application by GBL Architects Inc., on behalf of Transca Vancouver W 49th Ave Ltd., the registered owner of the land located at 427-477 West 49th Avenue [*Lots 19 to 22 of Lot 4 Block 999 District Lot 526 Plan 5531; PIDs 011-138-394, 011-138-416, 011-138-424, and 011-138,441 respectively*] to rezone the land from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.75 to 3.99 and the building height from 10.7 m (35 ft.) to 50.6 m (166 ft.) and to 54.3 m (178 ft.) to accommodate a rooftop amenity space, to permit the development of a 14-storey mixed-use building with 128 strata-titled residential units, commercial at grade, and a childcare facility, be referred to Public Hearing, together with:
- (i) plans prepared by GBL Architects received July 31, 2020;
  - (ii) draft CD-1 By-law provisions, generally as set out in Appendix A; and
  - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, including approval in principle of the form of development, subject to the Conditions of Approval contained in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to prepare the draft CD-1 By-law, generally as set out in Appendix A, for consideration at Public Hearing.

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

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

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

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

- D. THAT subject to approval of the CD-1 By-law, the Subdivision By-law be amended, generally as set out in Appendix C;

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

- E. THAT Recommendations A to D be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

## **REPORT SUMMARY**

This report evaluates an application to rezone the site located at 427-477 West 49th Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to permit the development of a 14-storey mixed-use building. The proposal contains a four-storey podium with commercial at grade, a 37-space childcare facility provided turnkey to the City, and a 14-storey building with 128 strata-titled residential units. A height of 50.6 m (166 ft.) is proposed with a density of 3.99 FSR.

Staff have assessed the application and conclude that it generally meets the intent of the *Cambie Corridor Plan*, subject to conditions outlined in Appendix B. Staff recommend that the

application be referred to Public Hearing, together with the recommendation of the General Manager of Planning, Urban Design and Sustainability, to approve it, subject to Public Hearing and subject to conditions in Appendix B.

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

- Cambie Corridor Plan and Cambie Corridor Public Realm Plan (2018)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992)
- Childcare Design Guidelines (1993)
- Tenant Relocation and Protection Policy (2015, last amended 2019)
- Green Buildings Policy for Rezoning (2010, last amended 2017)
- Community Amenity Contributions Policy for Rezoning (2020)
- Urban Forest Strategy (2014)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-Law No. 12183

### **REPORT**

#### **Background/Context**

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

The subject site is on the north side of West 49th Avenue, between Cambie and Alberta Streets. The frontage is 80.5 m (264 ft.) along 49th Avenue and the depth is 33.5 m (110 ft.) for a total site area of 2,696 sq. m (29,019 sq. ft.) (Figure 1).

Currently zoned RS-1, the property consists of four single-detached homes. Constructed in the 1940s, the homes are not deemed to have heritage value. The site contains four rental units occupied by tenants at the time of application. As the proposal involves the consolidation of four RS-1 lots containing secondary rental units, the existing tenants are eligible for compensation under the *Tenant Relocation and Protection Policy*.

**Figure 1: Surrounding Zoning and Context**



Properties to the east and north are zoned RS-1 and developed with single-detached homes. Under the *Cambie Corridor Plan* (the “Plan”), sites to the east are designated for four-storey mixed-use and sites to the north are designated for townhouses. A property to the northwest was approved for a rezoning in 2017 for a 10-storey mixed-use building.

The site is located east of the Langara-49th Avenue Canada Line station. Nearby cycling routes are located on Cambie Street, 49th Avenue, Ontario Street, and Tisdall Street. Cambie Street is a primary arterial street and part of Metro Vancouver’s frequent transit service network and well-served by regular transit.

**Local School Capacity** – The site is located within the catchment area of Jamieson Elementary at 6350 Tisdall Street and Eric Hamber Secondary at 5025 Willow Street. According to the Vancouver School Board (VSB)’s *2020 Long Range Facilities Plan*, Jamieson Elementary will be operating over capacity and Eric Hamber Secondary will be operating at 86% capacity by 2027. Additional capacity is available at Van Horne Elementary located at 5855 Ontario Street, with an expected capacity utilization of 89% by 2027.

**Neighbourhood Amenities** – The following amenities are within close proximity:

- *Public Parks* – Tisdall Park, Langara Park, Columbia Park and Cambie Park are all within 600 m of the site.
- *Cultural/Community Spaces* – The Langara Family YMCA, Langara College, and the Sunset Community Centre are located within 1,000 m of the site.
- *Childcare* – Langara Child Development Centre is located 500 m to the southeast.

## 2. Policy Context

**Cambie Corridor Plan** (the “Plan”) – The site is located in the Langara neighbourhood of the *Plan*. Subsection 4.4.2 supports a mixed-use building with two towers at 10 and eight storeys with a four-storey podium.

The *Plan* suggests a density range of 2.5-3.5 FSR for this area. This FSR range was based on the expectation that the subject site would consolidate with the adjacent Translink-owned site. As such, the density range in the *Plan* was established with the assumption of a five-lot consolidation and a two-tower proposal. However, the applicant is not pursuing the inclusion of the Translink site in the lot consolidation. As such, the form of development and FSR of 3.99 for the single-tower proposal over a four-lot consolidation aligns with the overall intent of the *Plan*’s built form guidelines, and is supported by staff.

The *Plan* also anticipates a number of public realm contributions, including a secondary active link directly east of the site. The active link is intended to provide a direct, uninterrupted pedestrian connection from Yukon Street to 49th Avenue with trees, planting and seating.

**Tenant Relocation and Protection Policy** (“TRP”) – The *TRP Policy* is intended to protect tenants by mitigating the impacts of displacement resulting from redevelopment activity, while recognizing that renewal is necessary to maintain the health of the overall rental stock. The *TRP Policy* applies to this site and the applicant has provided a draft Tenant Relocation Plan (TRP), which will be secured as a condition of rezoning. A final TRP will be required at the time of the

development permit application, and a final Tenant Relocation Report will be required prior to issuance of the occupancy permit.

## **Strategic Analysis**

### **1. Proposal**

The application proposes to rezone the site from RS-1 to CD-1 to permit the development of a 14-storey mixed-use building with a four-storey podium. A total of 128 strata-titled residential units are proposed with commercial at grade, and a 37-space childcare facility provided turnkey to the City. Private indoor and outdoor amenity space for residents are located above the podium. There are 130 vehicle parking spaces and 268 bicycle spaces proposed over three levels of underground parking, accessed from the lane.

The proposed floor area is 10,764 sq. m (115,865 sq. ft.), the FSR is 3.99, and the building height is 50.6 m (166 ft.).

**Figure 2: View of development along 49th Avenue**



### **2. Land Use**

The application proposes a mixed-use development with 128 strata-titled residential units and commercial space located at grade. A 37-space childcare facility is on level 5, at 899 sq. m (9,676 sq. ft.), which will be delivered turnkey to the City. The residential, commercial, and institutional uses are consistent with the land use directions under the *Plan*.

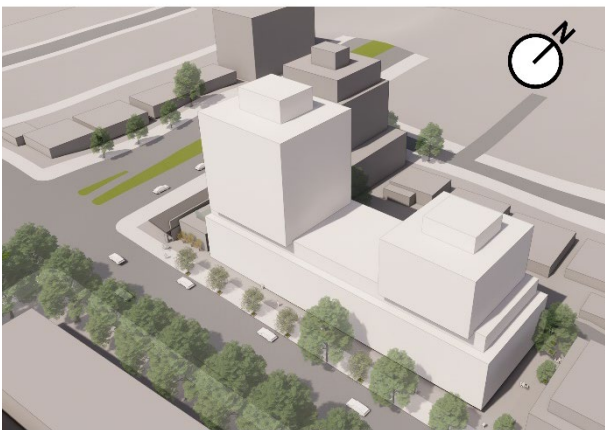
### **3. Height, Density, and Form of Development** (refer to drawings in Appendix G and statistics in Appendix J)

In assessing the urban design performance, staff consider the built form guidance within the Langara neighbourhood of the *Plan*. Specific direction is also provided in Section 4.1.2 for Mixed-Use Buildings on Arterials.

**Form of Development** – The *Plan* anticipates a form of development consisting of residential towers over a four-storey podium and commercial at grade. A high-quality public realm is also expected to contribute to a walkable, mixed-use urban environment adjacent to rapid transit.

While the *Plan* anticipated two residential towers of eight and 10-storeys, the application proposes a variation with a single residential tower at 14-storeys (Figures 3 and 4). This single tower better addresses site constraints and urban design performance, particularly to enhance the quality of the outdoor childcare play space. One tower with a larger podium allows for a more generous outdoor childcare space of 394.3 sq. m (4,244 sq. ft.) with uninterrupted sunlight exposure from the east and south. This enhanced outdoor play space will better meet the intent of the *Childcare Design Guidelines* to support a positive and healthy environment for children.

**Figure 3: View looking northwest with a two-tower form (8- and ten-storeys)**



**Figure 4: View looking northwest with a single-tower form (14 storeys)**



**Figure 5: View looking northeast from Cambie Street and 49th Avenue**



**Figure 6: View looking southwest from the lane and active link**



Prior to application submission, it was identified that a two-tower proposal presented a number of challenges that a single tower could better address. A proposal with two towers would have difficulty achieving an 80 ft. spacing between residential towers. The single tower is also placed on the western portion of the site and closer to Cambie Street, where taller heights are

concentrated near the station. The single tower allows for a larger outdoor play space with greater access to sunlight, as outlined above.

Finally, one tower limits the extent of shadow impact on sites to the rear compared to a two-tower development. The tower floor plate is 557 sq. m (6,000 sq. ft.), which is below the (6,500 sq. ft.) permitted in the *Plan*, creating a slimmer tower form. The aggregate shadow impact for the slimmer tower is less than that of a two-tower proposal.

Overall, the proposed single tower and podium achieves the *Plan*'s urban design performance objectives and was unanimously supported by the Urban Design Panel.

**Height** – The *Plan* identifies the sub area as suitable for eight- and 10-storey residential towers above a four-storey podium. A single tower of 14 storeys and 50.6 m (166 ft.) above a four-storey podium is proposed in response to the surrounding context and site constraints, while maintaining the *Plan*'s urban design objectives. As noted above, the single 14-storey tower has been placed closer to Cambie Street, improving the height transition to the neighbouring context.

**Density** – The *Plan* suggests a density range from 2.5-3.5 FSR, based on urban design performance and built form guidelines. The density range was based on a five-lot consolidation with an air space parcel above the eastern portion of the Skytrain station. Further, the *Plan* recognizes that the development potential for a site may fall within, below, or above the FSR range. The current proposal does not include lot consolidation due to site constraints with the station. The proposed density of 3.99 FSR is commensurate with a smaller, four-lot consolidation.

**Public Realm** – Mixed-use buildings are to contain a continuous street wall with an appropriate height and scale for an engaging and comfortable pedestrian experience. The proposed four-storey podium with continuous ground-floor commercial and setbacks above the third floor meets the expectations of the *Plan*. Wider sidewalks will also be provided along 49th Avenue. Staff have included rezoning conditions to refine the design of the storefronts to enhance the pedestrian experience.

The building has also been setback from the eastern property line to provide a mid-block secondary active link, as per the *Plan*. This link creates a pedestrian connection that aligns with Yukon Street to the north to reduce the length of the block. Commercial spaces will activate the link. Conditions of approval are applied to improve the quality and experience of the active link with the addition of trees, landscaping, bicycle racks, and seating areas.

**Amenity Space** – The application offers common private outdoor and indoor amenity spaces, including a dedicated children's play area for residents. Conditions are provided to further enhance the amenity spaces by exploring additional amenity space at the tower rooftop.

**Urban Design Panel** – The Urban Design Panel unanimously supported the project on November 25, 2020. Recommendations from the Panel included opportunities to further animate the active link and public realm, to refine the Cambie Street-facing building elevation, and to consider an additional outdoor rooftop amenity (see Appendix E).

Staff reviewed the recommendations of the Panel and the site-specific conditions, and have concluded that the proposal complies with the urban design performance per the *Plan* and

responds well to its context. Staff support the application subject to the urban design conditions in Appendix B.

## 4. Housing

**Housing Mix** – For strata residential development, the *Family Room: Housing Mix Policy for Rezoning Projects* requires that at least 35% of all units are suitable for families. This includes a minimum 25% at two bedrooms and a minimum of 10% to be three or more bedrooms. The unit mix of 19% studio units, 35% one-bedroom units, 35% two-bedroom units, and 11% three-bedroom units is consistent with the family housing mix policy.

**Existing Tenants** – At the time of application, all four residential units were tenanted. Should Council approve this application in principle, the four existing residential units would be replaced with 128 strata-titled residential units. Redevelopment would require the relocation of the existing tenants during construction. Of the four tenancies covered by the *TRP Policy*, the average length of tenancy is eight years.

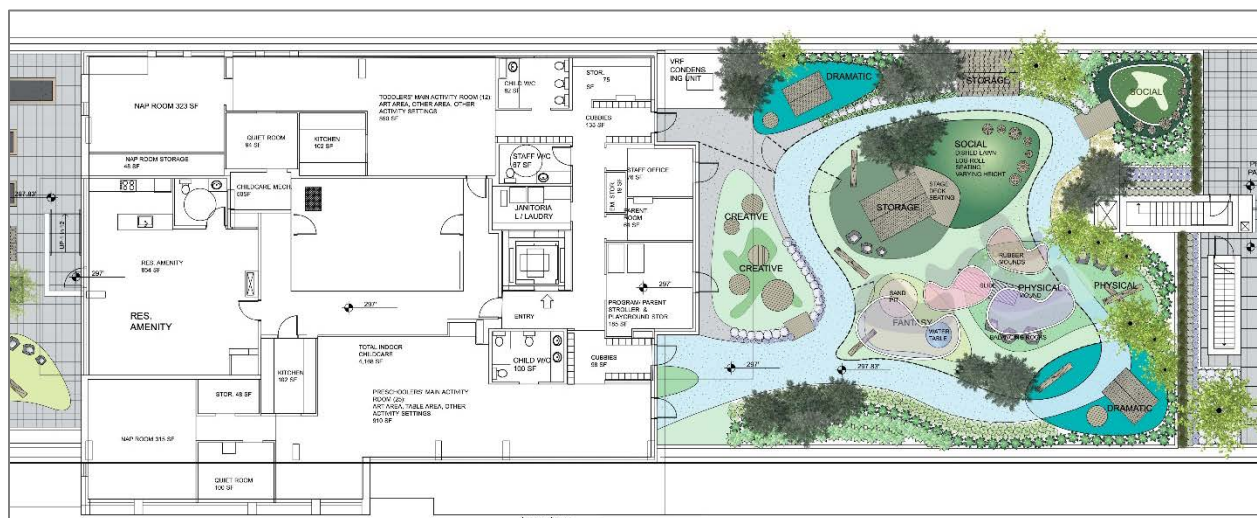
***Tenant Relocation and Protection*** – Under the *TRP Policy*, eligible tenants receive a minimum of four months of free rent or more based on length of tenancy, a flat-rate payment towards moving costs, and assistance finding alternative accommodation, including one option within the neighbourhood. See Appendix D for a summary of the TRP terms.

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. Childcare Facility

The applicant has offered to construct a childcare facility, delivered turnkey to the City, as part of the public benefit for this site (Figure 7). The 37-space childcare would consist of an infant/toddler and preschool program area on level five, adjacent to an outdoor play space above the podium. The total floor area proposed for the childcare facility is 899 sq. m (9,676 sq. ft.).

**Figure 7: Proposed childcare facility**



Further design development of the childcare facility will occur during the subsequent development approval process. Per conditions set out in Appendix B, the applicant is expected to construct the childcare to the City's satisfaction, including meeting minimum outdoor space requirements. The childcare will be delivered as a separate air space parcel to the City in turnkey condition, prior to the issuance of the final occupancy permit. Further, should Council approve the rezoning in principle, staff will initiate a Request-For-Proposal (RFP) process to select a non-profit operator for the childcare facility.

## **6. Transportation and Parking**

The site is well served by transit, with frequent bus service on 41st Avenue and Cambie Street, with the Langara-49th Avenue Canada Line Station to the west.

Parking is proposed from the lane. Three levels of underground parking are proposed with 130 parking spaces for the residential, commercial and childcare uses. A total of 268 bicycle spaces, three loading spaces, and one Class A passenger space are proposed.

The *Plan* requires that new development include a Class A loading space at-grade to provide accessible short-term parking, pick-up and drop-off space. The current proposal does not include a Class A loading space at grade. The applicant is expected to meet the parking requirements at the development permit stage, per the *Parking By-Law*.

## **7. Environmental Sustainability**

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

This application has opted to satisfy the low emissions green buildings requirements. The low emissions green buildings pathway establishes limits on heat loss, energy use, and greenhouse gases, and draws on industry best practices to create more efficient, healthy and comfortable homes and workplaces. A preliminary energy modeling analysis has been submitted with building performance strategies to meet the energy use intensity, greenhouse gas and thermal demand targets.

**Natural Assets** – The *Urban Forest Strategy* helps to preserve, protect and strengthen Vancouver's urban forest and tree canopy for the future. The *Protection of Trees By-law* (the "Tree By-law") aims to maintain a healthy urban forest by requiring permission be sought to remove trees which 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.

There are four trees subject to the *Tree By-law* and three City trees located along 49th Avenue. The application proposes removal of all on-site trees given their location within the proposed building footprint. A condition of approval requires that the applicant consider the inclusion of large-size replacement trees at grade. Three City trees and four trees on neighbouring sites were also identified for tree retention. A rezoning condition ensures protection of neighbouring trees throughout the construction process. The applicant is proposing 33 new trees on site and five street trees. See Appendix B for landscape and tree conditions.

## Public Input

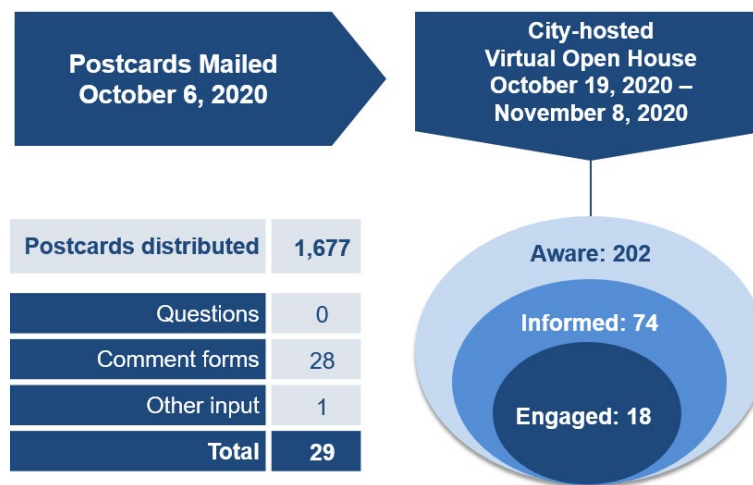
**Public Notification** – A rezoning information sign was installed on the site on October 6, 2020. Approximately 1,677 notification postcards were distributed within the neighbouring area on or about October 15, 2020. Notification and application information, as well as an online comment form, was provided on the City's digital engagement platform, *Shape Your City Vancouver* ([shapeyourcity.ca/](https://shapeyourcity.ca/)).

**Virtual Open House** – A virtual open house was held from October 19, 2020 to November 8, 2020 on the Shape Your City platform. The virtual open house consisted of an open-question online event where questions were submitted and posted with a response over a period of three weeks. Digital presentations were posted for viewing, along with a digital model representation of the proposal.

A virtual approach allowed people to access materials online and engage at different levels at a time and location of their choosing. An extended virtual open house period allowed people to ask questions regarding the proposal, which staff actively monitored and responded to publicly.

**Public Response and Comments** – Public input was received through online questions, comment forms, and by email and phone. A total of 29 submissions were received. A summary of public responses are detailed in Appendix F.

**Figure 8: Overview of notification and engagement**



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

Generally, comments of support fell within the following areas:

- **Building height, massing, density and context:** The height, massing, density and context is needed and will add vibrancy to the area. The location is ideal for a development of this scale due to its proximity to the Langara-49th Avenue Skytrain Station and Langara College.
- **Retail space:** The addition of commercial space will help people meet their daily needs given the lack of adjacent retail and commercial opportunities.

- **Childcare space:** The inclusion of childcare space in the area is greatly appreciated and will benefit the growing community.
- **Building design:** The amenity space and wall facing the Skytrain station is well designed. The trees and paving patterns are a great addition and creates a welcoming pedestrian experience.
- **Housing stock:** Increasing the housing supply will play a role in tackling the city's affordability issue.

Generally, comments of concern fell within the following areas:

- **Building height, massing, density and context:** The height and scale of the building does not conform to the *Plan*. The building height would cast additional shadows on nearby properties and does not provide a proper transition to the surrounding single-family homes or townhouses.
- **Parking:** The number of parking spaces is insufficient and will cause parking to spill out onto nearby streets that are already crowded. Conversely, other comments noted there is too much parking for a site next to a Skytrain station.
- **Traffic and disruption:** New development would worsen congestion along 49th Avenue, which is a narrow street that already faces congestion. Construction will cause disturbances to the surrounding area and will be a hindrance to the residents and students accessing Langara College.
- **Building design:** The building looks unfriendly for pedestrians due to a lack of a proper step back, greenery, and proper plaza space. The staggering of the three residential balconies on the Skytrain side of the building looks out of place.

## Response to Public Comments

**Building height, density, massing and context** – The application proposes a single, slender 14-storey tower on a podium instead of two towers at eight and 10 storeys. This single tower allows for adequate outdoor space for the childcare facility, maintains tower spacing, and does not create additional aggregate shadowing compared to a two-tower scheme.

**Parking** – A total of 130 parking spaces are proposed in the underground parkade and 114 are required under the *Parking By-law*. Staff conclude that the site is well served by off-street parking and that the applicant may provide parking in excess of the minimum required under the *Parking By-law*.

**Traffic and disruption** – Given the site's proximity to rapid transit and bus service, additional sustainable transportation measures to reduce reliance on vehicles can be proposed through the development permit process. Further, Cambie Street and 49th Avenue were identified for complete street improvements under the *Plan*, and improvements to enhance safety for all modes of transportation are expected.

**Building design** – The three-storey street wall with setbacks at the fourth storey along 49th Avenue is consistent with the *Plan*. The continuous ground-floor commercial contributes to

an activated and animated public realm. Staff have included conditions to further refine the quality of the project's pedestrian interface and explore enhancements to the active link.

### **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 the City-wide DCL and Utilities DCL, which are calculated on the floor area specified in the development permit. Based on rates in effect as of September 30, 2020 and the proposed 9,734.9 sq. m (104,788 sq. ft.) of residential floor area, 1,029.1 sq. m (11,077 sq. ft.) of commercial floor area, total DCLs of \$3,163,954 are anticipated from this development.

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

**Public Art Program** – The application is subject to the *Public Art Policy and Procedures for Rezoned Developments* as the proposed floor area meets the minimum 9,290 sq. m (100,000 sq. ft.). Applicants may elect to provide on-site artwork or cash-in-lieu (at 80% of the public art budget). Based on the current rate, the public art budget is estimated to be \$229,413. As a condition of by-law enactment, a legal agreement is required to be registered on title to specify and define all obligations with respect to the selected option.

**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 and they take into consideration community needs, area deficiencies and the impact of the proposed development on City services.

The applicant has offered a total CAC package of \$11,250,000, consisting of an in-kind component and a cash component. The 37-space childcare facility is valued at \$5,425,000 and will be provided turnkey to the City. The applicant has also offered a cash CAC of \$5,825,000, which will be allocated to support delivery of the Cambie Corridor Public Benefits Strategy. Real Estate staff have reviewed the applicant's development pro forma and conclude that the total CAC value offered by the applicant is appropriate and recommend that the offer be accepted.

**Cambie Corridor Plan Public Benefits Strategy (PBS)** – The PBS identifies public benefits and infrastructure to support growth in the area, including both short- and long-term priorities in and around the area. If approved, the application would contribute a 37-space childcare facility, provided turnkey to the City, and a cash contribution of \$5,825,000 to support delivery of the PBS. See Appendix H for details of the Cambie Corridor Plan Public Benefits Implementation Tracking and Appendix I for a summary of the public benefits for this application.

### ***Financial Implications***

Based on rates in effect as of September 30, 2020, total DCLs of approximately \$3,163,954 would be expected from this development.

If the rezoning application is approved, the applicant will be required to provide new public art on site with an estimated value of \$229,413, or make a cash contribution to the City for off-site public art for 80% of that amount.

The applicant has offered a CAC package of \$11,250,000; consisting of a \$5,825,000 cash contribution and a 37-space childcare facility, valued at \$5,425,000, to be delivered turnkey to the City.

Upon completion of construction, staff will seek Council approval to appoint a non-profit operator for the childcare facility in a subsequent report. A typical model requires that an operator is responsible for the administration, programming and operation of the childcare facility and facility costs, including regular maintenance and repairs. The City would typically be responsible for major repairs, lifecycle replacement of major systems, and structural components. Funding requirement will be considered as part of capital planning and budget processes.

### ***CONCLUSION***

Staff review of the application has concluded that the proposed land use, housing mix, form of development and public benefits are consistent with the intent of *Cambie Corridor Plan*. The proposed form of development represents an appropriate urban design response to the site and context. If approved, this application would contribute a City-owned childcare facility co-located with residential units and commercial space, adjacent to a rapid transit station.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing together with the draft CD-1 By-law provisions generally shown in Appendix A with a recommendation that these be approved, subject to the Public Hearing, along with the conditions of approval listed in Appendix B, including approval in principle of the form of development as shown in plans included as Appendix G.

\* \* \* \* \*

**427-477 West 49th Avenue  
PROPOSED CD-1 BY-LAW PROVISIONS**

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

**Zoning District Plan Amendment**

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

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

**Designation of CD-1 District**

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

**Uses**

3. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (\_\_\_) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
  - (a) Cultural and Recreational Uses;
  - (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this section;
  - (c) Institutional Uses, limited to Child Day Care Facility;
  - (d) Office Uses;
  - (e) Retail Uses;
  - (f) Service Uses; and
  - (g) Accessory Uses, customarily ancillary to the uses permitted in this Section.

**Conditions of Use**

- 4.1 The design and layout of at least 35% of the total number of dwelling units must:

- (a) be suitable for family housing; and
  - (b) include two or more bedrooms, of which:
    - (i) at least 25% of the total dwelling units must be two-bedroom units; and
    - (ii) at least 10% of the total dwelling units must be three-bedroom units.
- 4.2 No portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width may be used for residential purposes except for entrances to the residential portion.
- 4.3 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building except for:
- (a) Farmers' Market;
  - (b) Neighbourhood Public House;
  - (c) Public Bike Share;
  - (d) Restaurant; and
  - (e) Display of flowers, plants, fruits and vegetables in conjunction with a permitted use.
- 4.4 The Director of Planning may vary the use conditions of section 4.3 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this By-law.

### **Floor Area and Density**

- 5.1 Computation of floor area must assume that the site area is 2,696.0 m<sup>2</sup>, being the site area at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.
- 5.2 The floor space ratio for all uses combined must not exceed 3.99.
- 5.3 The total floor area for commercial uses must be a minimum of 1,029 m<sup>2</sup>.
- 5.4 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 5.5 Computation of floor area must exclude:
- (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:

- (i) the total area of these exclusions must not exceed 12% of the floor area being provided for dwelling uses and 8% of the floor area being provided for all other uses; and
  - (ii) the balconies must not be enclosed for the life of the building;
- (b) patios and roof decks, if the Director of Planning first approves the design of sunroofs and walls;
- (c) floor area used for Child Day Care Facility;
- (d) 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; and
- (e) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m<sup>2</sup> for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

5.6 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board, amenity areas accessory to a residential use, to a maximum of 10% of the total floor area being provided for dwelling uses.

### **Building Height**

6.1 Building height, measured from base surface, must not exceed 50.6 m.

6.2 Despite the provisions of section 6.1 of this By-law and 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 located at least 3 m from the roof perimeter, mechanical screens, or similar features, if the Director of Planning first considers:

- (a) their siting and sizing in relation to views, overlook, shadowing, and noise impacts; and
- (b) all applicable policies and guidelines adopted by Council,

except that the Director of Planning must not permit any structure above a maximum height of 54.3 m.

6.3 Despite section 6.1 of this By-law and section 10.18 of the Zoning and Development By-law, if the Director of Planning permits a common indoor rooftop amenity space, the height of the portion of the building used for the common indoor rooftop amenity space must not exceed 54.3 m.

### **Horizontal Angle of Daylight**

- 7.1 Each habitable room must have at least one window on an exterior wall of a building.
- 7.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the center of the bottom of each window.
- 7.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if:
- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
  - (b) the minimum distance of unobstructed view is not less than 3.7 m.
- 7.5 An obstruction referred to in section 7.2 means:
- (a) any part of the same building including permitted projections; or
  - (b) the largest building permitted under the zoning on any adjoining site.
- 7.6 A habitable room referred to in section 7.1 does not include:
- (a) a bathroom; or
  - (b) a kitchen whose floor area is the lesser of:
    - (i) 10% or less of the total floor area of the dwelling unit; or
    - (ii) 9.3 m<sup>2</sup>.

### **Acoustics**

8. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustical 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

\* \* \* \* \*

427-477 W 49th Avenue  
CONDITIONS OF APPROVAL

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

*Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by GBL Architecture, received July 31, 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 to further activate the public realm and ensure an engaging and comfortable pedestrian experience as follows:

- (a) Strengthen the identity and pedestrian permeability of the secondary active link.

Note to Applicant: Suggested strategies include extending the commercial frontage the full length of the link by deleting the northeastern service room; introducing distinguishing place-making design elements and landscaping; and deleting any obstructions to the pedestrian flow such as the northeastern parking air intake. Refer to the *Cambie Corridor Public Realm Plan*. See also Landscape Condition 1.9 and Engineering Condition 2.3.

- (b) Soften the interface and animate the environment at the lane.

Note to Applicant: The lane interface should ensure a sensitive interface, given the existing and future residential developments across the lane. Suggested strategies include consolidating the back-of-house uses and extending a portion of the commercial frontage; using visually engaging building materials and landscaping; introducing a secondary residential lobby; and ensuring setbacks are free of encroachment such as the loading bays.

- (c) Strengthen the southwest ground-level corner's identity and soften its interface.

Note to Applicant: The southwest corner should be carefully considered as an activating and engaging transition from the busy Skytrain station site and an anchoring point of the project. Strategies include deleting the exhaust vents; extending the commercial frontage; providing a transparent interface as opposed to the solid wall condition proposed; and extending the visual and material treatment of the party wall.

- (d) Reinforce the small-scale local-serving commercial frontages.

Note to Applicant: Retail frontages should reinforce the scale of a walking, shopping street. Strategies include maintaining a 4.6 m and 12.2 m (15-40 ft.)

frontage; introducing storefront insets and bay windows; and using architectural detailing and landscaping to identify the storefronts.

- (e) Ensure appropriately sized weather protection.

Note to Applicant: Continuous weather protection should be integrated with the building design and should be part of a building's overall architecture and composition. A minimum 1.8 m (6 ft.) at 2.7 m (9 ft.) above grade with depth increasing proportionally to a maximum height of 3.65 m (12 ft.) above grade.

1.2 Design development to enhance the contextual fit as follows:

- (a) Reduce the perceived length of the podium.

Note to Applicant: Suggested strategies include introducing architectural variety that avoids repetition; breaking the linear balconies; and introducing material breaks. This will contribute to an interesting pedestrian-scaled streetscape.

- (b) Refine the west building elevation to address Cambie Street.

Note to Applicant: Given the prominence and high visibility of the west elevation, treatment and architectural expression should be in keeping with the elevation on West 49th Avenue and treated as a principal facade.

1.3 Design development to enrich the quality of outdoor amenity spaces by:

- (a) Augmenting the size and functionality of the children's play area on the podium.

Note to Applicant: Design should incorporate flexible features. Natural play elements and exploratory structures are encouraged. The size and use should be appropriate for the number of family units. Refer to *High Density Housing for Families with Children Guidelines*: <https://guidelines.vancouver.ca/guidelines-high-density-housing-for-families-with-children.pdf>.

- (b) Considering supplemental outdoor amenity spaces on the tower rooftop.

Note to Applicant: Outdoor amenity spaces should accommodate the needs of adults and families with children in keeping with the *High-Density Housing for Families with Children Guidelines*: <https://guidelines.vancouver.ca/guidelines-high-density-housing-for-families-with-children.pdf>.

1.4 Confirmation that residential storage meets the requirements of the *Bulk Storage and In-Suite Storage – Multiple Family Residential Developments* administrative bulletin: <http://bylaws.vancouver.ca/bulletin/b004.pdf>.

1.5 Design development to meet the green roof requirements of the *Roof-Mounted Energy Technology and Green Roofs* administrative bulletin: <https://bylaws.vancouver.ca/bulletin/bulletin-roof-mounted-energy-technologies-and-green-roofs.pdf>.

Note to Applicant: It should be noted on the architectural and landscape plans the type of green roof proposed including the percentage. Refer to: <https://bylaws.vancouver.ca/bulletin/bulletin-roof-mounted-energy-technologies-and-green-roofs.pdf>. See also Landscape Condition 1.10.

- 1.6 Identification on the architectural and landscape drawings of any built features intended to create a bird-friendly design.

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

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

- 1.7 Design development to respond to CPTED principles, having particular regards for:

- (a) theft in the underground parking;
- (b) residential break and enter;
- (c) mail theft; and
- (d) mischief in alcove and vandalism, such as graffiti.

Note to Applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings.

### **Sustainability**

- 1.8 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).

### **Landscape Design**

- 1.9 Design development to visually enhance the active link (mid-block connection) and animate it into a pedestrian scale destination.

Note to Applicant: This can be achieved by introducing trees, layered of low shrubs and groundcover in planting beds and landscape features such as seating, bike racks, etc.

- 1.10 Provision of notations to landscape plans to confirm that the percentage of green roof is consistent with the expectations of the Planning By-law Administration Bulletin Roof-mounted Energy Technologies and Green Roof.

Note to Applicant: A substantial portion of the roof is to be a green roof (minimum 25% of the roof area for an intensive green roof or 50% for an extensive green roof). Provide technical assembly and planting details.

- 1.11 Confirmation of safe retention of existing neighbouring trees as follows:

- (a) Specify the construction activities proposed within Critical Root Zone of trees C and D, verifying footing locations and excavation requirements; and
- (b) Provide tree retention measures with accurate notations on appropriate plans.

Note to Applicant: Project arborist to confirm that excavation for the parking slab will not encroach into the recommended critical root zone of these trees.

- 1.12 Design development to the landscape treatment:

- (a) to increase the volume of soil, tree canopy cover and planting on slab, by lowering the slab for planting on the main level to the greatest extent possible, rather than planting in raised planters; and

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

- (b) to consider adding large size replacement trees on grade, off the parkade slab.

Note to Applicant: This intends to make up for the canopy loss of large significant trees on the site.

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

- (a) maximize natural landscape best management practises;
- (b) minimize the necessity for hidden mechanical water storage;
- (c) increase the amount of planting to the rooftop areas, where possible;
- (d) use permeable paving;
- (e) employ treatment chain systems (gravity fed, wherever possible); and
- (f) use grading methods to direct water to soil and storage areas.

Note to Applicant: Refer to the City of Vancouver Integrated Rainwater Management Plan (I.R.M.P), Vol.1 and 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.

- 1.14 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.

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

Note to Applicant: The plans should be at 1/8 in.: 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, and fire hydrants.

- 1.16 Provision of detailed architectural and landscape cross sections (minimum 1/4 inch scale) through common open spaces, semi-private patio areas and the public realm.

Note to Applicant: the sections should illustrate the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

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

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

- 1.18 Provision of a "Tree Management Plan" including:

- (a) scaled and dimensioned tree protection barriers around the trees on private and public property coordinated with Arborist Report;
- (b) tree numbering for all on site and off site trees; and

- (c) notations of all recommendations from Arborist, (i.e. trigger points, grading and pruning specifications, etc.).

Note to Applicant: It is preferred that the arborist tree management plan become the primary document for tree removal/protection related matters.

- 1.19 Provision of an arborist "letter of undertaking" to include signatures by the owner, contractor and arborist.

Note to Applicant: the signatures confirm that all parties are aware of the roles and responsibilities and that the project is on track to satisfy the steps and recommendations outlined by the arborist. For example, advanced planning will be needed to ensure that certain works, such as site supervision checkpoints, are coordinated.

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

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Engineering Services (Streets Design Branch) at 604-871-6131 to confirm tree planting locations and Park Board at 3-1-1 for tree species selection and planting requirements. Provide a notation on the plan as follows, *"Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion"*.

- 1.22 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.

- 1.23 Provision of an outdoor lighting plan.

Note to Applicant: Outdoor lighting strategy should ensure functionality, safety and energy efficiency. Provide dimmers and timers for lights where feasible.

- 1.24 Provision on landscape drawings of landscape features intended to create bird friendly design.

Note to Applicant: Bird friendly plants should be included on the plant palette, enabling bird habitat conservation and bird habitat promotion. Refer to the Bird Friendly Design Guidelines for examples of landscape features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at: <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.)

## **Childcare**

- 1.25 Design and finish the 37-space childcare facility with a minimum gross indoor area of 430 sq. m. (4,618 sq. ft.) and no less than 520 sq. m (5,597 sq. ft.) of contiguous outdoor area at a height of not less than 12 ft. floor-to-floor, with adequate space for each program, to the satisfaction of the Managing Director of Social Policy, and the Director of Facilities Planning and Development to ensure that the facility is functional and efficient, licensable by Community Care Facilities Licensing and meets the intent of the City's Childcare Design Guidelines and Childcare Technical Guidelines. Other requirements include, but may not be limited to, the following:

- (a) Design development to ensure that the indoor and outdoor spaces are designed to maximize opportunities for healthy child development while ensuring a functional and financially sustainable facility for the non-profit operator.
- (b) Design development to ensure that each childcare program has separate and dedicated outdoor space, including covered outdoor space.

Note to Applicant: VRF Condensing Unit should not be located within the boundaries of the childcare outdoor space.

- (c) Design development to ensure that the location of parking and drop-off stalls are safe and in proximity to the childcare centre elevator.
- (d) Design development to minimize and mitigate impacts of traffic and noise from street level.
- (e) Mechanical and control systems should be designed to be as simple as possible to reduce maintenance costs and the need for specialized maintenance expertise.

## **Engineering**

- 1.26 Water Sustainability Act: Construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or License. Applications for provincial Approvals or Licenses can be completed online. The application will be received and accepted into the province's online system, and the provincial authorizations team strives for 140 days to get the approval to the applicant. The approval holder must be able to produce their approval on site so that it may be shown to a government official upon request. Dewatering before this approval is granted is not in compliance with the provincial Water Sustainability Act. Provide a letter confirming acknowledgement of the condition.

For more information: <https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights/water-licences-approvals>

- 1.27 Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right-of-way.

1.28 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

1.29 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.

1.30 Design development to improve access and design of bicycle parking and comply with the Bicycle Parking Design Supplement.

(a) Provision of automatic door openers for all doors providing access to Class A bicycle storage.

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

Note to Applicant: Racks must be usable for all ages and abilities.

(c) Provision of a 1.2 m (4 ft.) aisle for maneuvering to/from each Class A bicycle space that does not conflict with door swings for access to bicycle storage rooms.

Note to Applicant: Oversized bicycle spaces may increase this requirement. Reference bicycle storage rooms on the south side of the P1 parking level between reference lines 7-14. Assuming all bicycle spaces within these rooms will be occupied, maneuvering to/from each space appears challenging or unattainable with conflicting door swings. Additionally, access is proposed from a reduced maneuvering aisle width of 6.1 m (20 ft.). Regular access to these bicycle storage rooms will effectively reduce two-way vehicle flow further. Consider relocating the bicycle storage rooms.

(d) Provision of bicycle storage rooms to accommodate a maximum of 40 bicycles.

Note to Applicant: This number may be increased to 120 if the room is compartmentalized and providing independent access to each section within the bicycle storage room.

1.31 Design Development to improve access and design of loading spaces and comply with the Parking and Loading Design Supplement.

- (a) Updated Section Plan A-5.01 to clarify minimum 3.8 m (12'6") vertical clearance to the underside of a raised security gate for access and maneuvering to/from Class B loading spaces.

Note to Applicant: The Section Plan currently notes the minimum required clearance as 'varies'.

- (b) Provision of convenient, internal, stair-free loading access to/from all site uses.

Note to Applicant: Provide stair-free loading access to Retail Space 'B' and the daycare elevator lobby, from the lane.

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

- (a) Provision of 1 Class A passenger space to be located at grade with access from the lane.

Note to Applicant: Class A passenger loading is to be provided per the Cambie Corridor Plan (CCP). The site also requires 1 Class A passenger space for the residential use per the Parking Bylaw. The one (1) bylaw required passenger space may be provided at grade to satisfy the CCP requirement. Refer to Section 7 of the Parking Bylaw for additional information.

- (b) Provision of maximum 25% of visitor parking spaces to be provided as small car spaces.

- (c) Provision of maximum 1.2 m (4 ft.) column setback from the end of vehicle spaces.

Note to Applicant: Vehicle spaces located on P1-P3 parking levels adjacent the west most parkade wall show approximately 1.7 m (5'6") column setbacks. Relocate columns or provide stall widths of 2.7 m (8'10") to achieve this.

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

- (a) An updated tech table is needed showing the calculations for the minimum required end-of-trip facilities and the number of facilities being provided, including clothing lockers.
- (b) All types of parking, loading and bicycle spaces individually numbered, dimensioned, and labelled on the drawings.
- (c) Dimension of column encroachments into parking stalls.
- (d) Dimensions for typical parking spaces.
- (e) Dimensions of manoeuvre aisles and the drive aisles at the parkade entrance and all gates.

- (f) 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.
  - (g) 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.
  - (h) Indicate the stair-free access route from Class A bicycle storage to reach the outside.
- 1.34 Remove existing retaining walls, entrance walkways, driveways and other structures from the boulevard along West 49th Avenue including the area of new property dedication.
- 1.35 City of Vancouver building grade application for this site (BG-2019-00159) is currently under review. Final building grades are required to be issued prior to development permit application.
- 1.36 Follow Cambie Corridor streetscape design guidelines.
- 1.37 When submitting Landscape plans, please place the following statement on the landscape plan: this plan is “NOT FOR CONSTRUCTION” and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive “For Construction” approval and related permits are issued. Please contact Engineering, Development Services and/or your Engineering, Building Site Inspector for details.
- 1.38 Landscape drawings to include standard street tree notes.
- 1.39 Prior to Development Permit, provide a Final Hydrogeological Study which meets the requirements of the Groundwater Management Bulletin  
<https://bylaws.vancouver.ca/bulletin/bulletin-groundwater-management.pdf>
- 1.40 Parking, loading, bicycle, and passenger loading spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law, except that:
- (a) Provision of 2 Class B and 2 Class A loading spaces are required.

### **Green Infrastructure**

- 1.41 Provision of a draft final Rainwater Management Plan (RWMP) prior to development permit issuance.

Note to Applicant: As it is acknowledged that not all design components are advanced fully at this stage, placeholders will be accepted in this resubmission with the expectation the final report will include all relevant details.

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

- (a) Calculation of the detention tank volume to equal the greater of either the pre-development peak flow storage volume or the amount of the 24 mm rainfall not captured in Tier 1 and Tier 2 practices.

Note to Applicant: The size of the detention tank may be reduced proportional to the amount impervious at-grade surface area directed to landscaping elements of adequate depth. Coordination with the landscape architect, soil storage capacities and a grading plan will be required to support this proposal. Provide an updated site plan detailing the routing of rainwater throughout the site.

- (b) Please look into opportunities for a rainwater harvest and reuse system. The non-potable water demand for this mixed use development may be reduced significantly with a reuse system implemented for toilets, urinals, and trap primers.

Notes to Applicant:

- (i) If a substantial proportion of the site (the roof area only) can capture precipitation for rainwater reuse purposes, then a treatment system for runoff discharged offsite is not necessary.
  - (ii) Harvesting and Reuse system may contribute to meeting the peak flow release rate requirements but rooftop runoff and runoff from other land surfaces should not be mixed for reuse purposes.
  - (iii) [Requirements](#) for non-potable water systems and additional resources such as rainfall data and design guidance may be provided prior to resubmission.
- (c) Provide information on how the water quality requirement will be achieved on this site, as water quality treatment is required for the first 24 mm (~70% annual average rainfall) of all rainfall from the site that is not captured in Tier 1 or Tier 2 practices and 48 mm (~90% annual average rainfall) of treatment is required for high traffic areas. For the DP submission, the following should be included for review for all proprietary devices:
  - (i) Product Name and Manufacturer/Supplier.
  - (ii) Total area and % impervious being treated.
  - (iii) Treatment flow rate.
  - (iv) Supporting calculations to demonstrate adequate sizing.
  - (v) Include discussion of the specified treatment device's % TSS removal efficiency certification by TAPE or ETV.
  - (vi) Location of device in drawing or figure in the report.

Note to Applicant: If rainwater harvesting is proposed for the roof area, then no additional measures are required for water quality discharge for the remainder of the site.

- (d) Provide further information related to any proposed detention system to meet the release rate requirement such as the geometric properties (footprint, volume, depth) and method of flow control (orifice size).

Note to Applicant: Recommended minimum diameter for any orifice is 75 mm for flow control.

- (e) Provide post-development site plan(s) that includes the following:
  - (i) building location/footprint;
  - (ii) underground parking extent;
  - (iii) proposed service connections to the municipal sewer system;
  - (iv) location and labels for all proposed rainwater management practices;
  - (v) area measurements for all the different land use surface types within the site limits; and
  - (vi) delineated catchments to demonstrate BMPs are appropriately sized.
- (f) Provide adequate and concise supplementary documentation for any proprietary products that clearly demonstrates how they contribute to and/or meet the rainwater management requirements.

Note to Applicant: The applicant may schedule a meeting with Rainwater Management Review group prior to moving forward with the RWMP to address any concerns or questions related to the conditions or comments prior to resubmission with the DP application. To schedule the meeting, contact [rainwater@vancouver.ca](mailto:rainwater@vancouver.ca).

Note to Applicant: Provision of a Rainwater Management Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services to restrict the issuance of Building, and Occupancy Permits and provide the necessary rights of ways for a Rainwater Management System prior to the issuance of a development permit.

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

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

## **Engineering**

- 2.1 Consolidation of Lots 19 to 22, all of Lot 4, Block 999, District Lot 526, Plan 5531 to create a single parcel and subdivision of that site to result in the dedication of the south 3 metres for road purposes.

The area to be dedicated is to be free of all building structure.

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

- 2.2 Arrangements for release of Easement and Indemnity Agreement 15277M and Indemnity Agreement 18639M (both private crossings) prior to building occupancy.

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

- 2.3 Provision of a minimum 4.6 m building setback from the east property line with a surface Statutory Right-of-Way (SRW) within a portion of the setback area for public pedestrian and cyclist use to provide a minimum 2.4 m wide clear path. This setback and SRW is intended to allow for a Secondary Active Link in accordance with the Cambie Corridor Public Realm Plan. The SRW shall be free of any encumbrances at-grade.

Note to Applicant: The alignment of the 2.4 m wide SRW within the setback area should be finalized based on the as-built paved path since the tree retention on the neighboring lot means the alignment of the paved path may have to shift westwards around the trees proposed to be retained.

- 2.4 Provision of a Services Agreement to detail the on- 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 all to the satisfaction of the General Manager of Engineering Services. No development permit for the Rezoning Site, or any portion thereof, or for any building or improvements thereon will be issued until the letter of credit, as 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 and holds shall be placed on such permits as deemed necessary in his sole discretion. Except as explicitly provided for in Condition 2.5(a) and 2.5(b), the Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

(a) Provision of adequate water service to meet the fire flow demands of the project.

- (i) Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by R.F. Binnie & Associates Ltd., dated June 24, 2020, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 150 mm along West 49th Avenue or 300 mm along West 49th Avenue. Should the development require water service connections larger than the existing main, the developer shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost of the upgrading.

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

Note to Applicant: As per the City of Vancouver Building Bylaw, the principle entrance must be within 90 m of a fire hydrant. Should the final design of the building change such that this requirement is no longer satisfied, provision of a new hydrant to be installed in accordance to the aforementioned bylaw will be required. The developer is responsible for 100% of the cost of this upgrade.

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

Implementation of development at 427–477 West 49th Avenue requires the following in order to improve sewer flow conditions.

Off-site Servicing Upgrades:

- (i) Separate and upsize 232 m of 200/250 mm COMB along West 49th Avenue from Cambie Street to Alberta Street:
- Separate 125 m of 200 mm COMB to 200 mm SAN and 375 mm STM on West 49th Avenue from MH at West 49th Avenue and Cambie Street (MH\_\_FJCNKF) to MH fronting 395 West 49th Avenue (MH\_\_FJCNKG).
  - Separate 107 m of 250 mm COMB to 200 mm SAN and 375 mm STM on West 49th Avenue from MH fronting 395 West 49th Avenue (MH\_\_FJCNKG) to MH at West 49th Avenue and Alberta Street (MH\_\_FJCNKH).

Note to Applicant: The City of Vancouver will deliver the sewer upgrade on West 49th Avenue as per the provisions under the Services Agreement at the applicant's cost. The applicant is to regularly inform the Development Water Resource Management (DWRM) Branch (Utilities.Servicing@Vancouver.ca) of their updated construction and occupancy schedule as the development progresses. This will assist the DWRM Branch in scheduling the sewer delivery.

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

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.

Note to Applicant: Development to be serviced to the proposed 200 mm SAN and 375 mm STM sewers in West 49th Avenue.

- (c) Provision for the construction of, or full funding for, future street improvements from the centerline of West 49th Avenue adjacent to the site including any transition areas to connect existing and new curb alignments, all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include the following: new concrete curb and gutter, front boulevard with street trees, raised protected bike lane, concrete sidewalk, and improved street lighting and additional pedestrian scale lighting including adjustment to all existing infrastructure to accommodate the proposed street improvements.
- (d) Provision for a stormwater tree trench underneath the bike lane on West 49th Avenue, to manage the rainwater from the right-of-way (ROW) as specified in the Cambie Corridor Public Realm Plan (Sec. 3.6). These GRI improvements will generally include placement of structural soil, catch basin, impermeable liner and perforated pipe sub drain connected to the sewer system.

Note to Applicant: The stormwater tree trench must be designed to meet the rainwater management targets, and to provide the minimum soil volume storage for street trees as per the Engineering Design Manual. For further information, contact Green Infrastructure Implementation Branch, [ESRGGIIDL@vancouver.ca](mailto:ESRGGIIDL@vancouver.ca)

- (e) Construction of a Secondary Active Link within the setback/SRW area on the east side of the site that follows the guidelines set out in the Cambie Corridor Public Realm Plan, including a minimum 2.4 m wide paved path which is clear of all encumbrances.

Note to Applicant: The “P2-P3 intake” vents proposed partly within the setback/SRW area may have to be shifted further west in order to accommodate this minimum paved path width beside the trees being retained.

- (f) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations.
- (g) Provision of new pad mounted service cabinet/kiosk.
- (h) Provision of new or replacement duct bank adjacent to the development site (including lane) that meets current City’s standards. Duct banks are to consist of electrical and communication ducts and cables, and connected to existing electrical and communication infrastructure.

Note to Applicant: A 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)

- (i) Confirmation that any relocated wood poles in the lane adjacent the site will not impact existing lane lighting, should any relocated pole include lighting impacts, upgrading of the lane lighting to current standard will be required.
  - (j) Provision to rebuild the existing lane along the development site's frontage as per City "Higher Zoned Laneway" pavement structure.
  - (k) Provision of adjustments to existing speed humps in the lane to accommodate parking & loading access.
  - (l) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
  - (m) Provision of street trees where space permits. Final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. Tree species to the approval of the City Arborist. Street tree planting to include appropriate soil volumes and approved root barriers of rigid construction, 8 ft. long and 18 in. deep, center on each street tree adjacent to the sidewalk and any off street bike facility.
- 2.5 Provision of a legal agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services whereby the applicant is entitled to receive latecomer charges for a period of 24 hours following completion of the works contemplated by the following condition(s), which require(s) the applicant to provide excess or extended services.
- (a) Separate and upsize 232 m of 200/250 mm COMB along West 49th Avenue from Cambie Street to Alberta Street per condition 2.4(b)(i).

Note to Applicant: The benefitting area of these works is under review

and for and only if the following works constitute excess and/or extended services:

- (b) A new pad mounted service cabinet/kiosk per condition 2.4(g).
- 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/HV-conductor-oil-filled-transformer-clearance-checklist-bulletin-2015-002-el.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/engineering-design-manual.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).

## **Childcare**

- 2.7 Make arrangements to the satisfaction of the Director of Legal Services, in consultation with the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture and Community Services, for the provision, at no cost to the City, of a 37-space childcare facility, all within a fee-simple air space parcel. To secure this condition the applicant will enter into one or more agreements with the City which include, but may not be limited to, the following requirements, all to be satisfied at no cost to the City:
- (a) Design, construction and delivery of a turnkey and fully fit, finished, equipped and supplied 37-space childcare facility with a 12 space program for 0-3 year olds and a 25-space program for 3-5 year olds, which is licensable by CCFL (Community Care Facilities Licensing or its successor in function) and meets the City's Childcare Design Guidelines and Childcare Technical Guidelines, all to be contained within a separate air space parcel.
  - (b) The childcare facility will have an indoor area of at least 430 sq. m (4,618 sq. ft.) on one level at a height of not less than 12 ft. floor-to-floor, a dedicated adjacent outdoor space of not less than 520 sq. m (5,597 sq. ft.), dedicated parking stalls, and amenity and storage spaces;
  - (c) Transfer to the City at no cost an air space parcel in fee simple containing the childcare facility, together with the appropriate rights and obligations applicable to the ownership and operation of this legal parcel including reciprocal easements and indemnities, repair and maintenance, cost sharing, insurance and other applicable legal obligations;
  - (d) The construction and delivery of the facility is to be secured by a Letter of Credit (LC), provided to the City prior to building permit issuance, the amount of which will be settled as part of the agreements required prior to rezoning enactment; all

LCs must be in compliance with and in the form set out on the City's Letter of Credit Policy ADMIN 032: <https://policy.vancouver.ca/ADMIN032.pdf>

- (e) The applicant will grant the City an option to purchase, for a nominal purchase price, the childcare facility air space parcel, exercisable upon completion of the childcare facility and registration of the related air space plan.
- (f) An occupancy hold on the buildings to be constructed on the site subject to the completion of the design and construction of the childcare facility and satisfactory acceptance of the childcare facility by the City.
- (g) Agreement to grant a perpetual right in favour of the City and the users of the childcare facility in the form of an easement, for access to and use of the dedicated elevator, garbage and recycling area, mechanical rooms, electrical and required parking spaces, bicycle parking and loading spaces as per Parking By-law on this site;
- (h) Minimize the obligations of the childcare facility toward contributions to the common area costs of the overall development, to reflect those costs which are deemed to be directly attributable to the childcare facility or which are related to any part of the development for which the users or invitees of the childcare facility may (from time to time) have the use of and/or access to; and
- (i) Such other terms and conditions as the Director of Legal Service, in consultation with the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture and Community Services may in their sole discretion require.

Note to Applicant: Holds on the Development Permit and above-grade Building Permit in connection with certain milestones will also be applied to the project.

## **Housing**

- 2.8 Enter into a Section 219 Covenant and/or such other agreements as the General Manager of Planning, Urban Design and Sustainability 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 Planning, Urban Design and Sustainability 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 Planning, Urban Design and Sustainability 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 Planning, Urban Design and Sustainability 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.

### **Public Art**

- 2.9 Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Head of Public Art (a checklist will be provided).

Note to Applicant: Please call Eric Fredericksen, Head of Public Art, 604-871-6002, to discuss your application.

### **Sustainability**

- 2.10 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.

### **Community Amenity Contribution**

- 2.11 Pay to the City the cash Community Amenity Contribution of \$5,825,000 which the applicant has offered to the City and which is to be allocated to support the delivery of the *Cambie Corridor Public Benefits Strategy*. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services.

### **Environmental Contamination**

- 2.12 As applicable:

- (a) Submit a site disclosure statement 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 such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
- (c) If required by the Manager of Environmental 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 on terms and conditions 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 constructed on the site pursuant to this rezoning until separate Certificates of Compliance, satisfactory to the City, for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

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

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

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

\* \* \* \* \*

**427-477 West 49th Avenue**  
**DRAFT CONSEQUENTIAL AMENDMENTS**

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

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

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

“427-477 West 49th Avenue                      [CD-1 #]                      [By-law #]                      C-2”

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

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

“[CD-1 #]                      [By-law #]                      427-477 West 49th Avenue”

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

Council amends Schedule A of the Subdivision By-law in accordance with the plan labelled Schedule A and attached to and forming part of this By-law, by deleting the following properties from the RS-1 maps forming part of Schedule A of the Subdivision By-law:

- (a) PID: 011-138-394; Lot 19 of Lot 4 Block 999 District Lot 526 Plan 5531;
- (b) PID: 011-138-416; Lot 20 of Lot 4 Block 999 District Lot 526 Plan 5531;
- (c) PID: 011-138-424; Lot 21 of Lot 4 Block 999 District Lot 526 Plan 5531; and
- (d) PID: 011-138-441; Lot 22 of Lot 4 Block 999 District Lot 526 Plan 5531.

\* \* \* \* \*

**427-477 West 49th Avenue**  
**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> <li>○ 12 months' rent for tenancies over 20 years and up to 30 years;</li> <li>○ 18 months' rent for tenancies over 30 years and up to 40 years; and</li> <li>○ 24 months' rent for tenancies over 40 years</li> </ul> </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  (flat rate or arrangement of an insured moving company)	<ul style="list-style-type: none"> <li>• A flat rate of \$750 or \$1000 will be provided to all eligible tenants depending on the type of unit.</li> </ul>
Assistance in Finding Alternate Accommodation  (3 options)	<ul style="list-style-type: none"> <li>• Applicant has distributed tenant needs assessment surveys. These surveys will be used in relocation efforts and to identify tenants' needs and preferences.</li> <li>• Applicant has committed to monitor rental market and provide tenants requesting assistance with three options in Vancouver that best meet the tenants' identified priorities.</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 property manager to assist existing tenants with finding alternate accommodation.</li> <li>• For low income tenants and tenants facing other barriers to housing, as defined in the TRP Policy, the applicant has committed to assisting in securing a permanent, suitable affordable housing option.</li> </ul>

\* \* \* \* \*

**427-477 West 49th Avenue**  
**URBAN DESIGN PANEL**

The Urban Design Panel (UDP) reviewed this rezoning application package on November 25, 2020.

**Evaluation: Support with Recommendations (10-0)**

**Introduction:** Rezoning Planner, Joseph Tohill, began by providing an overview of the site and policy context. The site is a four-lot assembly on West 49th Avenue east of the Langara-49th Canada Line Station. Single-dwelling homes are located to the north and east with low-rise apartments and townhouses across 49th Avenue to the south. The site across the lane to the northwest was approved for a rezoning for a ten-storey mixed-use building in 2017.

The site is located within the Langara Neighbourhood of the Cambie Corridor Plan, which provides direction for a mixed-use development with two towers at eight and ten-storeys on top of a four-storey podium for this site. The FSR range for this site is provided based on consolidation with the adjacent Translink site to the west.

Development Planner, Omar Aljebouri, began by talking about the Neighbourhood and Public Realm. At the east edge of the site, the Plan identifies a mid-block secondary active link to facilitate a pedestrian connection from Yukon Street to 49th Avenue.

Highlights of the Built Form Guidelines include:

- A four-storey podium with a three-storey street wall.
- A building massing that accounts for neighbourliness to adjacent residential sites.
- Activation of the lane through active uses.
- Towers that are slim and vertically expressed.
- An additional partial storey may be permitted for common rooftop amenity spaces if contiguous with common outdoor amenity space.
- Retail frontages that reinforce the scale of a walking, shopping street.

Policy objectives identified for the site include:

- Ensuring an appropriate tower separation to the Council-approved ten-storey rental building to the northwest, as well as between the project's initial two buildings.
- Ensuring an appropriate transition from tower form to podium, lane, existing houses and future townhouses.

Given these policy objectives and site constraints, staff considered a proposal for a single-tower scheme instead of the two-tower scheme envisioned under the Plan.

Advice was sought from the Panel on the following:

1. Height, density and massing, especially regarding the single-tower scheme.
2. Public realm and pedestrian experience including the project's transition to the SkyTrain Station, its interface with the lane interface and the secondary active link.
3. Any preliminary advice for consideration at the Development Permit stage.

**Panel's Consensus:**

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

- Design development to the active link to further animate and make into a destination;
- Provide more activation at the ground floor; to enhance the pedestrian experience at the lane consider consolidation of loading or relocating underground, and explore opportunity of glazing and/or townhouses
- Design development to the Cambie elevation to the tower in particular.
- Consider increasing the amenity for residents and explore common use of the rooftop.

\* \* \* \* \*

427-477 West 49th Avenue  
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

	Date	Results
<b>Event</b>		
Virtual open house (City-led)	October 19, 2020 to November 8, 2020	202 participants (aware)* <ul style="list-style-type: none"> <li>• 74 informed</li> <li>• 18 engaged</li> </ul>
<b>Public Notification</b>		
Postcard distribution – Notice of rezoning application and virtual open house	October 15, 2020	1,677 notices mailed
<b>Public Responses</b>		
Online questions	October 19, 2020 to November 8, 2020	0 submittals
Online comment forms <ul style="list-style-type: none"> <li>• Shape Your City platform</li> </ul>	August, 2020 – July, 2021	28 submittals
Overall position <ul style="list-style-type: none"> <li>• support</li> <li>• opposed</li> <li>• mixed</li> </ul>	August, 2020 – July, 2021	28 submittals <ul style="list-style-type: none"> <li>• 19 responses</li> <li>• 7 responses</li> <li>• 2 responses</li> </ul>
Other input	August, 2020 – July, 2021	1 submittal
<b>Online Engagement – Shape Your City Vancouver</b>		
Total participants during online engagement period	August, 2020 – July, 2021	628 participants (aware)* <ul style="list-style-type: none"> <li>• 236 informed</li> <li>• 28 engaged</li> </ul>

*Note: All reported numbers above are approximate.*

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

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

## 2. Map of Notification Area



## 3. Analysis of All Comments Received

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

Generally, comments of support fell within the following areas:

- **Building height, massing, density and context:** The building height, massing, density and context is much needed in this neighbourhood and will add more vibrancy to the area. The location is ideal for a development of this scale as it is being built directly next to the Langara-49<sup>th</sup> Avenue Skytrain Station and in close proximity to Langara College.
- **Retail space:** The addition of commercial space at grade will help people meet their daily needs as there is a lack of retail and commercial opportunities in the general vicinity.
- **Childcare space:** The inclusion of additional childcare space in the area is greatly appreciated and will benefit the growing community.
- **Building design:** The amenity space is well designed. The wall next to the Skytrain Station is also well designed and the tree-like pattern creates a visually striking façade. The trees and paving patterns are a great addition and help create a welcoming pedestrian experience.
- **Housing stock:** Increasing the housing supply will play a role in tackling the affordability issue the City is facing.

Generally, comments of concern fell within the following areas:

- **Building height, massing, density and context:** The height and scale of the building does not conform with the Cambie Corridor Plan. The building height is not appropriate as it would cast additional shadows on nearby properties and does not provide a proper transition to the surrounding single dwelling homes or townhouses.

- **Parking:** The proposed number of parking spaces is not adequate and will cause parking to spill out onto nearby streets that are already crowded. Conversely, other comments noted there is too much parking proposed as this building is right next the Skytrain station.
- **Traffic and disruption:** West 49th Avenue is already a very narrow street that faces congestion issues on a daily basis and the inclusion of this development would only make congestion worse. Construction will cause disturbances to the surrounding area and will be a hindrance to the neighbouring residents and students accessing Langara College.
- **Building design:** The building looks very unfriendly for pedestrians due to a lack of a proper step back from the property line and the lack of greenery and a proper plaza space are cause for concern. The staggering of the three residential balconies on the Skytrain side of the building looks out of place.

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

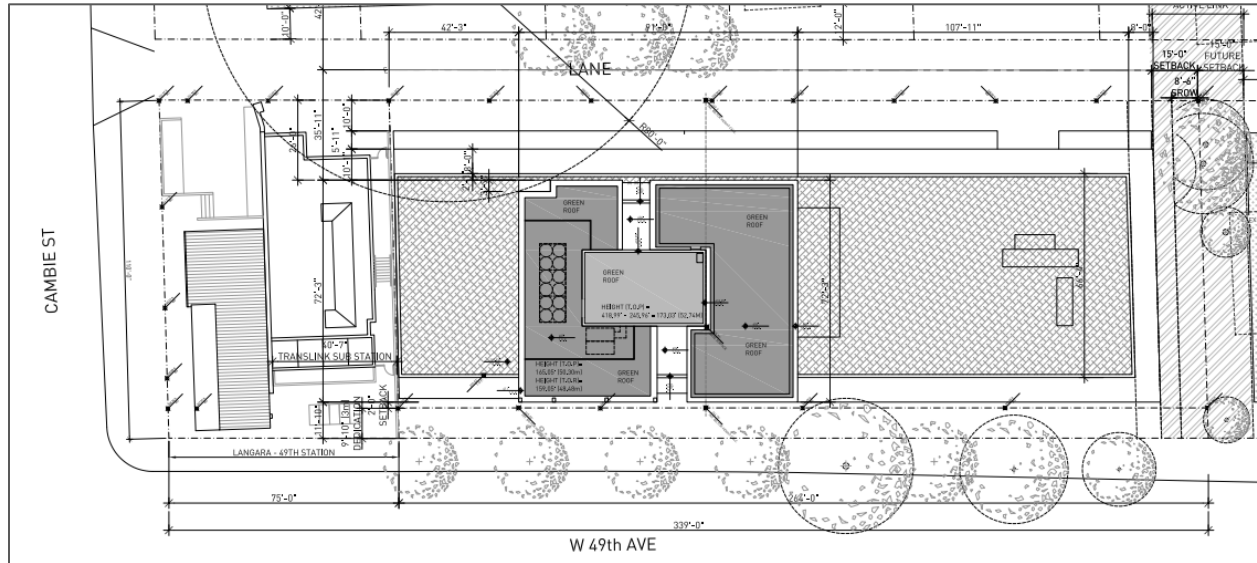
*Neutral comments/suggestions/recommendations:*

- The building should be scaled down with setbacks along the north side to minimize shadowing.
- The building density, height and FSR should be increased as it is directly next to a Skytrain station and there is a large student population nearby.
- A rooftop amenity space should be considered for the residents of this proposal.
- More thought and design should be put in to further activate the laneway.
- The proposed building should have more balconies.
- Some market and below market rental units should have been considered for this project.
- The building design should incorporate seamless integration to the Skytrain station like offering a plaza for transit users waiting for the bus.

\* \* \* \* \*

427-477 West 49th Avenue  
FORM OF DEVELOPMENT DRAWINGS

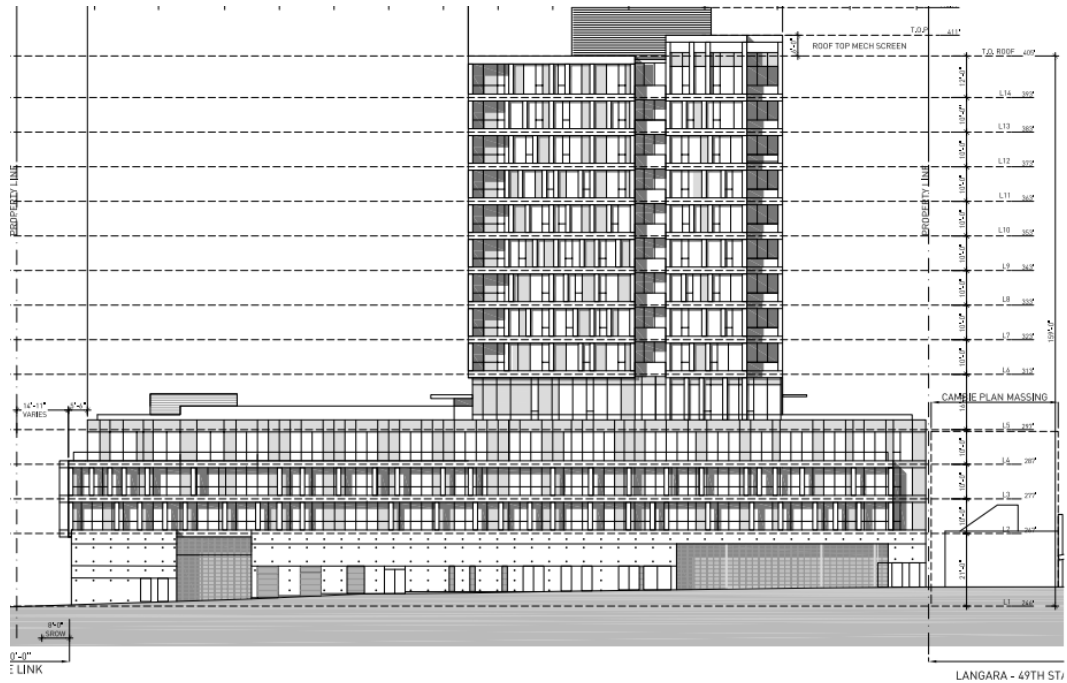
Site Plan



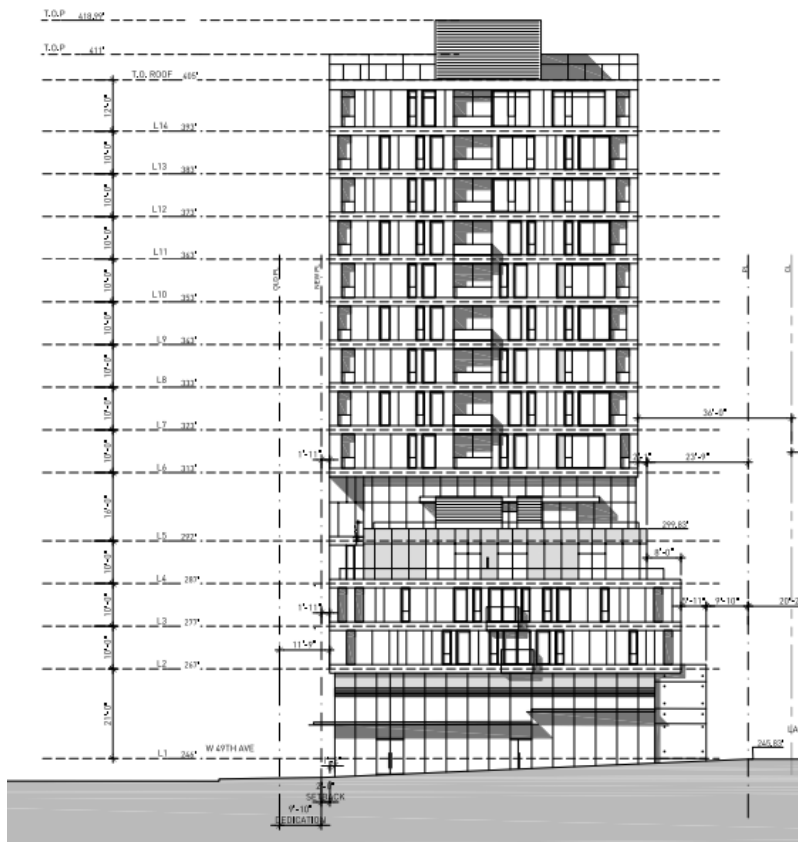
South Elevation (West 41st Avenue)



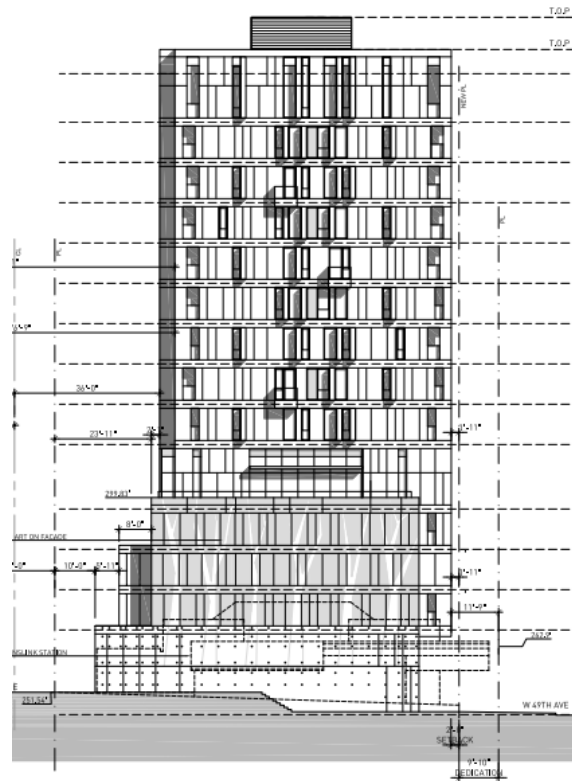
### North Elevation (View from the Lane)



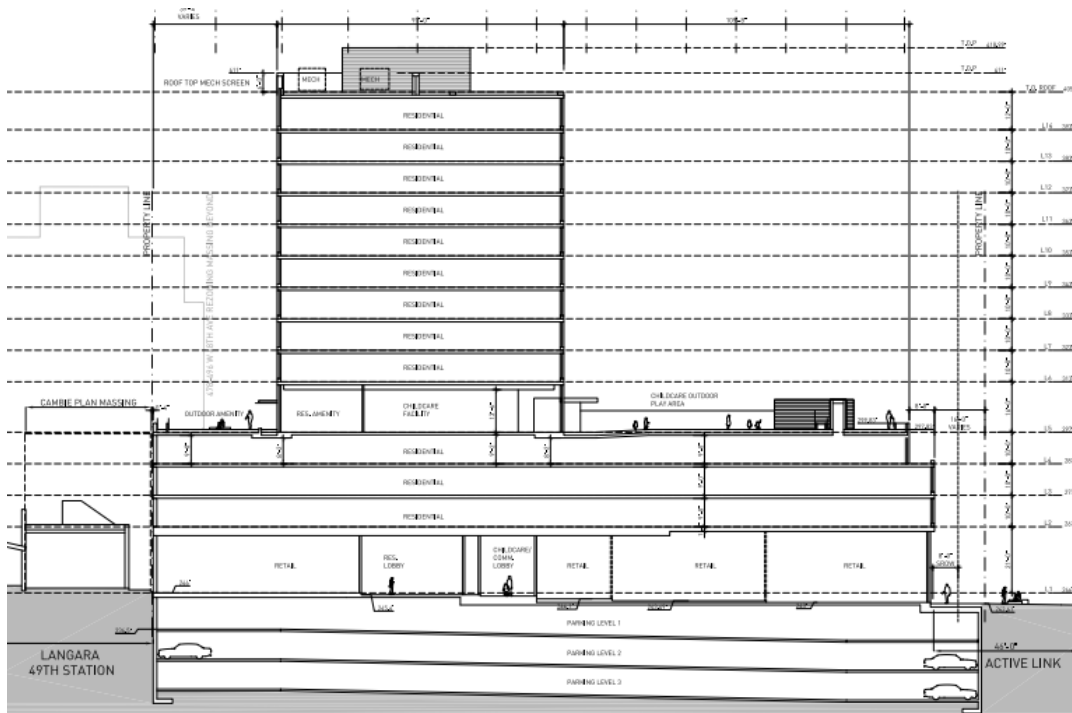
### East Elevation



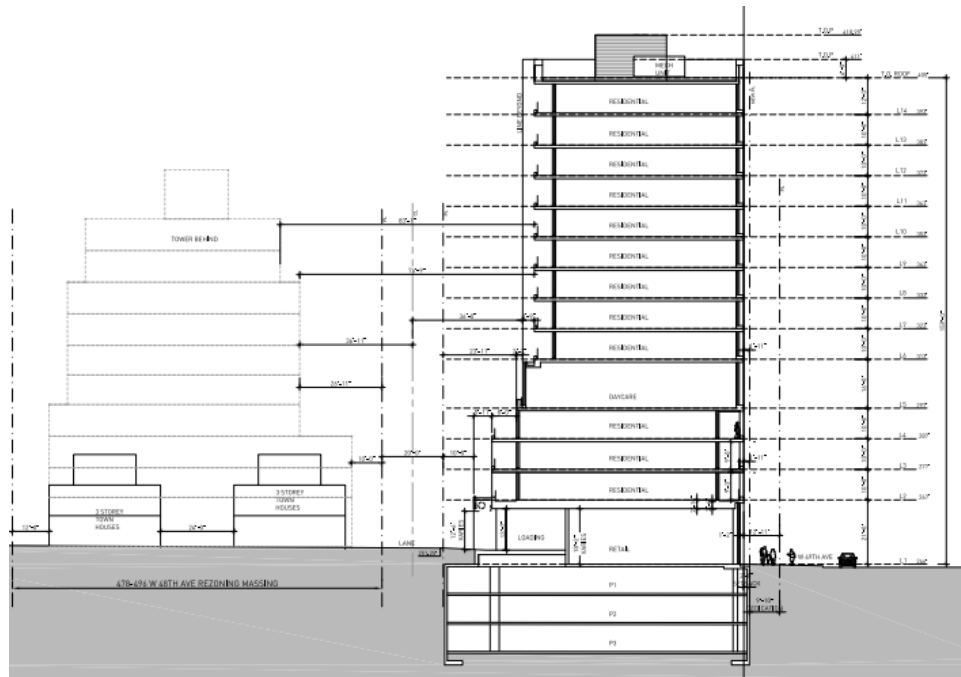
### West Elevation



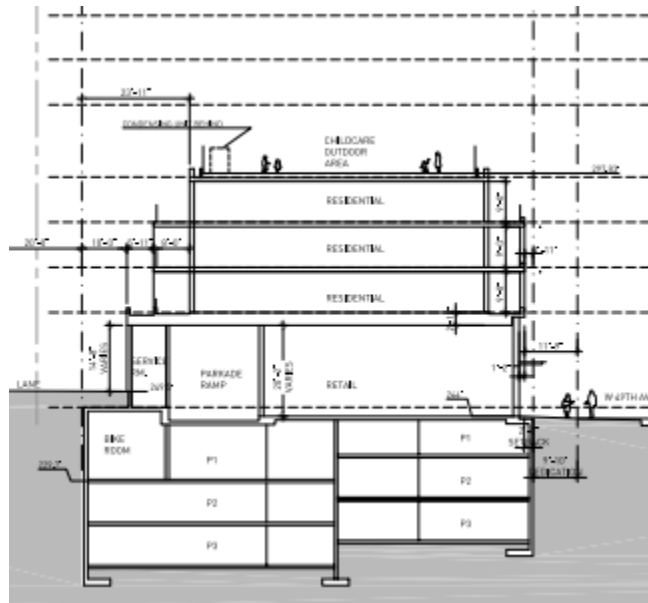
### Section (Facing North)



### Section (Facing East)



### Section (Facing West)



**View Southwest from the Lane**



**View Looking Northeast from West 49th and Cambie Street**



### View Looking West from 49th Avenue



### Shadow Study: Proposed Development vs. Two-Tower Scheme

SHADOW STUDY - PROPOSED DEVELOPMENT



SHADOW STUDY - CAMBIE PLAN MASSING (11 -8 STOREYS)

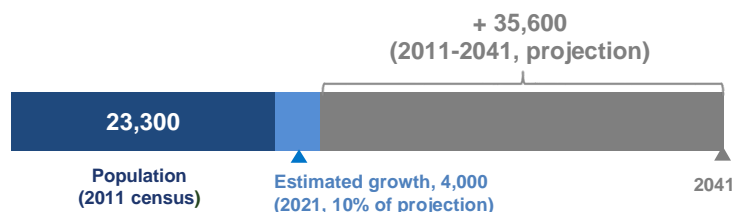


\* \* \* \* \*

**PUBLIC BENEFITS IMPLEMENTATION DASHBOARD**  
**CAMBIE CORRIDOR PLAN (2018) – North of 57<sup>th</sup> Ave**  
Updated mid-year 2021

**POPULATION GROWTH<sup>a</sup>**

The Cambie Corridor has grown by approximately **4,000** people since the 2011 census. The plan projects a growth of approximately **35,600** people by 2041.

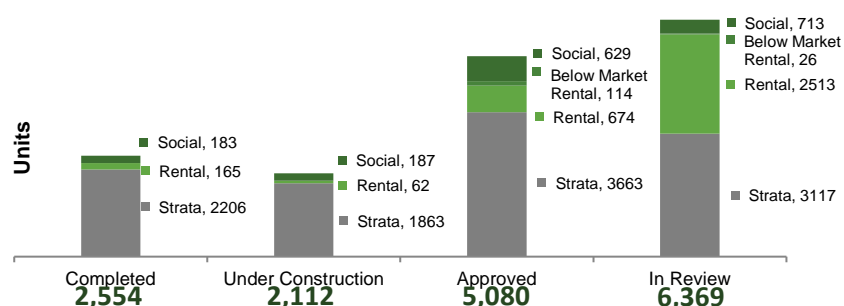


**DEVELOPMENT ACTIVITY (UNITS)<sup>b</sup>**

Recent rezoning approvals:

- [3353 Cambie St](#)
- [5412 Cambie St](#)
- [485 W 28th Ave](#)
- [325-341 W 42nd Ave](#)
- [5910-5998 Cambie St](#)
- [4118-4138 Cambie St](#)
- [5740 Cambie St](#)
- [441-475 West 42nd Avenue](#)

*\*This list does not include any townhouse developments under the RM-8A/AN Districts Schedule*



*\*The number of secured market rental has been adjusted to correct an error in the 2020 year-end tracker.*

**PUBLIC BENEFITS ACHIEVED AND IN PROGRESS SINCE 2018 (North of 57<sup>th</sup> Ave)**

✓ On track to achieving targets
 ➔ Some progress toward targets, more work required
 ○ Targets require attention

TARGETS	Completed	Construction	Planning / Design	Progress
See Chapter 13 of the <a href="#">Cambie Corridor Plan</a> for more details				
<b>HOUSING</b> <ul style="list-style-type: none"> <li>~ 4,700 additional secured market rental units</li> <li>~ 2,250 social housing units</li> <li>~ 400 additional below-market units (Gross numbers of units reported)</li> </ul>	<ul style="list-style-type: none"> <li>183 social housing units (408-488 W King Edward Ave, 4899 Heather St, 5688 Ash St, 5077 and 5095 Heather St (TMH))</li> <li>165 secured market rental units (210-268 W King Edward Ave, 408-488 W King Edward Ave, 452-486 W 41st Ave, 4867 Cambie St)</li> </ul>	<ul style="list-style-type: none"> <li>187 social housing units (Oakridge Centre)</li> <li>62 secured market rental units (431-455 W King Edward Ave, 6137 Cambie St)</li> </ul>		<b>16%</b> of social housing target achieved <b>3%</b> of secured rental target achieved <span style="color: red;">○</span>
<b>CHILDCARE</b> <ul style="list-style-type: none"> <li>~ 1,080 spaces for all age groups</li> </ul>	<ul style="list-style-type: none"> <li>Restoration of 8 Oaks Acorn childcare outdoor area</li> </ul>	<ul style="list-style-type: none"> <li>218 childcare spaces (Oakridge Civic Centre, Eric Hamber Secondary School)</li> </ul>		<b>20%</b> of childcare spaces target achieved <span style="color: orange;">➔</span>
<b>TRANSPORTATION / PUBLIC REALM</b> <ul style="list-style-type: none"> <li>Upgrade/expand walking and cycling networks</li> <li>Complete Street design on Cambie St. and major streets</li> <li>"Car-light" greenway on Heather St.</li> </ul>	<ul style="list-style-type: none"> <li>45th Ave Bikeway improvements</li> <li>Interim Plazas (17th and Cambie; 18th and Cambie)</li> <li>Cambie Complete Streets (W 33rd to W 35th; McGuigan to W 35th Ave)</li> <li>29th and Cambie Plaza + Public Art</li> </ul>	<ul style="list-style-type: none"> <li>King Edward Ave Complete Street (Yukon St to Columbia St)</li> <li>Complete Street (W 35th Ave to W 37th Ave)</li> <li>Oak St and 27th Ave pedestrian and bike signal</li> <li>Ontario and 16th Curb Bulge Bioretention</li> </ul>	<ul style="list-style-type: none"> <li>54th Ave Curb Bulge Bioretention Upgrade</li> <li>Cambie and 31st Ave Street Closure</li> </ul>	<span style="color: orange;">➔</span>

TARGETS <small>See Chapter 13 of the <a href="#">Cambie Corridor Plan</a> for more details</small>	Completed	Construction	Planning / Design	Progress
<b>CULTURE</b> • 5 new artist studios	• Public art from rezonings (29th Ave and Cambie St Plaza)	• Cultural space, performance theatre, outdoor performance space at Oakridge Civic Centre		✓
<b>CIVIC / COMMUNITY</b> • Oakridge Civic Centre • Oakridge Library renewal and expansion • Additional library branch • Hillcrest Community Centre (fitness centre expansion) • Firehall #23 • Community Policing Centre		• Oakridge Civic Centre (129-space childcare, library)	• VanDusen & Blodel Strategic Plan	✓
<b>HERITAGE</b> • 5% allocation from cash community amenity contributions in Cambie Corridor	• James Residence (587 King Edward Ave) • Milton Wong Residence (5010 Cambie St) • 5% allocation from cash community amenity contributions			✓
<b>SOCIAL FACILITIES</b> • Renewal and expansion of Oakridge Seniors Centre • Youth Hub • Non-profit organization centre • Additional Seniors' Centre		• Renewal and expansion of Seniors Centre and Youth Centre (Oakridge Civic Centre)		➔
<b>PARKS</b> • New parks on large sites • Queen Elizabeth Master Plan and Phase 1 upgrades • 6 plazas and enhanced open spaces • Neighbourhood park improvements	• Upgrades to Riley Park & Hillcrest Park • Lillian To Park (17 <sup>th</sup> Ave and Yukon St) • Playground renewal at Douglas Park • Queen Elizabeth Park tennis court resurfacing	• Oakridge Park	• Alberta St Blue-Green System and Columbia Park Renewal • Queen Elizabeth Master Plan • Oak Park Schematic Design • Little Mountain Plaza and Wedge Park • Heather Park off-leash dog area	➔

## EXPLANATORY NOTES

The Public Benefits Implementation Dashboard assists in monitoring progress toward the delivery of public benefits anticipated from the community plans. Data in this tracker reflects activity within the plan boundaries (and significant public benefits adjacent to the plan area) since Plan approval.

### <sup>a</sup> Population Growth

Growth is calculated by taking the difference between the latest census year and the base population and adding an estimate based on floor area completed between the latest census and the present quarter.

### <sup>b</sup> Development Activity

The Development Activity Chart includes Building Permits, Development Permits, and rezoning applications:

- Completed: Occupancy Permit issuance
- Under Construction: Building Permit issuance
- Approved: Approved Rezoning Applications and Development Permits submitted without a rezoning
- In review: In Review Rezoning Applications and Development Permits submitted without a rezoning

### <sup>c</sup> Public Benefits Achieved

Public benefits in planning/design typically include large City- or partner-led projects or master plans that have begun a public process or have made significant progress in planning or design stages, but have not yet moved to construction.

## 427-477 West 49th Avenue PUBLIC BENEFITS SUMMARY

### Project Summary

A mixed-use building with one 14-storey tower and a four storey podium, with commercial uses, a City-owned childcare facility, and 128 strata-titled residential units.

### Public Benefit Summary:

The project would generate a DCL payment and a CAC to be allocated toward the Cambie Corridor Public Benefits Strategy.

	Current Zoning	Proposed Zoning
Zoning District	RS-1	CD-1
FSR (site area = 2,696 sq. m / 29,019 sq. ft.)	0.75	3.99
Floor Area (sq. ft.)	21,764	115,865
Land Use	Residential	Mixed-use

### Summary of development contributions expected under proposed zoning

City-wide DCL <sup>1</sup>	\$2,056,761
City-wide Utilities DCL <sup>1</sup>	\$1,107,193
Public Art <sup>2</sup>	\$229,413
In-kind CAC Childcare	\$5,425,000
Cash CAC	\$5,825,000
<b>TOTAL</b>	<b>\$14,643,367</b>

<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 2016; rates are subject to adjustments. See [Public Art Policy and Procedures for Rezoned Developments](#) for details.

\* \* \* \* \*

**427-477 West 49th Avenue**  
**APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

**Property Information**

Address	Property Identifier (PID)	Legal Description
427 West 49th Avenue	011-138-394	LOT 19 OF LOT 4 BLOCK 999 DISTRICT LOT 526 PLAN 5531
443 West 49th Avenue	011-138-416	LOT 20 OF LOT 4 BLOCK 999 DISTRICT LOT 526 PLAN 5531
459 West 49th Avenue	011-138-424	LOT 21 OF LOT 4 BLOCK 999 DISTRICT LOT 526 PLAN 5531
477 West 49th Avenue	011-138-441	LOT 22 OF LOT 4 BLOCK 999 DISTRICT LOT 526 PLAN 5531

**Applicant Information**

Architect	GBL Architects
Developer/Property Owner	Transca Vancouver W49th Ave Ltd.

**Development Statistics**

	Permitted Under Existing Zoning	Proposed Development
<b>Zoning</b>	RS-1	CD-1
<b>Site Area</b>	2,696.0 sq. m (29,019 sq. ft.)	2,696.0 sq. m (29,019 sq. ft.)
<b>Uses</b>	Residential	Mixed-use
<b>Floor Area</b>	2,022 sq. m (21,764 sq. ft.)	10,764.2 sq. m (115,865 sq. ft.)
<b>Floor Space Ratio (FSR)</b>	0.75	3.99 FSR
<b>Height</b>	10.7 m (35 ft.)	50.6 m (166 ft.) residential floors 54.3 m (178 ft.) with rooftop amenity
<b>Unit Mix</b>		<b>Total units: 128</b> Studio units: 24 (19%) One-bedroom units: 45 (35%) Two-bedroom units: 45 (35%) Three-bedroom units: 14 (11%)
<b>Parking, Loading And Bicycle Spaces</b>	as per Parking By-law	130 parking spaces 256 Class A bicycle spaces 12 Class B bicycle spaces 2 Class A Loading Space 2 Class B Loading Space 1 Class A Passenger Space 5 childcare pick-up/drop-off spaces
<b>Natural Assets</b>	4 on-site by-law trees 3 City trees	33 on-site trees 8 City trees

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