



## REFERRAL REPORT

Report Date: November 2, 2021  
Contact: Yardley McNeill  
Contact No.: 604.873.7582  
RTS No.: 14645  
VanRIMS No.: 08-2000-20  
Meeting Date: November 16, 2021

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: CD-1 Rezoning: 5590 Victoria Drive

### **RECOMMENDATION TO REFER**

THAT the rezoning application and plans, described below, be referred to Public Hearing together with the recommendations set out below and with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary zoning by-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

### **RECOMMENDATION FOR PUBLIC HEARING**

A. THAT the application by Catalyst Community Developments, on-behalf of 306517 British Columbia Ltd., Inc. No. 306517, the registered owner, and Vancouver City Savings Credit Union ("Vancity"), the beneficial owner of the lands located at:

- 5590 Victoria Drive [*PID: 007-071-876; Lot 2 Except the West 7 Feet Now Road Block 16, District Lot 394 PLAN 2501*];
- 5590 Victoria Drive [*PID: 007-072-007, Lot 3 Except the West 7 Feet Now Road, Block 16, District Lot 394 PLAN 2501*];
- 5590 Victoria Drive [*PID: 007-071-931, Lot 4 Except the West 7 Feet Now Road, Block 16, District Lot 394 PLAN 2501*];

to rezone the lands from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 2.5 to 3.49 and building height from 13.8 m (45.3 ft.) to 22.3 m (73.2 ft.), to permit the development of a six-storey mixed-use building containing 54 secured rental units with retail and office uses at the ground floor, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by HMCA Architecture and Design, received February 24, 2021, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B.

- B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability.
- C. THAT subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the new CD-1, generally as set out in Appendix C, be approved.
- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally 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 new 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 5590 Victoria Drive to permit the development of a mixed-use development with office and retail uses at grade and a total of 54 secured rental

housing units under the *Secured Rental Policy (SRP)*. At least 30% of the dwelling units will be occupied by households with incomes below housing income limits, as set out in the current “Housing Income Limits” table published by the British Columbia Housing Management Commission and each rented at rates no more than 30% of household income. A density of 3.49 FSR and building height of 22.3 m (73.2 ft.) are recommended.

Staff assessed the application and conclude that it meets the intent of the SRP. If approved, the application would contribute 54 secured rental housing units towards the City’s housing goals as identified in the *Vancouver Housing Strategy*.

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

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

- *Secured Rental Policy (2019)*
- *Rental Incentive Programs Bulletin (2019, amended 2020)*
- *Housing Vancouver Strategy (2017)*
- *Kensington-Cedar Cottage Community Vision (1998)*
- *C-2 District Schedule and Design Guidelines (2021)*
- *High-Density Housing for Families With Children Guidelines (1992)*
- *Family Room: Housing Mix Policy for Rezoning Projects (2016)*
- *Green Buildings Policy for Rezoning (2009, last amended 2018)*
- *Community Amenity Contributions Policy through Rezoning (last amended 2020)*
- *Urban Forest Strategy (2014)*
- *Vancouver Development Cost Levy By-law No. 9755*
- *Vancouver Utilities Development Cost Levy By-law No. 12183*

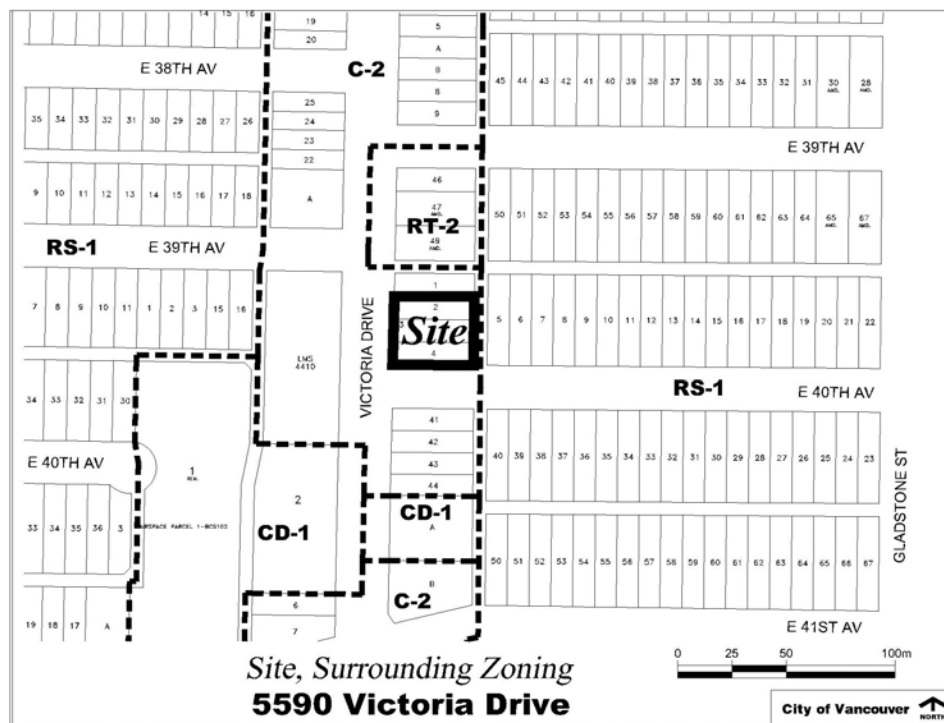
### **REPORT**

#### **Background/Context**

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

The site is located in the Kensington-Cedar Cottage neighbourhood, on the northeast corner of Victoria Drive and East 40th Avenue. Comprised of three legal parcels, the site is approximately 1,190.0 sq. m (12,809.1 sq. ft.) (see Figure 1), and has a frontage of 32.0 m (105.0 ft.) along Victoria Drive and depth of 37.4 m (122.7 ft.) along 40th Avenue.

The property is occupied with a one storey commercial building developed with an existing Vancity Credit Union completed in 1974. This area of Victoria Drive is generally comprised of one to six-storey mixed-use buildings including a six-storey secured market rental building completed in 2019. The site including the areas to the north, south and west are zoned C-2 (Commercial) District, which permits a maximum height of 13.8 m (45.3 ft.) and FSR of 2.5. Across the lane to the north is zoned RT-2 permitting two-family dwellings up to a maximum up to 9.2 m (30.2 ft.) in height and FSR of 0.75. Properties to the east are zoned RS-1 and currently developed with single family homes. Victoria Drive and 41st Avenue are primary arterials and part of TransLink’s Frequent Transit Network (FTN).

**Figure 1: Site Location and Context**

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

- **Parks:** Jones Park (220 m), Tecumesh Park (700 m) and Kensington Park (900 m)
- **Cultural/Community Space:** Vancouver Fire Hall No. 20 (170 m), Kensington Community Centre (900 m) and South Vancouver Neighbourhood House (950 m)
- **Transit:** Victoria Drive (80 m) and 41st Avenue (200 m)
- **Bikeways:** 41st Avenue (200 m), Gladstone Street (250 m) and Dumfries Street (700 m)
- **Childcare Facilities:** Kensington Community Centre – K-7 (900 m) and South Vancouver Neighbourhood House – K-7 (950 m)

**Local School Capacity** – This site is located within the catchment area of G T Cunningham Elementary School at 2330 East 37th Avenue and Gladstone Secondary School at 4105 Gladstone Street. The *Vancouver School Board (VSB)'*s *Draft Long Range Facilities Plan*, dated January 25, 2021, showed a surplus in elementary school enrolments in 2019 of 246 spaces or a capacity utilization of 59%. By 2029, the draft plan forecasts a surplus of 324 spaces. At the secondary level, the capacity utilization is 61% of its 2,000 seat capacity in 2019, with a draft forecasted surplus of approximately 529 spaces in 2029. VSB continues to monitor development and work with the City of Vancouver to help plan for future growth.

## 2. Policy Context

**Secured Rental Policy (SRP)** – On November 26, 2019, Council approved amendments to the *Secured Market Rental Housing Policy (also known as Rental 100)*, and retitled it to *Secured Rental Policy (SRP)*. The SRP expands on *Rental 100*, by consolidating rezoning opportunities for secured rental housing previously contained in the *Affordable Housing Choices Interim*

*Rezoning Policy.* Since November 2019, staff have advanced work on two key implementation actions associated with the *SRP* to streamline new rental housing applications in certain C-2 and low-density areas as directed by Council. A report back with recommendations on that work was considered by Council, at a Public Hearing in November. As proposed, the changes to the *SRP* would not affect eligible in-stream rezoning applications, including this application.

***Rental Incentive Programs Bulletin*** – To correspond with Council's approval of the *SRP* in November 2019, a new *Rental Incentive Programs Bulletin* was issued. This bulletin provides updated information on Development Cost Levy (DCL) waivers and other incentives available to eligible secured rental projects, including general direction for the consideration of additional density through rezoning

***Housing Vancouver Strategy (2017)*** – In November 2017, Council approved the *Housing Vancouver Strategy and Housing Vancouver Strategy Three-Year Action Plan* (Strategy and Action Plan). The strategy seeks to shift the supply of new homes toward the right supply, with targets for new units along a continuum of housing types. The Housing Vancouver targets were based on the core goals of retaining the diversity of incomes and households in the city, shifting housing production towards rental to meet the greatest need, and coordinating action with government and non-profit partners to deliver housing for the lowest income households.

Overall, 72,000 new homes are targeted for the next 10 years, including 12,000 social, supportive and non-profit co-operative units and 20,000 purpose-built rental units. Nearly 50 per cent of the new units are to serve households earning less than \$80,000 per year, and 40 per cent are to be family-size units. This rezoning application will contribute towards the 10 year targets for secured market and below-market rental housing units identified within the *Strategy and Action Plan*.

## ***Strategic Analysis***

### **1. Proposal**

This application proposes to rezone 5590 Victoria Drive to permit a six-storey mixed-used building with office and retail at-grade and secured rental housing above. The proposed building is 22.3 m (73.2 ft.) in height and is proposed to contain 54 units in a combination of studio and one-, two- and three-bedroom units (see Figure 3). The proposed density is 3.36 FSR with a floor area of 3,995.9 sq. m (43,012 sq. ft.). A total of 26 vehicle spaces and 145 bicycle spaces are to be provided at-grade and in one level of underground parking.

The applicant, Catalyst Community Developments, is a non-profit developer, owner and operator of affordable rental housing. Catalyst has over 250 homes in operations, 300 in construction and 500 in earlier stages of development. Vancity, as beneficial owner of the development site, has signed a ground lease with Catalyst for the rental component of the project. Vancity proposes to open a new community branch in the main floor of the building.

This project was previously considered under the *Kensington-Cedar Cottage Community Vision* however the application does not meet the ownership requirements of Social Housing as described by the *Vancouver Zoning and Development Bylaw*. The application is now being considered under the *Secured Rental Policy* which permits a similar height and density for secured rental projects. The public was subsequently notified of the change in enabling policy with corresponding updates made to the Shape Your City webpage. See the Public Input Section of the report for more detail.

Staff recommend a slight increase in FSR from the 3.36 submitted to 3.49, to correct the floor area calculation in the rezoning submission package. The recommended floor area is 4,157.5 sq. m (44,752 sq. ft.). This report is based on the original submission drawings with recommended conditions in Appendix B.

**Figure 2: Development as Viewed from Corner of Victoria and 40th Avenue**



## 2. Land Use

The site is currently zoned C-2 (Commercial). The intent of the C-2 District Schedule and Design Guidelines is to provide for a wide range of commercial uses serving both local and city wide needs, as well as residential uses, along arterial streets. This proposal, with residential, office and commercial uses meets the intent of the C-2 zone and will contribute to the commercial hub situated around Victoria and 41st Avenue.

## 3. Form of Development, Density and Height

(refer to drawings in Appendix E and project statistics in Appendix H)

**Form of Development** – The proposed development is a six-storey 'L' shaped building with commercial uses at-grade and residential uses above, and meets the intent of the SRP for rental buildings along an arterial. The building sits at the corner of Victoria Drive and 40th Avenue. Victoria Drive is a north-south arterial 23.4 m (80.0 ft.) wide that serves as an important neighbourhood shopping and services street. Minimal impacts on the adjoining streets due to shadow angles and direction of the street network are anticipated. Further, the proposal provides 2.4 m (8.0 ft.) front yard setback along both streets providing 5.5 m (18 ft.) of public realm along both street frontages.

An outdoor amenity area is proposed at the northeast corner of the building on level two. In this location the outdoor amenity space receives limited sunlight access during the spring and fall equinoxes. Conditions in Appendix B seek to explore locating additional amenity areas on the roof to maximize sunlight access.

The at-grade commercial areas are proposed to wrap around the corner to provide an active pedestrian realm along 40th Avenue. Access to the residential units is provided along 40th Avenue. Additional form of development conditions in Appendix B seek to further improve the public realm interface along 40th Avenue and Victoria Drive.

**Interface to the East** – There are single family dwellings across the lane to the east of the site for which the base C-2 zoning would require a rear yard setback of 6.1 m (20 ft.) for the second and third storeys and a further setback of 10.7 m (35.1 ft.) for the fourth storey. These setback expectations are based on the assumption that projects applying under the base C-2 zoning are typically strata-developments, wherein a more neighbourly interface with adjacent properties are required.

The proposal provides a lesser rear yard setback for residential uses of 4.6 m (15 ft.) from levels two to six. Although this is less than the typical requirement under C-2 zoning and the proposed form imposes more building mass against the single-family properties located to the east, staff reconcile this against the need for rental in particular the delivery of HILs units. Further, a 6.1 m (20 ft.) wide service lane, and proposed balconies act as visual buffers against the living rooms facing east, and provide sufficient screening and separation. Staff support the provision of balconies on the upper storeys located along the east property line. However, conditions in Appendix B propose to enhance visual privacy through translucent or opaque balcony railing design.

**Height and Density** –The current C-2 zoning permits a maximum FSR of 2.5 and conditional height of 13.8 m (45.3 ft.). Further, as per the SRP form of development direction for C-2 sites, consideration of a building height up to 6 storeys with commensurate density are anticipated through the Development Permit process. The proposed building is six-storeys in height measuring 22.3 m (73.2 ft.) from grade and with a recommended FSR of 3.49.

**Urban Design Panel** – This application was not reviewed by the Urban Design Panel given the scale of the proposal and general compliance with the SRP and C-2 District Schedule. Should the rezoning be approved, rezoning conditions in Appendix B will secure continued design improvements at the Development Permit stage.

Staff conclude the proposal responds well to the context and recommends approval subject to design conditions in Appendix B.

#### 4. Housing

The *Housing Vancouver Strategy* (Housing Vancouver) and associated *3 Year Action Plan* is the culmination of a year-long process of gathering, synthesizing and testing new ideas and approaches to addressing housing affordability in Vancouver. This application, if approved, would add 54 secured market and below-market rental units, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 3). A minimum of 30% of the units will be secured as below-market rental units, which will be rented to households with incomes at or below BC Housing's Housing Income Limits ("**HILs**"), each rented at rates of no more than 30% of the household's income.

**Figure 3: Progress Towards 10 Year Housing Vancouver Targets for Purpose-Built Market and Developer-Owned Below-Market Rental Housing as of June 30, 2021**

Housing Type	CATEGORY	10-YEAR TARGETS	Units Approved Towards Targets
<b>Purpose-Built Market Rental Housing Units</b>	Market Rental	16,000	6,305
	Developer-Owned Below Market Rental	4,000	581
	<b>Total</b>	<b>20,000</b>	<b>6,886</b>

\*Note that tracking progress towards 10-year Housing Vancouver targets began in 2017, figures include Temporary Modular Housing

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

**Vacancy Rates** – Vancouver has exhibited historically low vacancy rates in the last 30 years. Between early 2018 and early 2020, prior to the COVID-19 pandemic, the average vacancy rate for purpose-built apartments, based on the CHMC Market Rental Survey, for the Southeast Vancouver area was 1.2%. The vacancy rate in early 2021 increased considerably to 5.4%, likely as a result of the COVID-19 pandemic, and is anticipated to return closer to the lower average near term rate when this building is ready for occupancy. A vacancy rate of 3-5% represents a balanced market.

**Unit Mix** – This proposal would deliver a variety of unit types in the form of secured market and below-market rental housing. On July 13, 2016, Council adopted the *Family Room: Housing Mix Policy for Rezoning Projects* policy that requires a minimum of 35 percent family units. This application would deliver 18 (37%) family units in a mix of two-bedroom and three-bedroom units, thereby exceeding the policy. These units must be designed in accordance with the *High Density Housing for Families with Children Guidelines*.

**Figure 4: Proposed Unit Mix**

Type	Count	Percentage
Studio	10	18.5%
1-bedroom	24	44.4%
2-bedroom	15	27.8%
3-bedroom	5	9.3%
<b>Total</b>	<b>54</b>	<b>100.0%</b>

**Affordability** – This application is being considered under the SRP, which does not require a below-market rental housing component for proposals in C-2 zones. This application although it does not meet the ownership requirements of the definition of Social Housing as described by the *Vancouver Zoning and Development By-Law*, it will meet the affordability requirements and will be operated by a non-profit housing provider. The City's affordability requirement for social housing buildings is for at least 30 percent of units to be occupied by households with incomes below the BC HILs levels, as set out in the current "Housing Income Limits" table published by



the British Columbia Housing Management Commission, or equivalent publication. The rental rates for such units will also be no higher than 30% of the household income.

A Housing Agreement and a Section 219 Covenant will be secured for the longer of 60 years or the life of the building, securing all units as rental housing, and securing the above noted affordability requirements.

**DCL Waiver** – The applicant has indicated that they intend to seek the DCL Waiver, as permitted under the DCL By-law for rental housing that meets the definition of “for-profit affordable rental housing” in the DCL By-law. If sought, the waiver will be secured at Development Permit stage, the average initial rents for each unit type will be established at the issuance of the prior-to letter relating to the Development Permit to be issued for this development and the applicant will be required to submit a DCL Waiver Form at that time, including a final rent roll that sets out the starting monthly rents prior to issuance of the occupancy permit, in order to ensure compliance with the DCL By-law. The initial rents for each unit will be permitted to be increased annually in accordance with the annual maximum increases authorized under Section 22 of the BC Residential Tenancy Regulation, from when they are established at the Development Permit stage until the initial occupancy of the development, as permitted in Section 3.1B(c) of the DCL By-law. Through the Development Permit application process, the City would also ensure that the average unit sizes do not exceed the maximum thresholds set out by the DCL By-law.

**Average Rents and Income Thresholds** – The average rents on the East side of Vancouver for residential units are shown in the table below. Rent increases over time are subject to the *Residential Tenancy Act* and the above noted affordability requirements.

**Figure 5: Market Rents in Newer Eastside Buildings, Costs of Ownership and Household Incomes Served**

	Proposal	Newer Rental Buildings Eastside <sup>1</sup>		Monthly Costs of Ownership for Median-Priced Unit Eastside <sup>2</sup>	
Unit Type	Average Unit Size (sq. ft.)	Average Rent	Average Household Income Served	Monthly Costs Associated with Purchase	Average Household Income Served
Studio	355	\$1,549	\$61,960	\$2,379	\$95,160
1 Bedroom	547	\$1,825	\$73,000	\$2,906	\$116,240
2 Bedroom	726	\$2,354	\$84,160	\$4,105	\$164,200
3 Bedroom	924	\$3,299	\$131,960	\$6,048	\$241,920

<sup>1</sup> Data from the October 2020 CMHC Rental Market Survey for buildings completed in the year 2011 or later on the Eastside of Vancouver

<sup>2</sup> Based on the following assumptions in 2020: median of all BC Assessment recent sales prices in Vancouver Eastside in 2020 by unit type, 10% down payment, 5% mortgage rate, 25-year amortization, \$150 – 250 monthly strata fees and monthly property taxes at \$2.56 per \$1,000 of assessed value

Average market rents in newer rental buildings on the east side are shown in the middle two columns in Figure 5. An average market rental studio unit could be affordable to a single person working in occupations in the education sector and industrial sector. A two-bedroom market rental unit could be affordable to a couple employed in occupations such as technical roles in

engineering or manufacturing. The market rental housing component will provide options which are significantly more affordable than average home ownership costs as illustrated in Figure 5.

**Security of Tenure** – Purpose-built rental housing offers permanent rental housing and security of tenure, unlike rented condominiums or basement suites in the secondary rental market. All 54 units in the proposal would be secured through a Housing Agreement and a Section 219 Covenant for the longer of 60 years or the life of the building. The Housing Agreement will also ensure that a minimum of 30% of the rental units shall be rented to households with an income of no more than the BC Housing's HILs and each rented at rates no more than 30% of household income. As noted earlier, the applicant also intends to seek the DCL waiver and in addition to the affordability provisions set out in this paragraph, the initial average rents for each unit type of the rental units will be determined in accordance with the maximum average rents permitted under Section 3.1A(e) of the DCL By-law when the prior-to letter for this development's development permit is issued, subject to adjustments permitted in Section 3.1B(c) of the DCL By-law. Covenants will be registered on title to prohibit the stratification, separate sale of individual units and rentals for less than one month at a time.

**Existing Tenants** – There are no existing residential tenants on-site.

## 5. Transportation and Parking

The application proposes a combined total of 26 vehicle parking spaces including one car share parking space, five visitor parking spaces and three accessible spaces through surface parking and over one level of underground parking accessed from the lane. In addition, the application proposes 145 bicycle spaces.

In accordance with the *Parking By-law* and to meet the minimum parking requirements, the applicant is proposing a Transportation Demand Management (TDM) plan which provides for reductions in minimum parking requirements in exchange for providing enhanced transportation demand management measures. Residential parking requirements for social and rental housing permit up to a 40% reduction. Non-residential parking requirements permit up to a 20% reduction. The development is currently proposing TDM measures, including additional and improved access to Class A bicycle parking, bicycle maintenance facilities and a car share space. The TDM plan will be finalized through the Development Permit stage.

Additionally, if the site has adequate access to transit, further parking reductions are available. Based on this site's proximity to the Frequent Transit Network bus service on Victoria Drive and 41st Avenue, it is eligible for an additional 20% reduction in residential parking and 10% for non-residential, for a combined maximum of 60% reduction for residential parking and 30% for non-residential parking.

Engineering conditions related to transportation and parking are in Appendix B. Improvements for the immediate area include, but are not limited to: upgraded street lighting, a new pedestrian crossing at the lane and improvements to the intersection of Victoria Drive and 40th Avenue.

## 6. Environmental Sustainability and Natural Assets

**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 *Green Buildings Policy for Rezoning*s under the low emissions green buildings requirements. The low emissions green buildings pathway represents City priority outcomes, establishing limits on heat loss, energy use, and greenhouse gases, and drawing on industry best practices to create more efficient, healthy and comfortable homes and workplaces. The applicant has submitted preliminary energy modeling analysis detailing building performance strategies to meet the energy use intensity, greenhouse gas and thermal demand targets. As the Project is being considered under the SRP, the project is to employ zero emissions heating and hot water systems in the building, achieving a greenhouse gas intensity (GHGI) of 3 kg/m<sup>2</sup> or less.

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

There are no existing trees on the site. There is one City-owned street tree along 40th Avenue and protection of the street tree during construction is required. New street trees are required on both Victoria Drive and 40th Avenue along with an estimated seven on-site trees to be confirmed at the Development Permit Stage. See Appendix B for landscape and tree conditions.

## 7. Public Input

**Public Notification** – A rezoning information sign was installed on the site on March 15, 2021 and updated on September 30, 2021 due to the project proceeding under the SRP. Approximately 1,510 notification postcards were distributed within the neighbouring area on or about March 25, 2021. An additional 1,352 notification cards were sent when the area was re-notified on or about September 23, 2021. Notification and application information, as well as an online comment form, was provided on the City's new digital engagement platform *Shape Your City Vancouver* ([shapeyourcity.ca/](https://shapeyourcity.ca/)).

**Virtual Open House** – In-person open houses were put on hold based on the provincial health authority's restrictions for public gatherings due to the COVID-19 pandemic. In lieu of an in-person event, a virtual open house was held from March 29, 2021 to April 18, 2021 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 from the City and the applicant were posted for online viewing, along with a digital model representation of the proposed application.

Due to the pandemic, a virtual engagement strategy was put in place to ensure the City's process for public discussion and obtaining feedback was maintained. This 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 throughout the application process through online questions and comment forms, and by email and phone. A total of 30 submissions were received. A summary of all public responses may be found in Appendix D.

**Figure 5: 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:

- **Social housing:** The provision of social housing is needed in this neighbourhood.
- **Building density:** The building density is appropriate since the site is located on an arterial, close to local amenities, and public transportation. Respondents also noted more height would be further supported due to the site's location.

Generally, comments of concern fell within the following areas:

- **Neighbourhood safety:** The project would negatively impact a family-friendly neighbourhood and cause further crime and safety issues for children and the local schools.
- **Overall non-support:** Overall non-support for the project.

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

*Neighbourhood Safety* – Members of the public raised concerns the proposed development would negatively impact the family neighbourhood. *The Housing Vancouver Strategy* focuses on delivery of units across the housing continuum and income levels. The proposed development provides 35% family units to help support the delivery of affordable family units in the neighbourhood.

*Non-support* – The proposed uses, site size, location and neighbourhood context support the proposed additional density and height. The surrounding context includes a 6-storey rental building half a block to the south and a 4-storey strata building directly across on Victoria Drive.

## 8. 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 currently subject to the City-wide DCL and Utilities DCL. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage.

The applicant has indicated they intend to request a waiver of DCLs attributed to the residential floor area qualifying as “for-profit affordable rental housing” as permitted under section 3.1A of the DCL By-law. As a result of the project’s CAC exempt status, the applicant has until the development permit process to decide whether to pursue the waiver. A review of how the application is expected to meet the waiver criteria is provided in Appendix F.

Based on the DCL Bylaws in effect as of September 30, 2021 and the proposed 37,867 sq. ft. of residential floor area and 6,885 sq. ft. of commercial floor area, \$526,181 of DCLs are expected from the project. The residential floor area of the proposed development is expected to qualify for a \$690,694 waiver of City-wide DCLs.

DCL bylaws are subject to future adjustments by Council, including annual inflationary rate adjustments. 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.

**Public Art Program** – The application is not subject to the Public Art Policy and Procedures for Rezoned Developments as the total floor area is below the minimum threshold of 9,290 sq. m (100,000 sq. ft.).

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

The *Community Amenity Contributions Policy for Rezoning*s provides an exemption from CACs for routine, lower density secured market rental housing rezoning applications that comply with the City’s rental policies. This application meets the criteria for an exemption as a C-2 zoned site proposed to rezone to no more than six storeys.

**Rental Housing** – The proposal contains 54 units of secured as rental housing for the longer of 60 years and the life of the building. The public benefit accruing from this application is the contribution to the City’s rental housing stock. In addition, 30% of the units will be secured for residents with incomes below the BC HILs and each rented at rates no higher than 30% of the household’s income. As a condition of by-law enactment, a Housing Agreement and Section 219 Covenant are required to be registered on title to secure the enhanced affordability and

preclude, among other things, stratification of the building, separate sale of individual units, and rentals for less than one month at a time.

See Appendix G for a summary of all the public benefits for this application.

### **FINANCIAL IMPLICATIONS**

Based on the DCL bylaws and rates in effect as of September 30, 2021, it is estimated that the project will pay \$526,181 in DCLs and qualify for a \$690,694 waiver of City-wide DCLs.

The 54 rental housing units, with 30% of the units that will be secured for residents with incomes below the BC HILs and rented at a rate that is no more than 30% of their household income, will be secured by a Housing Agreement and Section 219 Covenant for 60 years and the life of the building, will be privately owned, and is intended to be operated by a non-profit organization.

No additional CAC or public art contribution is applicable.

### **CONCLUSION**

Staff assessment of the rezoning has concluded the proposed development is an acceptable urban design response to the site and the context, and consistent with the objectives of the *Secured Rental Policy*. If approved, this application would contribute to the *Housing Vancouver Strategy* by providing 54 new secured rental housing units at a range of rental rates, including 30% of units rented to households with incomes below the BC HILs levels and rented at rates no more than 30% of their household income.

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

\* \* \* \* \*

**5590 Victoria Drive  
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 of 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;
  - (d) Office Uses;
  - (e) Retail Uses;
  - (f) Service Uses;
  - (g) Utility and Communication Uses; and
  - (h) 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.
- 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 1,190.0 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 3.49.
- 5.3 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.
- 5.4 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 floor area of all such exclusions must not exceed 12% of the floor area being provided for dwelling 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 the sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used that are at or below the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas accessory to a residential use, to a maximum of 10% of the total floor area being provided for dwelling uses; 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.

### **Building Height**

6. Building height, measured from base surface, must not exceed 22.3 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 centre of the bottom of each window.
- 7.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if:
- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
  - (b) the minimum distance of unobstructed view is not less than 3.7 m.
- 7.5 An obstruction referred to in section 7.2 means:
- (a) any part of the same building including permitted projections; or
  - (b) the largest building permitted under the zoning on any 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 dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

\* \* \* \* \*

**5590 Victoria Drive**  
**CONDITIONS OF APPROVAL**

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

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

*Note: Consideration by Council at the public hearing of the proposed form of development is in reference to plans prepared by HMCA Architecture and Design, stamped received February 24, 2021, 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 improve the building interface with the public realm, including:

- (a) Relocate the bike stalls from the 5.5 m enhanced sidewalk, to an area that would not obstruct pedestrian movement and storefront patios.

Note to applicant: Consider articulating the street-facing façades at grade to create urban room spaces that can create pedestrian interest and provide room to accommodate with benches, planters, and bike stalls. Also refer to Landscape Condition 1.8.

- (b) Explore options to relocate the PMT away from the public realm interface and provide a landscape buffer. Note to Applicant: PMT should not be visible from the public realm sidewalks.

- (c) Provide effective and continuous weather protection along both street frontages;

1.2 Design development to enhance the common amenity space by:

- (a) Provision of Children's play area and garden planters.

Note to Applicant: Consider providing outdoor children's play area and a larger common amenity space on rooftop, to maximize the solar access and urban agriculture.

1.3 Design development to address privacy and overlook to residential neighbours located due east across the lane by providing translucent or opaque railing design for two balconies facing east at south-east corner.

- 1.4 Design development to provide direct access from all commercial areas to commercial garbage and loading areas.
- 1.5 Note to applicant: Provide access from North-west corner CRU space to rear commercial loading area
- 1.6 Design development to ensure the livability and functionality of individual residential units by:
  - (a) Providing balconies of at least 6 ft. in depth for all residential units.
  - (b) Providing bedroom that demonstrate the accommodation of a single bed, a dresser, a desk or table.
  - (c) Providing living room size of at least 12 ft. in width clear for studio apartments, where possible.
- 1.7 Design development to ensure provision of high-quality and durable materials.
- 1.8 Design development to identify 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)**

- 1.9 Provision at the time of the Development Permit application for Crime Prevention Through Environmental Design (CPTED) strategies, including:
  - (a) Having particular regard for mischief in alcoves and vandalism such as graffiti;
  - (b) Consideration of mail theft in the design and location of mailboxes;
  - (c) Consideration of residential break and enter;
  - (d) Provision of outdoor common area and path lighting; and
  - (e) Provisions for visibility and security in the underground parking garage in accordance with the Parking By-law, including:
    - (i) Providing 24 hour overhead lighting at exit doors and step lights;
    - (ii) Providing white-painted walls, and;
    - (iii) Ensuring a high degree of visibility at doors, lobbied, stairs, and other access routes.

**Note to applicant:** Light fixture types, locations, and illumination levels should be indicated on the landscape or site plans, and should be integrated into the site and building design. Site lighting should address strategies for path and exit lights, wayfinding, security, decoration, and mail delivery. Exterior lights should be oriented away from adjacent residential properties.

## **Landscape**

- 1.10 Design development to the public realm to enhance pedestrian experience on Victoria Drive and East 40<sup>th</sup> Avenue;

**Note to applicant:** This can be done by better programming for location of PMT and landscape features such as bike racks, planters, seating, etc. See also Urban Design Condition 1.1.

- 1.11 Design development to improve the sustainability strategy, by the following:

- (a) Explore the provision of intensive or extensive green roofs on available flat roof tops, in keeping with City guidelines;

**Note to Applicant:** Add notations to confirm percentages of intensive or extensive green roofs, to meet the green roof requirements as outlined in the *Roof-Mounted Energy Technology and Green Roofs* administrative bulletin. (Minimum 25% of the roof area for an intensive green roof or 50% for an extensive green roof). See also Urban Design Condition 1.2.

- (b) Explore the provision of urban agriculture plots, softening with planting at edges, other opportunities for common social interactions as part of the outdoor amenity space(s);

**Note to Applicant:** Urban agriculture plots should follow the City's Urban Agriculture Guidelines for the Private Realm and include infrastructure required, such as potting benches, hose bibs, etc.

- (c) Provide opportunities for children's play to improve outdoor amenity space;

**Note to Applicant:** Consider informal play elements. See also Urban Design Condition 1.2.

- (d) Provide high quality materials to all landscape areas for durability into the future;

- (e) Add substantially more landscape around all common entry areas, to accent and soften them;

- (f) Add vines to any large blank wall facades, ensuring the vine support is sturdy and low maintenance (avoid high maintenance modular "green wall" systems); and

- (g) Add edible plants, which can be used as ornamentals as part of the landscape design, in addition to urban agriculture plots.

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

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

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

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

- detailed storm water report with calculations describing how the various best management practices contribute to the quality and quantity targets;
- a separate soil volume overlay plan with schematic grading indicating intent to direct rainwater to infiltration zones;
- 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.

- 1.14 Provision of a detailed Landscape Plan illustrating soft and hard landscape areas.

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

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

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

1.16 Provision of a "Tree Management Plan".

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

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

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

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

Note to Applicant: New street trees to be shown and confirmed on the Development Permit plans. Contact Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, *"Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion"*.

1.19 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.

1.20 Provision of an outdoor Lighting Plan.

1.21 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>.

## **Sustainability**

1.22 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning* (amended May 2, 2018), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings.

The requirements for Low Emissions Green Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>

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

## **Engineering Services**

- 1.23 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.

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

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

- 1.25 Submission of a letter confirmation construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or License.

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

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

- (a) The following statement is to be added on the site and landscape plans; "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.”

- 1.27 Provision of supplied building grades on architectural and landscape drawings.

**Note to Applicant:** To minimize grade differences, interpolate a continuous building grade between the points given on the City supplied plan.

- 1.28 Provision of written confirmation that clarifies garbage pick up operations and that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage.

**Note to Applicant:** Pick up operations should not require the use of public property for storage, pick up or return of bins to the storage location.

- 1.29 Gates/doors are not to swing more than 1'-0" over the property lines or into the SRW area.

- 1.30 Provision of generous and continuous weather protection on both frontages.

**Note to Applicant:** A Canopy application for all new canopies is required. Canopies must be fully demountable and drained to the buildings internal drainage systems.

- 1.31 Relocate or reorient the bicycle parking proposed on Victoria Dr so that a minimum of 3.05m (10') of clear sidewalk space is provided between the edge of the new front boulevard and any parked bicycles.

- 1.32 Provision of a Shared Use Loading Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the Class B loading space(s) between the commercial and residential uses and label the space as 'Residential and Commercial Loading'.

- 1.33 Provision of a finalized Transportation Demand Management (TDM) Plan to the satisfaction of the General Manager of Engineering Services.

**Note to Applicant:** Refer to TDM point requirements for Secured Market Rental, Commercial Retail and Office land uses. A single TDM measure may count towards multiple land uses if it is usable by each land use. Refer to Schedule B of the TDM policy for detailed requirements for each measure. Provide TDM Plan as a separate package with complete information on TDM measures proposed, including the following clarifications:

- (a) ACT-01 – Additional Class A bicycle parking
  - (i) Identify the number and location of the additional Class A bicycle parking on plans. Additional Class A bicycle parking spaces must meet the standards and minimums identified in the Parking By-law, and/or applicable Design Guidelines.

**Note to Applicant:** In order to earn points for this TDM Measure, the additional Residential Class A bicycle parking must be in a separate location from the commercial Class A bicycle parking.

- (b) ACT-02 – Improved Access to Class A bicycle Parking
  - (i) Provision of concept design for excellent design of lighting, finishes, grades, convenience.
- (c) ACT-05 – Bicycle Maintenance Facilities
  - (i) Note and dimension location of facilities on plans.
  - (ii) Bicycle maintenance facilities to be located with convenient access to from Class A bicycle spaces.
  - (iii) Provision of an operational plan detailing:
    - A description of the amenities to be provided,
    - A means of providing access to all residents, commercial tenants, and the public (if applicable), and
    - Plan for maintaining these amenities.
  - (iv) If available, provision of any additional information regarding this measure (e.g. tool receipts, instructions for using an online sign-up portal, or marketing/ instructional materials) that demonstrates how the property owner will operate, administer, and maintain this common facility.
- (d) COM-01 – Car Share Spaces
  - (i) Identify/note/dimension car share spaces on plans.
  - (ii) Spaces to be located with convenient, public access at-grade, or on P1.

**Note to Applicant:** In order to earn points for this TDM Measure, Engineering requires confirmation that the public, shared vehicle provider, and commercial users will have access to the car share space on P1. A drawing showing the public access route is required, and a Shared Access Agreement may be required to enable car share providers to access the space after hours. Explore relocating this space to grade.

- (e) SUP-01 – Transportation Marketing Services
  - (i) Provision of a description of the services to be provided.
  - (ii) If available, provision of any additional information regarding this measure (e.g., online signup portals or additional marketing materials) that demonstrates how the property owner will offer this service.

- (f) SUP-03 – Multimodal Wayfinding Signage
  - (i) Identify the general locations for proposed displays on plans.
  - (ii) Provide conceptual design of the content (e.g. transit lines, walk time to transit locations, availability of on-site car share vehicles, availability of nearby shared bicycles, etc.) to be displayed.
- 1.34 Subject to the acceptance of an approved TDM Plan, entry into a TDM agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, which:
  - (a) Secures provision of funding towards long-term TDM monitoring fund in the amount of \$280 per parking space waived.
  - (b) Secures the provision of TDM measures on the site,
  - (c) Permits the City to access and undertake post occupancy monitoring of the Transportation Demand Management (TDM) measures proposed,
  - (d) Agrees to make reasonable adjustments to the TDM measures as requested by the City, based on the TDM monitoring results
- 1.35 Design development to improve access and design of bicycle parking and comply with the Bicycle Parking Design Supplement.
  - (a) Provision of 1.8m stall length and 0.6m width for the Class B bicycle parking spaces.
  - (b) Dimension the size of the Class B bicycle spaces on the drawings.
  - (c) Provision of a minimum 1.2m access aisle in front of bicycle spaces.
  - (d) Provision of a minimum 1.5m access aisle in front of oversize bicycle spaces.
  - (e) Provision of automatic door openers for all doors providing access to Class A bicycle storage.
  - (f) Provision of end of trip clothing lockers for the commercial Class A bicycle spaces to be clearly shown and noted on the drawings. 50 percent to be full size lockers.
  - (g) The commercial Class A bicycle spaces are to be provided in a separate room from the residential Class A bicycle spaces.
- 1.36 Design Development to improve access and design of loading spaces and comply with the Parking and Loading Design Supplement.
  - (a) Provision of convenient, internal, stair-free loading access to/from all site uses.

- (b) Provision of additional loading bay width for the second and subsequent loading spaces.
  - (c) Provide a clear unloading area or raised rear dock, minimum 1.8m wide, with suitable access to facilitate goods loading /unloading.
- 1.37 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) All parking spaces at grade to be setback a minimum (2') 0.6m from the property line at the lane, or provide 9' stall width for the parking spaces.
  - (b) Provision of on-site parking access for the parking spaces proposed at the lane. Parking access to occur fully on private property.
  - (c) Provision of a ramp/parkade warning system for the one-way parking ramp. Locations of lights, signs and detection devices to be shown on the plans, and details of the operation of the system are to be provided. Operation of system for bicycle use and coordination of enter-phone to be included. Signed and sealed engineering drawings from a transportation engineer are required.
  - (d) 2.3m (7' 6 ½") of vertical clearance is required for access and maneuvering to all disability spaces.
- 1.38 Design development to improve accessibility and function of the proposed shared vehicle spaces.
  - (a) Provision of 2.9m stall width for shared vehicle parking spaces
- 1.39 Provision of the following information is required for drawing submission at the Development Permit stage to facilitate a complete Transportation review:
  - (a) A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided;
  - (b) All types of parking and loading spaces individually numbered, and labelled on the drawings.
  - (c) Dimension of column encroachments into parking stalls;
  - (d) Show all columns in the parking layouts;
  - (e) Dimensions for typical parking spaces;
  - (f) Dimensions of additional setbacks for parking spaces due to columns and walls;
  - (g) Dimensions of manoeuver aisles and the drive aisles at the parkade entrance and all gates;

- (h) 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;
  - (i) Details on the ramp/parkade warning and/or signal systems and locations of lights, signs and detection devices to be shown on the plans;
  - (j) Areas of minimum vertical clearances labelled on parking levels;
  - (k) 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;
  - (l) Indicate the stair-free access route from the Class A bicycle spaces to reach the outside;
  - (m) Dimension all the access aisle widths in the bicycle rooms;
  - (n) Existing street furniture including bus stops, benches etc. to be shown on plans;
- 1.40 Provision of a draft final Rainwater Management Plan (RWMP) prior to DP issuance. As it is acknowledged that not all design components are advanced fully at this stage, placeholders will be accepted in this resubmission with the expectation the final report will include all relevant details. The resubmission at DP must include the following amendments;
- (a) Outline the rainwater management approach proposed to meet the requirements. The approach shall include descriptions of each rainwater management practice/best management practice (BMP). BMPs proposed to meet the volume reduction requirement shall be classified as either Tier 1, 2 or 3.
  - (b) Provide design specifics and details of all BMPs to support the design claim for meeting target requirements. Coordinate with the landscape architect on the details specific to the landscape portion, such as proposed growing medium depth.
  - (c) 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.

- (d) Provide calculation sizing summary of all rainwater infrastructure (Tier 1, 2, and/or 3) practices proposed.
- (e) Estimate the post development peak flow rate without rainwater management and minimum storage volume required for flow detention.
- (f) 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).
- (g) Provide adequate and concise supplementary documentation for any proprietary products that clearly demonstrates how they contribute to and/or meet the rainwater management requirements.
- (h) Prioritize methods of capture by Tier 1 and 2 with Tier 3 only as a last resort. Additional opportunities may include rainwater harvesting, green, roof, infiltration practices and/or absorbent landscaping. It is unclear why the total capture from Tier 1 and 2 practices only account for 4% of the Volume Reduction requirement. Appropriate justifications must be stated for each Tier to determine if exemptions may be granted.

**Note to Applicant:** RWMPs submitted for RZ review should include preliminary designs for Tier 1 methods or justification for exclusion.

- (i) Provide the landscape plan that supports the use of the landscape area or feature, such as a rainwater management practice.
- (j) Calculation of the detention tank volume to equal the greater of either the pre-development peak flow storage volume or the amount of the 24 mm rainfall not captured in Tier 1 & Tier 2 practices.

**Note to Applicant:** The volume of the detention system may further reduced if the runoff from adjacent hardscape areas are directed to pervious landscaping elements. Coordination with the landscape architect, soil storage capacities and a grading plan will be required to support this proposal.

- (k) Provide information on the how the water quality requirement will be achieved on this site, as water quality treatment is required for the first 24 mm of all rainfall from the site that is not captured in Tier 1 or Tier 2 practices and 48 mm of treatment is required for high traffic areas.

**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.

**Note to Applicant:** Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings is required. The review of third party utility service drawings will not be initiated until the Key Plan is defined and achieves the following objectives:

- (a) 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>; and
- (b) All third party service lines to the development is to be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant is to provide documented acceptance from the third party utilities prior to submitting to the City.

**Note to Applicant:** Use of street for temporary power (e.g., temporary pole, pole mounted transformer or ducting) is to be coordinated with the city well in advanced of construction. Requests will be reviewed on a case by case basis with justification provided substantiating need of street space against other alternatives. If street use for temporary power is not approved, alternate means of providing power will need to be proposed. An electrical permit will be required.

## **Housing**

- 1.41 The proposed unit mix, including 10 studio units (18.5 %), 24 one-bedroom units (44.4 %), and 15 two-bedroom units (27.8 %), 5 three-bedroom units (9.3 %) is to be included in the Development Permit drawings.

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

- 1.42 The building is to comply with the *High-Density Housing for Families with Children Guidelines*, including the provision of:
- (a) An outdoor amenity area to include areas suitable for a range of children's play activities and urban agriculture, ranging in size from 130sqm (1,399sqft) to 280sqm (3,014sqft) and situation to maximize sunlight access (S. 3.3.2, 3.4.3);
  - (b) A minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each dwelling unit (S. 4.4.2);
  - (c) A multi-purpose indoor amenity space at least 37 sq. m (398 sq. ft.) with a wheelchair accessible washroom and kitchenette. Consider positioning this adjacent to the children's play area to enable parental supervision from the amenity room (S. 3.7.3); and
  - (d) A balcony for each unit with 1.8 by 2.7 m minimum dimensions (S. 4.3.2).

## **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 Planning, Urban Design and Sustainability (or successors in function), as necessary, and at the sole cost and expense of the owner, make arrangements for the following:

### **Engineering Services**

- 2.1 Consolidation of Lots 2, 3 and 4; all Except the West 7 Feet, Block 16, District Lot 394, Plan 2501 to create a single parcel.
- 2.2 Release of Easement and Indemnity Agreement 520832M (commercial crossing) 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.

Prior to building occupancy the applicant is to supply a written request to the City, a fresh title search and a copy of the documents along with executable discharge documents to affect the releases.

- 2.3 Provision of building setback and a statutory right of way (SRW) for public pedestrian use over a portion of the site, along Victoria Dr. to achieve a 5.5.m distance from the back of existing City curb to the building face. The SRW will be free of any encumbrance such as vents, structure, stairs, and planter walls at grade (and is to accommodate the underground parking structure within the SRW agreement)

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

- 2.4 Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the Rezoning Site (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights-of-way for the Services are provided. No Development Permit for the 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) Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by Vector Engineering Services Ltd. dated February 24, 2021, no water main upgrades are required to service the development.



Note to Applicant: The main servicing the proposed development is 150 mm along Victoria Dr, 300 mm along Victoria Drive or 200 mm along E 40th Ave. 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.

- (b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. Implementation of development at 5590 Victoria Dr requires the following in order to maintain acceptable combined sewer flow conditions:
  - (i) Developer shall install backflow preventers on SAN and STM service connections.
  - (ii) 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.
  - (iii) Development to be serviced to the existing 600 mm COMB sewers in L/E of Victoria Dr.

**Note to Applicant:** Developer to submit a Hydrogeological Study, according to Groundwater Bulletin, to be reviewed and accepted by a City Engineer.

- (c) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and Illuminating Engineering Society of North America (IESNA) recommendations;

**Note to Applicant:** Provision of a lighting simulation is required for all lighting upgrades.

- (d) Provision of new or replacement duct bank adjacent to the development site 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.
- (e) Confirmation that any relocated/removed wood poles in the lane, adjacent the site, will not impact existing lane lighting. Should any relocated pole impact existing lane lighting then upgrading or new lane lighting that includes underground conduit to current standard will be required.

**Notes to Applicant:** The detailed Electrical Design will be required prior to the start of any associated electrical work to the satisfaction of the General Manager of Engineering Services, and, in conformance with current COV Engineering

Design Manual, Construction Specifications, Standard Detail Drawing, Canadian Electrical Code and the Master Municipal Construction Documents.

- (f) Provision of street improvements along Victoria Dr adjacent to the site and appropriate transitions including the following:
  - (i) Minimum 1.22m (4') wide front boulevard with street trees where space permits;
  - (ii) Minimum 3.05m (10') wide broom finish saw-cut concrete sidewalk;
  - (iii) Standard City surface treatments for all sidewalks and hardscape boulevards on City of Vancouver dedicated property and SRW.
- (g) Provision of street improvements along East 40th Ave adjacent to the site and appropriate transitions including the following:
  - (i) Front boulevard with infill street trees where space permits;
  - (ii) Broom finish saw-cut concrete sidewalk from the edge of the front boulevard to the property line;
  - (iii) Removal of the existing driveway crossing and reconstruction of the boulevard, sidewalk, and curb to current standards.
- (h) Provision of a new standard concrete pedestrian lane crossing, new curb returns and curb ramps at the existing lane crossing on East 40th Avenue adjacent to the site.
- (i) Provision of the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
- (j) Provision of \$8,000 to construct speed humps in the lane east of Victoria Dr between East 39th Ave and East 40th Ave.
- (k) Mill and regrade laneway to centerline, adjacent the development site, to accommodate City supplied building grades.
- (l) Provision of improvements at the intersection of Victoria Dr and E 40th Ave including:
  - (i) Upgrades to the existing traffic signal to an accessible pedestrian signals (APS),
  - (ii) Lighting upgrades to the entire intersection to current City standards and IESNA recommendations;

**Note to Applicant:** Provision of a lighting simulation is required for all lighting upgrades.

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

- (a) Upgrades to existing traffic signal as per condition 2.4(l)i; and
- (b) Lighting upgrade as per condition 2.4(l)ii;

**Note to Applicant:** The benefitting area for these works is under review.

**Note to Applicant:** An administrative recovery charge will be required from the Applicant in order to settle the latecomer agreement. The amount, which will be commensurate with the costs incurred by the City to administer the latecomer scheme, will be provided by the City and specified in the latecomer agreement.

- 2.6 Provision of all third party utility services (e.g., BC Hydro, Telus and Shaw) to be underground. BC Hydro service to the site shall be primary.

BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be located on private property with no reliance on public property for placement of these features. Submission of a written confirmation from BC Hydro that all these items will be located on the development property.

For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at [umb@vancouver.ca](mailto:umb@vancouver.ca)

## **Sustainability**

- 2.7 The applicant will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services, that requires the 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.

## **Housing**

- 2.8 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and Section 219 Covenant securing all residential units as secured rental housing units, excluding Seniors Supportive or Assisted Housing, for the longer of 60 years and life of the building, subject to the following additional conditions:

- (a) A no separate-sales covenant.
- (b) A no stratification covenant.
- (c) That none of such units will be rented for less than one month at a time.

- (d) A requirement that not less than 30% of the rental housing units will be occupied only by households with incomes below the current applicable Housing Income Limits, as set out in the current "Housing Income Limits" table published by the British Columbia Housing Management Commission, or equivalent publication, and each rented at a rate no higher than 30% of the aggregate household income of the members of the household occupying such rental housing unit.
- (e) the owner will lease all of the residential units to a non-profit corporation, as approved by the General Manager of Planning, Urban Design and Sustainability, for a term that is the lesser of the term of the Housing Agreement and 99 years and the Housing Agreement will include a provision restricting the occupancy of the development until confirmation of such lease has been provided to the General Manager of Planning, Urban Design and Sustainability, to his or her satisfaction.
- (f) All proposed residential units will meet the definition of "for-profit affordable rental housing" in the Development Cost Levy By-law and accordingly, the average size of all residential units will not be greater than specified for for-profit affordable rental housing in the Development Cost Levy By-law, the average initial rents for all proposed residential units will not exceed rents specified for for-profit affordable rental housing in Section 3.1A(e) of the Development Cost Levy By-law. A rent roll would be provided indicating the agreed initial monthly rents for each rental unit, when the Housing Agreement is entered into, prior to Development Permit issuance and prior to DCL calculation during building permit. The rents will be subject to the requirements of (d), above.
- (g) Such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may in their sole discretion require.

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

## **Environmental Contamination**

2.9 If applicable:

- (a) Release Notice for zoning application approval must be issued by BC Ministry of Environment and Climate Change Strategy and provided to the City;
- (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 on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

### **Agreements**

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 sites 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.

\* \* \* \* \*

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

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

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

“[CD-1#] [By-law #] 5590 Victoria Drive”

**5590 Victoria Drive  
ADDITIONAL INFORMATION**

**1. PUBLIC CONSULTATION SUMMARY**

**List of Engagement Events, Notification, and Responses**

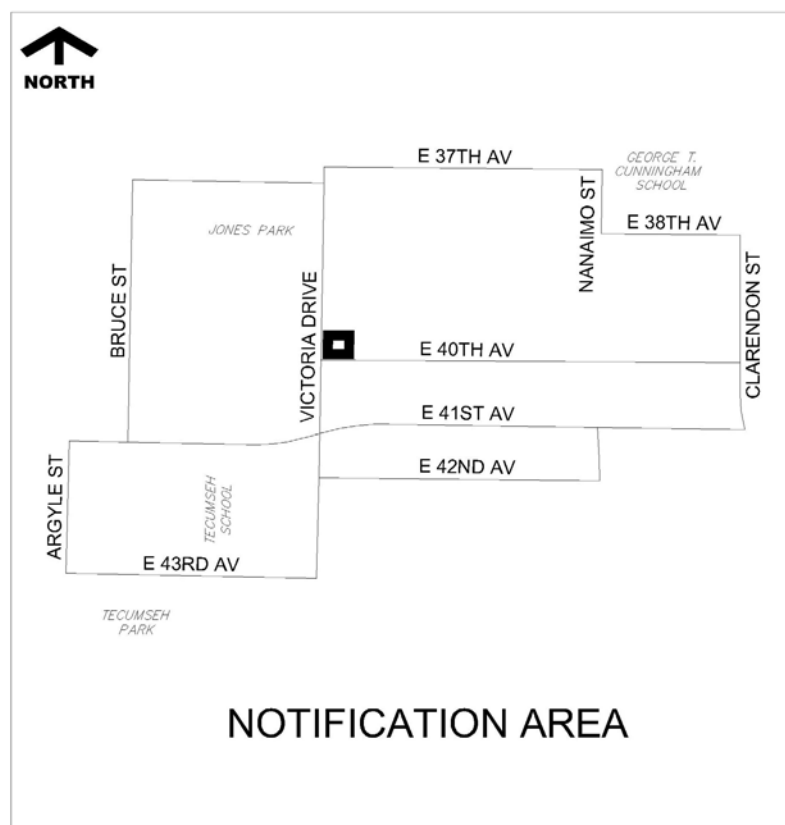
	Date	Results
<b>Event</b>		
Virtual open house (City-led)	March 29, 2021 to April 18, 2021	124 participants (aware)* <ul style="list-style-type: none"> <li>• 48 informed</li> <li>• 14 engaged</li> </ul>
<b>Public Notification</b>		
Postcard distribution – Notice of rezoning application and virtual open house	March 25, 2021	1,510 notices mailed
Postcard distribution – Notice of change in rezoning enabling policy and reopening of comment form	September 24, 2021	1,352 notices mailed
<b>Public Responses</b>		
Online questions	March 29, 2021 to April 18, 2021	2 submittals
Online comment forms <ul style="list-style-type: none"> <li>• Shape Your City platform</li> </ul>	March – April, 2021 & September – October, 2021	24 submittals
Overall position <ul style="list-style-type: none"> <li>• support</li> <li>• opposed</li> <li>• mixed</li> </ul>	March – April, 2021 & September – October, 2021	24 submittals <ul style="list-style-type: none"> <li>• 5 responses</li> <li>• 16 responses</li> <li>• 2 response</li> </ul>
Other input	March – April, 2021 September – October, 2021	4 submittals
<b>Online Engagement – Shape Your City Vancouver</b>		
Total participants during online engagement period	March – April, 2021 & September – October, 2021	392 participants (aware)* <ul style="list-style-type: none"> <li>• 146 informed</li> <li>• 25 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.

## Map of Notification Area



## Analysis of All Comments Received

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

Generally, comments of support fell within the following areas:

- **Social housing:** The provision of social housing is needed in this neighbourhood.
- **Building density:** The building density is appropriate since the site is located on an arterial, close to local amenities, and public transportation. Respondents also noted more height would be further supported due to the site's location.
- **Building design:** The building design is well thought out and responds well with the topography and the window placement creates a unique pattern for the overall look of the building.

Generally, comments of concern fell within the following areas:

- **Neighbourhood safety:** The project would negatively impact a family-friendly neighbourhood and cause further crime and safety issues for children and the local schools.
- **Overall non-support:** Overall non-support for the project.



- **Building density, height, and massing:** The proposed building height would be too tall. Respondents noted that it should be four-storeys. On the other hand, respondents noted that higher density could be achieved on this site.
- **Privacy, noise, and sunlight:** The building would impact the privacy of neighbours since there are no trees and fencing for the project. A respondent also noted that the project would block sunlight and construction noise will disturb neighbours and affect their mental well-being.
- **Amenities:** Not enough local amenities within the area to properly facilitate the increase in density
- **Local businesses:** Many local businesses would be forced to relocate due to this proposed project.

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

*General comments of support:*

- Appreciate that the project would provide ground-level retail space.
- Appreciate the window placement helps break up the mass of the building.

*General comments of concern:*

- There are already too many social housing buildings in the area.
- There is an insufficient number of parking space within the development and will result in parking spillage onto neighbouring side streets.
- The rental development would harm local homeowners who worked hard and chose to move into this neighbourhood.
- Appreciate the building design, but more colour could be included to give the building more vibrancy.
- The laneway could be improved as it does not feel very welcoming or vibrant.
- The proposed location for this project is not well thought out.
- The number of parking spaces could be reduced, and include rideshare vehicle parking spaces.
- The project received overall non-support.

*Neutral comments/suggestions/recommendations:*

- The simplicity of the building design should not require the Urban Design Panel review.

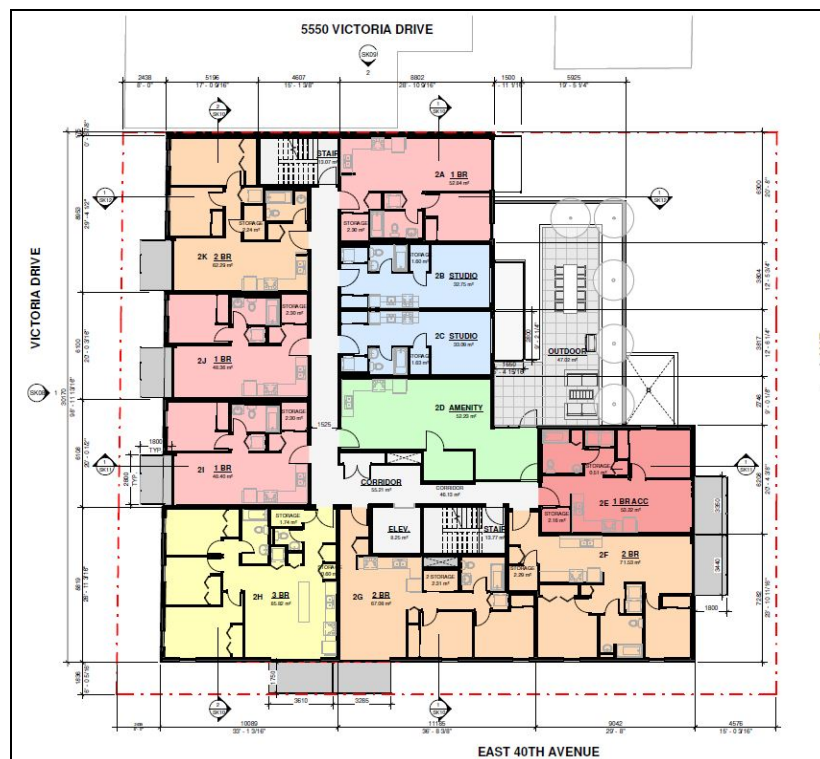
\* \* \* \* \*

## 5590 Victoria Drive FORM OF DEVELOPMENT DRAWINGS

### Site Plan and Level 1



### Levels 2 Floor Plan



Levels 3-6 Floor Plan



North Elevation



### South Elevation



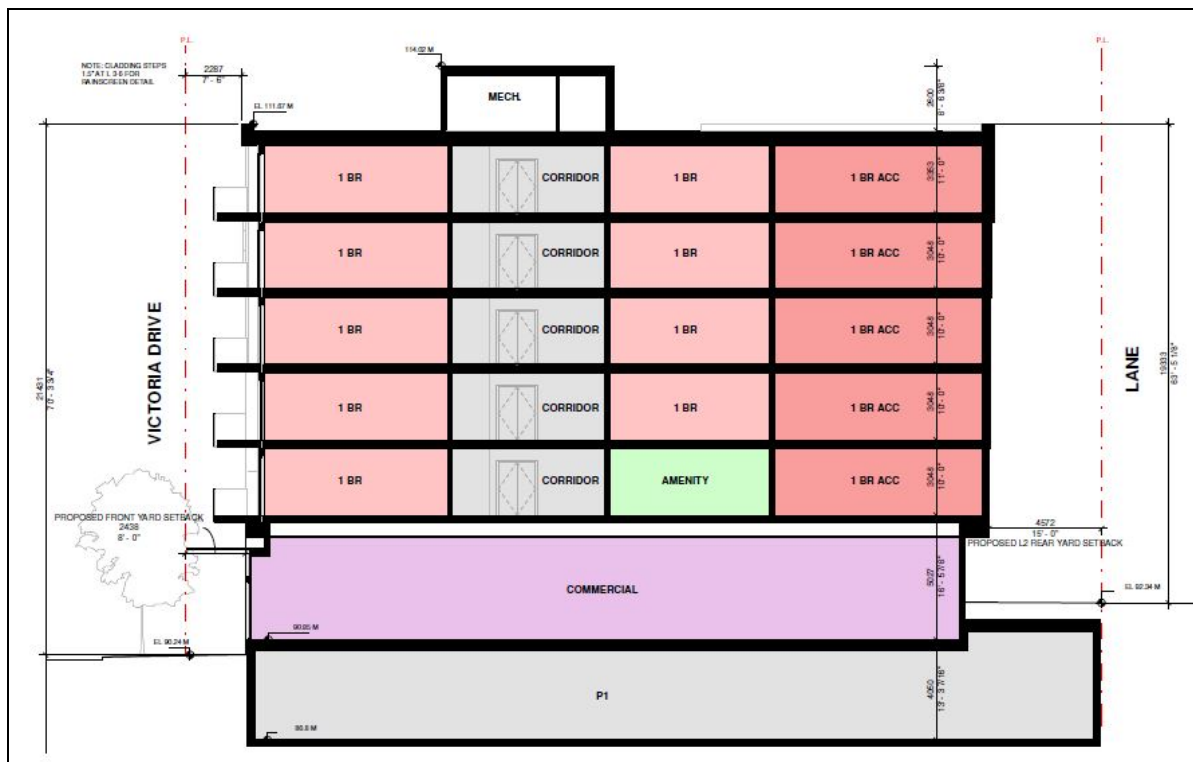
### West Elevation



## East Elevation



## Building Section



\*\*\*\*\*

**5590 Victoria Drive**  
**DEVELOPMENT COST LEVY WAIVER ANALYSIS**

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

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

<b>Unit Type</b>	<b>No. units proposed</b>	<b>DCL By-law maximum average unit size</b>	<b>Proposed average unit size</b>
Studio	10	42 sq. m. (450 sq. ft.)	32 - 33 sq. m. (344 - 355 sq. ft.)
1-bedroom	24	56 sq. m. (600 sq. ft.)	48 - 53 sq. m. (516 - 570 sq. ft.)
2-bedroom	15	77 sq. m. (830 sq. ft.)	62 - 72 sq. m. (667 - 775 sq. ft.)
3-bedroom	5	97 sq. m. (1,044 sq. ft.)	86 sq. m. (926 sq. ft.)

- (d) The average initial rents for all proposed rental housing units do not exceed rents specified in section 3.1A(d) of the DCL By-law. Due to this project's CAC exempt status, these rents will be set at the date the Prior-to letter is issued.

<b>Unit Type</b>	<b>No. units proposed</b>
Studio	10
1-bedroom	24
2-bedroom	15
3-bedroom	5

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

\* \* \* \* \*

**5590 Victoria Drive  
PUBLIC BENEFITS SUMMARY**

**Project Summary:**

Construct a six-storey mixed-used building with commercial uses at grade and residential above providing a total of 54 secured rental housing units.

**Public Benefit Summary:**

The proposal would provide 54 residential units, secured as secured rental housing for longer of 60 years and the life of the building.

	Current Zoning	Proposed Zoning
Zoning District	C-2	CD-1
FSR (site area = 1190.0 sq. m (12,809.1 sq. ft.))	2.5	3.49
Buildable Floor Space	2,975.0 sq. m. (32,023 sq. ft.)	4,157.5 sq. m (44,752 sq. ft.)
Land Use	Mixed Use	Mixed Use

**Summary of development contributions expected under proposed zoning**

City-Wide DCL <sup>1,2</sup>	\$105,960
City-Wide Utilities DCL <sup>1</sup>	\$420,221
<b>Total</b>	<b>\$526,181</b>

**Other benefits (non-quantified):** 54 units of secured rental housing, 30% of the units will be secured for residents with incomes below the BC HILs and each rented at rates no higher than 30% of the household's income, secured for the longer of 60 years and the life of the building.

<sup>1</sup> Based on DCL bylaws in effect as at September 30, 2021. DCL bylaws 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> The proposal is currently expected to be eligible for and the applicant has indicated that they plan to pursue a DCL waiver for the residential floor area as "for-profit affordable rental housing". Due to the project's CAC exempt status, the applicant has until the development permit process to decide whether to pursue the waiver. Based on the rates in effect as of September 30, 2021, the estimated value of the waiver for the proposed project is \$690,694.

\* \* \* \* \*



**5590 Victoria Drive**  
**APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

**APPLICANT INFORMATION**

<b>Architect</b>	HMCA Architecture and Design
<b>Developer</b>	Catalyst Community Developments
<b>Property Owner</b>	Registered Owner: 306517 British Columbia Ltd., Inc. No. 306517/Beneficial Owner: Vancouver City Savings Credit Union

**PROPERTY INFORMATION**

<b>Street Address</b>	<b>Property Identifier (PID)</b>	<b>Legal Description</b>
5590 Victoria Drive	007-071-876	Lot 2 Except the West 7 Feet Now Road, Block 16, District Lot 394 Plan 2501
5590 Victoria Drive	007-072-007	Lot 3 Except the West 7 Feet, Block 16, District Lot 394 Plan 2501
5590 Victoria Drive	007-071-931	Lot 4 Except the West 7 Feet, Block 16 Now Road, District Lot 394 Plan 2501

**SITE STATISTICS**

<b>Site Area</b>	1190.0 sq. m (12,809 sq. ft.)
------------------	-------------------------------

**DEVELOPMENT STATISTICS**

	<b>Permitted Under Existing Zoning</b>	<b>Proposed</b>	<b>Recommended</b>
<b>Zoning</b>	C-2	CD-1	--
<b>Uses</b>	Mixed Use	Mixed Use	--
<b>Floor Space Ratio (FSR)</b>	2.5 FSR	3.36 FSR	3.49 FSR
<b>Floor Area</b>	2,975.0 sq. m. (32,023 sq. ft.)	3,995.9 sq. m. (43,012 sq. ft.)	4,157.5 sq. m. (44,752 sq. ft.)
<b>Maximum Height</b>	13.8 m (45.3 ft.)	22.25 m (73 ft.)	--
<b>Unit Mix</b>	N/A	Studio: 10 (19 %) One-Bedroom: 24 (44 %) Two-Bedroom: 15 (28 %) Three-Bedroom 5 (9 %) <b>Total Units: 54</b>	--
<b>Parking Spaces</b>	Per Parking By-law	Per Parking By-law (TDM Plan)	--
<b>Bicycle Spaces</b>	Per Parking By-law	Per Parking By-law (TDM Plan)	--
<b>Natural Assets</b>	On-site trees: 0 City-owned street trees: 1 Total: 1 trees	Removal: 0 trees Retention: 1 City-owned trees New Trees: 7 on-site trees plus new off-site trees confirmed at the Development Permit stage	--

\* \* \* \* \*