



REFERRAL REPORT

Report Date: February 15, 2022
Contact: Yardley McNeill
Contact No.: 604.873.7582
RTS No.: 14930
VanRIMS No.: 08-2000-20
Meeting Date: March 1, 2022

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: Rezoning: 5337-5387 Willow Street and 826 West 37th Avenue

RECOMMENDATION TO REFER

THAT the rezoning application, 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 Lистраor (Willow) Homes Ltd., the registered owner of the lands located at:

- 5337-5387 Willow Street [*Lots 15-17 Block 864 District Lot 526 Plan 8070; PIDs 010-285-245, 010-285-296 and 010-285-318 respectively*];
- 826 West 37th Avenue [*PID 010-285-326; Lot 18 Block 864 District Lot 526 Plan 8070*];

to rezone a consolidation of the properties from RS-1 (Single-detached Houses and Duplexes) District to RM-8A (Multiple Dwelling) District be approved in principle;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law generally in accordance with Appendix A for consideration at the Public Hearing;

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

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

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

- C. THAT Recommendations A and B be adopted on the following conditions:

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

REPORT SUMMARY

This report recommends a plan amendment to the Zoning and Development By-Law for the site located at 5337-5387 Willow Street and 826 West 37th Avenue. The proposed amendment would rezone the lands from RS-1 (Single-detached Houses and Duplexes) District to RM-8A (Multiple Dwelling) District, to allow for a townhouse or rowhouse development with a maximum floor space ratio (FSR) of 1.20.

The *Cambie Corridor Plan* (“Plan”) designated sites for townhouses in areas located outside of Stage 1 of the *Cambie Corridor Utilities Servicing Plan* to be considered for owner-initiated rezoning applications, provided the upgrades are secured as conditions of rezoning approval.

Staff have assessed the application and conclude that it meets the intent of the *Plan*. Staff recommend that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it in principle, subject to the Public Hearing, and conditions contained within Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council policies for this site include:

- *Cambie Corridor Plan* (2018)
- *Cambie Corridor Utilities Servicing Plan* (2018)
- *RM-8, RM-8A, RM-8N and RM-8AN Districts Schedule* (2018)
- *RM-8A and RM-8AN Guidelines* (2018)
- *Tenant Relocation and Protection Policy* (2019)
- *Density Bonus Zoning and Public Benefits* (2014, last amended 2021)

- *Community Amenity Contribution Policy for Rezoning*s (1999, last amended 2021)
- *Green Buildings Policy for Rezoning*s (2010, last amended 2018)
- *Urban Forest Strategy* (2014)
- *Vancouver Development Cost Levy By-law No. 9755*
- *Vancouver Utilities Development Cost Levy By-law No. 12183*

REPORT

Background/Context

1. Site and Context

The subject site at 5337-5387 Willow Street and 826 West 37th Avenue (see Figure 1) is zoned RS-1 and is currently developed with four single-detached homes. Comprised of four legal parcels, the site is on the southwest corner of Willow Street and 37th Avenue. The total site area is approximately 2,900 sq. m. (31,215 sq. ft.), with a combined frontage of 80 m (260 ft.) along Willow Street and a depth of 36.25 m. (120 ft.).

The houses were constructed between 1950 and 1953, and are not listed on the *Vancouver Heritage Register*.

Figure 1: Location Map – Site and Context



A similar context of detached houses exists west and south of the site, along with a variety of uses nearby. Across Willow Street are two schools: École Sécondaire Jules-Verné and École Rose-Des-Vents. Directly north across 37th Avenue is Oak Meadows Park. Northeast of the site is Heather Lands, a 21-acre site with a rezoning application for a mixed-use development including four acres of park and open space.

As this rezoning is for the consolidation of four lots with rental tenancies, the *Tenant Relocation and Protection Policy* (“TRP”) applies.

2. Policy Context

Cambie Corridor Plan (the “Plan”) – The *Plan* guides the transformation of the Corridor into an area where people can live, work, shop, play and learn – all within walking distance to rapid

transit. Building on the opening of the Canada Line, the *Plan* promotes transit-oriented development to meet the needs of a growing population.

The subject site is located within the Oakridge Town Centre neighbourhood of the *Plan*, characterized by its existing low-density residential character and green park-like setting. The *Plan* calls for strengthening the area as a walkable, mixed-use urban centre with a diverse mix of job space, housing types, and tenures. The *Plan* expects a variety of new housing types to allow for family-oriented housing opportunities in the form of townhouses to be introduced in transition areas surrounding other large sites.

The site is guided by Section 4.3.12 of the *Plan*, which supports residential uses in townhouse form of up to three storeys in height and a maximum density of 1.20 FSR. The site is adjacent to two major bikeways/greenways along 37th Avenue and Willow Street. The *Plan* expects new developments to strengthen these transportation and pedestrian networks by introducing safety and accessibility measures, such as increasing sidewalk widths and improving visibility.

Tenant Relocation and Protection Policy (“TRP Policy”) – The *TRP Policy* is intended to protect tenants by mitigating the impacts of displacement resulting from redevelopment activity, while recognizing that some renewal is necessary to maintain the health of the overall rental stock. A Tenant Relocation Plan (TRP) is required when eligible tenants are displaced as a result of redevelopment or major renovation activity.

The *TRP Policy* extends policy coverage to projects involving the consolidation of two or more lots that contain existing secondary rental. The *TRP Policy* exempts tenancies entered into after the purchase of the property that are of a length of two years or less, as of the date of the rezoning application.

3. Plan Implementation and Utilities Servicing Plan

The *Plan* is a framework to guide change and growth in the area over the next 30 years. By 2041, the Corridor’s population is anticipated to more than double, with 30,000 new housing units, making it the largest growth area outside of the downtown area.

The *Plan* identifies over 1,100 detached lots for future townhouses, creating opportunities for up to 8,200 units of this much-needed ground-oriented housing type. Due to the timing of infrastructure upgrades in the Corridor, City-initiated rezonings for townhouses will be phased to align with scheduled infrastructure upgrades as identified in the *Cambie Corridor Utilities Servicing Plan* (USP). See Appendix E for further details on the USP phasing.

The first phase of City-initiated rezoning (in Stage 1 area) was approved in 2018. The sequencing of City-delivered utility design and construction will occur between 2019-2022 (Stage 1) and 2023-2026 (Stage 2). The timing of Stage 3 upgrades is currently undetermined. Future phases of City-initiated rezoning of townhouse areas will be coordinated with the timing of future infrastructure upgrades. Since the subject site is outside of Stage 1 and Stage 2, the timing of the City-delivered utility upgrades has not been determined.

Owner-initiated rezoning applications for RM-8AN, including this application, allows the City to determine on a case-by-case basis whether off-site utility upgrades are required. Engineering conditions in Appendix B have been applied to secure the required infrastructure upgrades for this site.

Strategic Analysis

1. Simplified Rezoning Process

To facilitate the delivery of family-oriented townhouse units to the market while the phased roll-out of the USP is taking place, the City has implemented a simplified process for owner-initiated rezonings for townhouses. Rather than rezoning townhouse sites to a site-specific Comprehensive Development (CD-1) District, the RM-8A and RM-8AN (Multiple Dwelling) Districts form the designated zones. Rezoning to a designated zone streamlines the review process by providing the same certainty for the built form as a City-initiated rezoning would for townhouses.

The RM-8A and RM-8AN Districts were approved in 2018, along with associated design guidelines. The district schedules and guidelines apply to the Cambie Corridor and Grandview-Woodland area. The district schedule includes requirements for various unit sizes to provide a variety of purchase prices for new townhouse units, as well as more flexible development options for smaller lots. The RM-8AN District differs from the RM-8A District in that the RM-8AN requires additional noise mitigation measures for dwelling units close to arterial streets. Since 37th Avenue and Willow Street are not classified as arterial streets, the proposed rezoning is to the RM-8A District Schedule.

The rezoning process allows for a townhouse development through a future development application process, while securing the utility upgrades and transportation upgrades identified in the *Plan*. Architectural drawings are not required at the rezoning application stage. The form of development will be reviewed at the development permit stage. All proposals will need to meet the intent and regulations of the RM-8A/RM-8AN Districts. An Urban Design Panel review is not necessary for this project due to the small scale of the buildings and comprehensive design guidelines which accompany the RM-8A and RM-8AN District Schedule.

2. Tenants

The rezoning site contains three (secondary) rental tenancies. Since the proposal involves the consolidation of two or more lots, the *TRP Policy* applies.

At the time of application, three houses were occupied with tenants who were aware of the rezoning application. The fourth house at 5387 Willow Street was under different ownership and the owners provided consent to include their property within this rezoning application, noting a contract of sale was in place with the applicant (Listraor (Willow) Homes Ltd.).

When the rezoning application was submitted, one tenancy was eligible for provision under the *TRP Policy* given the length of tenancy (see Appendix D). This eligible tenant has since relocated and the owner will submit a notarized declaration summarizing the compensation and moving expenses offered to that tenant. The fourth house at 5387 Willow Street has now closed on the sale of the house and the previous owner is the current tenant and as such, this tenancy does not qualify for TRP eligibility.

If any other tenants are found to be eligible after rezoning approval, the applicant will need to amend the Tenant Relocation Plan to the satisfaction of the General Manager of Planning, Urban Design and Sustainability. This must be completed prior to the issuance of the development permit, per the *TRP Policy*.

All tenancies continue to be protected under the *BC Residential Tenancy Act* which governs how residential properties are rented, and includes specific provisions regarding termination of tenancies. Any disputes would be resolved through the Residential Tenancy Branch.

3. Transportation and Parking

Parking, loading and bicycle spaces must be provided in accordance with the Parking By-law and will be reviewed at time of development permit application when architectural drawings are submitted. Local servicing requirements are secured through a services agreement.

Given that this site is adjacent to two bikeways and greenways, rezoning conditions have been applied to enhance the site to improve pedestrian connections. A condition of approval requires a building setback and statutory right-of-way (SRW) along Willow Street. This SRW will allow for widened sidewalks to improve safety and meet cycling objectives in the *Plan*. A dedication is also required for the northeast corner of the site. This dedication includes opportunities for open space to further strengthen this corner as a bikeway and greenway to allow for enhanced open space and public realm improvements, such as increased planting for biodiversity.

Local servicing requirements will be secured through a services agreement. Engineering conditions are included in Appendix B.

4. 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 modelling analysis detailing building performance strategies to meet the energy use intensity, greenhouse gas and thermal demand targets.

Green Assets – The *Urban Forest Strategy* was developed to 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 that 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 for resilient and healthy natural systems in urban areas.

A detailed tree assessment and retention report will be required as part of a subsequent development permit application. Staff will review these materials and provide conditions to retain and protect trees wherever possible. This process allows for a coordinated assessment of tree retention and replacement with the proposed form of development.

Rainwater Management Plan – A rezoning condition requires a Rainwater Management Plan at the development permit stage. This plan will detail how the proposed development will incorporate a water-sensitive site and building design to collect and convey rainwater. This includes green infrastructure strategies to enhance infiltration of rainwater onto impervious surfaces, such as the provision of a green roof and provision of landscaped areas. Further details can be found in the Engineering conditions in Appendix B.

Public Input

Since extensive public engagement was undertaken during the *Plan* process, open houses are not required for RM-8A/AN rezoning applications. Staff still engage in a notification process to inform the public and provide opportunity for community input.

A rezoning information sign was installed on the site on September 15th, 2021. Approximately 455 notification postcards were distributed within the neighbouring area on or about September 16th, 2021. Notification and application information, as well as an online comment form was provided on the Shape Your City website (<https://shapeyourcity.ca/>).

Staff received one response from the public, expressing support for rezoning to the RM-8A district schedule rather than to a custom CD-1 zone.

5. Public Benefits

The *Cambie Corridor Public Benefits Strategy* (Appendix E) identifies public amenities and infrastructure to support growth in the area. This includes short-term and long-term priorities in response to changes in land use and density. This application addresses the following public benefits:

Density Bonus Zone Contribution (DBZ) – Applications for the RM-8A/AN District are exempt from paying a community amenity contribution (CAC) per the *Community Amenity Contributions for Rezoning Policy*. Instead, the application is subject to a Density Bonus Zone (DBZ) contribution, applied to the net additional density up to a maximum FSR of 1.20. DBZs are payable at building permit issuance.

The DBZ contribution for the RM-8A/AN District is \$594.18/sq. m (\$55.20/sq. ft.), as of September 30, 2021. This contribution is applied on the difference between the approved floor area of 0.75 FSR and the maximum proposed FSR of 1.20. Density bonus rates are subject to future adjustments by Council, including annual inflationary rate adjustments. A development may qualify for in-stream rate protection from Density Bonus rate increases, provided that a building permit application has been received prior to the rate adjustment. See the [DBZ Bulletin](#) for details.

Development Cost Levies (DCLs) – This site will be subject to both the City-wide DCL and the Utilities DCL, which are payable at time of building permit issuance.

Further information on DBZ contributions and DCLs can be found in Appendix G.

FINANCIAL IMPLICATIONS

As noted in the Public Benefits section, the site will be subject to a Density Bonus Zone contribution, the City-wide DCL, and the Utilities DCL.

Based on the rates in effect as of September 30, 2021, a Density Bonus Zone contribution of approximately \$775,381 would be anticipated from the development, should it achieve the maximum density of 1.20 FSR.

Based on the DCL by-law and rates in effect as of September 30, 2021, it is estimated that the project will pay DCLs of approximately \$245,724 should it achieve the maximum 1.20 FSR.

Approval and timing of specific projects to be funded from these contributions will be brought forward as part of capital planning budget process.

CONCLUSION

Staff have reviewed the application to rezone 5337-5387 Willow Street and 826 West 37th Avenue from RS-1 to RM-8A to facilitate a townhouse or rowhouse development, complying with the provisions of the RM-8A District Schedule. The rezoning application is consistent with the *Cambie Corridor Plan*.

The General Manager of Planning, Urban Design and Sustainability recommends that the rezoning application be referred to a Public Hearing with a recommendation that, subject to the Public Hearing, the rezoning application be approved in principle, subject to the applicant fulfilling the Conditions of Approval in Appendix B.

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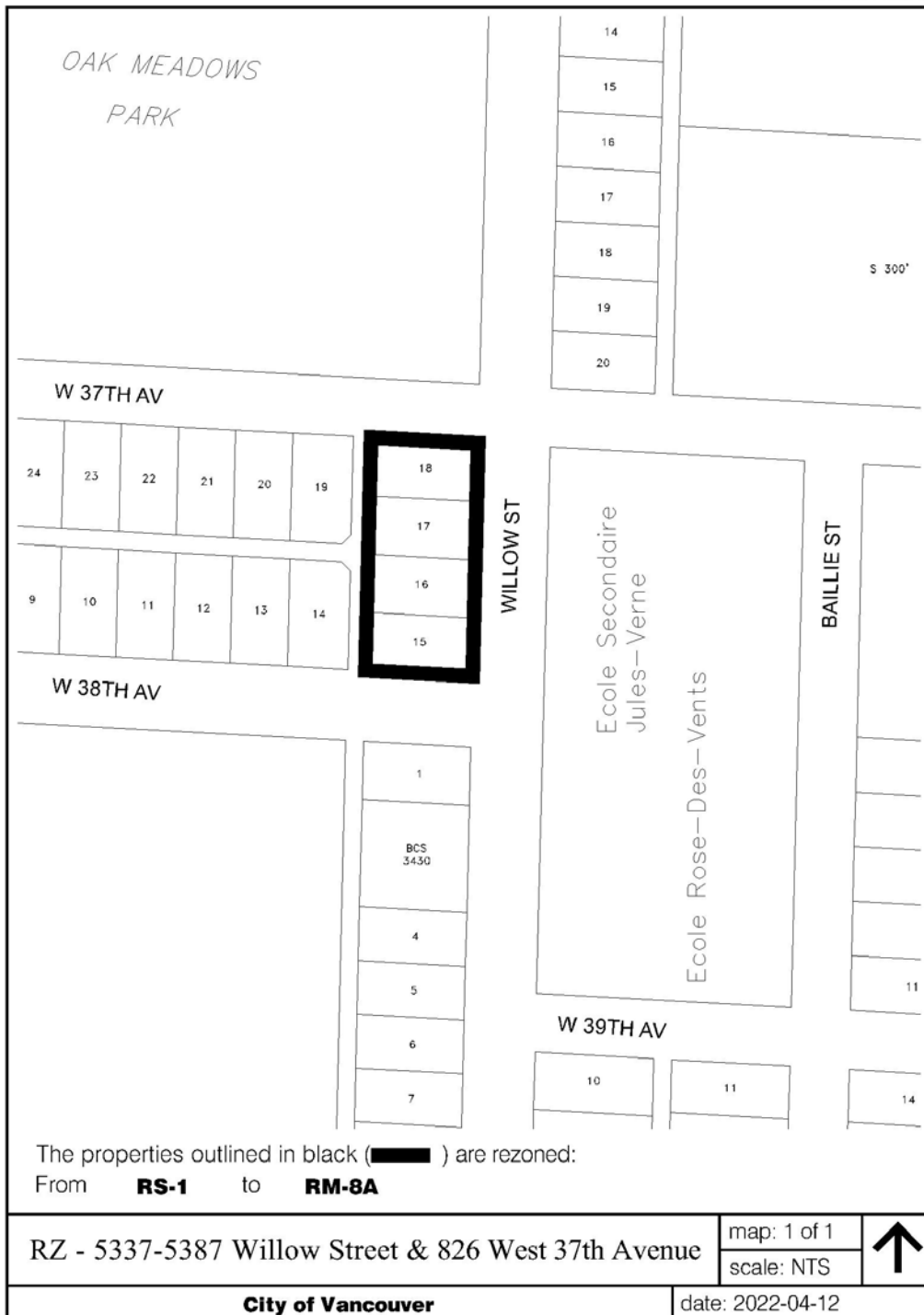
5337-5387 Willow Street and 826 West 37th Avenue
PROPOSED BY-LAW AMENDMENTS

Note: A By-law to rezone an area to RM-8A 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.
2. The area shown within the heavy black outline on Schedule A is rezoned and moved from the RS-1 District Schedule to the RM-8A District Schedule.

Schedule A



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**5337-5387 Willow Street and 826 West 37th Avenue
CONDITIONS OF APPROVAL**

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

PART 1: CONDITIONS OF APPROVAL OF THE DEVELOPMENT APPLICATION

THAT, in reviewing a development application for the site, the Director of Planning shall have particular regard for the following:

Engineering

- 1.1 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>.

- 1.2 Provision of a Final Hydrogeological Study which addresses the requirements outlined in the Groundwater Management Bulletin and includes:
- (a) Provision of an updated Groundwater Management Plan which includes:
- (i) 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) Provision of an updated Impact Assessment which includes:
- (i) Analysis to confirm that there are no significant risks from groundwater extraction/diversion.
- Note to Applicant: The City does not accept the dewatering of peat due to associated risk of offsite settlement.

- 1.3 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.

Green Infrastructure

1.4 Provision of a draft final Rainwater Management Plan (RWMP) which includes the following:

(a) General Requirements

- (i) Provision of post-development site plan(s) that includes the following:
- building location/footprint;
 - underground parking extent;
 - proposed service connections to the municipal sewer system;
 - location and labels for all proposed rainwater management practices;
 - area measurements for all the different land use surface types within the site limits; and
 - delineated catchments to demonstrate best management practices (detention tank(s), green infrastructure, etc.) are appropriately sized.
- (ii) Provide a summary of all catchment areas in a tabular form which include 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 Final Rainwater Management Plan Report.

(b) Volume Reduction

- (i) Provision of a grading plan to support the proposal of grading hardscapes into adjacent landscaping. Coordination with the landscape architect, soil storage capacities and a grading plan will be required to support this proposal.
- (ii) Prioritize rainwater capture through Tier 1 and Tier 2 measures wherever feasible. The proposed rainwater management strategy requires prioritization of the Tiers outlined in the rainwater management bulletin to meet the 24mm Volume Reduction requirement.

Note to Applicant: Provide appropriate justifications for any Tier 1 or practices not included in the design as applicable.

(c) Water Quality Target

- (i) Provide information on how the water quality requirement will be achieved on this site, as water quality treatment is required for the first 24 mm (~70% annual average rainfall) of all rainfall from the site that is not captured in Tier 1 or Tier 2 practices and 48 mm (~90% annual average rainfall) of treatment is required for high traffic areas. For the DP

submission, the following should be included for review for all proprietary devices:

- Product Name and Manufacturer/Supplier.
- Total area and % Impervious being treated.
- Treatment flow rate.
- Supporting calculations to demonstrate adequate sizing system based on the contributing drainage area.
- Include discussion of the specified treatment device's % TSS removal efficiency certification by TAPE or ETV.
- Location of device in drawing or figure in the report.

(d) Release Rate

- (i) 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: 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.

- 1.5 Provision of a Rainwater Management Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services registered prior to issuance of a development permit.
- 1.6 Provision of a final RWMP, which includes a written report, supporting calculations, computer models and drawings to the satisfaction of the General Manager of Engineering Services and the City Engineer prior to the issuance of any building permit.
- 1.7 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 the General Manager of Engineering Services and the City Engineer prior to the issuance of any building permit.
- 1.8 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.

- 1.9 Building grades are preliminary. Final building grades are required to be issued prior to DP application.

Sustainability

- 1.10 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning*s (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*s – *Process and Requirements* (amended April 28, 2017 or later).

PART 2: CONDITIONS OF BY-LAW ENACTMENT

THAT, prior to enactment of the amending 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, and the General Manager of Engineering Services (or successors in function), as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

- 2.1 Arrangements for the consolidation of Lots 15-18; All of: Block 864, District Lot 526, Plan 8070 to create a single parcel.
- 2.2 Dedication of a wedge shaped portion from the northeast corner of the site as street. The new property line shall be determined by drawing a line from a point measuring 10.0 m along the property line along West 37th Avenue from the intersection of the property line along West 37th Avenue and the property line along Willow Street to a point 6.0 m along the property line along Willow Street from the intersection of the property line along West 37th Avenue and the property line along Willow Street.

- 2.3 Provision of a building setback and surface statutory right-of-way (SRW) for public pedestrian use over a portion of the site, along Willow Street to achieve a 1.0 m offset distance measured from the property line to the building face for widened sidewalks.

Note to Applicant: The SRW will be free of any permanent obstruction such as structure, mechanical vents, stairs, and planter walls at grade and is to accommodate the underground parking structure within the SRW agreement.

- 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 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. 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. The Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

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

- (i) Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by Williams Engineering dated August 26, 2021, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 150mm along West 37th Avenue, 150 mm along West 38th Avenue or 200 mm Willow Street. 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.

- (i) Implementation of development(s) at 5337 Willow Street does not require any sewer upgrades.

The post-development 5-year flow rate discharged to the storm sewer shall be no greater than the 5-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for climate change. This shall be demonstrated by preparation of a Rainwater Management Plan with all necessary supporting calculations and drawings prior to the issuance of the development permit.

Note to Applicant: Development to be serviced to the existing 200/300 mm COMB sewers in lane west of Willow Street.

- (c) Provision of street improvements along West 37th Avenue adjacent to the site and appropriate transitions including the following:
 - (i) 2.14 m (7.0 ft) wide broom finish saw-cut concrete sidewalk;
 - (ii) curb ramps;
 - (iii) adjustment or replacement of the existing catch basin as required to accommodate the new curb ramps;

- (d) Provision of street improvements along West 38th Avenue adjacent to the site and appropriate transitions including the following:
 - (i) 2.14 m (7.0 ft) wide broom finish saw-cut concrete sidewalk;
 - (ii) curb ramps;
 - (iii) adjustment or replacement of the existing catch basin if/as required to accommodate the new curb ramps;
 - (iv) relocation of the existing fire hydrant as required to accommodate the alignment of the new sidewalk;

- (e) Provision of street improvements along Willow Street adjacent to the site and appropriate transitions including the following:
 - (i) 2.14 m (7.0 ft) wide broom finish saw-cut concrete sidewalk;
 - (ii) curb ramps;

Note to Applicant: the location of the new sidewalk on Willow Street will need to be coordinated with Engineering during the DP process.

- (f) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations.

- (g) Provision of entire intersection lighting upgrade to current City standards and IESNA recommendations at Willow Street and West 37th Avenue.

- (h) 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 the General Manager of 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.

- (i) Provision of lane lighting on standalone poles with underground ducts. The ducts must be connected to the existing City street lighting infrastructure. BC Hydro poles, where they exist, may be used to mount lane lights with overhead supply provided the applicant/applicant's consultant obtains written approval from BC Hydro.
- (j) Provision to rebuild full depth of laneway along the development site's frontage per City "Higher-zoned Laneway" pavement structure with a centre valley.
 - The north-south laneway between West 37th Avenue and West 38th Avenue shall be rebuilt using permeable pavement structure to capture and retain 48 mm of rainfall. Permeable pavement structure will be applied from edge to edge for the entire width of the laneway fronting the property. A pair of catch basins will be installed or relocated at the downstream end of the laneway to remove access runoff to the drainage system.
 - Permeable pavement structure may include permeable pavement material, rock reservoir/subbase, storage and underdrain, etc.
 - The proposed permeable laneway pavement structure should provide equal performance and design life as the City "Higher-Zoned Laneway" pavement structure.

Note to Applicant: The City does not have specifications for permeable pavement design. Industry standards are provided below for reference purpose only:

- Permeable pavements with interlocking concrete pavements – Design specifications by ICPI.
- Permeable pavements with porous asphalt – NAPA: Design, Construction and Maintenance design guide for porous asphalt. FHWA: Tech Brief for Porous asphalt.

For further information, contact Green Infrastructure Implementation Branch, ESRGGIIDL@vancouver.ca.

- (k) Provision of new standard concrete lane crossing, new lane returns and lane ramps (on both sides of the lane) at the lane crossings on West 37th Avenue and West 38th Avenue.
 - (l) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
- 2.5 Developer to submit a Hydrogeological Study according to Groundwater Bulletin to be reviewed and accepted by a City Engineer.
- 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.

Housing

- 2.7 Enter into a Section 219 Covenant and/or such other agreements as the General Manager of Planning, Urban Design, and Sustainability and the Director of Legal Services determine are necessary to require the applicant to:
- (a) Provide a Tenant Relocation Plan to the satisfaction of the General Manager of Planning, Urban Design, and Sustainability as per the *Tenant Relocation and Protection Policy* that is effective at the time of submission of the development permit application.
 - (b) Provide a notarized declaration that demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.
 - (c) Provide an Interim Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design, and Sustainability prior to issuance of the Demolition Permit. The Report must outline the names of any tenants who have ended their tenancy; the reason for its end (e.g. tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant); the names of tenants still remaining in the building; the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan.

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

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

Environmental Contamination

2.8 As applicable:

- (a) Submit a site disclosure statement to Environmental Services;
- (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.

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.

* * * * *

5337-5387 Willow Street and 826 West 37th Avenue
DRAFT CONSEQUENTIAL AMENDMENT

DRAFT AMENDMENT TO THE SUBDIVISION BY-LAW NO. 5208

Council amends Schedule A of the Subdivision By-law in accordance with the plan labelled Schedule A and attached to and forming part of this By-law, by deleting the following properties from the RS-1, RS-3, RS-3A, RS-5 and RS-6 maps forming part of Schedule A of the Subdivision By-law:

- (a) PID 010-285-318; Lot 17, Block 864, District Lot 526, Plan 8070;
- (b) PID 010-285-296; Lot 16, Block 864, District Lot 526, Plan 8070;
- (c) PID 010-285-245; Lot 15, Block 864, District Lot 526, Plan 8070; and
- (d) PID 010-285-326; Lot 18, Block 864, District Lot 526, Plan 8070.

* * * * *

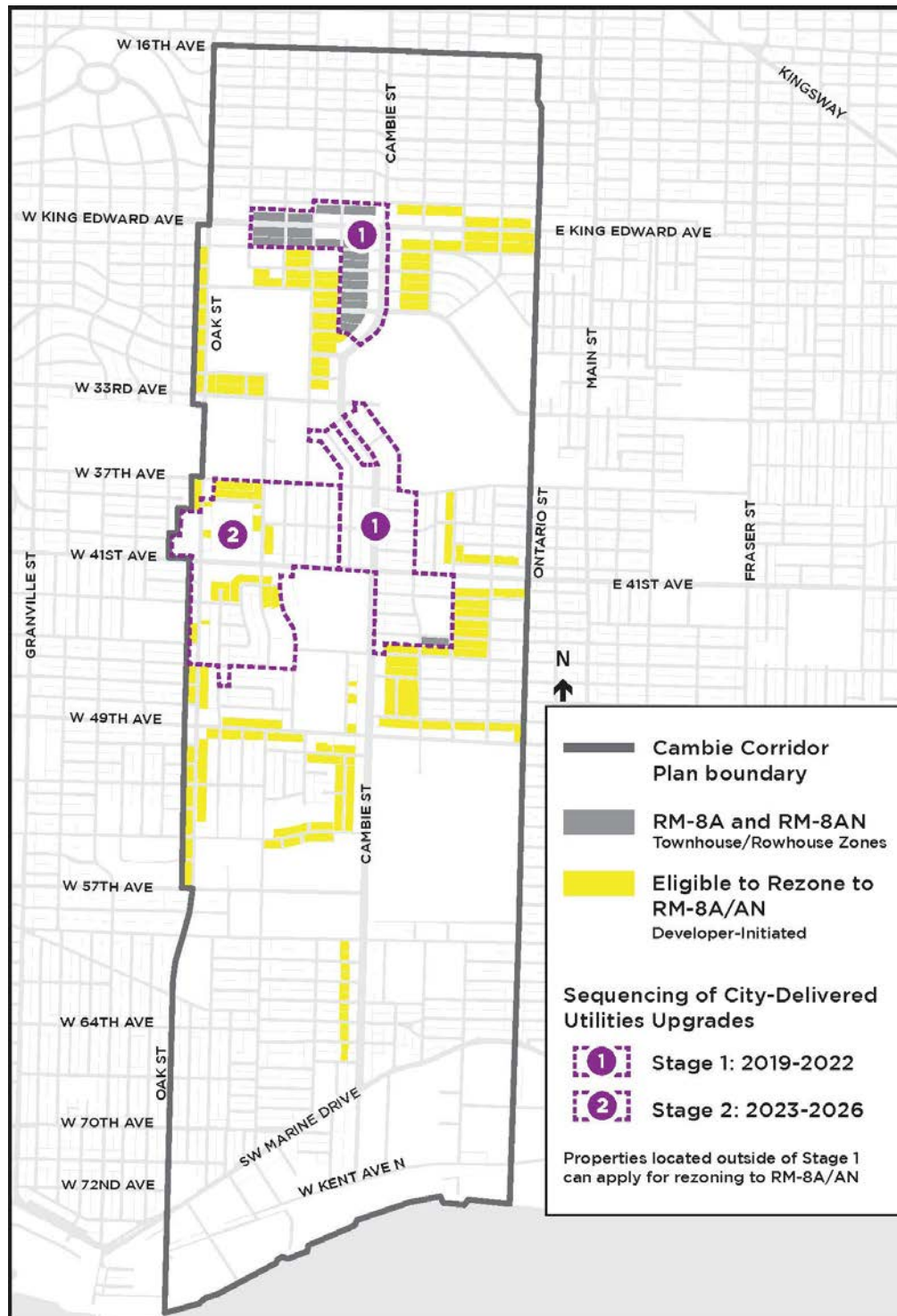
**5337-5387 Willow and 826 West 37th Avenue
SUMMARY OF TENANT RELOCATION PLAN TERMS**

Tenant Relocation and Protection Requirements	Tenant Relocation Plan Offer
Financial Compensation	<ul style="list-style-type: none"> • Compensation in the form of free rent, a lump sum payment, or a combination of both, will be available for each unit eligible for Tenant Relocation Plan according to the following schedule: <ul style="list-style-type: none"> ○ 4 months' rent for tenancies up to 5 years; ○ 5 months' rent for tenancies over 5 years and up to 10 years; ○ 6 months' rent for tenancies over 10 years and up to 20 years; ○ 12 months' rent for tenancies over 20 years and up to 30 years; ○ 18 months' rent for tenancies over 30 years and up to 40 years; and ○ 24 months' rent for tenancies over 40 years
Notice to End Tenancy	<ul style="list-style-type: none"> • Landlord to provide regular project updates to tenants throughout the development approvals process. • A minimum of four months' notice to end tenancy after all permits are issued is required (e.g. all development, building, and demolition permits in place).
Moving Expenses	<ul style="list-style-type: none"> • A flat rate compensation of \$1,000 for moving expenses.
Assistance in Finding Alternate Accommodation (3 options)	<ul style="list-style-type: none"> • Applicant to provide tenants requesting assistance with three options in Vancouver that best meet the tenants' identified priorities.
Additional Support for Low Income Tenants or Tenants Facing Other Barriers to Appropriate Housing	<ul style="list-style-type: none"> • For low income tenants and tenants facing other barriers to housing, as defined in the TRP Policy, the applicant is to assist in securing a permanent, suitable affordable housing option.

* * * * *

5337-5387 Willow Street and 826 West 37th Avenue
ADDITIONAL INFORMATION

1. Eligible Townhouse Rezoning Sites and Utilities Upgrade Stages in the Cambie Corridor



2. Public Benefits Information

The Cambie Corridor Plan (“Plan”) guides change and growth in the area over the next 30 years. By 2041, the Corridor’s population is anticipated to more than double, with 30,000 new housing units, making it the largest growth area outside of the downtown area.

The *Plan* identifies over 1,100 detached lots that have the rezoning potential for future townhouses, creating opportunities for up to 8,200 units of this much-needed ground-oriented housing type. City-initiated rezonings for townhouses were phased to align with the availability of infrastructure upgrades to service the Corridor. Phase 1 was approved in 2018.

As is typical of City-initiated rezonings, sites are not subject to community amenity contributions (CACs). Instead the zoning district for the RM-8A/AN zone includes a density bonus contribution to account for developer contribution to capture increased density of between 0.75 and 1.2 FSR. The RM-8A/AN sets a base density of 0.75 FSR for two-family or multi-family dwelling uses.

Future City-initiated rezoning of townhouse areas in the Corridor will be timed with infrastructure upgrades. In the meantime, owner-initiated rezonings, such as this application, can apply for a rezoning prior to these upgrades but be required to service off-site utility upgrades as a condition of rezoning.

Community Amenity Contributions (CACs)

In 2018, City Council approved a CAC exemption for any sites being rezoned to the RM-8A and RM-8AN Districts Schedule. The amendment was initiated to align City processes and to prevent the unintentional over-contribution from townhouse rezonings in the Cambie Corridor, especially given the requirement for a density bonus contribution established in the RM-8A/AN district schedules. This approach is consistent with townhouse developments in areas that have been pre-zoned by the City and can already be considered directly through a development permit process.

Density Bonus Zone Contributions (DBZ)

Density bonusing is a zoning tool that permits applicants to build additional floor space in exchange for contributions towards public benefits such as social housing, community centres, parks, and childcare. Contributions for the RM-8A/AN districts are calculated based on the increase in floor area from the base entitlement of the RM-8A/AN district and the maximum achievable density of 1.20 FSR. DBZs in the Cambie Corridor area are applied in accordance with the Cambie Corridor Public Benefits Strategy (see Appendix E).

Density bonus rates are subject to future adjustments by Council, including annual inflationary rate adjustments. A development may qualify for in-stream rate protection from Density bonus rate increases, provided that a building permit application has been received prior to the rate adjustment. See the [DBZ Bulletin](#) for additional information.

Development Cost Levies (DCLs)

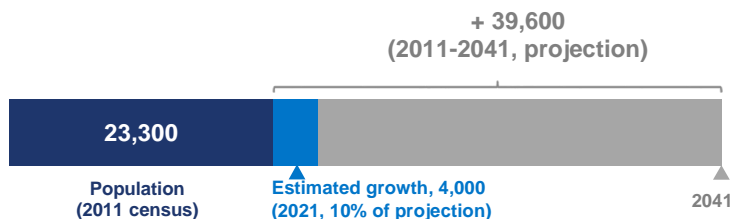
Development Cost Levies (DCLs) collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and engineering infrastructure.

DCL rates are subject to future adjustment by Council. DCLs are payable at building permit issuance based on rates in effect at that time, per the [DCL Bulletin](#).

PUBLIC BENEFITS IMPLEMENTATION DASHBOARD
CAMBIE CORRIDOR PLAN – North of 57th Ave
Updated mid-year 2021

POPULATION GROWTH^a

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

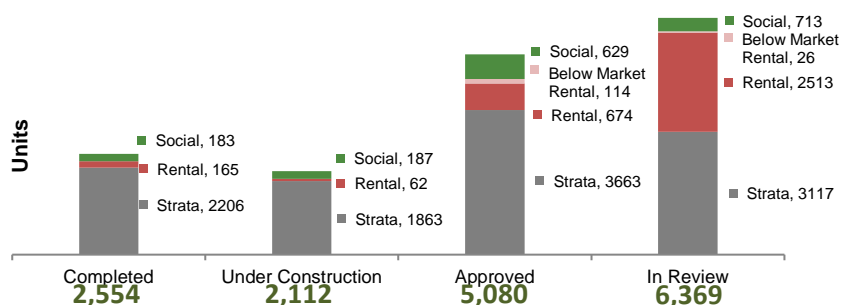


DEVELOPMENT ACTIVITY (UNITS)^b

Recent rezoning approvals:

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

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



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

PUBLIC BENEFITS ACHIEVED AND IN PROGRESS (North of 57th Ave)

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

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

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

EXPLANATORY NOTES

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

^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 present quarter.

^b Development Activity

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

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

^c Public Benefits Achieved

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

5337-5387 Willow Street and 826 West 37th Avenue
PUBLIC BENEFITS SUMMARY

Project Summary

Rezoning to RM-8A District to facilitate a townhouse or rowhouse development.

	Base Zoning	Proposed Zoning¹
Zoning District	RS-1	RM-8A
FSR (site area = 2,900 sq. m 31,215 sq. ft.)	0.70	0.75 to 1.20
Floor Area (sq. ft.)	21,850 sq. ft.	23,411sq. ft. to 37,458 sq. ft.
Land Use	Single-detached Houses and Duplexes (Residential)	Multiple Dwelling (Residential)

Summary of development contributions anticipated under proposed zoning¹

City-wide DCL ²	\$158,447
Utilities DCL ²	\$87,277
Density Bonus Zone Contribution ² (for density above 0.75 FSR)	\$775,381
TOTAL VALUE OF PUBLIC BENEFITS	\$1,021,105

¹ Assumes the development maximizes the allowable density. Based on rates as of September 30, 2021. Rates are subject to future adjustment by Council, including annual inflationary adjustments.

² Based on rates in effect as at September 30, 2021. Rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection, see the [DCL Bulletin](#) for details.

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5337-5387 Willow Street and 826 West 37th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
5337 Willow Street	010-285-318	Lot 17 Block 864 District Lot 526 Plan 8070
5363 Willow Street	010-285-296	Lot 16 Block 864 District Lot 526 Plan 8070
5387 Willow Street	010-285-245	Lot 15 Block 864 District Lot 526 Plan 8070
826 West 37th Avenue	010-285-326	Lot 18 Block 864 District Lot 526 Plan 8070

Applicant Information

Architect/Applicant	Listraor (Willow) Homes Ltd.
Property Owner	Listraor (Willow) Homes Ltd.

Site Statistics

Site Area	2,900 sq. m (31,215 sq. ft.); Site Dimensions 80 m (260 ft.) x 36.25 m (120 ft.)
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Development Statistics

	Permitted Under Existing Zoning	Development Permitted Under Proposed Zoning
Zoning	RS-1	RM-8A
Uses	Single-detached Houses and Duplexes (Residential)	Multiple Dwelling (Residential)
Max. Density	0.70 FSR	Up to 1.20 FSR
Floor Area	2,030 sq. m (21,850 sq. ft.)	Up to 3,480 sq. m (37,458 sq. ft.)
Height	10.7 m (35.1 ft.)	Up to 3 storeys (at the street): 11.5 m (37.5 ft.)
Unit Mix	n/a	as per RM-8A District
Parking, Loading and Bicycle Spaces	as per Parking By-law	as per Parking By-law
Natural Assets	To be assessed at the development permit stage	

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