



REFERRAL REPORT

Report Date: March 29, 2022
Contact: Yardley McNeill
Contact No.: 604.873.7582
RTS No.: 14907
VanRIMS No.: 08-2000-20
Meeting Date: April 12, 2022

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: Rezoning: 160 West 44th Avenue

RECOMMENDATION TO REFER

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

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

RECOMMENDATION FOR PUBLIC HEARING

- A. THAT the application by Matthew Cheng Architect Inc., on behalf of 1289499 B.C. Ltd.¹, the registered owners of the land located at 160 West 44th Avenue [PID: 010-645-411; Lot 5 Block 1083 District Lot 526 Plan 7386], to rezone the land from RS-1 (Single-detached Houses and Duplexes) District to RM-8A (Multiple Dwelling) District, be approved in principle;

FURTHER THAT the draft zoning amendment by-law, prepared for the Public Hearing in accordance with Appendix A, be approved in principle;

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

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

¹ Beneficially owned and controlled by Irene Fung Yee Fong, Eddy Leung and John Chilung Yu

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

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

REPORT SUMMARY

This report recommends a plan amendment to the Zoning and Development By-law for the site located at 160 West 44th Avenue. The proposed amendment would rezone the land from RS-1 (Single-detached Houses and Duplexes) District to RM-8A (Multiple Dwelling) District to allow for a townhouse or rowhouse development. The maximum floor space ratio (FSR) for RM-8A can be up to 1.20.

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

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

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council policies for this site include:

- *Cambie Corridor Plan* (2018)
- *Cambie Corridor Utilities Servicing Plan* (2018)
- *RM-8, RM-8A, RM-8N and RM-8AN Districts Schedule* (2018)
- *RM-8A and RM-8AN Guidelines* (2018)
- *Density Bonus Zoning and Public Benefits* (2014, last amended 2021)
- *Vancouver Development Cost Levy By-law No. 9755*
- *Vancouver Utilities Development Cost Levy By-law No. 12183*
- *Green Buildings Policy for Rezoning* (2010, last amended 2018)

- *Urban Forest Strategy* (2014)

REPORT

Background/Context

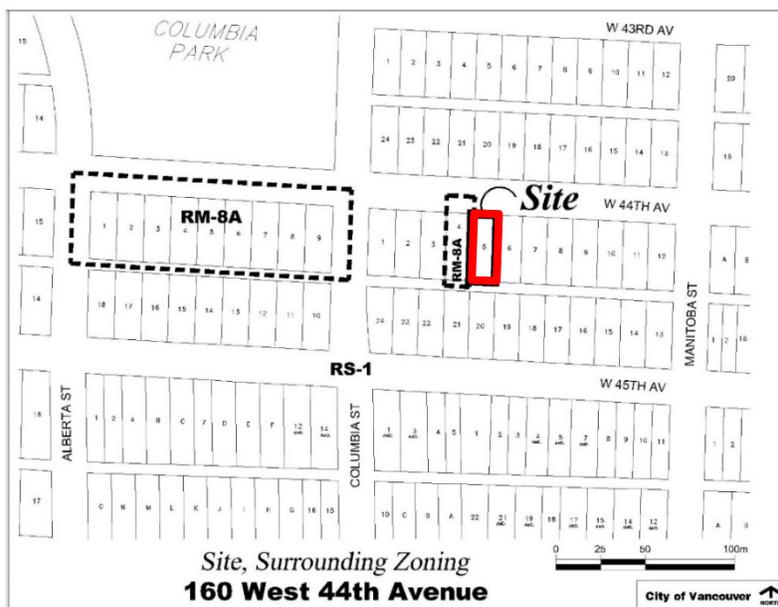
1. Site and Context

The subject site at 160 West 44th Avenue (see Figure 1) is comprised of one legal parcel along 44th Avenue and east of Columbia Street. The site area is approximately 532 sq. m (5,726 sq. ft.), with a frontage of 14.2 m (46.5 ft.) along 44th Avenue and a depth of 37.6 m (123.2 ft.).

The site and surrounding area are currently zoned RS-1 and developed with single-detached homes. The lot to the west and the adjacent block have been rezoned to RM-8A. The area is eligible for rezoning to RM-8A under the *Plan*. Columbia Park and the 45th Avenue Bikeway are one block away.

The house was constructed in 1948 and is not listed on the *Vancouver Heritage Register*. The property contains one secondary rental tenancy, for which the tenant is aware of the rezoning application. Since the proposal does not involve the consolidation of two or more lots, the *Tenant Relocation and Protection Policy* (“TRP Policy”) does not apply.

Figure 1: Location Map – Site and Context



2. Policy Context

Cambie Corridor Plan – The *Plan* guides the transformation of the Corridor into an area where people can live, work, shop, play and learn – all within walking distance to rapid transit. Based on the operation of the Canada Line, the *Plan* promotes transit-oriented development to meet the needs of a growing population.

The subject site is located within the Oakridge neighbourhood, which is a regionally designated Municipal Town Centre. This area is expected to evolve over time to become an urban hub with increased residential density, job space, and shops and services to support an active street life. For off-arterial locations, which includes the subject site, a variety of new housing types and tenures are expected to allow more people to live in this area. The intent for this neighbourhood is to introduce family-friendly, ground-oriented housing in the form of townhouses or rowhouses. This will provide needed housing options and transitions from the taller buildings along Cambie Street towards the adjacent lower-density areas.

The site is guided by Section 4.3.12 of the *Plan*, which supports residential uses in townhouse or rowhouse forms of up to three storeys in height and a maximum density of 1.20 FSR.

3. Plan Implementation and Utilities Servicing Plan

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

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

The first phase of City-initiated rezoning (in Stage 1 area) was approved in 2018. The sequencing of City-delivered utility design and construction will occur between 2019-2022 (Stage 1) and 2023-2026 (Stage 2). The timing of Stage 3 upgrades is currently undetermined. Future phases of City-initiated rezoning of townhouse areas will be coordinated with the timing of future infrastructure upgrades. In the meantime, townhouse development outside of Stage 1 can be considered through owner-initiated rezonings, which includes this application.

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

Strategic Analysis

1. Simplified Rezoning Process

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

The RM-8A and RM-8AN Districts were approved in 2018, along with associated design guidelines. The district schedules and guidelines apply to the Cambie Corridor and Grandview-Woodland area. The district schedule includes requirements for various unit sizes to provide a variety of purchase prices for new townhouse units, as well as more flexible development options for smaller lots. The RM-8AN District differs from the RM-8A District in that the RM-8AN requires additional noise mitigation measures for dwelling units close to arterial

streets. Since 44th Avenue is classified as a local street and not an arterial, the proposed rezoning is to the RM-8A District Schedule.

The rezoning process allows for a townhouse development through a future development application process, while securing the utility and transportation upgrades identified in the *Plan*. Architectural drawings are not required at the rezoning application stage. The form of development will be reviewed at the development permit stage. All proposals will need to meet the intent and regulations of the RM-8A/RM-8AN Districts.

An Urban Design Panel review is not necessary for this project due to the small scale of the buildings and comprehensive design guidelines that accompany the RM-8A and RM-8AN District Schedule.

2. Tenants

The rezoning site consists of one secondary rental tenancy. Since the proposal does not involve the consolidation of two or more lots, the *Tenant Relocation and Protection Policy* does not apply.

3. Transportation and Parking

The site is well served by public transit. Within 800 m is the Oakridge-41st Avenue Canada Line station. The site is within close proximity to 41st Avenue and Cambie Street, which are part of TransLink's Frequent Transit Network (FTN). The site is also within close proximity to the 45th Avenue and Ontario Street Bikeways, providing sustainable transportation options.

Parking, loading and bicycle spaces must be provided in accordance with the Parking By-law and will be reviewed at time of development permit application when architectural drawings are submitted. As part of this redevelopment, the applicant is required to upgrade 44th Avenue with sidewalk improvements. Local servicing requirements are also secured through a services agreement. Additional engineering conditions are in Appendix B.

4. Environmental Sustainability and Natural Assets

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

For small buildings, such as townhouses, green building requirements have been adapted to match the building scale. These requirements are described in the *Green Buildings Policy for Rezoning*s – *Process and Requirements* administration bulletin. This application has opted to satisfy the *Green Buildings Policy for Rezoning*s under the low emissions green buildings requirements. As part of this rezoning, the applicant has submitted a letter of commitment to meet the policy and is expected to provide further documentation at the development permit stage. Conditions have been included in Appendix B to ensure that the green building requirements are satisfied.

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

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

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

5. Public Input

A rezoning information sign was installed on the site on November 12, 2021. Approximately 522 notification postcards were distributed within the neighbouring area on or about December 6, 2021. Notification, application information, and an online comment form was provided on the Shape Your City website (<https://shapeyourcity.ca/>). Staff received four responses from the public, expressing the following:

- Concern for the loss of street parking.
- Concern with the pace of redevelopment and the increase in density to the neighbourhood.

In response to concerns about street parking, the development is required to provide parking per the Parking By-law. Given the relatively small scale of redevelopment for a single parcel, this proposal is not expected to generate a significant impact for on-street parking.

In regards to neighbourhood change and concerns about density, the policy permits an FSR of up to 1.20 to accommodate up to four to five townhouse or rowhouses on a single lot. Such increases for additional housing options are considered modest and aligns with the intent of the policy to introduce more housing options in the area. In regards to the pace of change, the policy anticipated redevelopment of such sites for additional housing over a 30 year period.

Open houses are not required for simplified townhouse rezoning applications as public engagement was undertaken during the *Plan* process to inform land use changes. Further opportunities for public input regarding specific building design will be available at the development permit stage, in accordance with the City's standard notification process.

6. Public Benefits

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

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

This RS-1 zoned site is eligible to rezone to the RM-8A/AN density bonus zone district schedule. Of the 1,040 sites eligible to rezone to the RM-8A/AN district, 99% are zoned RS-1 which allows for a density range between 0.70 and 0.85 FSR. The remaining 1% of eligible parcels are zoned RT-1, with a maximum density of 0.60 FSR.

To ensure simplicity and predictability of the development contribution system, the Density Bonus Zoning and Public Benefits Bulletin states a fixed density bonus zoning rate; \$594.18/sq. m (\$55.20/sq. ft.), as of September 30, 2021. This contribution is applied to the difference between the base floor area of 0.75 FSR and the proposed floor area, up to the maximum of 1.20 FSR.

Future adjustments to the DBZ rate are subject to staff review and require Council approval, including annual inflationary rate adjustments. Staff review pre-set development contribution rates (DBZs and CACs) approximately once every four years to ensure policies keep pace with market shifts.

A development may qualify for in-stream rate protection from Density Bonus rate increases, provided that a building permit application has been received prior to the rate adjustment. See the [DBZ Bulletin](#) for details.

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

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

Financial Implications

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

Based on rates in effect as of September 30, 2021, a Density Bonus Zone contribution of approximately \$142,234 would be anticipated from the development, should it achieve the maximum density of 1.20 FSR.

Based on DCL bylaws and rates in effect as of September 30, 2021, it is estimated that the project will pay DCLs of \$45,075, should it achieve the maximum 1.20 FSR.

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

CONCLUSION

Staff have reviewed the application to rezone 160 West 44th Avenue from RS-1 to RM-8A to facilitate a townhouse or rowhouse development complying with the provisions of the RM-8A District Schedule. The rezoning application is consistent with the *Cambie Corridor Plan*.

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

160 West 44th Avenue
PROPOSED BY-LAW AMENDMENTS

Note: A By-law to rezone an area to RM-8A will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Zoning District Plan Amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of By-law No. 3575.
2. The area shown within the heavy black outline on Schedule A is rezoned and moved from the RS-1 District Schedule to the RM-8A District Schedule.

Schedule A



* * * * *

160 West 44th Avenue
CONDITIONS OF APPROVAL

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

PART 1: CONDITIONS OF APPROVAL OF THE DEVELOPMENT APPLICATION

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

Sustainability

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

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

Engineering

- 1.2 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>.

- 1.3 Provision of a Final Hydrogeological Study which addresses the requirements outlined in the Groundwater Management Bulletin and includes:
 - (a) Provisions of an updated Groundwater Management Plan which includes:
 - Anticipated groundwater discharge rates for City approval.

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

- (b) Provisions of an updated Impact Assessment which includes:

Analysis to confirm that there are no significant risks from groundwater extraction/diversion.

Note to Applicant: The City does not accept the dewatering of peat due to associated risk of offsite settlement.

- 1.4 Construction-related discharge to the sewer must be measured and reported to the City. This monitoring must include daily average flow rates, and be submitted monthly to groundwater@vancouver.ca. A hold will be placed on the building permit; to lift the hold, provide an anticipated start date for excavation, and the contact details for the professional services that have been retained to conduct this monitoring, to groundwater@vancouver.ca.
- 1.5 Provision of a draft final Rainwater Management Plan (RWMP) to be submitted to clearly indicate how the onsite system achieves the following:
- (a) General Requirements
- (i) Provision of a pre-development site plan showing orthophoto, existing drainage areas, and onsite and downstream offsite drainage appurtenances.
- (ii) Ensure best management practice and requirements are adhered to for the design of the proposed rainwater management system which includes drainage by gravity to the receiving system for flow attenuation and overflow purposes.
- (b) Volume Reduction
- (i) Prioritize methods of capture by Tier 1 and 2 with Tier 3 only as a last resort.
- Note to Applicant: Additional opportunities for Tier 1 may include a green roof. It is unclear why the total capture from Tier 1 practices account for 0% of the Volume Reduction requirement. Appropriate justifications must be stated for each Tier to determine if exemptions may be granted.
- (ii) Provision of 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 and grading of hardscapes into adjacent landscaping.

- (iii) Provision of a grading plan to support the proposal of grading hardscapes into adjacent landscaping. Coordination with the landscape architect for soil storage capacities will be required to support this proposal.

Note to Applicant: Ensure that the proposed routing to closed bottom planters is feasible in further detailed designs as substantial decrease in rainwater capture by proposed landscaping cannot be offset solely through a larger detention system.

(c) Water Quality Target

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

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

Note to Applicant: If the majority of the site ($\geq 60\%$) is routed to appropriately-sized landscape areas prior to draining to a water quality treatment unit, then a "pretreatment" unit certified by Washington State's TAPE program may be proposed since cumulatively, the site will achieve the required 80% TSS removal by mass through a treatment train approach.

Note to Applicant: Water Quality Treatment Maintenance manual does not contain the necessary information above. Content may be excluded from the appendix of the RWMP and shall be included as part of the stand-alone rainwater management system operations and maintenance manual to be provided at part of the final submission

(d) Release Rate

- (i) Update the peak flow calculations to use the 1:5 year return period with a minimum inlet time of 10 minutes. Travel time to be estimated by applicant. Ensure that the pre-development calculation uses the 2014 IDF curve values and the post-development calculation uses the 2100 IDF curve values.

Note to Applicant: Include peak flow estimate in post-development conditions for both with and without release rate controls.

- (ii) Revise the post development target allowable release rate to utilize the full required detention system volume since the detention tank volume is greater than the pre-development peak flow storage volume.

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

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

- 1.6 Provision of a Rainwater Management Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services registered prior to issuance of a development permit.
- 1.7 Provision of a final RWMP, which includes a written report, supporting calculations, computer models and drawings to the satisfaction of the General Manager of Engineering Services and the City Engineer prior to the issuance of any building permit.
- 1.8 Provision of a final Operations and Maintenance (O&M) Manual for the rainwater management system to be included as an appendix in the RWMP Legal Agreement, to the satisfaction of the General Manager of Engineering Services and the City Engineer prior to the issuance of any building permit.
- 1.9 Developer's Engineer to submit a sewer abandonment plan to the City that details the following the abandonment or removal of all existing storm, sanitary, and combined connections to the development site. The abandonment plan is required to be reviewed and accepted by the City Engineer prior to issuance of the sewer permit.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

- 2.1 Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on

such permits as deemed necessary in his sole discretion. The Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

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

Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by Core Concept Consulting Ltd. dated July 13, 2021, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 200 mm along West 44th Avenue. Should the development require water service connections larger than 200 mm, the developer shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost of the upgrading.

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

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

Implementation of the development at 160 West 44th Avenue requires the following in order to maintain sanitary sewer flow conditions.

No sewer upgrades are required.

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. This shall be demonstrated by preparation of a Rainwater Management Plan with all necessary supporting calculations and drawings prior to the issuance of the development permit.

Note to Applicant: Development to be serviced to the existing 250 mm sanitary and 600 mm storm sewers in West 44th Avenue.

Note to Applicant: The Sewer servicing plan for this area is under development. The Applicant is to regularly inform the Development Water Resources Management (DWRM) Branch (utilities.servicing@vancouver.ca) of their updated construction and occupancy schedule as the development progresses.

- (c) Provision of street improvements along West 44th Avenue adjacent to the site and appropriate transitions including the following:

- 2.14 m (7.0 ft.) wide broom finish saw-cut concrete sidewalk.

- (d) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
- 2.2 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.

Environmental Contamination

- 2.3 As applicable:
- (a) Submit a site disclosure statement to Environmental Services (Environmental Protection);
 - (b) As required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
 - (c) If required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements constructed on the site pursuant to this rezoning until separate Certificates of Compliance, satisfactory to the City, for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

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

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

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any,

shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

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160 West 44th Avenue
DRAFT CONSEQUENTIAL AMENDMENT

DRAFT AMENDMENT TO THE SUBDIVISION BY-LAW NO. 5208

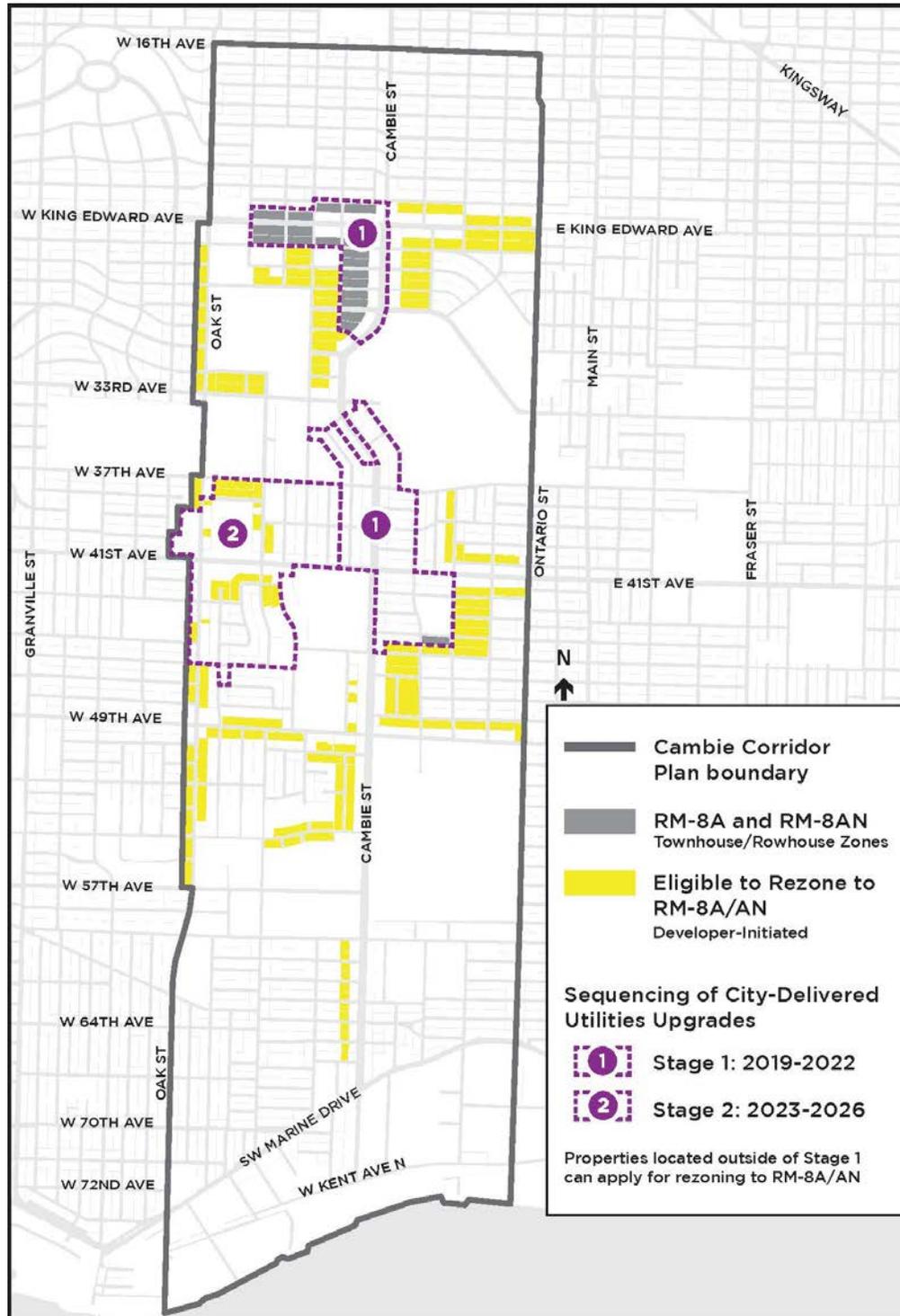
Council amends Schedule A of the Subdivision By-law in accordance with the plan labelled Schedule A and attached to and forming part of this By-law, by deleting the following property from the RS-1, RS-3, RS-3A, RS-5 and RS-6 maps forming part of Schedule A of the Subdivision By-law:

PID 010-645-411; Lot 5 Block 1083 District Lot 526 Plan 7386.

* * * * *

160 West 44th Avenue
ADDITIONAL INFORMATION

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



2. Public Benefits Information

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

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

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

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

Community Amenity Contributions (CACs)

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

Density Bonus Zone Contributions (DBZ)

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

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

Development Cost Levies (DCLs)

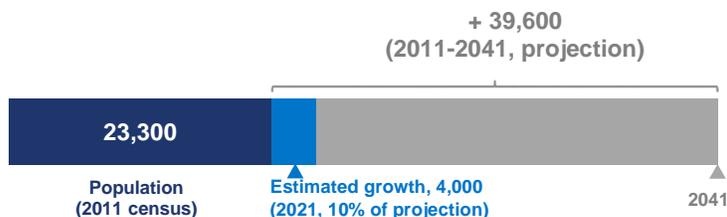
Development Cost Levies (DCLs) collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and engineering infrastructure.

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

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

POPULATION GROWTH^a

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

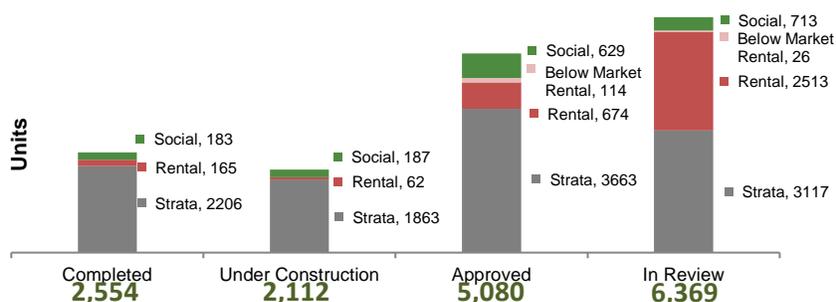


DEVELOPMENT ACTIVITY (UNITS)^b

Recent rezoning approvals:

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

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



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

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

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

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

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

EXPLANATORY NOTES

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

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

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

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

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

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160 West 44th Avenue
PUBLIC BENEFITS SUMMARY

Project Summary

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

	Base Zoning	Proposed Zoning ¹
Zoning District	RS-1	RM-8A
FSR (site area = 532 sq. m / 5,726 sq. ft.)	0.70	0.75 to 1.20
Floor Area (sq. ft.)	4,008 sq. ft.	4,294 to 6,871 sq. ft.
Land Use	Single-detached Houses and Duplexes (Residential)	Multiple Dwelling (Residential)

Summary of development contributions anticipated under proposed zoning²

City-wide DCL	\$29,065
Utilities DCL	\$16,010
Density Bonus Zone Contribution (for density above 0.75 FSR) ¹	\$142,234
TOTAL VALUE OF PUBLIC BENEFITS	\$187,309

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

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

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160 West 44th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
160 West 44th Avenue	010-645-411	Lot 5 Block 1083 District Lot 526 Plan 7386

Applicant Information

Architect/Applicant	Matthew Cheng Architect Inc.
Property Owner	1289499 B.C. Ltd.

Site Statistics

Site Area	532 sq. m (5,726 sq. ft.); Site dimensions 14.2 m (46.5 ft.) x 37.6 m (123.2 ft.)
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Development Statistics

	Permitted Under Existing Zoning	Development Permitted Under Proposed Zoning
Zoning	RS-1	RM-8A
Uses	Single-detached Houses and Duplexes (Residential)	Multiple Dwelling (Residential)
Maximum Density	0.70 FSR	Up to 1.20 FSR
Floor Area	372.4 sq. m (4,008.2 sq. ft.)	Up to 638.4 sq. m (6,871.2 sq. ft.)
Height	10.7 m (35.1 ft.)	Up to 3 storeys (at the street): 11.5 m (37.5 ft.)
Unit Mix	n/a	as per RM-8A District
Parking, Loading and Bicycle Spaces	as per Parking By-law	as per Parking By-law
Natural Assets	To be assessed at the development permit stage	

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