



REFERRAL REPORT

Report Date: November 2, 2021
Contact: Yardley McNeill
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RTS No.: 14732
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: 8804 Osler Street

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 DA Architects + Planners on behalf of Osler Holdings Ltd., the registered owner of the lands located at 8804 Osler Street [*PID 006-626-157; Lot F of Lot 13 Block C District Lots 319, 323 and 324 Plan 20428*], to rezone the lands from MC-1 (Industrial) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 2.50 to 3.05 and the building height from 13.8 m (45 ft.) to 24.8 m (81 ft.), to permit a six-storey mixed-use development with ground-floor commercial and 38 strata-titled residential units, 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 DA Architects + Planners, received on February 18, 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 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.
- C. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule A, 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.

- D. THAT Recommendations A to C 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; 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 8804 Osler Street from MC-1 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building, with ground-floor commercial and 38 strata-titled residential units. A floor space ratio (FSR) of 3.05 FSR and a height of 24.8 m (81 ft.) are proposed.

This application has been assessed and the proposed uses and form of development are generally consistent with the *Marpole Community Plan*, with additional floor area for retail continuity and commercial uses on the ground floor. Staff recommend that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it in principle, subject to the Public Hearing, and conditions contained in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council policies for this site include:

- *Marpole Community Plan (2014, last amended 2020)*
- *Family Room: Housing Mix Policy for Rezoning Projects (2016)*
- *High-Density Housing for Families with Children Guidelines (1992)*
- *Green Buildings Policy for Rezoning (2010, last amended 2020)*
- *Community Amenity Contributions Policy for Rezoning (1999, last amended 2021)*
- *Vancouver Development Cost Levy By-law No. 9755*
- *Vancouver Utilities Development Cost Levy By-law No. 12183*
- *Urban Forest Strategy (2014)*

REPORT

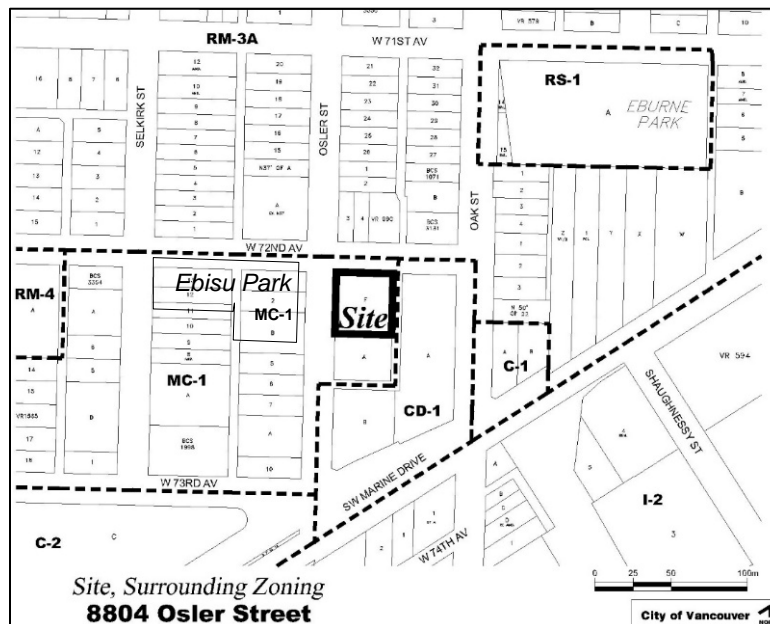
Background/Context

1. Site and Context

The subject site is located on the southeast corner of Osler Street and 72nd Avenue. The frontage is 40 m (132 ft.) along Osler Street and 37 m (122 ft.) along 72nd Avenue (see Figure 1). Zoned MC-1 (Industrial) District, the site area is approximately 1,499.8 sq. m (16,143 sq. ft.) and is developed with a two-storey commercial building and surface parking lot. There are no residential tenants onsite.

Sites to the west are developed with low-rise commercial and light industrial buildings, surface parking lots, and the Coast Vancouver Hotel under MC-1 and CD-1 zoning. To the north, the lands are zoned RM-3A, which allow for multi-family dwellings.

Figure 1: Surrounding Zoning and Context



Neighbourhood Amenities – The following neighbourhood amenities are within the vicinity:

- **Public Parks** – Ebisu Park is directly across Osler Street to the west and Eburne Park is located 400 m to the northeast across Oak Street.
- **Cultural/Community Spaces** – The Marpole-Oakridge Community Centre and Marpole Neighbourhood House are located 1,500m and 550 m to the north respectively; the Marpole Oakridge Family Place is located 1,400 m to the east; and the Marpole branch of the Vancouver Public Library is located on Granville Street 1,100 m to the west.

Local School Capacity – The site is located within the catchment area of David Lloyd George Elementary School at 8370 Cartier Street and Sir Winston Churchill Secondary School at 7055 Heather Street. According to the Vancouver School Board (VSB)'s *2020 Long Range Facilities Plan* from January 25, 2021, David Lloyd George Elementary will be operating above capacity in the coming years, with a capacity utilization at 103% by 2029. By 2029, Sir Winston Churchill Secondary will also be operating above capacity, with a capacity utilization at 102%.

The City coordinates with the VSB to inform decision-making and reduce enrolment pressure, recognizing that some schools are full, but there is overall surplus capacity within their system. The VSB continues to monitor development and work with City staff to help plan for future growth.

2. Policy Context

Marpole Community Plan (the “Plan”) – The rezoning site is located within the Hudson sub-area of the *Plan*. The *Plan* envisions that Upper Hudson will retain its established single-family and duplex character while Lower Hudson will be strengthened as a walkable residential area. The policy also focuses on protecting the existing stock of affordable rental housing and supporting the ‘working village’ feel by retaining a mix of uses. The commercial and cultural area south of 72nd Avenue will accommodate growth and encourage the retention and expansion of the unique businesses and facilities.

The site is located within subsection 6.2.4 of the *Plan*, which supports mixed-use buildings with a density of up to 2.50 FSR and up to six storeys in height. A mix of commercial uses, which may include retail, service, and community serving uses, are required at ground level and residential uses are permitted on the upper floors.

Strategic Analysis

1. Proposal

The proposal seeks to rezone the site from MC-1 to CD-1 to permit the development of a six-storey, mixed-use building with ground floor commercial and 38 strata-titled residential units (see Figure 2). The proposed density is 3.05 FSR and the building height is 24.8 m (81 ft.). A shared indoor and outdoor amenity is located on level two and another shared outdoor amenity is located on level five. Private patios are located on the rooftop. There are two levels of underground parking with access provided from the lane.

Figure 2: Aerial view from the northwest

2. Land Use

The proposed mix of commercial and residential uses is consistent with the *Plan* that anticipates mixed-use developments in this area.

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

In assessing urban design performance, staff consider the built-form guidance within the *Plan* for mixed-use buildings within the Hudson sub-area.

Form of Development – The *Plan* recommends a six-storey building with upper storey setbacks to minimise the building's prominence and reduce shadow impacts. The policy stipulates that upper storeys should not exceed 65% of the width of the building base along Osler Street. This provision seeks to further reduce a building's appearance and to emphasize a four-storey street wall for the primary shopping street. The proposed six-storey building with upper storey setbacks is consistent with the built form direction in the *Plan*.

In six-storey mixed-use areas, the goal is to have a continuous street wall with commercial units at the ground floor. It is expected that new development will occur incrementally resulting in temporary blank walls, such as on the south side of this building. The interim treatment of these walls are important to the quality of the streetscape. Staff have included conditions of rezoning to ensure blank walls are treated with architectural detailing to soften their visual impact on the street and for views from adjacent properties.

The *Plan* further recommends that commercial storefronts should reinforce the scale of the shopping street. As such, the width of individual storefronts should be between 4.6 m (15 ft.) to 12.2 m (40 ft.). The proposed storefronts are consistent with this direction. On sloping sites, the establishment of commercial floor levels also requires careful consideration to respond to the slope. Staff have included conditions of development to ensure the commercial units are accessible to the entrances that are level with the adjacent sidewalk.

A large amenity space and separate indoor fitness room is provided on Level 2 with generous associated outdoor space including a children's play area. A large south-facing deck with garden plots are proposed on Level 5, while private outdoor terraces are located at the roof level. All units have private outdoor balcony space.

Figure 3: Perspective from Northwest Corner



Height – The height of the proposed six-storey mixed-use building aligns with the expectations of the *Plan*. The building height of 21.4 m (70 ft.) to the top of the roof deck and 24.8 m (81 ft.) to permit the rooftop mechanical space and access is supported. To optimize retail viability and enable a variety of commercial uses, the proposed height of the ground floor commercial space is consistent with recommendations within the *Plan* of 4.6 m (15 ft.) to 5.5 m (18 ft.), corresponding to the slope in grade along Osler Street. The residential floors have a standard floor-to-floor height of 3.0 m (10 ft.), which is supported.

Density – The *Plan* recommends a density of 2.50 FSR for this site and the development proposes a density of 3.05 FSR. Staff support this modest increase in additional density, noting that it is driven by the form of development requirements for mixed-use buildings. The density supports the provision of additional floor space on the ground floor to accommodate the needs of commercial units, including “back-of-house” service spaces.

Additionally, mixed-use buildings are required to be located to the property line, without setbacks at grade, to enclose and frame the commercial uses along the street. The additional density will enable the building to wrap around the corner with commercial units that extend along both street frontages. In this manner, the additional density supports the provision of a mixed-use building to anchor and strengthen the character of the Hudson shopping node, while providing more retail and service spaces for the neighbourhood.

Shadowing – The *Plan* recommends a shadow analysis to consider impacts to public spaces, such as parks or community gathering sites. The shadow studies, submitted as part of the rezoning application, confirm that the proposed building will not shadow Ebisu Park to the west of the site during the spring and fall equinoxes (see Appendix E).

Public Realm – The *Plan* identifies 72nd Avenue as a new and improved walking and cycling route. As such, a significant setback has been provided along this frontage allowing for public

realm improvements including wider sidewalks, seating, and bicycle racks. Staff have prepared a condition to enhance the public realm at the corner, to improve the relationship between pedestrians and the commercial units, and to provide additional landscaping facing Ebisu Park.

Urban Design Panel – The Urban Design Panel reviewed and supported this application with recommendations. These recommendations were to improve the commercial units, the exterior materials, and design of the building's relationship to Ebisu Park (Appendix D). Staff have included conditions of rezoning to address the commentary of the Panel.

Staff conclude that the proposal complies with the density, height, and built form directions within the *Plan*, and is appropriate for the context. Urban design conditions are detailed in Appendix B.

4. Housing

Housing Mix – For strata residential development, the *Family Room: Housing Mix Policy for Rezoning Projects* requires that at least 35% of all units are suitable for families. This includes a minimum 25% at two bedrooms and a minimum of 10% to be three or more bedrooms. The proposed unit mix of 42% one-bedroom units, 37% two-bedroom units, and 21% three-bedroom units are consistent with the family housing mix policy.

Existing Tenants – The site is currently zoned MC-1 and built with a two-storey commercial building. As there are no residential tenants on site, the *Tenant Relocation and Protection Policy* does not apply.

5. Transportation and Parking

The site is well served by transit, located within a block from Marine Drive, a major arterial with regular bus service.

Vehicle and bicycle parking is provided over two underground levels, accessed from the lane. The application proposes 62 vehicle parking spaces, 88 Class A and 4 Class B bicycle spaces. One commercial loading space is also proposed. Parking and loading is to meet the requirements of the Parking By-law. Engineering conditions are set out in Appendix B to address parking requirements.

6. Environmental Sustainability and Natural Assets

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

This application is pursuing the low emissions green building requirements. The low emissions pathway represents City priority outcomes, establishes limits on heat loss, energy use, greenhouse gases for more efficient, healthy and comfortable homes and workplaces. The applicant has submitted preliminary energy modelling, detailing building performance strategies to meet the new energy use intensity, greenhouse gas and thermal demand targets.

Natural Assets – The *Urban Forest Strategy* helps to preserve, protect and strengthen Vancouver's urban forest and tree canopy. The Protection of Trees By-law aims to maintain a healthy urban forest by requiring permission 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 area.

Six City street trees are associated with this development, which will be retained and protected. There are no on-site trees. See Appendix B for landscape and tree conditions.

7. Public Input

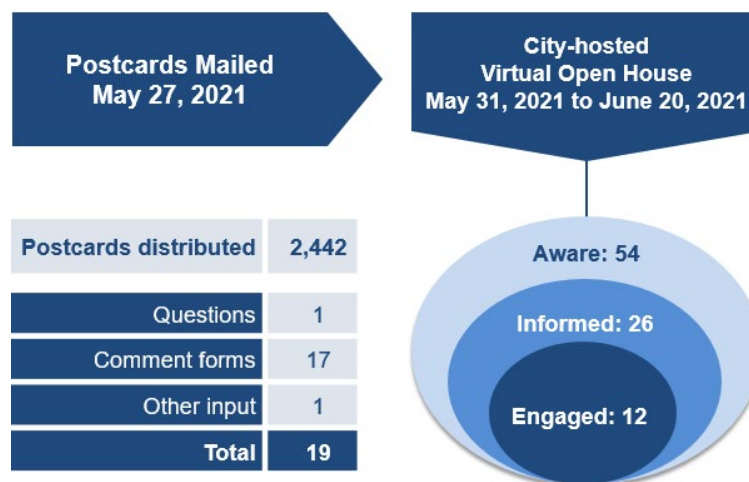
Public Notification – A rezoning information sign was installed on the site on April 26, 2021. Approximately 2,442 notification postcards were distributed within the neighbouring area on or about May 27, 2021. Notification, application information, and an online comment form were provided on the City’s digital engagement platform *Shape Your City Vancouver*.

Virtual Open House – A virtual open house was held from May 31 to June 20, 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 and a digital model representation were posted for online viewing.

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

Public Response and Comments – Public input was received through online questions and comment forms, and by email and phone. A total of 19 submissions was received. A summary of all public responses are detailed in Figure 4 and Appendix D.

Figure 4: Overview of Notification and Engagement



Below is a summary of feedback received from the public by topic and ordered by frequency. Generally, comments of support fell within the following areas:

- Building height, massing, density and context:** The height, massing, density and context is appropriate for this area. The development is a welcome addition to the neighbourhood, as it will not cause any unnecessary displacement due to the lot being an existing parking lot. The project is also well-served by three major bus routes and in relatively close proximity to the Marine Drive Canada Line Skytrain station.

- **Building design:** The building's colour palette and the wooden balcony elements create a warmth to the building's visual aesthetics.
- **Retail space:** The new retail and commercial space will better serve the community.
- **Family housing:** The inclusion of three-bedroom family oriented units will help give families a chance to stay in Vancouver without being forced to relocate.

Generally, comments of concern fell within the following areas:

- **Building height, massing, density and context:** The density and height are not appropriate for this part of Marpole as it will obstruct views and create shadowing for neighbouring properties and the park.
- **Affordability:** Concern over the affordability of the units.
- **Parking:** Insufficient parking proposed to accommodate residents and customers of the commercial space. Spillage of cars onto smaller side streets are a concern.
- **Traffic and noise:** Increased local traffic and noise due to the development of this project is a concern for residents in the immediate area.

Response to Public Comments – Staff note that the proposal complies with the land uses in the *Plan*. The building height and density of 3.05 FSR is supportable given the proposal's response to the form of development requirements in the *Plan*. The proposal is not expected to cause additional shadows onto public spaces during the spring and fall equinoxes. Parking is to be provided per the Parking By-law. Given the use and scale of development, the transportation improvements, and the proximity to transit and cycling, the proposal is not expected to substantially impact existing road network operations. Improvements to the intersection lighting at 72nd Avenue and Osler Street is required as a condition of rezoning.

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.

Based on the DCL bylaws in effect as of September 30, 2021 and the proposed 41,803 sq. ft. of residential and 7,374 sq. ft. of commercial floor area, \$1,338,667 of DCLs would be expected from this development.

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 on-site amenities and/or a cash contribution and take into consideration community needs, area deficiencies and the impact of the proposed development on City services.

The application is subject to the *Community Amenity Contributions Policy for Rezonings* with CACs based on negotiations. The applicant has offered a cash CAC of \$500,000. Real Estate Services staff have reviewed the applicant's proforma and concluded that the total CAC value offered by the applicant is appropriate. Staff recommend that the offer be accepted and that the amount be allocated to support delivery of the *Marpole Public Benefits Strategy*.

Marpole Public Benefits Strategy (PBS) – The PBS identifies public benefits and infrastructure to support growth in the area, including short- and long-term priorities in and around the area. To monitor and track progress towards the achievement of community amenities in accordance with the *Marpole Community Plan*, a summary the priority projects delivered by public benefits and progress to date is provided in Appendix F.

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 proposed development will pay \$1,338,667 of DCLs.

The applicant has offered a cash CAC of \$500,000 to be allocated towards the *Marpole Public Benefit Strategy*. No public art contribution is expected from this rezoning.

Approval and timing of specific projects will be brought forward to Council as part of the Capital Plan and Budget processes.

CONCLUSION

Staff review of the application has concluded that the proposed land use, density, housing mix, form of development and public benefits are consistent with the intent of the *Marpole Community Plan*. The proposed form of development represents an appropriate urban design response to the site and context.

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

* * * * *

**8804 Osler Street
PROPOSED CD-1 BY-LAW PROVISIONS**

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

Zoning District Plan Amendment

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

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

Designation of CD-1 District

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

Uses

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

Conditions of Use

- 4.1 The design and layout of at least 35% of the total number of dwelling units must:
- (a) be suitable for family housing; and
 - (b) include two or more bedrooms, of which:
 - (i) at least 25% of the total dwelling units must be two-bedroom units; and
 - (ii) at least 10% of the total dwelling units must be three-bedroom units.
- 4.2 No portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width may be used for residential purposes except for entrances to the residential portion.
- 4.3 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building except for:
- (a) Farmers' Market;
 - (b) Neighbourhood Public House;
 - (c) Public Bike Share;
 - (d) Restaurant; and
 - (e) Display of flowers, plants, fruits and vegetables in conjunction with a permitted use.
- 4.4 The Director of Planning may vary the use conditions of section 4.3 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this By-law.

Floor Area and Density

- 5.1 Computation of floor area must assume that the site area is 1,499.8 m², 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 3.05.
- 5.3 The total floor area for commercial uses must be a minimum of 685 m².
- 5.4 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 5.5 Computation of floor area must exclude:

- (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:
 - (i) the total area of these exclusions must not exceed 12% of the floor area being provided for dwelling uses and 8% of the floor area being provided for all other uses; and
 - (ii) the balconies must not be enclosed for the life of the building;
 - (b) patios and roof decks, if the Director of Planning first approves the design of sunroofs and walls;
 - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length; and
 - (d) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.
- 5.6 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board, amenity areas accessory to a residential use, to a maximum of 10% of the total floor area being provided for dwelling uses.

Building Height

- 6.1 Building height, measured from base surface, must not exceed 21.4 m.
- 6.2 Despite section 6.1 of this By-law and section 10.18 of the Zoning and Development By-law, the height of the portion of the building used for the rooftop mechanical room must not exceed 24.8 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 m².

Acoustics

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

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

* * * * *

8804 Osler Street
CONDITIONS OF APPROVAL

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

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Consideration by Council at the public hearing of the proposed form of development is in reference to plans prepared by DA Architects + Planners, received February 18, 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 enhance the public realm interface and improve the pedestrian experience as follows:

- (a) Commercial floor levels and entrances should be consistent with the sidewalk grades to facilitate pedestrian access, strengthen connections with the public realm, and address the site slope conditions.

Note to Applicant: This may require stepping the floor slab of CRU 1 to create an at-grade relationship to the sidewalk. Reconsider the proposed colonnade along Osler Street, which duplicates circulation space and distances commercial units and entries from pedestrians.

- (b) Provide continuous weather protection along the full width of building frontage.

Note to Applicant: Weather protection should be appropriate to a pedestrian scale, with a depth of 1.8 m-2.4 m (6-8 ft.) and height of 3.0 m-3.7 m (10-12 ft.) above the sidewalk level.

- (c) Minimize and mitigate blank wall conditions.

Note to Applicant: This is of particular concern at the west elevator core, the southwest corner of CRU 1, and at the concrete wall surfaces at the lane and south elevation. Surfaces can be mitigated using texture and landscaping. The exposed party wall facing south may be highly visible for a significant duration of time and should be treated as an integral element of building design. Concrete control joints or panel reveals should be in a visually appealing and well resolved pattern.

- 1.2 Design development to ensure high quality architectural design, durability and longevity, in subsequent phases of development as follows:

- (a) Explore material choices that reflect the neighbourhood character.

Note to Applicant: High quality materials such as the proposed brick should be retained. Consider the introduction of more warm and wood tones for a neighbourhood-friendly expression, which could also serve as visual reference to Ebisu Park.

- (b) Provide an enhanced architectural treatment at the corner of Osler Street and 72nd Avenue.

Note to Applicant: The corner presents an opportunity for a unique expression reinforced by materials, canopies, etc. This can be emphasized with open space at grade, seating, and landscaping with reference to Ebisu Park.

- (c) Further delineate the residential entrance lobby to enhance its legibility and presence on the street.

Note to Applicant: This can be achieved through provision of a distinctive canopy, feature lighting, and landscaping.

- 1.3 Design development to ensure the livability of the amenity spaces through subsequent phases of development.

Note to Applicant: Quality and programming of the proposed amenity spaces, including landscaping, gathering areas, children's play space, and garden plots, are a significant benefit to the project and should be maintained through the subsequent phases of design.

- 1.4 Design development to provide a green roof as outlined in the *Roof-Mounted Energy Technology and Green Roofs* administrative bulletin.

Note to Applicant: Architectural and landscape plans should identify the type of green roof proposed including the percentage. Refer to:

<https://bylaws.vancouver.ca/bulletin/bulletin-roof-mounted-energy-technologies-and-green-roofs.pdf>.

- 1.5 Identification on the architectural 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)

- 1.6 Design development to respond to CPTED principles, having particular regard for:

- (a) Theft in underground parking;
- (b) Visibility at doors, lobbies stairs and other access routes;
- (c) Encouraging natural visual surveillance;
- (d) Site lighting developed with considerations for safety and security; and
- (e) Reduced opportunities for graffiti.

Sustainability

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

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

Landscape Design

- 1.8 Design development to enhance the public realm treatment with the following:

- (a) Provide substantially more landscape features such as lighting and planting, to accent and soften the residential entry on the east corner of 72nd Avenue and Osler Street.
- (b) Improve the definition and articulation of the entrance by providing high-quality paving materials and finishes within the property line.

Note to Applicant: Different patterns, shades and finishes of paving materials, as well as banding, is supported to enhance visual interest.

- (c) Improving the relationship to Ebisu Park on the west corner of 72nd Avenue and Osler Street.

- 1.9 Design development to the children's play area to improve barrier free access by:

- (a) Eliminating the high raised planters, or
- (b) Reducing the height of the raised planters by suspending the slab.

- 1.10 Design development to the landscape treatment to increase the volume of soil, tree canopy cover and planting on slab, by lowering the slab for tree planting on the main level to the greatest extent possible, rather than raised planters.

Note to Applicant: Wherever possible, planted landscapes on slab should be designed to maximize soil depths. This will require integration of the landscape design and the structural plan. Soil depths should exceed BCLNA Landscape Standard. At the perimeter

of the building, the slab can be angled downward (1.0 m (3.3 ft.) across and 1.2 m (3.9 ft.) down) to maximize contiguous soil volumes.

- 1.11 Design development to improve the sustainability strategy, by the following:
- (a) Confirm or explore the provision of intensive or extensive green roofs on all available flat roof tops, with sections and depth of soil dimensions (See also Urban Design Condition 1.4);
 - (b) Provide high quality materials to all landscape areas for durability into the future;
 - (c) Add substantially more landscape around all common entry areas, to accent and soften them;
 - (d) 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
 - (e) Add edible plants, which can be used as ornamentals as part of the landscape design.
- 1.12 Design development to the Integrated Rainwater Management Strategy to explore opportunities for onsite rain water infiltration and soil absorption, as follows:
- (a) Maximize natural landscape best management practices;
 - (b) Minimize the necessity for hidden mechanical water storage;
 - (c) Increase the amount of planting to the rooftop areas, where possible;
 - (d) Use permeable paving;
 - (e) Employ treatment chain systems (gravity fed, wherever possible); and
 - (f) Use grading methods to direct water to soil and storage areas.

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

- 1.13 Provision of plans, plan details and documentation/calculations that support integrated rainwater management, including absorbent landscapes, soil volumes and detention systems, as follows:
- (a) Detailed storm water report with calculations describing how the various best management practices contribute to the quality and quantity targets;
 - (b) A separate soil volume overlay plan with schematic grading indicating intent to direct rainwater to infiltration zones; and

- (c) An overlay plan that shows amount and ratio of vegetative cover (green roof), permeable/impermeable hardscaping and notations describing the storage location of rainwater falling on each surface, including roofs.

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

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

Note to Applicant: The plans should be at 1/8 inch: 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", coordinated with arborist report to show:

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

- 1.17 Provision of site sections specifically in relation to proposed trees over slab structure to confirm adequate depth of soil is provided for trees.

Note to Applicant: Medium size trees should receive a minimum of 0.8 m (2.5 ft.) to 0.9 m (3 ft.) depth of soil (not including drainage layer), depending on ultimate tree size, for sustainable growth and health. The section should show tree rootball and depth dimension.

- 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 Services (Streets Design Branch) at 604-871-6131 to confirm tree planting locations and Park Board at 3-1-1 for tree species selection and

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

- 1.19 Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 9.3 sq. m (100 sq. ft.).

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

- 1.20 Provision of an outdoor lighting plan.

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

- 1.21 Provision on landscape drawings of landscape features intended to create bird friendly design (see design condition 1.4).

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>.

Engineering

- 1.22 All archaeological sites, whether on Provincial Crown or private land (including land under water) that are known or suspected to predate AD 1846, are automatically protected under the Heritage Conservation Act (HCA) (S.13). Certain sites, including human burials and rock art sites with heritage value, are automatically protected regardless of their age. Shipwrecks and plane wrecks greater than two years of age are also protected under the HCA. The HCA does not distinguish between those archaeological sites which are "intact," (i.e. those sites which are in a pristine, or undisturbed state) and those which are "disturbed" (i.e. those sites which have been subject to alteration, permitted or otherwise). All archaeological sites, regardless of condition, are protected by the HCA, as described above. HCA-protected archaeological sites or objects cannot be disturbed or altered without a permit issued by the Archaeology Branch (Ministry of Forests, Lands Natural Resource Operations and Rural Development). It is the developer's responsibility to exercise due diligence to avoid damage to any unrecorded archaeological sites, which are still protected under the HCA.
- 1.23 Water Sustainability Act: Construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or License. Applications for provincial Approvals or Licenses can be completed online. The application will be received and accepted into the province's online system, and the provincial authorizations team strives for 140 days to get the approval to the applicant. The

approval holder must be able to produce their approval on site so that it may be shown to a government official upon request. Dewatering before this approval is granted is not in compliance with the provincial Water Sustainability Act. Provide a letter confirming acknowledgement of the condition.

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

- 1.24 Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right-of-way.
- 1.25 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.
- 1.26 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- 1.27 Gates/doors are not to swing more than 0.3 m (1 ft.) over the property lines or into the statutory right of way (SRW) area.
- 1.28 Design development to improve access and design of bicycle parking and comply with the Bicycle Parking Design Supplement.
 - (a) Provision of an alcove for the bike room access off the vehicle parking ramp and maneuvering aisle.
 - (b) Provision of minimum 5% oversized Class A bicycle parking spaces.
 - (c) Provision of commercial Class A bicycles in a separate secure room from the residential Class A bicycle room.
- 1.29 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.

Note to Applicant: CRU 1 and CRU 2 show that stairs are required for loading access.

- 1.30 Design development to improve the parkade layout and access design to comply with the Parking and Loading Design Supplement, including:
- (a) Improvements of column encroachments, setbacks and parking space widths.

Note to Applicant: There is currently a column encroaching into commercial space 13. Column encroachments are not permitted in single module stalls 2.3 m (7.5 ft.) of vertical clearance is required for access and maneuvering to all disability spaces.
 - (b) Vertical clearance of overhead projections into vehicle parking spaces must not be less than 1.2 m (4 ft.) and projection into the space must not be more than 1.2 m (4 ft.).

Note to Applicant: Overhead projections into disability spaces are not permitted. Visitor space 8 and 9 must have at least 2.0 m (6.6 ft.) vertical clearance to the electrical risers above.
- 1.31 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) Dimensions 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. Stair ramps are not generally acceptable.
 - (m) Existing street furniture including bus stops, benches etc. to be shown on plans.
 - (n) The location of all poles and guy wires to be shown on the site plan.
- 1.32 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>.
 - (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.
- 1.33 When submitting Landscape plans, please place the following statement on the landscape plan: *This plan is "NOT FOR CONSTRUCTION" and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Engineering, Development Services and/or your Engineering, Building Site Inspector for details.*
- 1.34 Provide landscape drawings for proposed offsite works. Include all standard tree notes.
- 1.35 Show all City supplied building grades on architectural and landscape plans. To minimize grade differences, interpolate a continuous building grade between the elevations provided on the City supplied building grades plan.

Green Infrastructure

- 1.36 Provision of a draft final Rainwater Management Plan (RWMP) which includes the following:
- (a) Provide post-development site plan(s) that includes the following:
 - (ii) building location/footprint;

- (iii) underground parking extent;
 - (iv) proposed service connections to the municipal sewer system;
 - (v) location and labels for all proposed rainwater management practices;
 - (vi) area measurements for all the different land use surface types within the site limits; and
 - (vii) delineated catchments to demonstrate rainwater management practices are appropriately sized.
- (b) Provide summary of all the catchment areas in a tabular form, including the required capture and treatment, any direct capture and treatment achieved from adjacent surfaces, and storage capacities for that catchment. Catchments must be shown in a proposed site plan drawing or figure as part of the Preliminary Rainwater Management Plan Report.
- (c) Provide additional Tier 1 and Tier 2 measures wherever feasible. The proposed rainwater management strategy only includes 16% capture by Tier 1 and 2 practices but the City requires prioritization of the Tiers outlined in the rainwater management bulletin to meet the 24mm Volume Reduction requirement. More should be proposed for the resubmission at development permit or appropriate detailed justifications must be provided to determine if exemptions may be granted.

Note to Applicant: Several practices are available and qualify as Tier 1 and 2 practices. These include but are not limited to green roofs, rainwater harvesting and reuse system, infiltration practices, lined green infrastructure where infiltration isn't feasible and grading of hardscape surfaces to adjacent adequately sized pervious landscaped areas.

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

Note to Applicant: Exploration into grading hardscapes into adjacent (or lower level) landscaping is referenced in the report and would contribute to the percentage of capture by Tier 1 and 2 practices but not detailed on the site plan. Coordination with the landscape architect, soil storage capacities and a grading plan will be required to support this proposal. Otherwise the detention system will need to be sized accordingly.

Note to Applicant: Correct the detention tank's release rate to utilize the full-required detention system volume since the required volume is greater than the amount necessary to meet pre development peak flow.

- (e) Provide a calculation sizing summary of all rainwater infrastructure (Tier 1, 2, and/or 3) practices proposed.

Note to Applicant: No mention of the volume captured by the landscaping on-slab is provided, but it accounts for 61 sq. m (657 sq. ft.) of the development.

- (f) Peak flow calculations to use 1:10 year return period. Inlet time = 5 minutes. Travel time to be estimated by applicant. Ensure that the pre-development calculation uses the 2014 IDF curve values and the post-development calculation uses the 2100 IDF curve values.

Note to Applicant: Include peak flow estimate in post development conditions for both with and without release rate controls. 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 RWMP will include all relevant details.

Please contact the City of Vancouver's Rainwater Management Review group for any questions or concerns related to the conditions or comments prior to resubmission with the DP application. A meeting may be scheduled upon request by contacting rainwater@vancouver.ca.

- 1.37 Provision of a Rainwater Management Agreement to the satisfaction of Engineering Services and Legal Services registered prior to issuance of a development permit.
- 1.38 Provision of a final RWMP, which includes a written report, supporting calculations, computer models and drawings to the satisfaction of Engineering Services prior to the issuance of any building permit.
- 1.39 Provision of a final Operations and Maintenance (O&M) Manual for the rainwater management system to be included as an appendix in the RWMP Legal Agreement, to the satisfaction of Engineering Services prior to the issuance of any building permit.
- 1.40 Provisions of a Final Hydrogeological Study which addresses the requirements outlined in the Groundwater Management Bulletin and includes:
 - (a) Provisions of an updated Groundwater Management Plan which includes anticipated groundwater discharge rates for City approval.

Note to Applicant: Every effort should be made to limit permanent groundwater from discharge to the City drainage system.

- (b) Provisions of an updated Impact Assessment which includes:
 - i. Analysis to confirm that there are no significant risks from groundwater extraction/diversion.
 - ii. Testing to confirm flowing artesian conditions will not be encountered at the site.

Note to Applicant: Test holes and wells should be decommissioned prior to excavation. Construction-related discharge to the sewer must be measured, and reported to the City. This monitoring must include daily average flow rates, and be submitted monthly to

groundwater@vancouver.ca. A hold will be placed on the building permit; to lift the hold, provide an anticipated start date for excavation and the contact details for the professional services that have been retained to conduct this monitoring to groundwater@vancouver.ca.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

- 2.1 Provision of a building setback and surface statutory right of way (SRW) for public pedestrian use over a portion of the site, along West 72nd Avenue and Osler Street to achieve a 5.5 m (18 ft.) offset distance measured from the back of the existing curb to the building face for widened sidewalks. 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: Setbacks under 0.6 m (2 ft.) will not be registered as an SRW, but must be free of encumbrances.

- 2.2 Provision of a canopy application may be required should the encroaching structure(s) meet the specifications set out in Section 1.8.8 of the Vancouver Building By-law.
- 2.3 Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called “the services”) such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
- (a) Provision of adequate water service to meet the fire flow demands of the project.

Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by CitiWest Consulting Ltd. dated February 12, 2021, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 200 mm along Osler Street or 200 mm along 72nd Avenue. Should the development require water service connections larger than the existing main, the developer shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost of the upgrading.

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

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

Implementation of development at 8804 Osler Street requires the following:

No upgrade is required.

Note to Applicant: Development is to be serviced by the existing 300 mm SAN and 375 mm STM sewers in Osler Street.

The post-development 10-year flow rate discharged to the storm sewer shall be no greater than the 10-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for climate change.

Note to Applicant: This property is under the Provincial Well-Drilling Advisory Area, and subsurface flowing artesian conditions may exist.

- (c) Provision of street improvements along West 72nd Avenue adjacent to the site and appropriate transitions including the following:
 - (i) Minimum 1.22 m (4 ft.) wide front boulevard with street trees where space permits;
 - (ii) Minimum 3.05 m (10 ft.) wide broom finish saw-cut concrete sidewalk;
 - (iii) Curb bulge including any required road re-construction to current standards;
 - (iv) Relocation and/or replacement of the existing catch basin as required to accommodate the curb bulge;
 - (v) Curb ramps;
 - (vi) Removal of the existing driveway crossing and reconstruction of the boulevard, sidewalk, and curb to current standards; and
 - (vii) Adjustment to the existing guy wire for the utility pole near the lane as required to accommodate the new sidewalk.
- (d) Provision of street improvements along Osler Street adjacent to the site and appropriate transitions including the following:
 - (i) Minimum 1.22 m (4 ft.) wide front boulevard with street trees where space permits;
 - (ii) Minimum 3.05 m (10 ft.) wide broom finish saw-cut concrete sidewalk;

- (iii) Curb bulge including any required road re-construction to current standards;
- (iv) Curb ramps; and
- (v) Removal of the existing driveway crossing and reconstruction of the boulevard, sidewalk, and curb to current standards.

Note to Applicant: City of Vancouver to provide approved Geometric design. All elements of the Geometric design must be constructed to meet City Standards including, but not limited to relocation of existing catch basins or installation of new catch basins where required to accommodate the geometric design.

- (e) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations.
- (f) Provision of entire intersection lighting upgrade to current City standards and IESNA recommendations at Osler Street and West 72nd Avenue.
- (g) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work.

Note to Applicant: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.

- (h) Provision of lane lighting on standalone poles with underground ducts. The ducts must be connected to the existing City street lighting infrastructure.
- (i) Provision of the mill and regrade laneway to centreline along the development site's frontage to accommodate new City supplied building grades.
- (j) Provision of a new standard concrete pedestrian lane crossing, new curb returns and curb ramps at the existing lane crossing on West 72nd Avenue adjacent to the site.
- (k) Provision of funding for the installation of parking regulatory signage on streets adjacent to the site.

- 2.4 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.

Sustainability

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

Community Amenity Contribution

- 2.6 Pay to the City the cash Community Amenity Contribution of \$500,000 which the applicant has offered to the City and which is to be allocated to support the delivery of the *Marpole Public Benefits Strategy*. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services.

Environmental Contamination

- 2.7 Submit a site disclosure statement to Environmental Services (Environmental Protection);
- 2.8 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
- 2.9 If required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements constructed on the site pursuant to this rezoning until separate Certificates of Compliance, satisfactory to the City, for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

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

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

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a

form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

* * * * *

8804 Osler Street
DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE SIGN BY-LAW NO. 11879

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

“8804 Osler Street [CD-1#] [By-law #] [MC-1]”

DRAFT AMENDMENTS TO THE NOISE BY-LAW NO. 6555

Amend Schedule A (Activity Zone) by adding the following:

“[CD-1 #] [By-law #] 8804 Osler Street”

* * * * *

**8804 Osler Street
ADDITIONAL INFORMATION**

1. URBAN DESIGN PANEL MINUTES

The Urban Design Panel (UDP) reviewed this rezoning application package on June 23, 2021. A summary of the decision is provided below. The full meeting minutes can be found online: <https://vancouver.ca/files/cov/udp-minutes-06232021.pdf>

EVALUATION: Support with Recommendations (8/0)

Introduction: Rezoning Planner Tess Munro, provided an overview of the policy for this site. While staff typically do not bring six-storey buildings to the Panel, the applicant has proposed an FSR of 3.05 to better respond to the form of development guidelines in the Marpole Plan, which exceeds the cap of 2.50 FSR suggested for this area and feedback on the increase is sought from the Panel.

Development Planner, Karen Kallweit-Graham then gave an overview of the urban design considerations.

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

1. The proposed height, density and massing in response to the Marpole Plan built-form guidelines and noting the evolving directions for mixed-use sites in Choice-of-Use areas.
2. Any preliminary advice for consideration at the Development Permit stage. Please consider factors such as building elevations, materiality, quality of public spaces, and sustainability strategies.

The Applicant then gave an overview of their rezoning rational for the proposal.

The Staff and Applicant team then took questions from the panel.

Panel's Consensus:

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

- Design development to the building elevations materiality and expression to reflect neighborhood and residential character;
- Consider stepping the floor elevation of CRU 1 so that it removes stair barrier to the sidewalk and to improve access and visual and physical permeability at the public realm;
- Consider improvements to the public realm to improve relationship to Osler Ebisu Park;
- Improve legibility of the residential lobby;
- Consider public art opportunity at the south property line at the interim condition; • Improve barrier free access to all areas, specifically the children's play area.

2. PUBLIC CONSULTATION SUMMARY

List of Engagement Events, Notification, and Responses

	Date	Results
Event		
Virtual open house (City-led)	May 31, 2021 to June 20, 2021	54 participants (aware)* <ul style="list-style-type: none"> • 26 informed • 12 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	May 27, 2021	2,442 notices mailed
Public Responses		
Online questions	May 31, 2021 to June 20, 2021	1 submittals
Online comment forms <ul style="list-style-type: none"> • Shape Your City platform 	February – August, 2021	17 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	February – August, 2021	17 submittals <ul style="list-style-type: none"> • 6 responses • 6 responses • 5 response
Other input	February – August, 2021	1 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	February – August, 2021	244 participants (aware)* <ul style="list-style-type: none"> • 96 informed • 17 engaged

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:

- **Building height, density, massing and context:** The height, density, massing, and context conforms with the *Plan* and is appropriate for this area. The development is a welcome addition to the neighbourhood, as it will not cause any unnecessary displacement due to the lot being an existing parking lot. The project is also well served by three major bus routes and is in relatively close proximity to the Marine Drive Canada Line station.
- **Building design:** The building's colour palette and the wooden balcony elements create a warmth to the building's visual aesthetic.
- **Retail space:** The inclusion of retail and commercial space will better serve the community.
- **Family housing:** The inclusion of three-bedroom family oriented units will help give families a chance to stay in Vancouver without being forced to relocate.

Generally, comments of concern fell within the following areas:

- **Building height, massing, density and context:** The density and height are not appropriate for this part of Marpole as it will obstruct views and create shadowing for neighbouring properties as well as create unnecessary shadowing onto the neighbouring park.
- **Affordability:** Concern over the affordability of the units in the proposed project have been expressed.

- **Parking:** Not enough parking proposed for this development to accommodate residents and customers of the commercial space. Spillage of cars onto smaller side streets are a concern.
- **Traffic and noise:** Increased local traffic and noise due to the development of this project is a concern for residents in the immediate area.

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:

- The continuation of increasing housing stock in Vancouver will assist with the ongoing housing crisis.

General comments of concern:

- Concerns over the retail space being unutilized have been expressed as there are instances of unoccupied commercial space along Granville between West 64th Avenue and West 71st Avenue

Neutral comments/suggestions/recommendations:

- More density should be considered for this project due to close proximity to major transit routes.
- Instead of parking, car sharing options should be considered for this project.

* * * * *

8804 Osler Street
FORM OF DEVELOPMENT

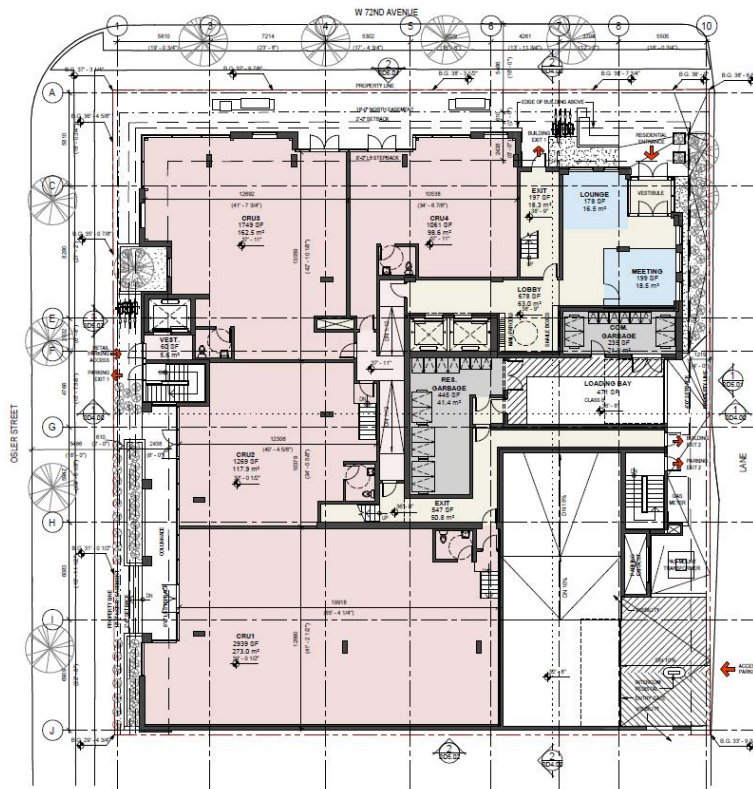
Perspective – View from Northeast



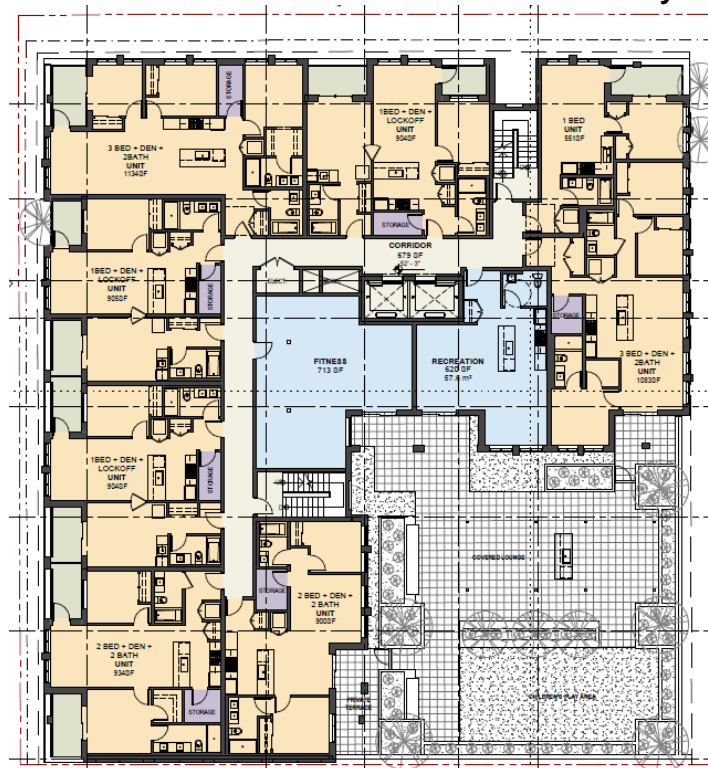
Perspective – View from Lane



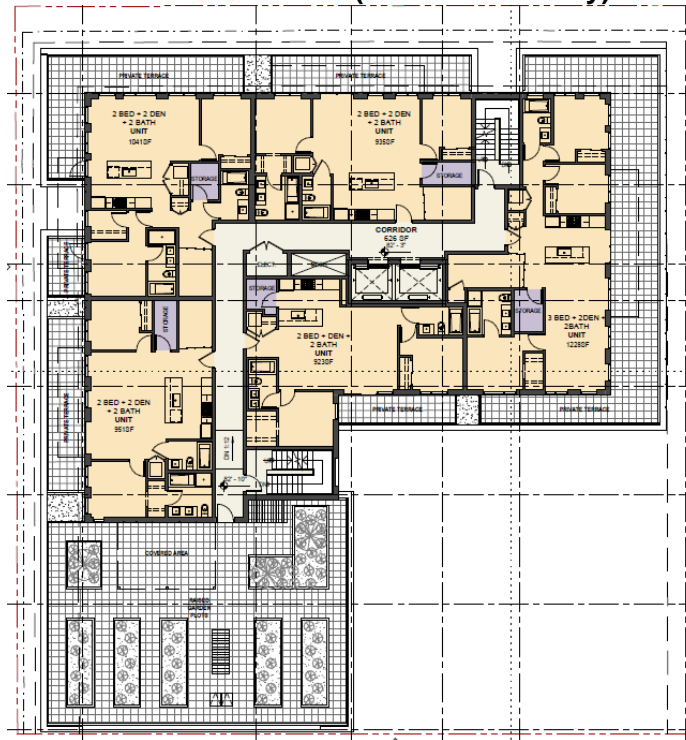
Ground Floor Plan



Level 2 Floor Plan – Indoor/Outdoor Amenity



Level 5 Floor Plan (Outdoor Amenity)



East and North Elevations



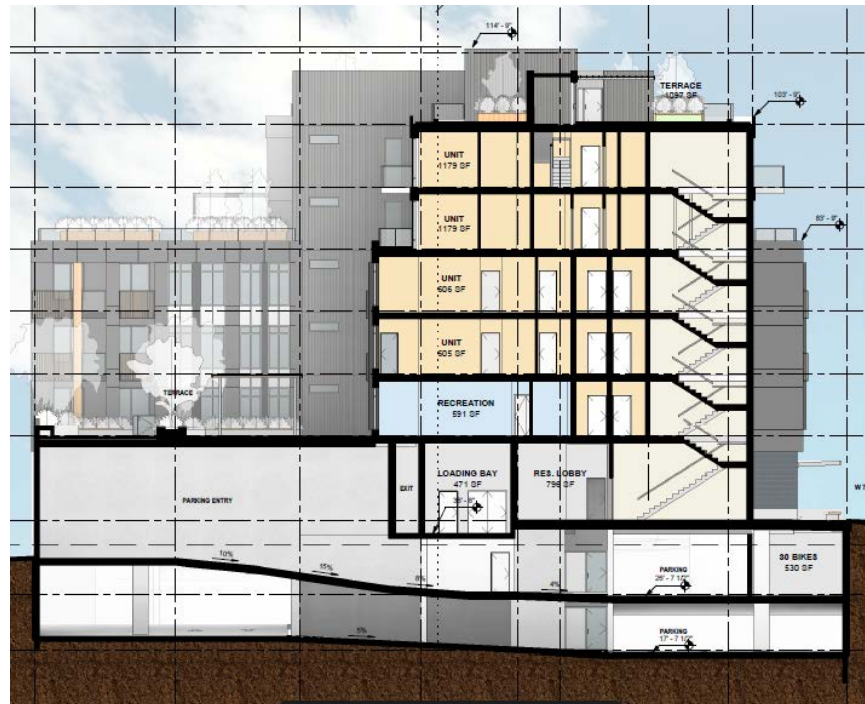
West and South Elevations



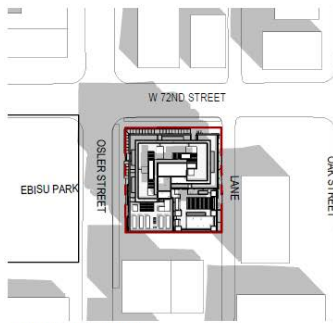
East/West Section



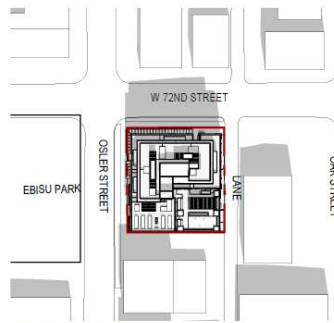
North/South Section



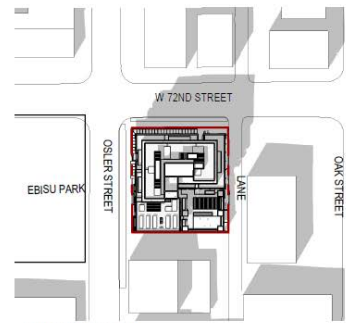
Shadow Plan



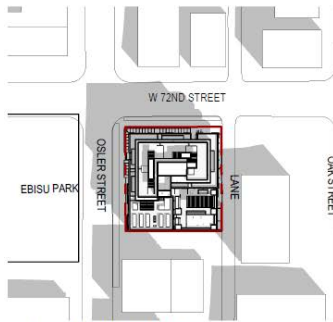
MARCH 21 10AM



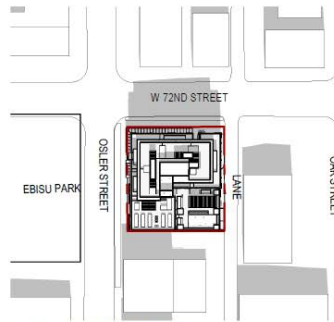
MARCH 21 12PM



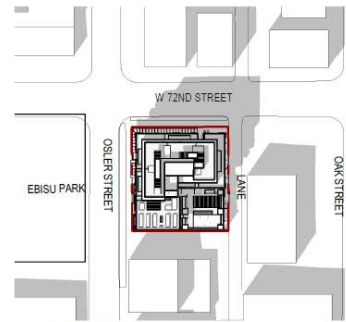
MARCH 21 2PM



SEPTEMBER 21 10AM



SEPTEMBER 21 12PM



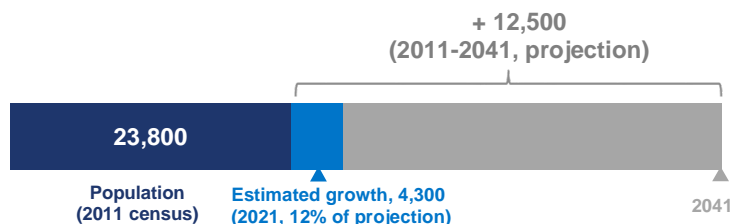
SEPTEMBER 21 2PM

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PUBLIC BENEFITS IMPLEMENTATION TRACKING MARPOLE COMMUNITY PLAN (2014) Updated mid-year 2021

POPULATION GROWTH^a

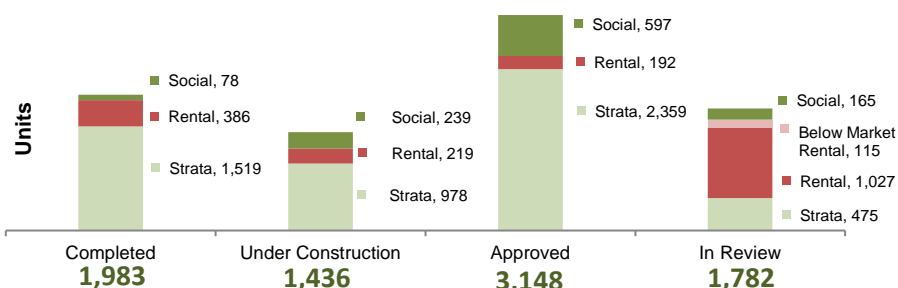
Marpole has grown by approximately **4,300** people since the 2011 census. The plan projects a total population of approximately **36,300** people by 2041.



DEVELOPMENT ACTIVITY (UNITS)^b

Recent rezoning approvals:

- [7730-7772 Cambie Street](#)
- [8725 French Street](#)
- [8257-8273 Oak Street & 1025-1035 W 67th Avenue](#)
- [8655 Granville Street](#)
- [1325 W 70th Avenue](#)



PUBLIC BENEFITS ACHIEVED AND IN PROGRESS SINCE 2013^c



On track to achieving targets



Some progress toward targets, more work required



Targets require attention

TARGETS

See Chapter 17 of the [Marpole Community Plan](#) for more details

HOUSING

- ~ 1,100 units of social housing (approx. 285 units at Pearson Dogwood)
- ~ 835 secured market rental units (Gross numbers of units reported)

- 78 social housing units^d
- 386 secured market rental units (8555 Granville Street, 8198 Cambie Street, 400 SW Marine Drive, 7645 Cambie Street, 445-455 SW Marine Drive)

- 239 social housing units (7433 Cambie Street (Pearson Dogwood), 55-79 SW Marine Drive, 87-115 SW Marine Drive)
- 219 secured market rental units (308 W 62nd Avenue, 8615 Laurel Street, 8636 Oak Street, 8599 Oak Street, 1041 SW Marine Drive)

0% of social housing target achieved



58% of secured rental target achieved



CHILDCARE

- ~ 234 spaces for children 0-4
- ~ 244 spaces for children 5-12

- 74 spaces for children 0-4 (Marpole YMCA, Kids at Marine Drive)
- 24 spaces for children 5-12 (Sexsmith Elementary School)

- 69 spaces for children 0-4 (David Lloyd George childcare)

20% of childcare spaces target achieved



TARGETS	Completed	Construction	Planning / Design	Progress
See Chapter 17 of the Marpole Community Plan for more details				
TRANSPORTATION / PUBLIC REALM <ul style="list-style-type: none"> Pursue improvements to the public realm and secure walking/cycling connections through sites as development occurs Renew sidewalks as required and improve accessibility Provide more and better walking/cycling access to the Fraser River Work with TransLink and Coast Mountain Bus Company to maintain and enhance the existing transit network in Marpole Pursue the construction of a new Canada Line station at West 57th Avenue. 	<ul style="list-style-type: none"> SW Marine Drive bikeway improvements (Granville Street to Camosun Street) Arbutus Corridor temporary pathway and removable bollards Interim plaza (67th and Granville Street) 		<ul style="list-style-type: none"> Four rain gardens in curb bulges (54th Avenue from Neal Street to Cambie Street) 	→
CULTURE <ul style="list-style-type: none"> Preserve and stabilize cultural assets Retain/create multi-use neighbourhood creative spaces Reflect significant heritage themes (e.g. Musqueam presence) in public realm, public art and other opportunities as they arise. 	<ul style="list-style-type: none"> Joy Kogawa House acquired and renovated 6 public art installations (Connecting Two Worlds: Musqueam artist-designed crosswalk between 70th and 68th Ave, Golden Tree, Fusion, Land and Sea, Tools of Fraser River, Salish Gifts) MC2 artist studios (2 units) 			→
CIVIC / COMMUNITY <ul style="list-style-type: none"> Renew the Marpole Library Replace or renew the existing Marpole-Oakridge Community Centre Work with YMCA as potential partner to deliver aquatic services. 	<ul style="list-style-type: none"> Land acquired for Marpole Civic Centre (MCC) 		<ul style="list-style-type: none"> Marpole Community Centre renewal and outdoor pool at Oak Park (permitting and design phase) 	✓
HERITAGE <ul style="list-style-type: none"> Explore opportunities with Musqueam and other partners for funding to recognize historical and cultural importance of the Marpole Midden and čəsnaʔəm sites 5% allocation from cash community amenity contributions in Marpole 	<ul style="list-style-type: none"> 5% allocation from cash community amenity contributions 		<ul style="list-style-type: none"> Ongoing efforts for Fraser Arms Hotel and protection of čəsnaʔəm site 5% allocation from cash community amenity contributions in Marpole 	✓
SOCIAL FACILITIES <ul style="list-style-type: none"> Marpole Oakridge Family Place relocation and expansion Neighbourhood House renewal and expansion Explore opportunities for affordable office space for community-based non-profit organizations 	<ul style="list-style-type: none"> Marpole Oakridge Family Place Marpole Neighbourhood House restoration 		<ul style="list-style-type: none"> Non-profit space at Marpole Civic Centre Seniors space in Marpole Oakridge Community Centre Youth space in Marpole Oakridge Community Centre 	✓
PARKS <ul style="list-style-type: none"> Fraser River park Pearson Dogwood park 1-2 plazas through redevelopment Upgrade 2 parks 	<ul style="list-style-type: none"> 63rd & Yukon green infrastructure plaza Ash Park Playground replacement Winona Park Playground replacement 		<ul style="list-style-type: none"> William Mackie Park renewal 	→

EXPLANATORY NOTES

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

^a **Population Growth**

Growth is calculated by taking the difference between the latest census year and the base population and adding an estimate based on floor area completed between the latest census and the end of the most recent reporting period.

^b **Development Activity**

Development Activity reports on gross new units. The Development Activity Chart includes Building Permits, Development Permits, and rezoning applications:

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

**The number of dwelling units has been adjusted to correct a data error in the 2020 year-end tracker.*

^c **Public Benefits Achieved**

Public benefits in planning/design typically include City-or partner-led projects that have begun a public process or have made significant progress in planning or design stages, but have not yet moved to construction. Housing units in developer-initiated applications are not included in the planning/design column and not counted towards public benefits achieved prior to construction as numbers and status may change throughout the permitting process.

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

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**8804 Osler Street
PUBLIC BENEFITS SUMMARY**

Project Summary

Six-storey, mixed-use building with commercial uses at-grade and 38 strata-titled residential units.

Public Benefit Summary:

The project would generate a DCL payment and a CAC offering to be allocated toward the Marpole Community Plan Public Benefits Strategy.

	Current Zoning	Proposed Zoning
Zoning District	MC-1	CD-1
FSR (site area = 1,499.8 sq. m / 16,143 sq. ft.)	2.50	3.05
Buildable Floor Space (sq. ft.)	40,358	49,177
Land Use	Commercial/Industrial	Mixed-Use

Summary of development contributions expected under proposed zoning

City-wide DCL ¹	\$875,973
Utilities DCL ¹	\$462,694
Community Amenity Contribution	\$500,000
TOTAL	\$ 1,838,667

¹ 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.

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8804 Osler Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
8804 Osler Street	006-626-157	Lot F of Lot 13 Block C District Lots 319, 323 and 324 Plan 20428

Applicant Information

Architect	DA Architects + Planners
Developer/Property Owner	Osler Holdings Ltd.

Development Statistics

	Existing Zoning	Proposed	Recommended
Zoning	MC-1	CD-1	
Site Area	1,499.8 sq. m (16,143 sq. ft.)	1,499.8 sq. m (16,143 sq. ft.)	
Land Use	Mixed-use	Mixed-use	
Maximum FSR	2.50	3.05	
Maximum Height	13.8 m (45 ft.)	21.4 m (70 ft.) (top of roof deck) 24.8 m (81 ft.) (top of mechanical room)	
Floor Area	Total: 3,749.5 sq. m (40,358 sq. ft.)	Total: 4,569 sq. m (49,177 sq. ft.) Commercial: 685 sq. m (7,374 sq. ft.) Residential: 3,884 sq. m (41,803 sq. ft.)	
Residential Units	--	Total: 38 residential units 16 one-bedroom units (42%) 14 two-bedroom units (37%) 8 three-bedroom units (21%)	
Parking and Bicycle Spaces	As per Parking By-law	62 vehicle spaces, one loading space, 88 class A and 4 class B bicycle spaces To be confirmed at the time of development permit	As per Parking By-law
Natural Assets	6 City street trees	6 City street trees To be confirmed at the time of development permit	

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