



REFERRAL REPORT

Report Date: February 15, 2022
Contact: Yardley McNeill
Contact No.: 604.873.7582
RTS No.: 14899
VanRIMS No.: 08-2000-20
Meeting Date: March 1, 2022

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 5-15 West 2nd Avenue and 1751 Ontario 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

- A. THAT the application by MA + HG Architects on behalf of Mohinder Singh Sandhu, the registered owner of the land located at 5-15 West 2nd Avenue and 1751 Ontario Street [*Lots 9 and 10, Block 9 District Lot 200A Plan 197; PIDs 015-531-341 and 015-531-350 respectively*], to rezone the land from M-2 (Industrial) District to CD-1 (Comprehensive Development) District, to increase the permitted maximum floor space ratio (FSR) from 5.00 to 7.91 and the maximum building height from 30.5 m (100 ft.) to 58.6 m (192 ft.) to permit the development of an 18-storey mixed-use building containing 122 secured rental housing units, of which 20% of the residential floor area will be secured as below-market rental units, and commercial space on the ground floor, be approved in principle;

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

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by MA + HG Architects, received

December 14, 2020, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

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

- B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services, and the General Manager of Planning, Urban Design and Sustainability.
- C. THAT subject to approval of the CD-1 By-law, a consequential amendment to the Southeast False Creek Official Development Plan to increase the maximum floor area limit for non-residential uses, the maximum floor area in Area 2B and the total permitted floor area for Southeast False Creek, generally as set out in Appendix C, be approved.
- D. THAT subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C, be approved.
- E. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the CD-1, generally as set out in Appendix C;

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

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

REPORT SUMMARY

This report evaluates an application to rezone the sites at 5-15 West 2nd Avenue and 1751 Ontario Street from M-2 (Industrial) District to CD-1 (Comprehensive Development) District. The proposal is for an 18-storey, mixed-use building containing 122 secured rental housing units, of which 20% of the residential floor area will be secured as below-market rental units, and commercial space on the ground floor. The proposed height is 58.6 m (192 ft.) with a floor area of 8,892 sq. m (95,713 sq. ft.) and floor space ratio (FSR) of 7.91.

Staff have assessed the application and conclude that it generally meets the intent of the *Southeast False Creek Official Development Plan* (SEFC ODP) and the *Below Market Rental Housing Policy for Rezoning*s. Staff support the application, subject to design development and other conditions. 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 Public Hearing, and the conditions contained in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Southeast False Creek Official Development Plan (2005, amended 2018)
- Southeast False Creek Design Guidelines for Additional Penthouse Storeys (2010)
- Below-Market Rental Housing Policy for Rezonings (2019)
- Community Amenity Contributions – Through Rezonings (1999, amended 2021)
- Green Building Policy for Rezonings (2018)
- Family Room: Housing Mix Policy for Rezonings (2016)
- M-2 District Schedule
- Vancouver Development Cost Levy By-law No. 9755 (“DCL By-law”)
- Vancouver Utilities Development Cost Levy By-law No. 12183 (“Utilities DCL By-law”)
- Area-specific Development Cost Levy By-law No. 9418 (“Area-specific DCL By-law”)
- Culture|Shift: Blanketing the City in Arts and Culture (2019)
- Making Space for Arts and Culture (2019)
- Vancouver Music Strategy (2019)
- Urban Forest Strategy (2018)

REPORT

Background/Context

1. Site and Context

The subject site is zoned M-2 (Industrial) District and located at the intersection of 2nd Avenue and Ontario Street. The site is developed with a two-storey industrial building that contains an automotive repair shop and music rehearsal space. The site frontage is 30.2 m (99 ft.) on West 2nd Avenue with a depth of 37.2 m (122 ft.) along Ontario Street, and a site area of 1,124 sq. m (12,099 sq. ft.).

The site is located on the south edge of Olympic Village within the *SEFC ODP*. Nearby sites within Olympic Village have been rezoned to CD-1 to allow for primarily mid and high-rise residential developments. The Mount Pleasant Industrial Area (MPIA) is located to the south of

this site with properties along 2nd Avenue zoned I-1 (Industrial) which generally allows for building heights up to 33.5 m (109 ft.) and floor space ratio of 3.0.

Neighbourhood Amenities – The following neighbourhood amenities exist in the area:

- Parks: East Park (250 m) Hinge Park (600 m), Creekside Park (750 m).
- Cultural/Community Space: Creekside Community Centre (300 m), ScienceWorld (650 m), Mount Pleasant Community Centre and Library (800 m).
- Child Care: West Village Children’s Centre (220 m) and Creekside Child Development Centre (300 m).

The site is located approximately 650 m from the Main Street – Science World Skytrain Station and one kilometre from Olympic Village Skytrain Station. Ontario Street and 1st Avenue are bicycle routes.

Local School Capacity – The site is located within the catchment area of Simon Fraser Elementary School to the south and Eric Hamber Secondary School to the southwest. According to the Vancouver School Board (VSB)’s 2020 Long Range Facilities Plan, Simon Fraser Elementary School will be operating above capacity in the coming years, with a capacity utilization of 238% by 2029 and Eric Hamber Secondary School will be operating under capacity, with a capacity utilization at 86% by 2029.

The *SEFC ODP* identified a site in Area 1A for a future elementary school. Discussions between the City and VSB for the school are ongoing.

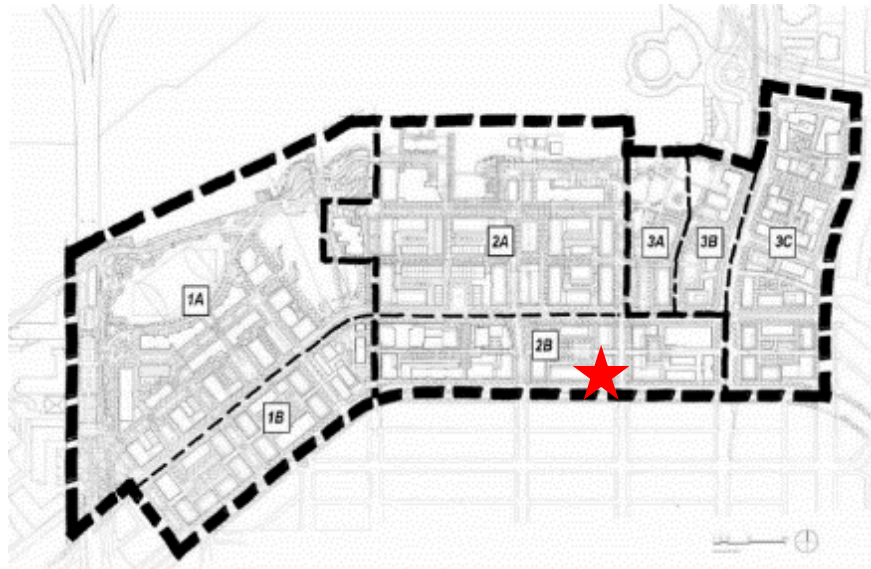
The City coordinates with the VSB to inform decision-making and reduce enrolment pressure, recognizing that some schools are full, but there is overall surplus capacity within their system. The VSB continues to monitor development and work with City staff to help plan for future growth.

Policy Context

Southeast False Creek Official Development Plan (SEFC ODP) – Rezoning in Southeast False Creek are guided by the area’s Official Development Plan. The site is located in Area 2B of the Shipyards area, envisioned as a mixed commercial and residential precinct that forms a transition between the industrial uses to the south and the primarily residential areas adjacent and to the north.

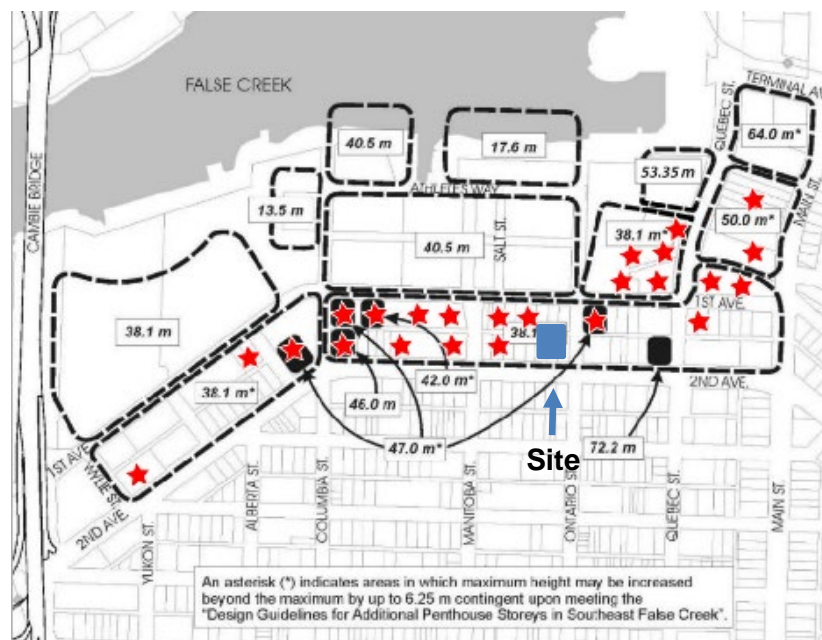
The *SEFC ODP* contains public infrastructure and amenity targets needed to achieve a complete community. The majority of the infrastructure and amenity targets have been fulfilled including a new waterfront community centre, 663 social housing units, 210 secure market rental units, park space, bicycle infrastructure and heritage retention. The majority of the remaining infrastructure and amenity targets are anticipated to be delivered through the development of the City-owned properties in Areas 1A and 2A, including a new school, daycare, affordable and social housing units, and additional park space.

Figure 1: Southeast False Creek Development Areas



Southeast False Creek Design Guidelines for Additional Penthouse Storeys – The guidelines allow for consideration of additional height and density beyond the provisions within the *SEFC ODP*. For tower forms, height increases of up to two storeys may be considered, along with a corresponding increase in density. The intent of the guidelines is to capture additional development opportunity identified following adoption of the ODP and contribute further towards the cost of local public benefits such as housing affordability, heritage preservation and child care.

Figure 2 – Location of approved buildings with additional height and density



As shown in Figure 2, more than 20 buildings have been approved with additional height and density under the guidelines. This has resulted in a taller building context surrounding the subject site with commensurate increases in the maximum floor area.

Below-Market Rental Housing Policy for Rezoning (the *Policy*) – In November 2019, Council approved the *Policy* as a way of encouraging the development of secured below-market rental housing. In areas of the City where existing policies enable mid- and high-rise residential forms, *the Policy* enables modest increases in heights and density for projects where 100% of the residential floor area is secured rental housing and at least 20% of the residential floor area is secured as below-market rental housing targeting households earning below \$80,000/year.

Tenant eligibility criteria for the below-market units is described in Section 2.3 of *the Policy*, and includes conditions also noted under the *Moderate Income Rental Housing Pilot Program (MIRHPP) Bulletin, Section 2b*.

The Policy allows for consideration of up to two additional storeys for projects 8 to 11 storeys or three additional storeys for projects 12 storeys or more. Projects are evaluated on a case-by-case basis with the additional height and density considered alongside public realm impacts and urban design considerations, including view cones and shadow impacts on public open spaces.

Culture|Shift: Blanketing the City in Arts and Culture and Making Space for Arts and Culture and Vancouver Music Strategy – In September 2019, Council approved these policies with the aim of preventing displacement of cultural resources, and supporting community-led spaces through enabling partnerships, *Making Space for Arts and Culture* makes affordability, accessibility and security one of its key directions. The policy sets an overall city-wide goal of securing 800,000 square feet of cultural space that includes 650,000 square feet of new, expanded or repurposed space.

The *Vancouver Music Strategy* supports music and musicians working and living in the city by addressing gaps and opportunities in Vancouver's music ecosystem. The *Vancouver Music Strategy* identifies dedicated music spaces as a critical space need priority as musicians continue to face displacement in Vancouver.

Strategic Analysis

1. Proposal

The application proposes an 18-storey mixed-use building with 122 rental residential units, with 20% of the residential floor area targeting households earning less than \$80,000/year, and includes commercial space on the ground level. The proposed floor area is 8,892 sq. m (95,713 sq. ft.), a building height of 58.6 m (192 ft.), and a FSR of 7.91 (Figure 3).

Figure 3 – Proposed Building looking east on 2nd Avenue



2. Land Use

The proposed residential and commercial uses were anticipated in the *SEFC ODP*.

3. Form of Development, Height and Density

(refer to application drawings in Appendix F and project statistics in Appendix I)

The subject property is the last remaining tower location in Area 2B of the *SEFC ODP*. Staff are satisfied the proposed form of development meets the intent of the applicable policies and guidelines, subject to design development conditions in Appendix B.

Form of Development – The tower is expressed as three progressively smaller “boxes” stacked atop a single-storey podium. The proposed tower is a departure from the typical form found in the neighbourhood as most buildings are articulated with upper level step-backs or other architectural features. The building includes a pronounced massing concept, with each of the boxes shifting off a central axis resulting in a staggered form. The boxes would be clad in different types of masonry, intended to reference the historical industrial character of the area noted in the *SEFC ODP*.

Building Separation – Within Southeast False Creek tower separation for residential towers over 18.3 m (60 ft.) in height, are generally less than the typical 24.4 m (80 ft.) sought in other areas of the City. A building separation of 12.2 m (40 ft.) from the neighbouring building to the north at 38 West 1st Avenue, has been included as a condition in Appendix B in order to be consistent with tower placement within the immediate context and ensure adequate livability for the residents of both the proposed and neighbouring building.

Public Realm – The *SEFC ODP* anticipates that development in this area will include public open spaces that are connected and integrated with adjacent areas to create a walking and cycling-friendly neighbourhood. The development to the west of the subject site was designed with a setback at grade along the shared property line, allowing for a pedestrian connection between West 2nd Avenue and the rear lane. While policy does not require any at-grade setbacks to this pedestrian connection, staff have included a design development condition in Appendix B to ensure that the built interface responds to the existing pedestrian connection. Additionally, the commercial retail units proposed on the ground level will provide for an active public realm interface and contribute to the urban vitality of this area by completing the retail continuity fronting West 2nd Avenue.

Height – The proposed height is derived from multiple policies (See Figure 4). The *SEFC ODP* includes both an optimum and a maximum height for rezoning sites. Prescribed heights in the plan are subject to urban design considerations include views, shadowing and relationship to nearby public realm and buildings. The *SEFC ODP* anticipated the “Optimum Height” at this

location as seven storeys and the “Maximum Height” as 38.1 m (125 ft.) or approximately 13 storeys. Optimum heights were included to encourage a variety of building heights throughout the Plan area. With the adoption of the *Southeast False Creek Design Guidelines for Additional Penthouse Storeys*, building heights consistently increased in the area with most buildings achieving the maximum building height permitted.

The *Below-Market Rental Housing Policy for Rezoning* permits consideration of three additional storeys for rental proposals with 20% of the residential floor area at below-market rental rates, as is the case for this proposal. As per this policy, height beyond the “maximum height” within the ODP is conditional based on urban design considerations such as shadowing and impact on nearby public realm.

Staff note that the three additional storeys proposed, for this application, does not fundamentally impact the public realm performance or character of the neighbourhood.

In addition, two additional partial penthouse storeys are enabled through the *SEFC Design Guidelines for Additional Penthouse Storeys*. Staff note that the additional storeys, though not stepped back in the typical manner seen elsewhere in the neighbourhood, have a measurably smaller floorplate than the levels below and therefore substantially meet the provisions of that policy.

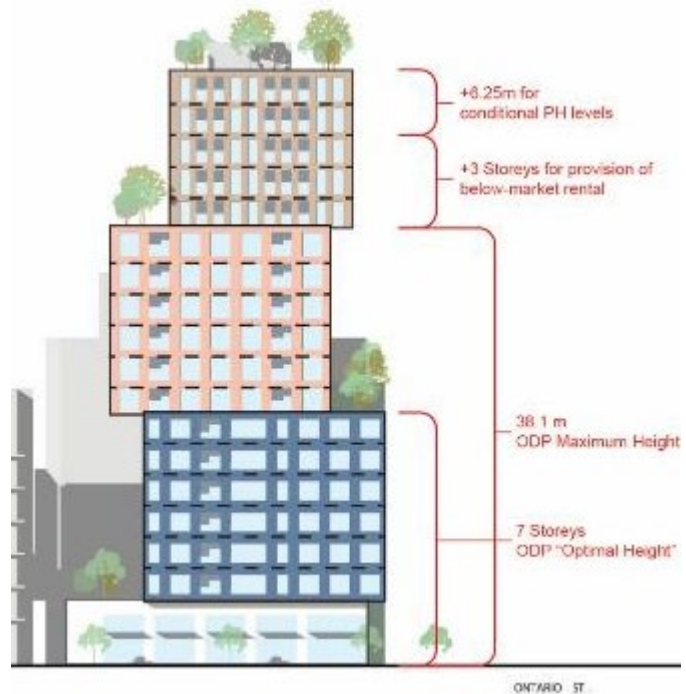
Shadow Impacts – Shadow impacts of the proposed development on nearby the public realm were assessed at the spring and fall equinoxes and summer and winter solstices, between the hours of 10 am and 4 pm (Appendix F). The proposed development does not measurably increase overshadowing on adjacent public spaces or parks as compared to the base height and density anticipated by the *SEFC ODP*. Overshadowing will remain an important urban design consideration through the Development Permit process.

Density – The existing M-2 zoning permits a maximum density of 5.0 FSR. The proposed density is 7.91 FSR. This density is enabled through the *SEFC ODP*, *SEFC Design Guidelines for Additional Penthouse Storeys* and the *Below-Market Rental Housing Rezoning Policy*.

The SEFC ODP sets plan-wide and sub-area floor area limits for both residential and non-residential uses. A consequential amendment to the SEFC ODP is required in order to accommodate the proposed non-residential floor area (see Appendix C).

Urban Design Panel – The Urban Design Panel (UDP) reviewed this application on June 9, 2020 and supported the proposal with recommendations (see Appendix D). The Panel shared mixed comments on the proposed height and density. Design recommendations included

Figure 4 – Proposed Building Enabling Height Policy



increased setbacks and tower separation from adjacent residential buildings to increase privacy, inclusion of balconies for studio units, improvement of the ground floor interface with the lane and shifting the child play area to the rooftop. The Panel's recommendations have been incorporated in to the design conditions in Appendix B.

4. Housing

The *Housing Vancouver Strategy* and associated *3-Year Action Plan* is the culmination of a yearlong process of gathering, synthesizing and testing new ideas and approaches to 'addressing housing needs in Vancouver. This application, if approved, would add 122 rental housing units, including approximately 98 market rental units and 24 below-market rental units, to the City's inventory of rental housing, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 5).

Figure 5 - Progress towards 10 Year Housing Vancouver Targets for Purpose-Built Market and Developer-Owned Below-Market Rental Housing as of Dec. 31, 2021

Housing Type	CATEGORY	10-YEAR TARGETS	Units Approved Towards Targets
Purpose-Built Market Rental Housing Units	Market Rental	16,000	8,275 (52%)
	Developer-Owned Below Market Rental	4,000	660 (17%)
	Total	20,000	8,935

Note:

1. Tracking progress towards 10-year Housing Vancouver targets began in 2017
2. Unit numbers exclude the units in this proposal, pending Council's approval of this application.

Vacancy Rates – Vancouver has exhibited historically low vacancy rates during the last 30 years. Between 2017 and 2019, prior to the COVID-19 pandemic, the average vacancy rate for purpose-built rental apartments (based on the CHMC Market Rental Survey) for the South Granville/Oak neighbourhood, where this site is located, was 0.6%. The vacancy rate in late 2021 was around 2.4%, due to COVID-19, but is anticipated to return closer to the average near-term rate when this building is ready for occupancy. A vacancy rate of 3% represents a balanced market.

Housing Mix – This proposal would deliver a variety of unit types in the form of studio, one-bedroom, two-bedroom and three-bedroom units. The *SEFC ODP* requires that a minimum of 25% of residential units in Area 2B are suitable for families with children. On July 13, 2016, Council adopted the *Family Room: Housing Mix Policy for Rezoning Projects* policy that requires a minimum of 35% of units to be suitable for families with children; however, this policy does not supersede the family unit mix requirement in the *SEFC ODP*. This application exceeds the *SEFC ODP* family mix requirement as 36% of the market units and 38% of the below-market rental units are two or more bedrooms (see Figure 6). These units are designed in accordance with the *High Density Housing for Families with Children Guidelines*.

Figure 6 - Proposed Unit Mix

Type	Count	Percentage
Studio	21	17%
1-bed	57	47%
2-bed	36	29.5%
3-bed	8	6.5%
Total	122	100%

Average Rents and Income Thresholds – Figure 7 sets out the proposed average starting rents for the below-market units. The below-market units are secured at Moderate Income Rental Housing Pilot Program rents, which meet the affordability criteria of the *Below-Market Rental Housing Policy*. These starting rents are applicable for the below-market units which will comprise at least 20% of the residential floor area that is counted in the calculation of the floor space ratio, and will be targeted to households earning below \$80,000 per year.

Average market rents in newer rental buildings on the Westside are also shown in the third column in Figure 7. An average market rental studio unit could be affordable to a single person working in occupations in the education sector and industrial sector. A two-bedroom market rental unit could be affordable to a couple employed in occupations such as technical roles in engineering or manufacturing.

Figure 7 - Below-Market Unit Average Rents, Market Rents in Newer Buildings and Household Incomes Served

	Below-Market Units Average Starting Rents	Average Market Rent in Newer Buildings - Westside (CMHC, 2020) ¹	Annual Income Required to Afford Average Market Rent in Newer Buildings	DCL By-Law Maximum Averages - Westside (CMHC, 2020) ²	Annual Income Required to Afford DCL By-Law Maximum Averages
Studio	\$950	\$1,832	\$73,280	\$1,818	\$72,732
1-bed	\$1,200	\$1,975	\$79,000	\$2,224	\$88,968
2-bed	\$1,600	\$2,804	\$112,160	\$2,912	\$116,468
3-bed	\$2,000	\$3,349	\$133,960	\$4,094	\$163,768

1. Data from the October 2020 CMHC Rental Market Survey for buildings completed in the year 2011 or later on the Eastside of Vancouver
2. For studio, 1-, 2-, and 3-bedroom units, the maximum DCL rents are the average rents for all residential units built since the year 2005 in the City of Vancouver as published by CMHC in the fall 2020 Rental Market Report.

Figure 8 - Cost of Ownership and Household Incomes Served

	Monthly Costs of Ownership for Median-Priced Unit – Westside — 20% down payment (BC Assessment 2020)¹	Annual Income Required to Afford Monthly Costs for Ownership	Starting down payment required at 20%
Studio	\$2,569	\$102,776	\$99,050
1-bed	\$3,191	\$127,654	\$124,600
2-bed	\$4,812	\$192,492	\$186,600
3-bed	\$7,809	\$312,350	\$309,000

1. Based on the following assumptions in: median of all BC Assessment sales prices in Vancouver Eastside in 2020 by unit type, 10% / 20% down payment, 5% mortgage rate (in-line with Bank of Canada conventional rate), 25-year amortization, \$150 – 250 monthly strata fees and monthly property taxes at \$2.92 per \$1,000 of assessed value (2020 assessments and property tax rate)

To be eligible to rent a below-market unit, a household must have a gross annual income that does not exceed the income requirements for the relevant unit type, and there must be at least one household member per bedroom. For projects proceeding under the Below-Market Rental Housing Policy, the eligibility requirements for the below-market rental units are described in further detail in the Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements and Available Incentives document. All residents in the building will have equal access to common indoor and outdoor amenities and facilities illustrated in the architectural drawings in Appendix F.

The market rental housing component will provide options that are significantly more affordable than home ownership as illustrated in Figures 7 and 8.

Security of Tenure – Purpose-built rental housing offers permanent rental housing and security of tenure, unlike rented condominiums or basement suites in the secondary rental market. All 122 units in the proposal would be secured through a Housing Agreement and/or a Section 219 Covenant for the longer of 60 years or the life of the building. Covenants will be registered on title to prohibit the stratification and/or separate sale of individual units.

The Housing Agreement will secure the floor space for the below-market units at not less than 20% of the total residential floor area. The below-market unit rental rates will also be secured and are targeted to meet the affordability needs of households earning less than \$80,000 per year. Rent increases for each of the below-market rental units after the issuance of occupancy permit will be capped at the Residential Tenancy Act annual allowable rental increase regardless of a change in tenancy. Conditions related to securing the units are contained in Appendix B.

Existing Tenants – The rezoning site currently contains no residential units and no eligible tenants as defined under the Tenant Relocation and Protection Policy.

4. Music Rehearsal Space

Until May 2021, “The Woods Studio” was located on the subject site. This was a privately managed, 186 sq. m (2,000 sq. ft.) community-based music studio, additionally an unsanctioned, approximately 251 sq. m (2,700 sq. ft.) music rehearsal space is located in the basement of the building. The studio supported 60-80 musicians for music creation, collaboration, and rehearsal.

There is no opportunity to acquire dedicated replacement space for the music studio through the rezoning given the below-market rental housing public benefit offer. Recognizing the importance of the existing space to the city’s music sector, the applicant has proposed a commercial unit that would be constructed to function as a music rehearsal space, including adequate acoustic controls. The 75 sq. m (817 sq. ft.) space would be privately-owned and can be leased to a non- or for-profit music organization. The applicant would be required to consult with the musicians and artists in the current music space should they have interest in continuing cultural and music activities on the site.

Conditions to construct the music rehearsal space to the satisfaction of the Managing Director of Cultural Services, are contained in Appendix B.

5. Parking and Transportation

Vehicle and bicycle parking are provided on three levels of underground parking, accessed from the rear lane. The application proposes 53 vehicle parking spaces and 239 bicycle spaces. Conditions included in Appendix B require the proposal meet the requirements of the Parking By-law.

6. Environmental Sustainability and Natural Assets

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

This application is pursuing 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 new energy use intensity, greenhouse gas and thermal demand targets. Additionally, all developments will need to meet rainwater management requirements for retention, rate control, cleaning, and safe conveyance. Conditions are included in Appendix B.

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

There are no existing trees on the site or on City lands adjoining the site. New street trees are proposed on both the Ontario Street and 2nd Avenue boulevards. See Appendix B for landscape and tree conditions.

PUBLIC INPUT (refer to Appendix E)

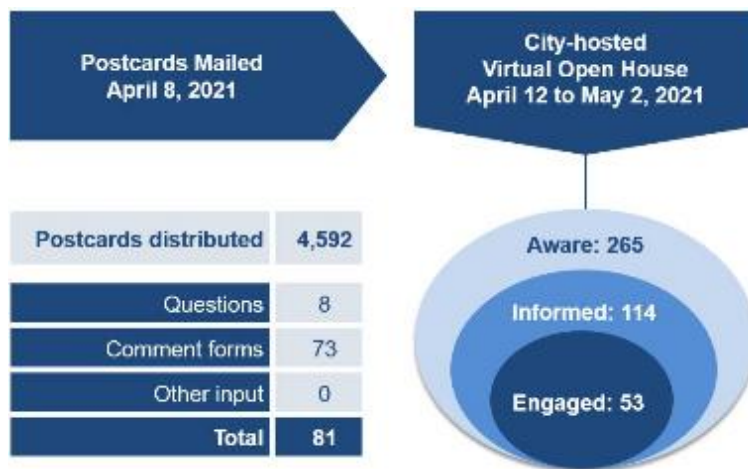
Pre-application Community Consultation – Prior to submitting the application the applicant team published a project webpage and sent postcards to nearby residents and businesses inviting comment and to view the proposal. Two phone calls and one email were received in response to the consultation.

Public Notification – A rezoning information sign was installed on the site on February 9, 2021. Approximately 4,592 notification postcards were distributed within the neighbouring area on or around April 8, 2021. Notification and application information, as well as an online comment form, was provided on the City’s new digital engagement platform *Shape Your City Vancouver* (shapeyourcity.ca/).

Virtual Open House – In-person open houses were put on hold based on the provincial health authority’s restrictions for public gatherings due to the COVID-19 pandemic. In lieu of an in-person event, a virtual open house was held from April 12, 2021 to May 2, 2021 on the Shape Your City platform. The virtual open house consisted of an open-question online event where questions were submitted and posted with a response over a period of three weeks. Digital presentations from the City and the applicant were posted for online viewing, along with a digital model representation of the proposed application.

Due to the pandemic, a virtual engagement strategy was put in place to ensure the City’s process for public discussion and obtaining feedback was maintained. This virtual approach allowed people to access materials online and engage at different levels at a time and location of their choosing. An extended virtual open house period allowed people to ask questions regarding the proposal, which staff actively monitored and responded to publicly.

Figure 9 - Overview of Notification and Engagement



Public Response and Comments – Public input was received throughout the application process through online questions and comment forms, and by email and phone. A total of 81 submissions were received. A summary of all public responses are included in Appendix E.

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 building height, massing, density and context is appropriate given its location at an arterial street that is serviced by transit and a great addition to the False Creek South area.
- **Building design:** The building design is creative, unique and brings architectural variety to the area. The industrial heritage building design gives nod to the history of the area.
- **Housing stock and affordability:** The addition of more purpose-built rental housing is needed in the city. The 20% floor space dedicated to below-market rental units is important for households earning less than \$80,000 per year who want to remain close to their jobs in the Downtown core.
- **Parking:** The amount of parking proposed is appropriate.

Generally, comments of concern fell within the following areas:

- **Building height, massing, density and context:** The height, massing, density and context of this proposal is not appropriate and creates inconsistency for this area. The height proposed will cause increased shadowing and block access to views for the surrounding buildings. Privacy concerns were raised as this development is in very close proximity to the neighbouring buildings.
- **Building design:** The building design is bulky and mismatched. Concern was expressed about the multi themed colour palate for the bricks proposed.
- **Artist space:** The loss of existing artist space and lack of policy to replace the space.
- **Amenities:** Not enough local amenities within the area to properly facilitate the increase in density
- **Parking:** The proposed number of parking is not enough to serve all the residents that will be moving into the building and will cause parking spillage onto already crowded side streets.

Response to Comments

Height, Density and Neighbourhood Fit – The proposed height is the result of layered policies that apply to this area including the *SEFC ODP*, *SEFC Design Guidelines for Additional Penthouse Storeys* and the *Below-Market Rental Housing Policy for Rezoning*s. Staff have reviewed the impact of the additional height and density on the immediate and nearby public realm, noting the immediate context is defined by buildings up to 18 storeys. Through staff analysis of shadowing and public realm interface design, it was determined that the proposed building does not fundamentally impact the public realm performance or character of the neighbourhood.

Artist Space – Recognizing the importance of the existing space to the city’s music sector, the applicant has proposed a commercial unit that could be constructed to function as a music rehearsal space. The 75 sq. m (817 sq. ft.) space would be privately-owned and can be leased to a non-profit music organization and could be constructed to function as a music rehearsal space including adequate acoustic controls.

Amenities – The *SEFC ODP* contains public infrastructure and amenity targets needed to achieve a complete community. The majority of which have been fulfilled by previous developments. Amenities delivered through the *SEFC ODP* include a new waterfront community centre, 663 social housing units, 210 secure market rental units, 13.3 acres of park space, retention of three heritage buildings and a the completion of the Seaside greenway and 1st Avenue bikeway.

PUBLIC BENEFITS

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

The application is subject to the *Community Amenity Contributions Policy for Rezonings* with CACs based on a negotiated contribution. The proposal includes 100% of the residential floor area of approximately 8,338 sq. m (89,749 sq. ft.) as rental housing comprised of 122 residential units to be secured for the longer of 60 years and the life of the building. Of the total residential floor area, 20% (approximately 1,668 sq. m (17,950 sq. ft.)), 24 units, will be provided as below-market rental housing at moderate income rental rates with rents capped at the RTA annual allowable rental increase regardless of a change in tenancy.

The public benefit achieved for this application is the 100% rental residential floor area with a provision of 20% below-market rental housing. Real Estate Services staff reviewed the applicant’s development pro forma and determined that no additional CAC contribution is required.

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 (pursuant to the “DCL By-law”), Utilities DCL (pursuant to the “Utilities DCL By-law”) and Area-specific DCL (pursuant to the Area-specific DCL By-law). DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at building permit stage.

The applicant has requested a waiver in accordance with the provisions of Section 3.1A of the City-wide DCL By-law and the Area-specific DCL By-law of the City-wide and Area-specific DCL attributed to the floor area qualifying as “for-profit affordable rental housing”. A review of how the application meets the waiver criteria is provided in Appendix G. The DCL By-law and Area-specific By-law require that where rents are determined under section 3.1A(d) of each such by-law, they are to apply at initial occupancy. A final rent roll that sets out the initial monthly rents will be required prior to issuance of the occupancy permit in

order to ensure compliance with the DCL By-law, Area-specific By-law and the MIRHPP Program.

The City will ensure that average unit sizes do not exceed the maximum thresholds set out by DCL bylaw through the Development Permit application process.

Based on rates in effect as of September 30, 2021 and the proposed 8,338 sq. m (89,749 sq. ft.) residential floor area and 554 sq. m (5,964 sq. ft.) commercial floor area, \$1,152,969 of DCLs would be expected from this development. The value of the City-wide DCL waiver and the Area-specific DCL waiver on the residential floor area is expected to be approximately \$3,445,512.

DCL bylaws are subject to future adjustment by Council including annual inflationary 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 on DCL rate protection.

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.).

FINANCIAL IMPLICATIONS

As noted in the Public Benefits section, the CAC is the affordable housing and no cash CAC contribution is applicable.

The 122 units of secured rental housing, including approximately 24 below-market rental units, will be privately owned and operated, secured by a Housing Agreement and Section 219 Covenant for 60 years or the life the building.

Based on rates in effect as at September 30, 2021, it is estimated that the project will pay \$1,152,969 in DCLs. The value of the City-wide DCL waiver and the Area-specific DCL waiver on the residential floor area is expected to be approximately \$3,445,512.

CONCLUSION

Staff review of the application has concluded that the proposed land use, housing mix, form of development and public benefits are consistent with the intent of *Southeast False Creek Official Development Plan*, *SEFC Design Guidelines for Additional Penthouse Storeys* and the *Below-Market Rental Residential Policy for Rezonings*. Staff further conclude that the proposed form of development represents an appropriate urban design response to the site and context. If approved, this application would contribute 122 secured rental residential units to the City's rental housing stock serving households with a range of incomes.

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 F.

* * * * *

**5-15 West 2nd Avenue and 1751 Ontario Street
PROPOSED CD-1 BY-LAW PROVISIONS**

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

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 ().

Definitions

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

Uses

4. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 () and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Cultural and Recreational Uses;
 - (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this section;

- (c) Office Uses;
- (d) Retail Uses;
- (e) Service Uses; and
- (f) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

- 5.1 A minimum of 20% of the total dwelling unit area must be below-market rental housing units.
- 5.2 The design and layout of at least 25% of the market rental dwelling units, and at least 25% of the below-market rental dwelling units must:
 - (a) be suitable for family housing; and
 - (b) include two or more bedrooms.
- 5.3 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.
- 5.4 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.
- 5.5 The Director of Planning may vary the use conditions of section 5.4 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

- 6.1 Computation of floor area must assume that the site area is 1,124 m², being the site area at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.

- 6.2 The floor space ratio for all uses combined must not exceed 7.91.
- 6.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 6.4 Computation of floor area and dwelling unit area must exclude:
- (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:
 - (i) the total floor area of these exclusions must not exceed 12% of the floor area being provided for dwelling uses; and
 - (ii) the balconies must not be enclosed for the life of the building;
 - (b) patios and roof decks, if the Director of Planning first approves the design of sunroofs and walls;
 - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
 - (d) 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.
- 6.5 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.
- 6.6 Where floor area associated with residential storage space is excluded, a minimum of 20% of excluded floor above base surface must be located within the Below-Market Rental Housing Units as storage area.

Building height

7. The building measured from the base surface must not exceed the maximum permitted height of 58.6 m, except that no part of the development is permitted to protrude into the Council-approved public views, as set out in the City of Vancouver View Protection Guidelines.

Horizontal Angle of Daylight

- 8.1 Each habitable room must have at least one window on an exterior wall of a building.

- 8.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 8.3 Measurement of the plane or planes referred to in section 8.2 must be horizontally from the centre of the bottom of each window.
- 8.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if:
- (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.
- 8.5 An obstruction referred to in section 8.2 means:
- (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted under the zoning on any adjoining site.
- 8.6 A habitable room referred to in section 8.1 does not include:
- (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit; or
 - (ii) 9.3 m² .

Acoustics

9. 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

* * * * *

**5-15 West 2nd Avenue and 1751 Ontario 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 FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared MA + HG Architects, received December 14, 2020 and provides that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with the development application.

THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning who shall have particular regard to the following:

Urban Design

- 1.1 Design development to allow for a 12.2 m (40 ft.) minimum building setback above the first floor from the face of the building across the lane, subject to addressing livability and privacy impacts;

Note to Applicant: High level of consideration should be given to minimize any additional shadow impacts on adjacent neighbours.

- 1.2 Design development to improve the open space and building interfaces, including;

- (a) Enhance the lane interface to better respond to the existing character.

Note to Applicant: This interface must be scaled, treated and designed adequately for pedestrians (provision of clear sidewalk, visual interest, etc.) while accomplishing servicing functions. No encroachments into the required setback are permitted.

- (b) Enhance the western interface and increase the corner area to further strengthen the pedestrian amenity of the mid-block connection and to better integrate the existing conditions.

Note to Applicant: Larger and fully accessible open spaces that compensate for the density proposed are required. Blank walls are not supported.

- (c) Maximize the commercial space and improve the building interfaces with the public realm by relocating service areas (garbage, parking and loading) below grade.

Note to Applicant: The SEFC anticipates lanes that are pedestrian orientated. Further, the pedestrian connection should have a more sympathetic interface with the adjacent development openings.

Note to Applicant: The intent of the South East False Creek Public Realm is to provide high-quality public realm design and treatments prioritizing the needs of pedestrian movements, respecting the principles of universal and accessible design, over vehicular flows, to achieve a more cohesive and integrated landscape design.

1.3 Design development to improve liveability, including;

- (a) Reduce privacy and oversight concerns to the western and northern neighbours.

Note to Applicant: The Urban Design Panel noted that due to the close proximity of surrounding buildings, design measures to address these impacts should be proposed.

- (b) Provision of sufficient and suitable private open space for all units.

Note to Applicant: In accordance with *the High-Density Housing for Families with Children Guidelines*, each family unit should have a private open space that is a minimum of 1.8 m deep and 2.7 m wide. Provision of drawings with suitable furniture, including for private open space that demonstrate adequate furniture for all of prospect residents of the unit fits in balconies is required.

1.4 Demonstration of excellent level of the sustainability performance in accordance with the South East False Creek Official Development Plan, including:

- (a) Provision of integrated high-quality green roofs on all levels, where possible.

Note to Applicant: Ensure provision of community-oriented opportunities and roof program, including edible planting, increased shared urban agriculture garden plots and overall amenity space. Shared gardening areas should be designed to adhere to Council's Urban Agriculture Guidelines for the Private Realm.

- (b) Exploration to outperform the required sustainable performance of the building.

Note to Applicant: This is intended to recognize the current climate emergency situation and the capital importance of transforming and adapting the built habitat, in view of the fact that buildings and construction work cause almost 40% of carbon dioxide emissions into the atmosphere, with the consequent impact on the natural habitats, therefore, the application should further take into consideration leadership in environmental design.

1.5 Design development to consider an alternate location for the children's amenity play area;

1.6 Design development to maintain the concept, expression and associated high-quality materiality displayed in the elevations;

- 1.7 Provision of a conceptual lighting strategy and implementation plan for pedestrian scale lighting to enhance the proposed public realm environment;

Note to Applicant: Public realm lighting needs to be coordinated to meet Engineering standards and requirements.

- 1.8 Provision of a conceptual signage strategy to ensure a well-conceived and disciplined approach to announcing tenancy;

Note to Applicant: The strategy should confirm general signage hierarchy, location and type. Back lit box signs are not supported.

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

Note to Applicant: Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted: <https://guidelines.vancouver.ca/B021.pdf>

Crime Prevention through Environmental Design (CPTED)

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

- a) Theft in the underground parking and loading areas;
- b) Residential break and enter;
- c) Mail theft; and
- d) Mischief in alcove and vandalism, such as graffiti.

- 1.11 Design development to reduce opportunities for ground level break and enter;

Note to Applicant: Ground-level units with canopies facing streets have shown to be most susceptible to break and enter. Opportunities for break and enter can be reduced by deleting areas of concealment outside of doors, canopies, windows and patios and encouraging surveillance by other residents and people passing by to these units. Semi-private open space should be secured from access by non-residents while remaining visually open.

Landscape Design

- 1.12 Design development to maintain privacy and reduce oversight concerns to adjacent properties to the north and west by the planting of significant trees and shrubs on upper terraces facing north and west.

- 1.13 Design development to enhance public realm interface at the lane, by allowing for the addition of significant evergreen woody planting beds to replace paved service areas.

- 1.14 Consideration of design development to relocate the child play areas to a sunnier amenity space and provide enhanced solar orientation, while still allowing for contiguous visual access to an indoor amenity area.
 - 1.15 Design development to improve the sustainability strategy, by the following:
 - (a) Add substantially more landscape to accent and soften all entry areas;
 - (b) Add vines to any blank wall facades, ensuring the vine support is sturdy and low maintenance (avoid high maintenance modular “green wall” systems);
 - (c) Add planters with overarching shrubs to common upper level decks that are visually accessible from below, soften the edges and consist of woody evergreen plant material for year-round presence;
 - (d) Add edible plants, which can be used as ornamentals as part of the landscape design; and
 - (e) Incorporate urban agriculture plots.
 - 1.16 Design development to ensure the intended landscape design allows for adequate maintenance, as follows:
 - (a) Provide common maintenance access to all planted common areas; and
 - (b) Provide a high efficiency irrigation system for all planted areas.
 - 1.17 Design development to locate, integrate and fully screen parking garage vents in a manner which minimizes the impact on the architectural expression and the open space and public realm.
 - 1.18 Design development to the Integrated Rainwater Management Strategy to explore opportunities for onsite rainwater infiltration and soil absorption, as follows:
 - maximize natural landscape best management practises;
 - minimize the necessity for hidden mechanical water storage;
 - increase the amount of planting to the rooftop areas, where possible;
 - consider linear infiltration bio-swales along property lines, at lower site areas;
 - use permeable paving;
 - employ treatment chain systems (gravity fed, wherever possible);
 - use grading methods to direct water to soil and storage areas;
- Note to Applicant: Refer to the City of Vancouver Integrated Rainwater Management Plan (I.R.M.P), Vol.1 & 2 for further information. A consulting engineer (subject matter expert) will need to be engaged and early phase soil analysis will be needed. Further comments may be outstanding at the development permit stage.
- 1.19 Provision of plans, plan details and documentation/calculations that support integrated rainwater management, including absorbent landscapes, soil volumes and detention systems, as follows:

- detailed storm water report with calculations describing how the various best management practices contribute to the quality and quantity targets;
- a separate soil volume overlay plan with schematic grading indicating intent to direct rainwater to infiltration zones;
- an overlay plan that shows amount and ratio of vegetative cover (green roof), permeable/impermeable hardscaping and notations describing the storage location of rainwater falling on each surface, including roofs.

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

- 1.20 Provision of coordination between Landscape Plan and architectural Site Plan, for most updated information.
- 1.21 Provision of complete information, such as references on the Roof Deck Plan, confirming all landscape elements.
- 1.22 Provision of a detailed Landscape Plan illustrating soft and hard landscaping.

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

- 1.23 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.

- 1.24 Provision of a "Tree Management Plan".

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

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

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

- 1.26 Provision of a Letter of Consent for the proposed removal of adjacent property hedge.
- 1.27 Coordination for the provision of new street trees or any proposed City owned tree removals adjacent to the development site, where applicable.

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Engineering (604-871-6131) to confirm tree planting locations and Park Board (604-257-8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, "*Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion*".

- 1.28 Provision of an outdoor Lighting Plan.

Sustainability

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

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

- 1.30 Identification on the plans and elevations of any built elements contributing to the building's sustainability performance in achieving the requirements as dictated by the *Green Buildings Policy for Rezoning* and explore further strategies to improve green building performance and identify significant thermal bridges and their resolution on design drawings.

Note to Applicant: Additional strategies could include but are not limited to utilizing solar shading devices and green roof technologies.

Arts, Culture and Community Services

- 1.31 Design development of the 75 sq. m (817 sq. ft.) private cultural space ("Music Rehearsal Space") to function primarily as an Artist Studio, to the satisfaction of the Managing Director of Cultural Services. The "Music Rehearsal Space" is to be designed, constructed, equipped and finished in accordance with the following specifications and that the "Music Rehearsal Space" meet all requirements of relevant by-laws including Noise, Building and Fire By-laws for Artist Studio Class B Use. The space should:

- (a) Include floor-to-floor height to be minimum 3.66 m (12 ft.) to allow sufficient space for mechanical and electrical equipment and maintain minimum 2.44 m (8 ft.) clear ceiling heights for any localized ceiling drops throughout the space;
 - (b) Include strong visual identity, ground-level entrance, distinct street-level presence, including large identification signage to maximize street/laneway visibility;
 - (c) Ensure laneway access to private cultural space is safe for users and clearly marked, especially given close proximity to parkade entrance;
 - (d) Ensure design will be finished, at a minimum, to the same level as other CRUs with additional soundproofing measures, and is designed and constructed to accommodate Artist Studio – Class B uses, with occasional performances and public assembly.
 - (e) Consider cultural facility fit and finishes to provide flexibility for Class A and Class B uses, which may include but are not limited to: acoustic controls, architectural millwork, ceiling heights, wall, floor and ceiling finishes, mechanical including electrical, plumbing, lighting, and HVAC;
 - (f) Provide direct and barrier-free route to cultural space to facilitate ease of loading for equipment, material and supplies, including: loading, halts, with minimum clearance of 48" in corridors, and double doors to preserve a 5 ft. clearance;
 - (g) Ensure design includes acoustic controls, adequate soundproofing and acoustic isolation to ensure the private cultural space can accommodate amplified sound, and reduce impact on neighbouring commercial and residential units;
 - (h) Ensure all demising walls, ceilings, floors, and openings to meet enhanced soundproofing (STC65 minimum), with interior noise controlled with appropriate acoustic surface treatment. Enhanced sound proofing to allow Class A and B uses to meet Noise Control By-law.
 - (i) Maximize daylight access and to be universally accessible for peoples with disabilities, including universal and accessible washroom(s); and
 - (j) Include shared access for tenants of private cultural space to loading, waste and recycling rooms on site.
- 1.32 Consult with musicians and artists in the existing music space should they have interest in continuing cultural and music activities on the site, and engage the group in the design process.

Engineering

- 1.33 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.
- 1.34 Confirmation of whether the proposed development impacts the Major Road Network (MRN), as defined under the South Coast British Columbia Transportation Authority Act (<https://www.translink.ca/plans-and-projects/projects/major-road-network>). In the event it is confirmed the proposed development impacts the MRN, a Construction Management Plan shall be submitted directly to Translink with a copy of the correspondence provided to the City of Vancouver.

Note to Applicant: The City of Vancouver and Translink have authority over the MRN as it relates to carrying out construction works on a City Street that is designated as a MRN.

- 1.35 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>

- 1.36 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- 1.37 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.

- 1.38 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.
- 1.39 Submission of letter confirming acknowledgement that this application falls within the area with potential impacts due to the Broadway Subway Project construction and that you have contacted the Rapid Transit Office for more detailed information;

Note to Applicant: The Broadway Subway construction has begun with an anticipated completion date by 2025. During construction, street use (above and below grade) along Broadway, 2nd Ave / Great Northern Way and intercepting north-south streets (e.g. Ontario St and 2nd Avenue) will be highly restricted in order to facilitate Broadway Subway construction and maintaining movement along the corridor. As such, we are providing advance notice to any future development to bare this in mind during planning for any construction activities within the area.

Note to Applicant: Please contact the City of Vancouver Rapid Transit Office (rapiddtransitoffice@vancouver.ca) for more information on impacts to access and street use for your project.

- 1.40 Gates/doors are not to swing more than 1 ft. over the property lines or into the Statutory Right of Way.
- 1.41 Provision of generous and continuous weather protection on both frontages.
- 1.42 Provision of a finalized Transportation Demand Management (TDM) Plan to the satisfaction of the General Manager of Engineering Services. Provide TDM Plan as a separate package with complete information on TDM measures proposed, including the following clarifications:
- (a) COM-02 – Car Share Vehicles and Spaces.
 - i. Identify/note/dimension car share spaces on plans.
 - ii. Provide detailed information as to how and a design to enable members of the car sharing organization access into the building's underground parking 24 hours a day, 7 days a week.
 - iii. Provision of minimum 2.9m width for all car share vehicle spaces.
 - (b) ACT-02 – Improved Access to Class A bicycle Parking.

- i. Provision of a bicycle elevator cannot be used as improved access as there are Class A bicycle spaces below P1 and will not count towards TDM points. Note to Applicant: Bicycle elevators are a requirement for any bicycle spaces below P1.
 - (c) ACT-05 – Bicycle Maintenance Facilities.
 - i. Note and dimension location of facilities on plans.
 - ii. Bicycle maintenance facilities to be located with convenient access to from Class A bicycle spaces.
 - iii. Provision of an operational plan detailing:
 - 1. A description of the amenities to be provided,
 - 2. A means of providing access to all residents
 - 3. Plan for maintaining these amenities.
 - iv. If available, provision of any additional information regarding this measure (e.g. tool receipts, instructions for using an online sign-up portal, or marketing/ instructional materials) that demonstrates how the property owner will operate, administer, and maintain this common facility.
- 1.43 Subject to the acceptance of an approved TDM Plan, entry into a TDM agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, which:
 - (a) Secures provision of funding towards long-term TDM monitoring fund in the amount of \$280 per parking space waived.
 - (b) Secures the provision of TDM measures on the site.
 - (c) Permits the City to access and undertake post occupancy monitoring of the Transportation Demand Management (TDM) measures proposed.
 - (d) Agrees to make reasonable adjustments to the TDM measures as requested by the City, based on the TDM monitoring results.
- 1.44 Design development to improve access and design of bicycle parking and comply with the Bicycle Parking Design Supplement.
 - (a) Provision of a dedicated bicycle elevator for all bicycle spaces located below the first underground level.

Note to Applicant: The elevator is to have doors on both ends to allow bicycles to easily roll in from one end and roll out the other. The elevator to be a freight style elevator with durable finishes to comfortably accommodate two people with two bicycles and provide minimum interior dimensions of 5'-6" x 6'-8". A separate bicycle call button is to be provided on all floors requiring bicycle access to allow users to call the bicycle elevator directly. Accommodation of oversized bicycles within this elevator may increase requirements.

- (b) Provision of minimum 1.8 m length for all Class B bicycle spaces.
- (c) Provision of bicycle parking lockers accommodating a maximum of one bicycle each.
- (d) Provision of a minimum 1.2 m wide access route between the bicycle parking spaces and the outside.
- (e) Provision of 1.5 m clear aisle width for access to all Oversized Class A Bicycle spaces. Eliminate conflict between the Oversized spaces and the bicycle maintenance area.

Note to Applicant: Maximum 60% Stacked and Vertical Class A parking spaces allowed.

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

- (a) Provision of improved two-way flow for vehicles on the ramp and in the parking areas.
- (b) Provision of minimum 20 ft. wide ramp with no column obstructions. The main parkade ramp shows a column which is not compliant.

Note to Applicant: Column encroachments, setbacks and parking space widths to comply with the Parking and loading design Supplement. Column encroachments are not permitted in single module stalls.

1.46 Design development to improve accessibility and function of the proposed shared vehicle spaces.

- (a) Provision of 2.9 m stall width for shared vehicle parking spaces.
- (b) Relocation of the shared vehicle parking space to improve access and visibility from the outside.

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

- (a) A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.
- (b) All types of parking and loading spaces individually numbered, and labelled on the drawings.
- (c) Dimension of column encroachments into parking stalls.
- (d) Show all columns in the parking layouts.

- (e) Dimensions for typical parking spaces.
 - (f) Dimensions of additional setbacks for parking spaces due to columns and walls.
 - (g) Dimensions of manoeuver aisles and the drive aisles at the parkade entrance and all gates.
 - (h) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates. These clearances must consider mechanical projections and built obstructions.
 - (i) Details on the ramp/parkade warning and/or signal systems and locations of lights, signs and detection devices to be shown on the plans.
 - (j) Areas of minimum vertical clearances labelled on parking levels.
 - (k) Design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances. The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.
 - (l) Indicate the stair-free access route from the Class A bicycle spaces to reach the outside. 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.
- 1.48 Prior to Development Permit, provide a Final Hydrogeological Study which meets the requirements of the Groundwater Management Bulletin (<https://bylaws.vancouver.ca/bulletin/bulletin-groundwater-management.pdf>);
- 1.49 Provision of a draft final Rainwater Management Plan (RWMP) which includes the following amendments:
- (a) Volume Reduction - Provide design specifics and details of all best management practices (BMP) to support the design claim for meeting target requirements. Coordinate with the landscape architect on the details specific to the landscape portion, such as proposed growing medium depth.
 - (b) Volume Reduction – Calculation of any required detention tank volume to equal the greater of either the pre-development peak flow storage volume or the amount of the 24 mm rainfall not captured in Tier 1 & Tier 2 practices.

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

- (c) 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.
- (d) Provide post-development site plan(s) that includes the following:
 - i. building location/footprint;
 - ii. underground parking extent;
 - iii. proposed service connections to the municipal sewer system;
 - iv. location and labels for all proposed rainwater management practices;
 - v. area measurements for all the different land use surface types within the site limits; and
 - vi. delineated catchments to demonstrate BMPs are appropriately sized.

Note to Applicant: Ensure delineated catchments are consistent with summary tables.

- (e) Water Quality – 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:
 - i. Product Name and Manufacturer/Supplier.
 - ii. Total area and percent impervious being treated.
 - iii. Treatment flow rate.
 - iv. Supporting calculations to demonstrate adequate sizing.
 - v. Include discussion of the specified treatment device's % TSS removal efficiency from Washington State Department of Ecology's Technology Assessment Protocol (TAPE) or ISO 14034 ETV certification.
 - vi. Location on Plan in drawing or as figure in the report.

Release Rate - The target release rate shall utilize the greater of either the effective storage volume required to meet the pre development peak flow rate for the 1:10 year return period or the volume the amount of the 24 mm rainfall not captured in Tier 1 & Tier 2 practices. The corresponding controlled post development peak flow rate shall be indicated with supporting calculations.

- (g) Provide adequate and concise supplementary documentation for any proprietary products that clearly demonstrates how they contribute to and/or meet the rainwater management requirements.

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.

Note to Applicant: 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.

- 1.50 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 the Development Permit.
- 1.51 Provision of a final RWMP, which includes a written report, supporting calculations, computer models and drawings to the satisfaction of the Engineering Services and the City Engineer prior to the issuance of any building permit.
- 1.52 Provision of a final Operations and Maintenance (O&M) Manual for the rainwater management system to the satisfaction of Engineering Services and the City Engineer prior to the issuance of any building permit.
- 1.53 Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings is required. The review of third party utility service drawings will not be initiated until the Key Plan is defined and achieves the following objectives:
 - (a) The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan <https://vancouver.ca/files/cov/engineering-design-manual.PDF>; and
 - (b) All third party service lines to the development is to be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant is to provide documented acceptance from the third party utilities prior to submitting to the City.

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

- 1.54 Architectural drawings: Ensure elevations along property line match City supplied building grades. To minimize grade differences, interpolate a continuous building grade between the points given on the City supplied plan.
- 1.55 Landscape drawings: Follow City South East False Creek Streetscape Guidelines.
- 1.56 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."

Neighbourhood Energy Utility

The development is located in the False Creek Neighbourhood Energy Utility (NEU) designated service area. The Energy Utility System By-law No. 9552 requires all new developments within the designated service area to connect to the City-Owned NEU for the provision of low carbon thermal energy services (i.e. space heat and hot water), if connection is deemed feasible by the General Manager of Engineering Services. Conditions of rezoning have been incorporated to require NEU compatibility, connection, and a statutory right-of-way for NEU equipment.

- 1.57 The building(s) heating and domestic hot water system shall be designed to be compatible with the NEU system to supply all heating and domestic hot water requirements, if connection is deemed feasible by the General Manager of Engineering Services prior to issuance of Development Permit.

Note to Applicant: The applicant shall refer to the *Energy Utility System By-law No. 9552* and *Neighbourhood Energy Utility Building Connectivity Guidelines & Requirements (2020)* for specific design requirements. The applicant is encouraged to work closely with Staff to ensure adequate provisions for NEU compatibility.

- 1.58 The proposed plan for site heating and cooling, developed in consultation with the City, shall be provided prior to the issuance of development permit, to the satisfaction of the General Manager of Engineering Services.
- 1.59 The applicant must demonstrate adherence to the following design provisions related to NEU compatibility, prior to issuance of development permit, all to the satisfaction of the General Manager of Engineering Services:

- a) Provide for an adequate and appropriate dedicated Energy Transfer Station (ETS) room (6 m x 3 m), located on P1 and free of other equipment, for connection to the NEU, prior to the issuance of development permit. Applicant must coordinate with City staff to ensure proposed ETS room location is acceptable.

Note to Applicant: This site will be serviced by the NEU from the NE corner of the building. The room location as provided on A 1.03 is acceptable. If the ETS room cannot be located at the above location, the Owner will be responsible for the cost of pipe and installation from the NEU service location to the alternate location, as approved by the General Manager of Engineering Services.

- b) Provide for a minimum of a 1.8 m wide clearance continuous pathway from the exterior of the development to the NEU room, including double doorway entry (outward swing) where required, to accommodate installation of the skid mounted ETS.
- c) The building mechanical system shall utilize the NEU system for all the space heating and domestic hot water requirements for the development and must not incorporate any prohibited heat production equipment in accordance with *Energy Utility System By-law No. 9552* Section 5.2.
- 1.60 Prior to the issuance of building permit, a detailed design review of the building HVAC and mechanical heating system must be completed to ensure compliance with NEU design and technical requirements.

In accordance with *Energy Utility System By-law No. 9552*, the Owner must pay the Connection Levy and any costs associated with an approved alternate location for the ETS room (if applicable), prior to issuance of Building Permit.

Housing

- 1.61 The design and layout of at least 25% of both the market rental units and below-market rental units must:
- (a) be suitable for family housing;
 - (b) include two or more bedrooms; and
 - (c) comply with Council's "High-Density Housing for Families with Children Guidelines"
- 1.62 A minimum of 20% of the total residential floor area must be Below-Market Rental Housing Units.
- 1.63 The proposed unit mix, including 21 studio units (17 %), 57 one-bedroom units (48 %), 36 two-bedroom units (29.5 %), and 8 three-bedroom units (6.5 %) is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 25% of both the market rental units and the below-market rental units are designed to be suitable for families with children.

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

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

- 2.1 Consolidation of Lots 9 and 10, Block 9, District Lot 200A, Plan 197 to create a single parcel and subdivision of that site to result in the dedication of the south 5' (1.524 m) for road purposes.

Note to Applicant: The generic footing design shown on page A300 would encroach into the area to be dedicated. The final footing design is to have no encroachments.

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

Note to Applicant: This lot is on the boundary of the False Creek floodplain. The north-west corner of the lot may be at risk to flooding in the future due to sea level rise. Any at-grade or below grade (eg. Underground parking access) at this NW corner should consider the potential for future flood risk.

- 2.2 Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connecting to and securing adequate space for the Neighbourhood Energy Utility (NEU), which may include but are not limited to agreements which:
- (a) Grant the City Engineer, and other employees of the City, access to the building mechanical system, thermal energy system-related infrastructure, and suitable space required for the Energy Transfer Station within the development for the purpose of enabling NEU connection and operation.
- 2.3 Arrangements are to be made for a statutory Right of Way for landscaping and lane lighting purposes over the north 1.5 m of the site.
- 2.4 Provision of a building setback and surface statutory right of way (SRW) for public pedestrian use over a portion of the site along Ontario Street to be achieve a 5 ft. offset distance measured from the property line 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).
- 2.5 Arrangements are to be made for release of Easement & Indemnity Agreement 26027M (commercial crossing) prior to building occupancy.

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

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

- 2.6 Provision of a Shared Use Loading Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the Class B loading space between the commercial and residential uses and label the space as 'Residential and Commercial Loading'.
- 2.7 Subject to the acceptance of the finalized TDM Plan, Entry into a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of three two-way Shared Vehicles and the provision and maintenance of three Shared Vehicle Parking Spaces for use exclusively by such Shared Vehicles, with such parking spaces to be in addition to the minimum parking spaces required by the Parking Bylaw, on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:
- (a) Provide three two-way Shared Vehicles to the development for a minimum period of three years;
 - (b) Enter into an agreement with a two-way Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicles;
 - (c) Provide and maintain the Shared Vehicle Parking Spaces for use exclusively by such shared vehicles;
 - (d) Make arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Spaces;
 - (e) Provide security in the form of a Letter of Credit for \$50,000 per Shared Vehicle;
 - (f) Registration of the Shared Vehicle Agreement against the title to the development, with such priority as the Director of Legal Services may require and including a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, securing these conditions.
 - (g) A letter of intent from a two-way car share company indicating their willingness to supply car share vehicles on the site at building occupancy. The letter is to also indicate acceptance of the general location, configuration and accessibility of the shared vehicle spaces.

- 2.8 Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the rezoning site (collectively called the “Services”) such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights-of-way for the Services are provided all to the satisfaction of the General Manager of Engineering Services.

No development permit for the rezoning site, or any portion thereof, or for any building or improvements thereon will be issued until the letter of credit, as security for the Services, is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. Except as explicitly provided for in Condition 2.9(a), the Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

- (a) Provision of adequate water service to meet the fire flow demands of the project.
- i. Based on the confirmed Fire Underwriter’s Survey Required Fire Flows and domestic flows submitted by R.F.Binnie & Associates Ltd. dated November 9, 2020, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 200mm along West 2nd Avenue or 200 mm along Ontario 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 5 West 2nd Avenue does not require any sewer upgrade.

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

Note to Applicant: Development to be serviced to the existing 900 mm SAN and 1200 mm STM sewers in West 2nd Avenue.

- (c) Provision of street improvements along West 2nd Avenue adjacent to the site and appropriate transitions including the following:

- i. Front boulevard with street trees and broom finish saw-cut concrete sidewalk to the new property line that follows the City's South East False Creek Streetscape Design Detail.
 - ii. Remove existing driveways and replace with full height curb, boulevard and sidewalk to City standards;
 - iii. Curb and gutter, including any required road re-construction to current standards;
 - iv. Curb ramps;
 - v. Remove and replace full depth of asphalt on the parking lane along West 2nd Avenue frontage (where the existing asphalt surface has deteriorated) as per City "Industrial, Arterial and Bus Routes" specification;
 - vi. Relocation of the existing traffic signal pole as required to accommodate these street improvements.
- (d) Provision of street improvements along Ontario Street adjacent to the site and appropriate transitions including the following:
- i. Front boulevard with street trees and broom finish saw-cut concrete sidewalk to the property line and also within the SRW area that follows the City's South East False Creek Streetscape Design Detail.
 - ii. Remove existing driveways and replace with full height curb, boulevard and sidewalk to City standards;
 - iii. Curb and gutter, including any required road re-construction to current standards;
 - iv. Curb bulge or raised asphalt protected bike lane;
 - v. Curb ramps;
 - vi. Relocation of the existing traffic signal push button pole as required to accommodate these street improvements.

Note to Applicant: The City will provide a geometric design for these street improvements. The design for Ontario Street has not been finalized but is expected to include either a protected bike lane adjacent to the site or a curb bulge.

- (e) Provision for the construction of green infrastructure rainwater management of runoff from adjacent right-of-ways including the following:
- i. On Ontario Street, install stormwater tree trenches under sidewalk to capture and retain 90% of average annual rainfall or a 48 mm – 24 hr event from the sidewalk area to the greatest extent practical. The stormwater tree trench must also be designed to provide the minimum soil volume storage for street trees as per the Engineering Design Manual.
 - ii. On West 2nd Avenue, install stormwater tree trenches under sidewalk to capture and retain 90% of average annual rainfall or a 48 mm – 24 hr event from sidewalk area to the greatest extent practical. The stormwater tree trench must also be designed to provide the minimum soil volume storage for street trees as per the Engineering Design Manual.

Note to Applicant:

- Green infrastructure design will be coordinated with Transportation Planning and Street Design Branch to approve all infrastructure proposed within the public realm.
 - The City will provide the green infrastructure location and high level sizing in the geometric design for these street improvements.
 - Depending on the geotechnical conditions the runoff can be, in order of preference, fully infiltrated, partially infiltrated, or filtered through soil. The geotechnical assessment needs to determine the infiltration potential and the design infiltration rate.
- (f) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations.
- (g) Provision of improvements at the intersection of Ontario Street and West 2nd Avenue for signal modifications to accommodate the geometric changes proposed at the intersection.
- (h) Provision of improvements at the intersection of Ontario Street and West 2nd Avenue for upgrades to the existing traffic signal including;
- i. an accessible pedestrian signal (APS).
 - ii. entire intersection lighting upgrade to current City standards and IESNA recommendations.
- (i) 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.
- (j) Provision of a new standard concrete pedestrian lane crossing, new curb returns and curb ramps at the existing lane crossing on Ontario Street adjacent to the site.
- (k) Provision of a new catch basin on Ontario Street on the south side of the lane crossing adjacent to the development site.
- (l) Provision to mill and regrade the laneway to centerline along the development site's frontage to accommodate City supplied building grades.
- (m) Provision to construct speed humps in the lane north of West 2nd Avenue between Manitoba Street and Ontario Street.
- (n) Provision of lane lighting on standalone poles with underground ducts. The ducts must be connected to existing City Street Lighting infrastructure.

- (o) Provision for the installation of parking regulatory signage on streets adjacent to the site.

2.9 Provision of one or more Latecomer Agreements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following works, which constitute excess and/or extended services:

- (a) Improvements at the intersection of Ontario Street and West 2nd Avenue per condition 2.8(h)

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

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

2.10 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

2.11 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and Section 219 Covenant to secure all residential units as secured rental housing units, including at least 20 per cent of the residential floor area that is counted in the calculation of the dwelling unit area per the CD-1 By-law secured as below-market rental housing units subject to the conditions set out below for such units and in accordance with the requirements set out in the Moderate Income Rental Housing Pilot Program, for the longer of 60 years or the life of the building, and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require.

The applicant has advised that it is electing to seek a waiver of the Development Cost Levies pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law No. 9755 (the "DCL By-law") and Section 3.1A of the Area Specific Development Cost Levy By-law No. 9418 (the "Area Specific DCL By-law") and the agreement or agreements will include but not be limited to the following terms and conditions:

- (a) A no separate sales covenant;
- (b) A no stratification covenant;
- (c) A provision that none of such units will be rented for less than one month at a time;
- (d) All rental units will be secured as rental for a term of 60 years or the life of the building, whichever is greater;
- (e) The average size of each unit type for all rental housing units will be at or below the limit set out under Section 3.1A(c) of the DCL By-law and Area-specific By-law:

Unit Type	Maximum Average Unit Size
Studio	42 sq. m (450 sq. ft.)
1-bed	56 sq. m (600 sq. ft.)
2-bed	77 sq. m (830 sq. ft.)
3-bed	97 sq. m (1,044 sq. ft.)

- (f) That the average initial starting monthly rents for the below-market rental housing units, will be at or below the following rents:

Unit Type	Average Initial Rents
Studio	\$950
1-bed	\$1200
2-bed	\$1600
3-bed	\$2000

and will not be adjusted prior to the issuance of the first Occupancy Permit for the development, unless permitted under the DCL By-law and Area-specific By-law. A rent roll indicating the agreed maximum average initial monthly rents for the below-market rental housing units will be required prior to Development Permit and Building Permit issuance and again prior to issuance of an Occupancy Permit, to the satisfaction of the General Manager of Planning, Urban Design or Sustainability and the Director of Legal Services;

- (g) That rent increases for the below-market rental housing units after initial occupancy will be capped at the Residential Tenancy Act maximum annual allowable increase, as published by the Province of British Columbia, regardless of a change in occupancy;
- (h) The applicant will verify eligibility of new tenants for the below-market rental housing units, based on the following:
 - i. For new tenants, annual household income cannot exceed 4 times the annual rent for the unit (i.e. at least 25% of household income is spent on rent); and

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

If the applicant elects to seek a DCL waiver, in addition to the foregoing terms and conditions, the following additional terms and conditions will also apply:

- (l) If the applicant elects to seek a DCL waiver under Section 3.1A(d) of the DCL By-law and Area-specific By-law, then the average initial starting monthly rents for the below-market rental housing units, which comprise at least 20% of the residential floor area that is counted in the calculation of the floor space ratio, will be at or below the rents in the table set out under (f) and notwithstanding the provision for adjustment in (f) or the Moderate Income Rental Housing Pilot Program (MIRHPP) Rezoning Policy, the average initial starting monthly rents for the below-market rental housing units will only be permitted to be adjusted if permitted under and in accordance with the DCL By-law and Section 3.1B(c) of the Area-specific DCL By-law; or
- (m) If the applicant elects to seek a DCL waiver under Section 3.1A(e) of the DCL By-law and Area-specific By-law, the average initial starting monthly rents for the below-market rental housing units, which comprise at least 20% of the residential floor area that is counted in the calculation of the floor space ratio, will be at or below the rents in the table set out under (f) and the average initial starting monthly rents for all rental housing units in the development will be determined in accordance with Section 3.1A(e) and notwithstanding the provision for adjustment in (f) or the Moderate Income Rental Housing Pilot Program (MIRHPP) Rezoning Policy, will only be permitted to be adjusted prior to the issuance of the first occupancy permit for the development, in accordance with Section 3.1B(c) of the DCL By-law and Section 3.1B(c) of the Area-specific DCL By-law,

and the average size of each unit type of all the units in the building will be at or below the maximum sizes provided under Section 3.1A of the DCL By-law.

Note to Applicant: if the applicant elects not to seek a DCL waiver, the applicant may be required to seek further Council approval and to make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to amend the Housing Condition and the Housing Agreement.

Sustainability

- 2.12 Enter into such agreements as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services determine are necessary that require the owner to report energy use data, on an aggregated basis, for the building as a whole and for certain common areas and building systems. Such agreement or agreements will also provide for the hiring of a qualified service provider to assist the owner for a minimum of three years in collecting and submitting energy use data to the City.

Environmental Contamination

- 2.13 As applicable:

- (a) Submit a site disclosure statement to the Environmental Services Division;
- (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 a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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

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

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

* * * * *

**5-15 West 2nd Avenue and 1751 Ontario Street
DRAFT CONSEQUENTIAL AMENDMENTS**

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

**PROPOSED AMENDMENTS TO THE SOUTHEAST FALSE CREEK OFFICIAL
DEVELOPMENT PLAN (BY-LAW NO. 9073)**

1. In Table 1 of Section 4.2, Council:

(a) in the line for Area 2B:

- (i) strikes out "6,922 m²" under "Maximum permitted floor area for non-residential uses other than cultural, recreational and institutional" and substitutes "7,376 m²", and
- (ii) strikes out "150,834 m²" under "Maximum permitted floor area for all uses and substitutes "151,288 m²".

(b) in the line for "Total maximum permitted floor area for all uses":

- (i) strikes out "35,306 m²" under "Maximum permitted floor area for non-residential uses other than cultural, recreational and institutional" and substitutes "35,760 m²", and
- (ii) strikes out "673,944 m²" under "Maximum permitted floor area for all uses" and substitutes "674,398 m²".

DRAFT AMENDMENTS TO THE SIGN BY-LAW

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

"5-15 West 2nd Avenue and 1751 Ontario Street [CD-1 #] [By-law #] M-2"

DRAFT AMENDMENTS TO THE NOISE CONTROL BY-LAW NO. 6555

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

" [CD-1 #] [By-law #] 5-15 West 2nd Avenue and 1751 Ontario Street"

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**5-15 West 2nd Avenue and 1751 Ontario Street
URBAN DESIGN PANEL**

Urban Design Panel Minutes – June 9, 2020

1. Address: 5-15 West 2nd Avenue and 1751 Ontario Street

Permit No. RZ-2020-00073

To develop an 18-storey mixed-use rental building with 122 rental units and commercial uses at grade; all over three levels of underground parking consisting of 53 vehicle spaces and 232 bicycle spaces. The building height is 55.17 m (181 ft.) and the floor space ratio (FSR) is 7.77. This application is being considered under the Southeast False Creek Official Development Plan and the Below-Market Rental Housing Policy for Rezoning.

Zoning: M-2 to CD-1

Application Status Rezoning

Application Review: First

Architect: MA+HG Architect

Delegation: Marianne
Amodio

Harley
Grusko

Peter Kreuk

Staff: Nicholas Danford & Miguel Castillo Urena

EVALUATION: Support with recommendations (7/2)

Panel's Consensus on Key Aspects Needing Improvement:

Having reviewed the project, it was moved by MS. ENMAN and seconded by MR. DAVIES and was the decision of the Urban Design Panel:

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

1. Design development to massing of the building to reduce shadowing on adjacent outdoor spaces, and maximizing separation to adjacent living spaces;
2. Reduce privacy and oversight concerns to the northern neighbor;
3. Improve urban realm of the lane by reducing or moving service areas below grade; and
4. Consider alternate location for the children's amenity play area.

Panel Commentary

There were mixed reviews from the Panel on the height and massing, some were supportive and others were concerned with proximity to existing buildings and over shadowing. Panel noted concerns with the density and tower separation. Some panelists expressed their non-support to the height proposed.

Panel noted the building to the north and roof deck will be in shadow from March to September and recommended sculpting to help with the shadow. Panel noted the setbacks and tower separation from the residential is creating privacy issues and should be increased.

Panel encouraged solutions to mitigate privacy issues. Panel suggested narrowing the planters on north and south side and make them deck spaces for livability of units. Some panelists recommended balconies for studios units as well. Panel noted that living spaces and balconies are minimum.

Panel noted the child play area on the amenity at level two facing west will be in shadow most of the day and suggesting moving it to the upper deck.

Panel noted the proposal presented limited sustainability information.

Some Panel members noted public realm for this project is minimal. Panel noted the resolution and programming at the storefront on the public realm. Consider sliding doors to open the interior space towards the exterior. Panel noted to address greater legibility of the entrance on the ground level. Panel suggested at the lane frontage to consolidate the loading and give more to the lane for a nicer experience. Panel noted appreciation for the public realm path, the node public park ahead, suggest giving it some setback along the path.

Panel members noted concerns with the lane and suggested improving livability to the lane. Panel recommended activating the laneway, encourage activation, and reduce the service nature of the north edge of the building. Panel noted concerns with the access of the lane in terms of loading. Panel recommended losing a bit of the commercial square feet on ground floor and to take the loading bay down and garbage enclosure and have more landscape at the lane frontage; in addition, adding setback on the western edge, reducing the commercial activity space or garage space on the ground and have some relief on this western edge.

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

* * * * *

5-15 West 2nd Avenue and 1751 Ontario Street
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

	Date	Results
Event		
Virtual open house (City-led)	April 12, 2021 to May 2, 2021	265 participants (aware)* <ul style="list-style-type: none"> • 114 informed • 53 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	April 8, 2021	4,592 notices mailed
Public Responses		
Online questions	April 12, 2021 to April 18, 2021	8 submittals
Online comment forms <ul style="list-style-type: none"> • Shape Your City platform 	February – May, 2021	73 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	February – May, 2021	73 submittals <ul style="list-style-type: none"> • 26 responses • 32 responses • 14 response
Other input	February – May, 2021	0 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	February – May, 2021	767 participants (aware)* <ul style="list-style-type: none"> • 282 informed • 75 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.

2. Map of Notification Area



3. Analysis of All Comments Received

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

Generally, comments of support fell within the following areas:

- **Building height, massing, density and context:** The building height, massing, density and context is appropriate given its location at an arterial street that is serviced by transit and a great addition to the False Creek South area.
- **Building design:** The building design is creative, unique and brings much needed architectural variety to the area. The building design also plays homage to the industrial heritage of False Creek which is seen as a nice gesture to preserve the local history of the area. The various coloured bricks used offer an intriguing building exterior which helps with breaking away from the monotony of the existing architecture in the area.
- **Housing stock:** The addition of more purpose-built rental housing is much needed in the city.
- **Affordability:** The 20% of floorspace dedicated to moderate income households is greatly appreciated especially for moderate income earners who want to remain close to their jobs in the Downtown core.
- **Parking:** The amount of parking proposed is appropriate.

Generally, comments of concern fell within the following areas:

- **Building height, massing, density and context:** The height, massing, density and context of this proposal is not appropriate and creates inconsistency for this area. The height proposed will cause increased shadowing and block access to views for the surrounding buildings. Privacy concerns are also raised as this development is in very close proximity to the neighbouring buildings.
- **Building design:** The building design is too bulky and miss matched and does not fit with the rest of the neighbourhood. The multi themed colour palate for the bricks used is too jarring and tacky.
- **Artist space:** The loss of existing artist space and lack of provisions to address this issue is a cause of concern.
- **Amenities:** Not enough local amenities within the area to properly facilitate the increase in density
- **Parking:** The proposed number of parking is not enough to serve all the residents that will be moving into the building and will cause parking spillage onto already crowded side streets.

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 ratio of bicycle parking to vehicular parking in this development is appropriate given this part of False Creek is very bicycle friendly with ample outdoor space.
- The use of public art being brought into the laneway is a great addition and would help activate this space to be more inviting.
- The materials used for the building will greatly assist with occupant comfort while also being energy efficient as well.

General comments of concern:

- The proposed below-market rental housing units are still out of reach for a majority of Vancouver residents.
- Ongoing construction noise and traffic disruptions are a concern for residents as there have been multiple developments happening throughout the general area.
- The lack of provisions the City is doing to replace lost industrial space is a concern.
- Lack of design considerations for public realm enhancements for this project are a concern.

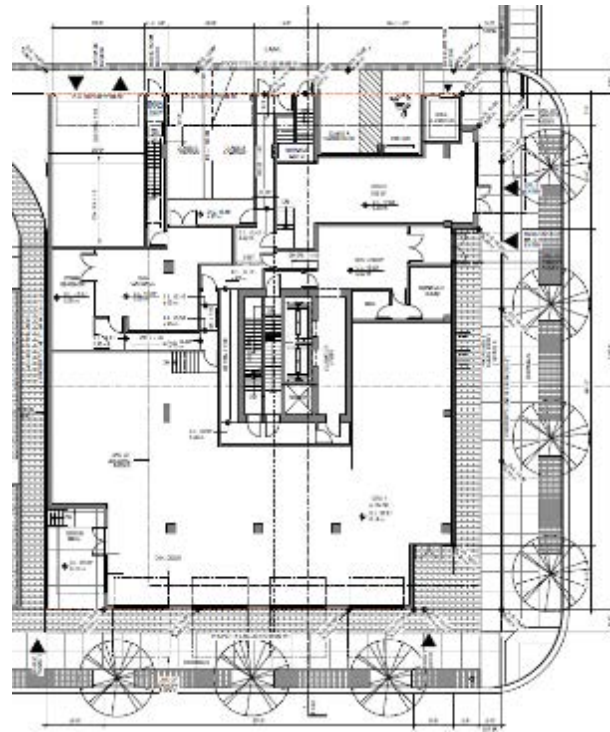
Neutral comments/suggestions/recommendations:

- The building's height should be scaled down to 10-12 stories.
- The building's height should be taller considering its location on an arterial with direct transit access.

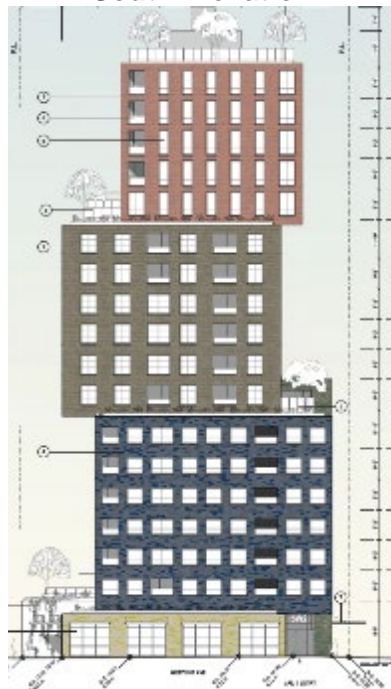
- The ground floor and entrance of the building should match a with the rest of the building for more aesthetic cohesion.
- Triple pane windows should be used in order to reduce traffic noises and sirens along West 2nd Avenue.
- The windows should be reworked into something similar to the adjacent buildings in order to create a better sense of architectural unity.
- Weather protection designs should be incorporated to the building.
- Some low income rental units should be incorporated into this project to create a better diversity of rental housing.
- More units in this building should be considered for moderate income earners.
- There should be provisions for temporary loading spaces for delivery trucks taking up the very limited street parking and illegally parking in narrow laneways within the surrounding area.
- Ride sharing spots should be set aside for this project to encourage the use of alternate modes of transit.
- More bicycle parking should be considered as this area is very bicycle friendly.
- Secured bicycle storage units should be a consideration to help deter potential break ins and theft.
- Enhancements should be made to the laneway to better the flow of traffic from incoming vehicles going down to the parking lot.
- The current artist space and all of its programming should be transferred to the underused BMO Theatre at Olympic Village as an interim solution for the displacement of artists.
- A public pool should be considered for this area of False Creek as there are none within the general vicinity.
- Provisions to include balconies should be considered as having access to adequate outdoor space is crucial for the wellbeing of residents.

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5-15 West 2nd Avenue and 1751 Ontario Street
FORM OF DEVELOPMENT DRAWINGS
Site Plan / Ground Floor Plan

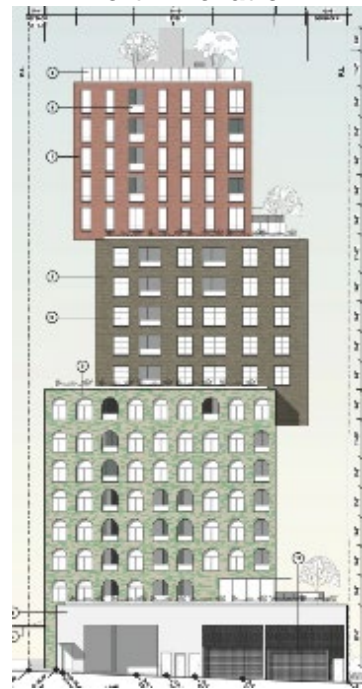


South Elevation

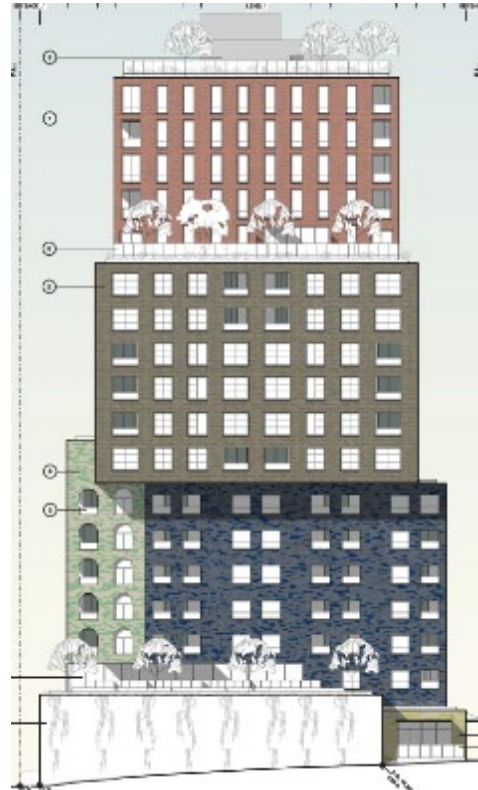
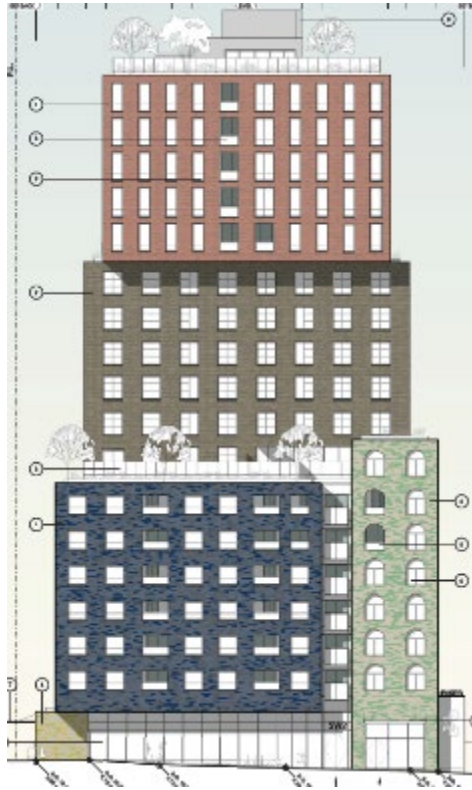


East Elevation.

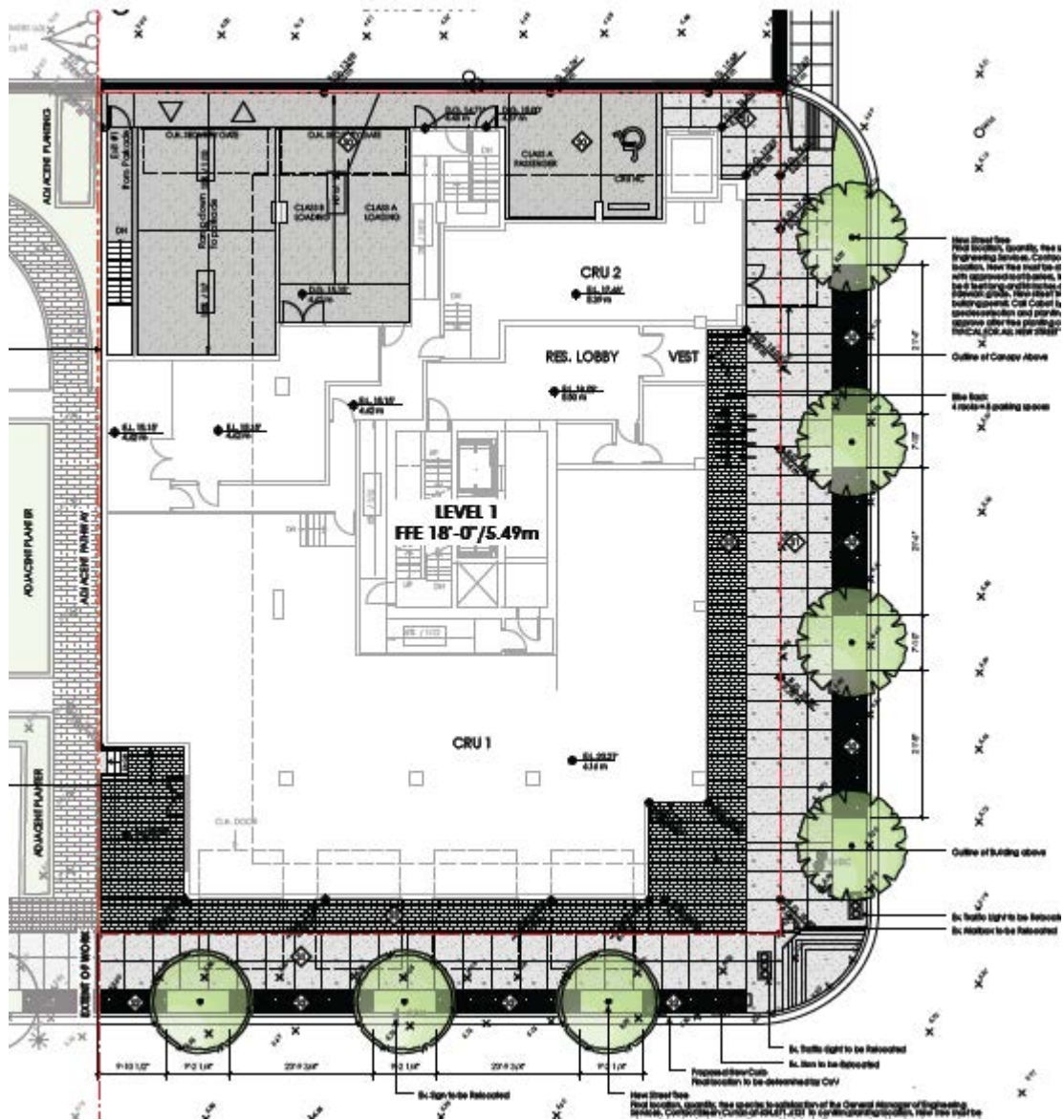
North Elevation



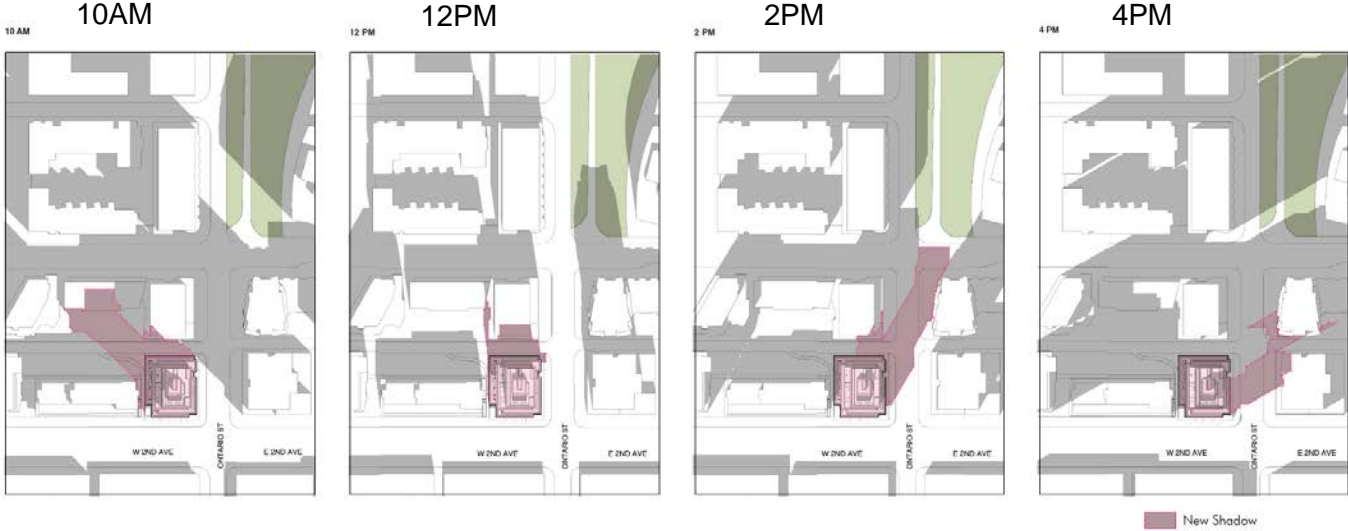
West Elevation



Ground Floor Landscape Plan



Shadow Analysis - Spring Equinox – March 21



**5-15 West 2nd Avenue and 1751 Ontario Street
DEVELOPMENT COST LEVY WAIVER ANALYSIS**

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

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

Unit Type	No. units proposed	DCL By-law maximum average unit size	Proposed average unit size
Studio	21	42 sq. m (452 sq. ft.)	36 sq. m (391 sq. ft.)
1-bedroom	57	56 sq. m (603 sq. ft.)	45 sq. m (488 sq. ft.)
2-bedroom	36	77 sq. m (829 sq. ft.)	69 sq. m (745 sq. ft.)
3-bedroom	8	97 sq. m (1,044 sq. ft.)	93 sq. m (998 sq. ft.)

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

Unit Type	No. units proposed	DCL By-law maximum average unit rent
Studio	4	\$950
1-bedroom	11	\$1,200
2-bedroom	7	\$1,600
3-bedroom	2	\$2,000

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

* * * * *

**5-15 West 2nd Avenue and 1751 Ontario Street
PUBLIC BENEFITS SUMMARY**

Project Summary:

Proposal for an 18-storey mixed-use building, containing 122 rental residential units. Commercial units are proposed on the ground level.

Public Benefit Summary:

The proposal will deliver 122 rental residential units, of which, 20% of the residential floor area targeting households earning under \$80,000/year.

	Current Zoning	Proposed Zoning
Zoning District	M-2	CD-1
FSR (site area = 1,124 sq. m / 12,906 sq. ft.)	5.0	7.91
Floor Area (sq. ft.)	60,495 sq. ft.	95,713 sq. ft.
Land Use	Industrial	Residential Commercial

Summary of Development Contributions Expected Under Proposed Zoning

City-wide DCL ^{1, 2}	\$91,798
Utilities DCL ¹	\$941,003
SEFC Area-specific DCL ^{1, 2}	\$120,168
TOTAL	\$1,152,969

Other Benefits (non-quantified): 100% of residential floor area as residential rental including 98 units of market rental housing and approximately 24 units (20% of the residential floor area) below-market rental housing units.

¹ Based on rates 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.

² The applicant has requested a waiver of the City-wide DCL and the Southeast False Creek Area DCL attributed to the residential floor area qualifying as "for-profit affordable rental housing", as permitted under Section 3.1A of the DCL By-law. Compliance with DCL waiver requirements will continue to be assessed through the development permit stage up to occupancy permit issuance, ensuring that maximum average unit sizes are not exceeded and a final rent roll that sets out the initial monthly rents is submitted. Based on DCL by-laws and rates in effect as of September 30, 2021, the value of the City-wide DCL and Area-specific DCL waivers is approximately \$3,445,512 (\$1,636,916 and \$1,808,596, respectively).

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5-15 West 2nd Avenue and 1751 Ontario Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

APPLICANT AND PROPERTY INFORMATION

Street Address	5-15 West 2nd Avenue and 1751 Ontario Street
Property Identifier (PID) & Legal Description	Lots 9 and 10, Block 9 District Lot 200A Plan 197; PIDs 015-531-341 and 015-531-350, respectively
Property Owner	Mohinder Singh Sandhu
Architect	MA + HG Architects

SITE STATISTICS

Site Area	1,124 sq. m (12,099 sq. ft.)
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DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed
Zoning	M2 (Industrial)	CD-1
Uses	Industrial	Residential Commercial
Max. Density	5.0 FSR	7.91 FSR
Floor Area	60,495 sq. ft.	95,713 sq. ft.
Maximum Height	Outright: 18.3 m (60 ft.) Discretionary: 137.2 m (450 ft.)	58.6 m (192 ft.)
Parking, Loading and Bicycle Spaces	Per Parking By-law	Parking 53 Bicycle Parking 239 Loading Spaces 3
Natural Assets	0 existing on-site by-law trees or City trees	City trees TBD

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