



REFERRAL REPORT

Report Date: May 3, 2022
Contact: Yardley McNeill
Contact No.: 604.873.7582
RTS No.: 15059
VanRIMS No.: 08-2000-20
Meeting Date: May 17, 2022

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 1515 West 49th Avenue

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 by-law, in accordance with the recommendations set out below, for consideration at the Public Hearing.

RECOMMENDATION FOR PUBLIC HEARING

- A. THAT the application by Stuart Howard Architects Inc., on behalf of Bhagwan Dhir, the registered owner of the land located at 1515 West 49th Avenue [*PID 018-090-273; Lot G of Lot 6, Block 3 District Lot 526 Plan LMP8588*], to rezone the lands from RS-3 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.16 plus 130 sq. m (1,400 sq. ft.) to 1.51 FSR and the maximum building height from 10.7 m (35 ft.) to 13.5 m (44.3 ft.), to permit the development of two three-and-a-half storey residential townhome buildings containing a total of eight secured market rental housing units, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for 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 Stuart Howard Architects Inc., received on March 13, 2020 with revisions submitted February 24, 2022, 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 Recommendations A to 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 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 1515 West 49th Avenue from RS-3 (Residential) District to CD-1 (Comprehensive Development) District. The proposal is for two three-and-a-half storey residential buildings with a total of eight secured rental housing units. A floor space ratio (FSR) of 1.51 and building height of 13.5 m (44.3 ft.) are proposed. The application is being considered under the *Affordable Housing Choices Interim Rezoning Policy* (AHC Policy).

Staff have assessed the application and conclude that it meets the intent of the *AHC Policy*. If approved, the application would contribute eight secured market rental units, advancing the City's affordable housing goals.

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

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council Policies for this site include:

- *Affordable Housing Choices Interim Rezoning Policy* (2012, last amended 2018)
- *Secured Rental Policy* (2019)
- *Rental Incentive Programs Bulletin* (2012, last amended 2022)
- *Housing Vancouver Strategy* (2017)
- *RS-3 and RS-3A District Schedule*
- *Arbutus Ridge/Kerrisdale/Shaghnessy Community Vision* (2005)
- *Family Room: Housing Mix Policy for Rezoning Projects* (2016)
- *Green Buildings Policy for Rezoning* (2010, last amended 2018)
- *Vancouver Development Cost Levy By-law No. 9755*
- *Vancouver Utilities Development Cost Levy By-law No. 12183*
- *Community Amenity Contributions Policy for Rezoning* (1999, last amended 2022)
- *Urban Forest Strategy* (2014)

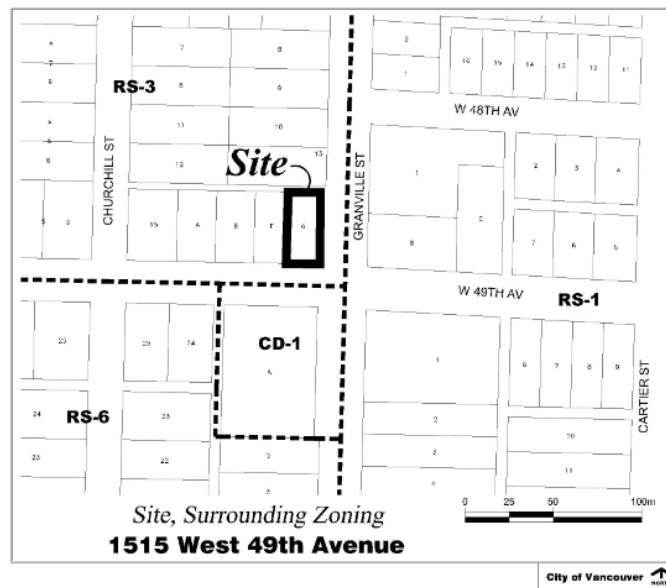
REPORT

Background/Context

1. Site and Context

This 744.1 sq. m (8,009.4 sq. ft.) site is located on the northwest corner of Granville Street and West 49th Avenue (see Figure 1). The current zoning is RS-3 (Residential) District. Site dimensions are 40.5 m (133 ft.) along Granville Street and 18.4 m (60.2 ft.) on West 49th Avenue. The surrounding properties are zoned RS and include single detached houses and the Trinity Baptist Church. A rezoned property, CD-1(500) is located south across West 49th Avenue and contains 'Granville Gardens', a three-storey seniors supportive housing development.

The subject site is currently vacant except for a detached garage on the north end of the property. A small portion of the house to the west at 1525 West 49th Avenue, extends onto the subject site and is contained in a private easement. The house at 1525 West 49th Avenue was built in 1923 and sat on a larger parcel including the subject site. In 1993, the owner submitted a subdivision plan to create two lots with a new property line that bisects a portion of the house now addressed as 1525 West 49th Ave. At the time of subdivision, the property owner registered a private easement to validate the encroachment onto the subject site, which remains in place today. The proposed rezoning would be the first development on the subject site.

Figure 1: Site and Context

Neighbourhood Amenities – The following amenities are within close proximity:

- **Child Care Facilities** – Trinity Baptist Day Care (180 m), Komel's Daycare (600 m), and Little Munchkin Daycare (650 m)
- **Transit** – Granville Street is a TransLink frequent transit network route.

Local School Capacity – The site is located within the school catchment area of Maple Grove Elementary located at 1924 West 45th Avenue and Magee Secondary School located at 6360 Maple Street. Per the Vancouver School Board (VSB)'s *2020 Long Range Facilities Plan*, approved January 25, 2021, both Maple Grove Elementary and Magee Secondary are seismically upgraded schools. Maple Grove had an operating capacity of 102% in 2019. By 2029, that capacity is expected to change to 91% in 2029. Magee Secondary's operating capacity was 105% in 2019. By 2029, enrolment is expected to operate at 93%.

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

2. Policy Context

Affordable Housing Choices Interim Rezoning Policy (AHC Policy) – In 2012, Council approved the *AHC Policy*, which aims to enable market rental housing and ground-oriented/mid-rise housing types. In 2018, Council introduced a deadline of June 30, 2019 for submission of new rezoning enquiries under the *AHC Policy*. The enquiry for this rezoning application was received prior to the deadline and therefore may be considered.

Rezoning applications considered under the *AHC Policy* must meet a number of criteria, such as providing 100% of the residential floor area as secured rental housing, fitting contextually with neighbouring development and meeting location requirements. Buildings of up to

three-and-a-half storeys in ground-oriented townhouse forms or four-storey apartment forms may be considered for sites adjacent to an arterial. The *AHC Policy* allows for a maximum of two projects to be considered within ten blocks along the same arterial. There are no other *AHC* applications within the ten block limit.

Secured Rental Policy (SRP) – On November 26, 2019, Council approved amendments to the *Secured Market Rental Housing Policy* (commonly known as Rental 100), previously approved in May 2012, and renamed the policy the *Secured Rental Policy* (SRP). The amended *SRP* expands on the *Secured Market Rental Housing Policy* by consolidating rezoning opportunities for secured rental housing previously contained in the *AHC Policy* and by introducing new green building requirements. 1515 West 49th Avenue is not eligible for rezoning under the updated *SRP* based on its location and distance to a neighbourhood shopping area.

Housing Vancouver Strategy (2017) (“Housing Vancouver”) - *Housing Vancouver* focuses on the right supply of new homes to meet a continuum of housing types. The strategy shifts production of new housing towards rental while coordinating with partners to deliver housing for the lowest income households. By 2028, Housing Vancouver has targeted the delivery of 72,000 new homes, including 20,000 purpose-built rental units. Such targets and actions seek to retain a diversity of incomes and households in the City. If approved, this rezoning will contribute eight family units towards the targets for purpose-built market rental units.

Strategic Analysis

1. Proposal

This application proposes to rezone 1515 West 49th Avenue to permit the development of two three-and-a-half storey secured-market rental townhome buildings, each with four units (see Figure 2). All units contain three bedrooms. The proposal includes a total of eight rental townhomes with a total floor area of 1,127 sq. m (12,132 sq. ft.). A building height of 13.5 m (44.3 ft.) with a density of 1.51 FSR is proposed. Vehicle and bicycle parking will be located at-grade, with access off the rear lane.

Figure 2: Perspective Looking Northwest at West 49th Avenue and Granville Street



2. Land Use

This site is zoned RS-3 which allows one-family dwellings which may include a secondary suite and laneway house development. The proposed buildings are compatible with the form and design of the surrounding area. The proposal is consistent with the *AHC Policy* with 100% of the residential floor space secured as market rental units.

3. Form of Development, Height and Density

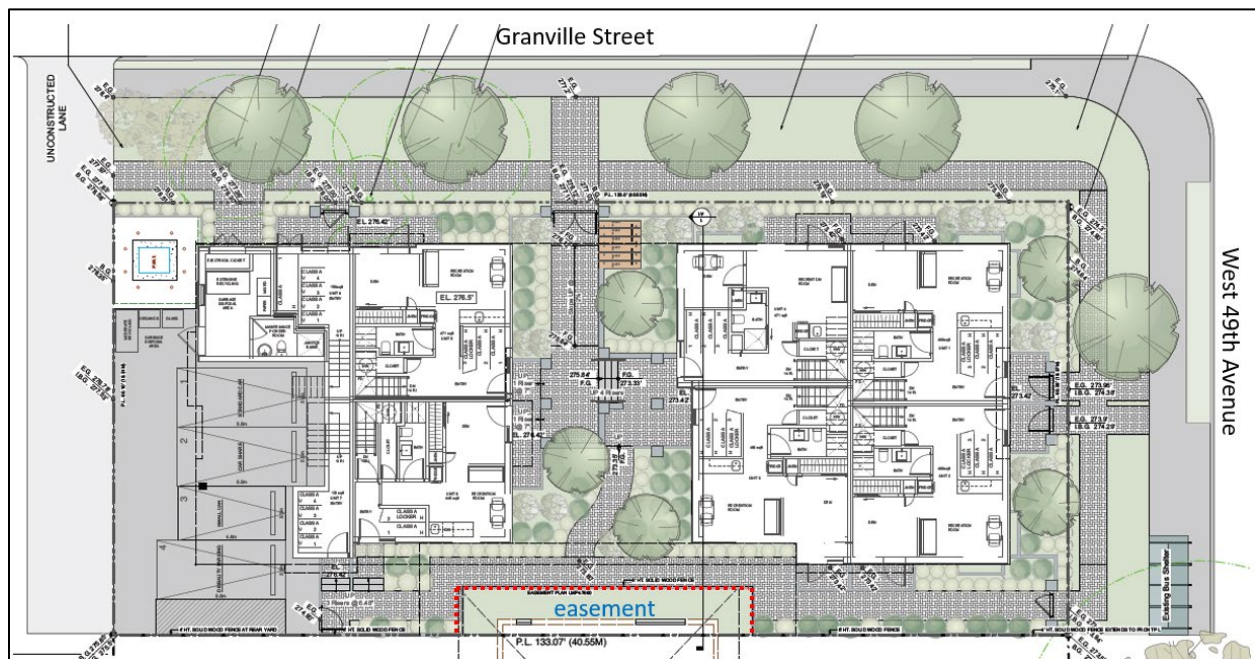
(Refer to drawings in Appendix D and statistics in Appendix F)

As the *AHC* policy is informed by local area guidelines, staff have analyzed the proposal against the intentions set out in the RS-3 District Schedule, and the surrounding context, noting the three-storey senior's residence to the south. The RS-3 allows for a two-and-a-half storey one-family dwelling and an option for a secondary suite. It emphasizes neighbourly development with regard to compatible building massing, maintaining the residential character of the district, and preserving outdoor space, views, and trees.

Form of Development – The application proposes two, three-and-a-half storey townhouse buildings. Both buildings have a square floor plate with four corner units. The top floor areas are reduced substantially and are mainly contained within pitched roofs and dormers. The proposed bulk and size of the buildings are slightly larger than the existing houses in RS-3, but similar in scale to the seniors residence across the street, and appropriately complement the scale of the neighbourhood at this corner. The architectural expression takes a traditional approach and reflects the residential character in the context. The courtyard open space between the two buildings provides a welcoming entrance from Granville Street and legible accesses to units. It also presents a good opportunity for gatherings and recreation between residents. Ground-oriented townhouse units are proposed facing both streets, enhancing the residential character of the streetscape and activating the public realm. The shadow study indicates that the proposed buildings will create shadows onto the adjacent property to the west in the morning, but overall the shadowing does not cause undue impact to the surrounding areas.

The application was revised on February 24th, 2022 to respond to community input with additional setbacks and landscaping provided along the west property line, adjacent to the house at 1525 West 49th Avenue. As noted earlier in the report, the neighbouring house and private easement encroach onto the subject site at the middle of the west property line (see Figure 3).

The revised application increases the setbacks from the easement so as to be equivalent to a side yard required in the RS-3 District Schedule. This change will ensure the existing easement conditions are maintained and the buildings are separated from the neighbouring house at a safe distance. The landscape treatment and building design are also updated to address privacy and security concerns from the neighbour, including extending fences and a landscape buffer the entire length of the west property line and easement, along with increasing the height of windowsills and minimizing glazing along the shared property line, to reduce overlook.

Figure 3: Site Plan Showing Neighbouring House and Encroachment

Staff recommend that design improvements should occur at the development permit stage in the following aspects: quality outdoor amenity space to meet the needs of families with children, improved transition from public space to private space, and accessible paths to all unit entrances and common areas. The recommended conditions are outlined in Appendix B.

Landscaping – Soft and hard landscaping is proposed and there are pedestrian access routes to the entrance of each unit while the two buildings are separated with a courtyard. Private outdoor space is provided for each unit. Landscaping is used to maximize privacy and minimize views onto the adjacent site with a wood fence and cedar hedges proposed along the west side of the property. Further landscaping to screen the parking area and to ensure privacy is recommended in Appendix B.

Urban Design Panel (UDP) – A review by the Urban Design Panel was not required at rezoning due to the modest scale of the project and its consistency with the expectations of the *AHC Policy*. Should the rezoning be approved, rezoning conditions in Appendix B will secure continued design improvements at the development permit stage. The proposal may be presented to the UDP at the development permit stage, subject to the discretion of the Director of Planning. On balance, the proposal is a compatible with the scale of the surrounding and staff recommend support.

4. Housing

Housing Vancouver sets forth policy addressing a continuum of housing needs in Vancouver. This application, if approved, would add eight secured rental housing units to the City's stock of rental housing. These new rental units would contribute to the targets set out in *Housing Vancouver* (see Figure 4).

Figure 4: Progress Towards 10 Year Housing Vancouver Targets for Purpose-Built Market Rental Housing as of December 31, 2021

Housing Type	10-YEAR TARGETS	Units Approved Towards Targets
Purpose-Built Market Rental Housing Units	20,000	8,935 (45%)

*Note that tracking progress towards 10-year Housing Vancouver targets began in 2017

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

Vacancy Rates – Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2021, the purpose-built apartment vacancy rate was 2.8% in Vancouver. The vacancy rate (based on the CHMC Market Rental Survey) for the Westside/Kerrisdale area within which this site is located is 2.1%. A vacancy rate between 3 to 5% represents a balanced market.

Unit Mix – In 2016, Council adopted the *Family Room: Housing Mix Policy for Rezoning Projects* policy that requires a minimum of 35% family units. This application would deliver 100% of the units as three-bedroom units, thereby exceeding the policy. These units are to be designed in accordance with the *High Density Housing for Families with Children Guidelines*.

Average Rents and Income Thresholds – The average rents on the westside for various units are shown in Figure 5. Rent increases over time are subject to the Residential Tenancy Act.

Figure 5: Market Rents in Newer Westside Buildings, Costs of Ownership and Household Income Served

		Newer Rental Buildings Westside		Monthly Costs of Ownership for Median-Priced Apartment – Westside (with 20% down payment)		
Unit Type	Proposed Average Unit Size	Average Market Rent ¹	Annual Income Required to Afford Average Market Rent ²	Monthly Costs Associated with Purchase ³	Annual Income Required to Afford Monthly Costs ³	20% Down Payment Amount
Studio	n/a	\$1,832	\$73,280	\$2,569	\$102,776	\$99,050
1-bed	n/a	\$1,975	\$79,000	\$3,191	\$127,654	\$124,600
2-bed	n/a	\$2,804	\$112,160	\$4,812	\$192,492	\$186,600
3-bed	1,517 sq. ft.	\$3,349	\$133,960	\$7,809	\$312,350	\$309,000

¹ Data from the October 2020 CMHC Rental Market Survey for apartments in purpose-built rental buildings completed in the year 2011 or later on the Westside of Vancouver

² For studio, 1-, 2-, and 3-bedroom units, the maximum DCL rents are the average rents for all apartments in purpose-built rental buildings built since the year 2005 in the City of Vancouver as published by CMHC in the fall 2020 Rental Market Survey, plus 10%.

³Based on the following assumptions: median of all BC Assessment apartment sales prices in Vancouver Westside in 2020 by unit type, 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).

Average market rents in newer rental buildings on the westside are shown in Figure 5. Market rental housing provides options that are significantly more affordable than average home ownership costs as illustrated in Figure 4.

Security of Tenure – All eight units would be secured through a Housing Agreement and/or a Section 219 Covenant for the longer of 60 years and the life of the building. Covenants will be registered on title to prohibit the stratification and/or separate sale of individual units. The addition of new market rental housing units contributes toward the Housing Vancouver targets. Conditions related to securing the units are contained in Appendix B.

5. Transportation and Parking

The site is well served by public transit along Granville Street and West 49th Avenue with the No.10 bus routes. A bus stop is located directly in front of the site on W 49th Avenue. The 45th Avenue Bikeway and Cypress Bikeway are located approximately five blocks from the site.

The application proposes four vehicle parking spaces, one car-share space, and 31 bicycle spaces at-grade and accessed from the rear lane. The application will comply with the provisions of the Parking By-law, which allows for reductions in the number of parking spaces for multiple dwelling with close proximity to the frequent transit network.

Engineering conditions related to transportation, public realm and parking are included in Appendix B.

6. Environmental Sustainability and Natural Assets

Green Buildings –The *Green Buildings Policy for Rezoning*s requires that applications satisfy either the near zero emission buildings or low emissions green building requirements. This application is pursuing the low emissions requirements, which establishes energy and carbon limits to create efficient and comfortable homes and workplaces. The applicant has submitted a design strategy outlining how the project will meet targets. Conditions are included in Appendix B.

Natural Assets – The *Urban Forest Strategy* seeks to protect and strengthen Vancouver's urban forest and tree canopy. The Protection of Trees By-law requires that permissions be granted to remove trees that contribute to a healthy urban forest. The intent is to protect as many healthy, viable trees as possible, while meeting the challenges of development, housing priorities and densification.

The subject site contains nine existing trees. This application proposes to add five new trees. The final number of trees planted will be determined through the development permit process.

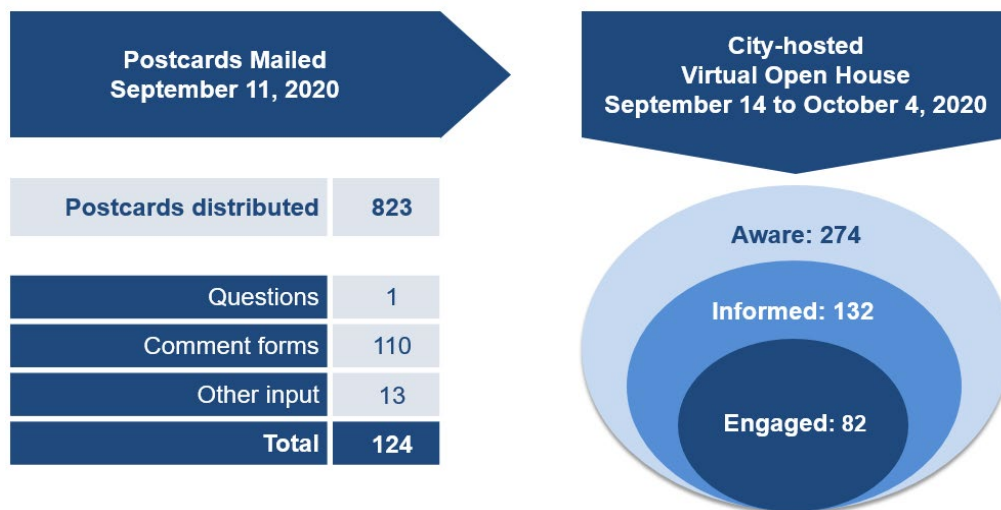
7. Public Input

Public Notification – A rezoning information sign was installed on site on January 20, 2020. Approximately 823 notification postcards were distributed within the neighbouring area on or about April 14, 2020. Notification and application information, as well as an online comment form, was provided on the City's digital engagement platform Shape Your City Vancouver (shapeyourcity.ca/).

Virtual Open House – A virtual open house was held from September 14th to October 4th, 2020 on the Shape Your City platform. The open house consisted of an open-question event where questions were submitted and posted with a response over a period of three weeks. Both City and applicant boards were posted for online viewing, along with a digital model representation of the proposed application.

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 124 submissions were received. A summary of all public responses may be found in Appendix C.

Figure 5: Overview of Notification and Engagement



Below is a summary of feedback received from the public by topic and ordered by frequency.

Generally, comments of support fell in the following areas:

- **Housing supply:** Increasing the number of secured rental units in the west side is supported. The housing will provide options for families.
- **Height, density, and massing:** Comments expressed support for the form of development and in particular, the density being proposed.
- **Building design:** The Tudor design is contextually appropriate and will blend in well with the surrounding homes.

Generally, comments of concern fell within the following areas:

- **Massing and privacy:** The building is too dense for the surrounding neighbourhood, which is primarily single-family homes. There are insufficient setbacks to buffer the development from the surrounding arterial streets and adjacent homes.

- **Traffic and parking:** The proposed development will contribute to already high volumes of traffic and there is concern the laneway will not be able to handle the ingress and egress of more vehicles. Comments noted there is insufficient parking proposed on-site and there is concern for where garbage and recycling pick up, delivery vehicles, and moving trucks will park.

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

- **Building Massing and Privacy** – Staff have reviewed the rezoning application and concluded the proposed three-and-a-half storey height and density are appropriate and consistent with similar townhouse rental buildings on arterials across the city and compatible with the lower-scale neighbours. Urban design and landscape conditions are provided in Appendix B to assist with the integration of the proposed development into the neighbourhood context. They include landscaping and further design development to reduce overlook.

Staff assessment is the proposed development meets the intent of the *AHC Policy*.

- **Traffic and parking** – The proposal must meet the Parking By-law. New vehicle trips generated by the development are anticipated to be nominal and not have a significant impact on existing roadway conditions.

PUBLIC BENEFITS

Community Amenity Contributions (CAC) – Within the context of the City's *Financing Growth Policy*, an offer of a CAC to address the impacts of rezoning can be anticipated from the owner of a rezoning site. 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 *Community Amenity Contributions Policy for Rezoning*s provides an exemption for routine, lower-density secured market rental rezoning applications that comply with the City's rental policies. As this site is currently zoned RS-3 and proposes to rezone to three-and-a-half storey buildings, the application is eligible for this CAC exemption.

The public benefit accruing from this application is the contribution to the City's rental housing stock. The applicant has proposed that all eight residential units be secured as rental housing for the longer of 60 years and the life of the building. As a condition of by-law enactment, a Housing Agreement and Section 219 Covenant are required to be registered on title to preclude, among other things, stratification of the building, separate sale of individual units, and rentals for less than one month at a time.

In response to City policies, which address changes in land use and density, this rezoning application offers the following public benefits:

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

The site is subject to the Citywide DCL and Utilities DCL. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage. Based on by-laws and rates in effect as of September 30, 2021 and the proposed 12,132 sq. ft. of residential floor area, \$344,184 of DCLs would be expected from this development.

In accordance with amendments to Section 3.1B of the Vancouver DCL By-law approved by Council on November 26, 2019, rezoning projects that are not subject to Community Amenity Contributions (CACs) may request a DCL waiver of the Citywide DCL at the development permit application stage, which will reduce DCLs that are payable at building permit issuance. This application is exempt from CACs and is eligible to request a DCL waiver.

If the applicant requests a DCL waiver, the application would be subject to the maximum average unit sizes for “for-profit affordable rental housing” and maximum average rents by unit type in accordance with the DCL By-law, as secured by an amendment to or replacement of the Housing Agreement (if the waiver was not sought prior to rezoning enactment). If the application is eligible for a DCL waiver, the value of the City-wide DCL waiver on the residential floor area is estimated to be \$221,287.

DCL 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 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 proposed floor area is below the minimum threshold of 9,290 sq. m (100,000 sq. ft.), therefore no public art contribution will arise from this application.

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

FINANCIAL IMPLICATIONS

Based on DCL by-laws and rates in effect as of September 30, 2021, it is estimated that the project will pay \$344,184 of DCLs.

As discussed in the Public Benefits section of this report, the project may be eligible to request a DCL waiver at the development permit application stage. The value of the potential City-wide DCL waiver on the residential floor area would be approximately \$221,287.

The eight units of rental housing will be privately owned and operated, secured by a Housing Agreement and Section 219 Covenant for the longer of 60 years and the life of the building.

No additional CAC or public art contribution is applicable.

CONCLUSION

Staff have reviewed the application to rezone the site at 1515 West 49th Avenue from RS-3 to CD-1 to permit the development of eight secured rental housing townhome units, and conclude that the application is consistent with the objectives of the *AHC Policy*. The incentives provided, including additional height and density assist with the delivery of much needed rental housing units. Staff further conclude that the recommended form of development represents an

appropriate urban design response to the site and its context. If approved, this application would make a contribution to the achievement of key housing goals outlined in the *Housing Vancouver Strategy*.

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

* * * * *

1515 West 49th Avenue
PROPOSED CD-1 BY-LAW PROVISIONS

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

Zoning District Plan Amendment

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

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

Designation of CD-1 District

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

Uses

3. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (___) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Dwelling Uses, limited to Multiple Dwelling; and
 - (b) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

4. The design and layout of at least 35% of the total number of dwelling units must:
 - (a) be suitable for family housing; and
 - (b) include two or more bedrooms.

Floor Area and Density

- 5.1 Computation of floor area must assume that the site area is 744 m², being the site area at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.
- 5.2 The floor space ratio for all uses combined must not exceed 1.51.

- 5.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 5.4 Computation of floor area must exclude:
- (a) balconies and decks, and any other appurtenances which in the opinion of the Director of Planning are similar to the foregoing, except that:
 - (i) the total area of all such exclusions must not exceed 12% of the floor area being provided for dwelling uses; and
 - (ii) the balconies must not be enclosed for the life of the building;
 - (b) patios and roof decks, if the Director of Planning first approves the design of 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.
- 5.5 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.

Building Height

6. Building height, measured from base surface, must not exceed 13.5 m.

Horizontal Angle of Daylight

- 7.1 Each habitable room must have at least one window on an exterior wall of a building.
- 7.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.

- 7.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if:
- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
 - (b) the minimum distance of unobstructed view is not less than 3.7 m.
- 7.5 An obstruction referred to in section 7.2 means:
- (a) any part of the same building excluding permitted projections; or
 - (b) the largest building permitted under the zoning on any adjoining site.
- 7.6 A habitable room referred to in section 7.1 does not include:
- (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit; or
 - (ii) 9.3 m².

Acoustics

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

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

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**1515 West 49th 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 hearing minutes for any changes or additions to these conditions.

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by Stuart Howard Architects Inc., received on March 13, 2020, with revised plans submitted on February 24, 2022, 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 incorporate outdoor amenity space in the courtyard to meet the needs of socialization and children's play for on-site children and adults, as required by the *High Density Housing for Families with Children Guidelines*.

Note to applicant: Children's play area should be appropriately located, designed, and landscaped to suit their developmental and play needs and maximize the opportunities for sunlight access and adults' supervision. Refer to the *High Density Housing for Families with Children Guidelines* for more detailed guidance.

- 1.2 Design development to entry porches, patios, and landscape treatments facing Granville Street and West 49th Avenue to emphasize a transition from the public space of the street to the private space of the residential unit and create a neighbourly public realm interface.
- 1.3 Design development to ensure that all units, outdoor amenity space, and common areas can be accessed via accessible paths of travel from the street.
- 1.4 Design development to increase the visibility of the entrance of unit number seven from the courtyard.

Note to Applicant: This may be achieved by orienting the entrance of unit number seven toward the courtyard and re-arranging the ground floor plan of units number six and seven.

- 1.5 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 Section 3 Building Design for examples of built features that may be applicable. For more information, see the guidelines at: <http://guidelines.vancouver.ca/B021.pdf>

Landscape

- 1.6 Design development to enhance the public realm interface at the Granville Street frontage, by providing increased buffering from the busy street to allow quality of outdoor space to private patios.
- 1.7 Design development to provide additional privacy to the north edge of the site next to the parking access drive and unconstructed Lane by the addition of planting beds, of minimum two rows of woody evergreen shrubs along property lines.
- 1.8 Design development to expand programming by providing a children's play area and other more varied opportunities for informal seating and social gathering.
- 1.9 Design development to improve the sustainability strategy, by the following:
 - (a) Add substantially more landscape around all entry areas, to accent and soften them;
 - (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, to be visually accessible from below, softening the edges and consisting of woody evergreen plant material for year-round presence; and
 - (d) Add edible plants, which can be used as ornamentals as part of the landscape design, in addition to urban agriculture plots.
- 1.10 Design development to ensure the intended landscape design is carried into the future by 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.
- 1.11 Design development to the Integrated Rainwater Management Strategy to explore opportunities for on-site rainwater infiltration and soil absorption, as follows:
 - (a) Maximize natural landscape best management practices;
 - (b) Minimize the necessity for hidden mechanical water storage;
 - (c) Increase the amount of planting to the rooftop areas, where possible;
 - (d) Consider linear infiltration bio-swales along property lines, at lower site areas;
 - (e) Use permeable paving;
 - (f) Employ treatment chain systems (gravity fed, wherever possible); and
 - (g) 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.

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

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

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

- 1.13 Provision of coordinated Landscape Plan and Architectural Site Plan, for most updated information.
- 1.14 Provision of complete information, such as references on the Roof Deck Plan, confirming all landscape elements.
- 1.15 Provide a detailed Landscape Plan illustrating soft and hard landscaping.

Note to Applicant: The plans should be at 1/8-in: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 and fire hydrants.

- 1.16 Provide detailed architectural and landscape cross sections (minimum 1/4-in. 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.

- 1.17 Provide 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.

- 1.18 Provide an arborist "letter of undertaking" and 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.

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

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Engineering Services (Streets Design Branch) at 604-871-6131 to confirm tree planting locations and Park Board at 3-1-1 for tree species selection and planting requirements. Provide a notation on the plan as follows, *"Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6-cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8-feet long and 18-inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion"*.

- 1.21 Provide an Outdoor Lighting Plan.

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

Crime Prevention through Environmental Design (CPTED)

- 1.22 Identify on the drawings strategies that consider the principles of CPTED including the following conditions:
 - (a) Limiting opportunities for nuisance activities, mischief in alcoves and blind corners;
 - (b) Limiting unobserved access or activity and encouraging natural visual surveillance;
 - (c) Mail theft;
 - (d) Site lighting developed with considerations for safety and security; and
 - (e) Reduced opportunities for graffiti.

Note to Applicant: Alcoves and other similar visually hidden areas should be designed to not cover or have limited cover and be well lit. Opportunities for graffiti can be mitigated by reducing areas of exposed wall and by covering with vines, hedges or a rough finish material.

- 1.23 Design development to improve visibility and security in the underground parking in accordance with the Parking By-law including:
 - (a) Overhead lighting and step lights at exit stairs and doors;
 - (b) 24-hour lights and walls painted white; and
 - (c) Visibility at doors, lobbies, stairs and other access routes.

Sustainability

- 1.24 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).

Zero Waste

- 1.25 In order to minimize waste, a salvage strip-out must be done to remove fixtures, systems, and elements such as doors, deck and fencing, for reuse. Any buildings which are not already subject to the Green Demolition By-law must achieve a 75% recycling rate for demolition. Buildings subject to the Green Demolition By-law must meet the by-law requirements in place at the time of the demolition permit application.

Engineering

- 1.26 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>

- 1.27 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- 1.28 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.
- 1.29 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.

- 1.30 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
- Identify/note/dimension car share space on plans.
 - Space to be located with convenient, public access at-grade, or on P1.
 - 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.

- 1.31 Subject to the acceptance of an approved TDM Plan, entry into a TDM agreement and/or a Shared Vehicle Agreement, all to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services prior to issuance of a Development Permit, which:

- (a) Secures provision of funding towards long-term TDM monitoring fund in the amount of \$280 per parking space waived (for City-wide parking reduction);
- (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; and
- (d) Agrees to make reasonable adjustments to the TDM measures as requested by the City, based on the TDM monitoring results.

- 1.32 Design development to improve access and design of bicycle parking and comply with the Bicycle Parking Design Supplement.

- (a) Provision of stair free access routes for the Class A bicycle parking.

Note to Applicant: Stair ramps can be accepted as stair free routes to the units as only 2 to 3 risers are proposed. Show the stair ramps on the drawings.

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

- (a) Provision of a 2.9 m stall width for the shared vehicle parking space.

Note to Applicant: Car share space to be free of all encroachments. A Shared Vehicle Agreement and a Commitment Letter from a car share provider will be required at time of Development Permit.

- 1.34 The following information is required for drawing submission at the development permit stage to facilitate a complete Transportation review:
- (a) A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided;
 - (b) All types of parking and loading spaces individually numbered and labelled on the drawings;
 - (c) Dimensions for typical parking spaces;
 - (d) Dimensions of additional setbacks for parking spaces due to columns and walls;
 - (e) Dimensions of maneuver aisles and the drive aisles at the parkade entrance and all gates;
 - (f) 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;
 - (g) Areas of minimum vertical clearances labelled on parking levels;
 - (h) Design elevations on both sides of the ramps and drive aisles at all breakpoints, disability spaces, and at all entrances. The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings;
 - (i) Indicate the stair-free access route from the Class A bicycle spaces to reach the outside and show the stair ramps on the drawings;
 - (j) Existing street furniture including bus stops, benches etc. to be shown on plans; and
 - (k) The location of all poles and guy wires to be shown on the site plan.
- 1.35 Provision of landscape and site plan that illustrates all off-site improvements in street right of way including street furniture, horticulture and public realm amenities.
- 1.36 Provision of dimensions and call-out notes to Landscape Plan to indicate location of all existing street furniture including litter bin, bench and shelter at bus stop on West 49th Avenue, with notes on protection, removal, relocation, or installation as applicable.
- 1.37 Provision of the following notes to be added to the Site Plan and Landscape Plan:
- (a) All existing street furniture in street right of way shall be protected during construction. Final location of proposed street furniture shall be confirmed with Street Furniture Coordinator. All removal, relocation or installation of street furniture shall be by the City's street furniture contractor, and coordinated with City of Vancouver Street Furniture Coordinator. Notification is required a minimum of 8 weeks prior to construction.
- 1.38 Provision of lawn grass for front boulevard.

Note to Applicant: Planting areas in back boulevard are acceptable. All planting on street rights of way shall be maintained by the adjacent property owner. Plants shall be planted in such a way as to maintain sightlines and not encroach on the sidewalk, street, lane, and/or bike lane according to City of Vancouver standards as follows:

- All plant material within the same continuous planting area which is located on street right of way within 10m, measured from the corner, of an intersection, pedestrian crossing, entrance to a driveway or other conflict areas, shall not exceed a mature height of 0.6m, measured from the sidewalk.
- All plant material within the street right of way that is located outside of the areas described in the bullet above shall not exceed a mature height of 1m, measured from the sidewalk.
- Provision of 0.45m buffer of low groundcover in planting beds adjacent to sidewalks.
- Refer to City of Vancouver Boulevard Gardening Guidelines for more information on boulevard planting.

- 1.39 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".

Include on Landscape drawings:

- (a) Remove proposed secondary paver walks and connector walks from City property.
- (b) Remove a back boulevard street trees from City property. Include all standard street tree notes.

- 1.40 Provision of a draft final Rainwater Management Plan prior to development permit issuance. As it is acknowledged that not all design components are advanced fully at this stage, placeholders will be accepted in this resubmission with the expectation the final report will include all relevant details.

Note to Applicant: The resubmission at development permit must include the following amendments:

- (a) Clarification on the grading hardscapes into adjacent (or lower level) landscaping as referenced in the report but not detailed on the site plan. Coordination with the landscape architect, soil storage capacities and a grading plan will be required to support this proposal. Consider the use of Permeable paving and lined Bio-retention Planters to meet this goal. Note that infiltration systems buried or surface (i.e. raingardens) must be 5 m from building foundations.
- (b) Recalculation of peak flow values. Peak flow calculations to use 1:10 year return period as per sewer conditions. Inlet time = 5 minutes. Travel time to be estimated by applicant. Ensure that the pre-development calculation uses the 2014 IDF curve 10-year 5-minutes intensity values and the post-development calculation uses the 2100 IDF curve 10-year 5 minutes values.

- (c) Recalculation of the detention tank volume to equal the greater of either the pre-development peak flow storage volume or the amount of the 24 mm rainfall not captured in Tier 1 & Tier 2 practices.
 - (d) Provide a summary chart of all the catchment areas which include the required retention, any direct retention achieved, and storage capacities for that catchment to provide a full picture of 24 mm retention across the site.
 - (e) An infiltration test conducted by a certified professional is required to support any infiltration systems on site.
 - (f) Provide a site map detailing the different surface types and how rainwater will be directed or retained in each area. Include the following:
 - i. All routing of water throughout the site.
 - ii. Location of any water quality treatment and flow control system with connections to the sewer system.
 - iii. Area and depth of landscaping to support the claim of absorbent landscaping as a rainwater capture method.
- 1.41 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.
- 1.42 Provision of a final signed and sealed Rainwater Management Plan (RWMP), which includes a written report, supporting calculations, computer models and drawings to the satisfaction of the General Manager of Engineering Services prior to the issuance of any building permit.
- 1.43 Provision of a final signed and sealed standalone Operations and Maintenance (O & M) Manual to the satisfaction of the General Manager of Engineering Services prior to the issuance of any building permit.

Housing

- 1.44 The design and layout of at least 35% of the dwelling units must:
- (a) be suitable for family housing; and
 - (b) include two or more bedrooms.
- 1.45 The proposed unit mix, including eight three-bedroom units (100%) is to be included in the development permit drawings.

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

- 1.46 The development should be designed in accordance with the *High-Density Housing for Families with Children Guidelines*, including, but not limited to:

- (a) Encourage the provision of an outdoor amenity area to include areas suitable for a range of children's play activities and urban agriculture, situated 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) Encourage the provision of a multi-purpose indoor amenity space 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 a 1.8 by 2.7 m minimum dimensions (S.4.3.2)

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following.

- 2.1 Release of Easement and Indemnity Agreement E47440 (landscaping encroachment) 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.

Note to Applicant: It is recommended that the applicant make arrangements to have Restrictive Covenant 21229H (subdivision & building restrictions) released from title as it appears to have been rendered invalid as of January 1935.

- 2.2 Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the Rezoning Site (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights-of-way for the services are provided. No development permit for the Rezoning Site, or any portion thereof, or for any building or improvements thereon will be issued until the letter of credit, as security for the Services, is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. The Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

Note to Applicant: For general Latecomer Policy information refer to the website at <https://vancouver.ca/home-property-development/latecomer-policy.aspx#redirect>

- (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 Vector Engineering Services Ltd. Dated April 8, 2020, no water main upgrades are required to service the development.

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 for the installation of a fire hydrant fronting the development site on Granville Street.
- (c) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.
 - (i) Implementation of development(s) at 1515 West 49th Avenue does not require any upgrades.

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 200 mm COMB sewers in West 49th Avenue.

- (d) Provision of street improvements along Granville Street adjacent to the site and appropriate transitions including the following:
 - (i) 1.83 m (6 ft.) wide front boulevard;
 - (ii) 2.44 m (8 ft.) wide broom finish saw-cut concrete sidewalk;
 - (iii) Upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations;
 - (iv) New concrete curb and gutter on Granville Street along the development site's frontage;
 - (v) Removal of the existing driveway crossing and reconstruction of the boulevard, sidewalk, and curb to current standards;
 - (vi) Adjustment to all existing infrastructure to accommodate the proposed street improvements.
- (e) Provision of street improvements along West 49th Avenue adjacent to the site and appropriate transitions including the following:

- (i) 2.44 m (8 ft.) wide broom finish saw-cut concrete sidewalk;
 - (ii) Upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations;
 - (iii) Adjustment to all existing infrastructure to accommodate the proposed street improvements.
- (f) Provision of Granville Street and West 49th Avenue entire intersection lighting upgrade to current City standards and IESNA recommendations.
- (g) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by 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.

- (h) Provision of the construction of the new portion of the lane adjacent to the site to current City standards including all adjustment to existing infrastructure required to accommodate these improvements.
- (i) Provision of a new standard concrete pedestrian lane crossing, new curb returns and curb ramps at the Granville Street opening.
- (j) Provision of the relocation of the existing bus stop adjacent to the site including relocation of all associated passenger facilities (bus shelter, bench, ad panel with electrical connection, litter can, etc.) and reinstallation at a location to be determined by Engineering Services.

Note to Applicant: Bus shelters shall be placed in such a way as to maintain accessibility for bus boarding and alighting. Refer to the following standards:

- Typical bus shelter dimensions are approximately 4.3 m long by 2.2 m wide.
 - Bus shelters shall be a minimum of 1.8 m from the curb.
 - Bus shelters shall be a maximum of 9 m from the bus ID pole.
 - There shall be a minimum of 3 m width direct clear path from the bus ID pole to the sidewalk to allow for ramp deployment and access to the front doors of the bus.
 - No conflict with underground utilities.
- (k) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.

- (l) Provision of street trees where space permits. Final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. Tree species to the approval of the City Arborist. Street tree planting to include appropriate soil volumes and approved root barriers of rigid construction, 8' long and 18" deep, centre on each street tree adjacent to the sidewalk and any off street bike facility.

- 2.3 Engineering Services will require all utility services to be underground for this "conditional" development. All electrical services to the site must be primary with all electrical plant, which include but not limited to System Vista, Vista switchgear, pad mounted transformers and kiosks (including non-BC Hydro kiosks) are to be located on private property with no reliance on public property for placement of these features. The applicant shall provide written confirmation from BC Hydro that all required electrical plant is provided for on-site.

This proposed development is adjacent to existing BC Hydro electrical works. The applicant shall submit a surveyed clearance drawing to BC Hydro showing all BC Hydro plant and dimensioned clearances from the plant to the development. The applicant shall provide written confirmation from BC Hydro that all required clearances from BC Hydro plant have been satisfied. See BULLETIN 2015-002-EL - Clearances from Existing BC Hydro High Voltage Overhead Conductors and Transformers for more information (<https://vancouver.ca/files/cov/2015-002-clearances-from-the-existing-bc-hydro-high-voltage-overhead-conductors-and-transformers.pdf>).

Note to applicant: Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings. 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/2015-002-clearances-from-the-existing-bc-hydro-high-voltage-overhead-conductors-and-transformers.pdf>). All third party service lines to the development shall be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc. The review of third party utility service drawings will not be initiated until the Key Plan is defined.

For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at umb@vancouver.ca.

Housing

- 2.4 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/or Section 219 Covenant to secure all residential units as secured rental housing units for the longer of 60 years and the life of the building, subject to the following additional conditions:
- (a) A no separate-sales covenant;
 - (b) A no stratification covenant;
 - (c) That none of such units will be rented for less than one month at a time;

- (d) That, if a waiver of the Development Cost Levies is sought pursuant to the Development Cost Levy By-law, prior to rezoning enactment all proposed residential units will meet the definition of “for-profit affordable rental housing” in the Development Cost Levy By-law and accordingly, the average size of all residential units will not be greater than specified for for-profit affordable rental housing in the Development Cost Levy By-law, and the average initial rents for all proposed residential units will not exceed rents specified for for-profit affordable rental housing in the Development Cost Levy By-law. A rent roll would be provided indicating the agreed initial monthly rents for each rental unit, when the Housing Agreement is entered into, prior to development permit issuance and prior to DCL calculation during building permit; and
- (e) Such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may in their sole discretion require.

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

Note to Applicant: If the applicant chooses to seek a waiver of the Development Cost Levies at the development permit stage (and had not sought a waiver prior to rezoning enactment), a new Housing Agreement will be required prior to development permit issuance to secure the obligations described in subsection (d) above.

Sustainability

- 2.5 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

- 2.6 If 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 on this site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been issued 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 Covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject sites as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-laws, 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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1515 West 49th Avenue
ADDITIONAL INFORMATION

1. PUBLIC CONSULTATION SUMMARY

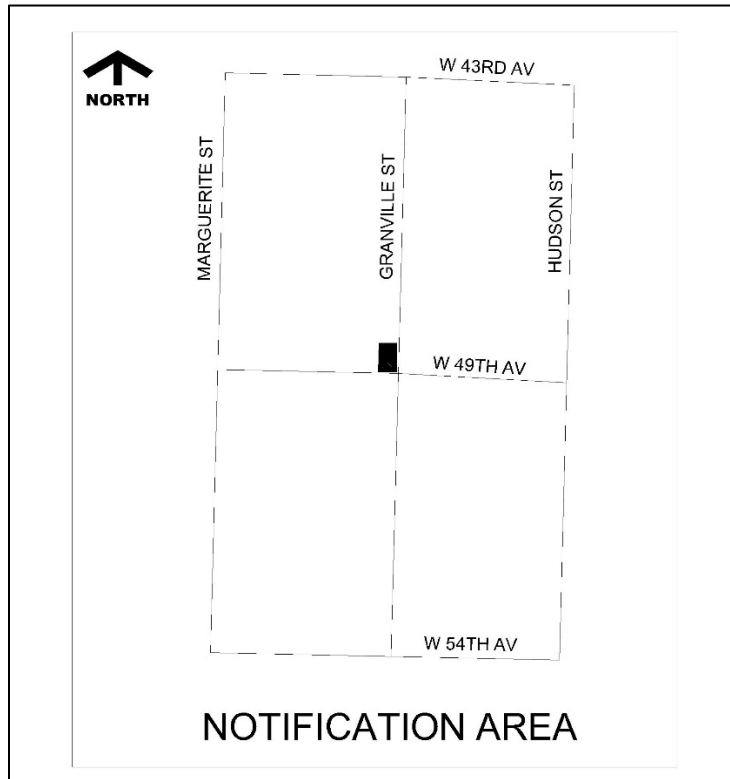
	Dates	Results
Events		
Virtual open house (City-led)	September 14 to October 4, 2020	274 participants (aware)* <ul style="list-style-type: none"> • 132 informed • 82 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	September 11, 2020	823 notices mailed
Public Responses		
Online questions	September 14 to October 4, 2020	1 submittals
Online comment forms <ul style="list-style-type: none"> • via Shape Your City platform 	July 2020 to December 2021	110 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	July 2020 to December 2021	110 submittals <ul style="list-style-type: none"> • 92 responses • 11 responses • 7 response
Other input	July 2020 to December 2021	13 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	July 2020 to December 2021	763 participants (aware)* <ul style="list-style-type: none"> • 267 informed • 105 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.

1. Map of Notification Area



2. Analysis of All Comments Received

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

- **Housing supply:** Increasing the number of secured rental units in the west side is supported. The housing will provide options for families.
- **Height, density, and massing:** Comments expressed support for the form of development and in particular, the density being proposed.
- **Building design:** The Tudor design is contextually appropriate and will blend in well with the surrounding homes.

Generally, comments of concern fell within the following areas:

- **Massing and privacy:** The building is too dense for the surrounding neighbourhood, which is primarily single-family homes. There are insufficient setbacks to buffer the development from the surrounding arterial streets and adjacent homes.
- **Traffic and parking:** The proposed development will contribute to already high volumes of traffic and there is concern the laneway will not be able to handle the ingress and egress of more vehicles. Comments noted there is insufficient parking proposed on-site

and there is concern for where garbage and recycling pick up, delivery vehicles, and moving trucks will park.

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:

- Ride share vehicle space is appreciated.
- The interior courtyard is well designed.
- Will allow for aging in place.
- Great transit access.

General comments of concern:

- Lack of clarity in project information provided on Shape Your City.
- Lack of privacy for adjacent neighbours
- Significant noise and air pollution from vehicles travelling on Granville Street.
- The renderings are deceptive.
- The proposed landscaping plan is inadequate.
- This project will set a precedent and will increase land speculation in the area.
- The proposal will cause too much shadowing.
- Parking is insufficient for families.
- The existing landscaping will be demolished.
- Rental apartments in this area will not be adequately affordable.
- Safety for pedestrians is of concern.
- Maintenance of the laneway and the property is of concern.

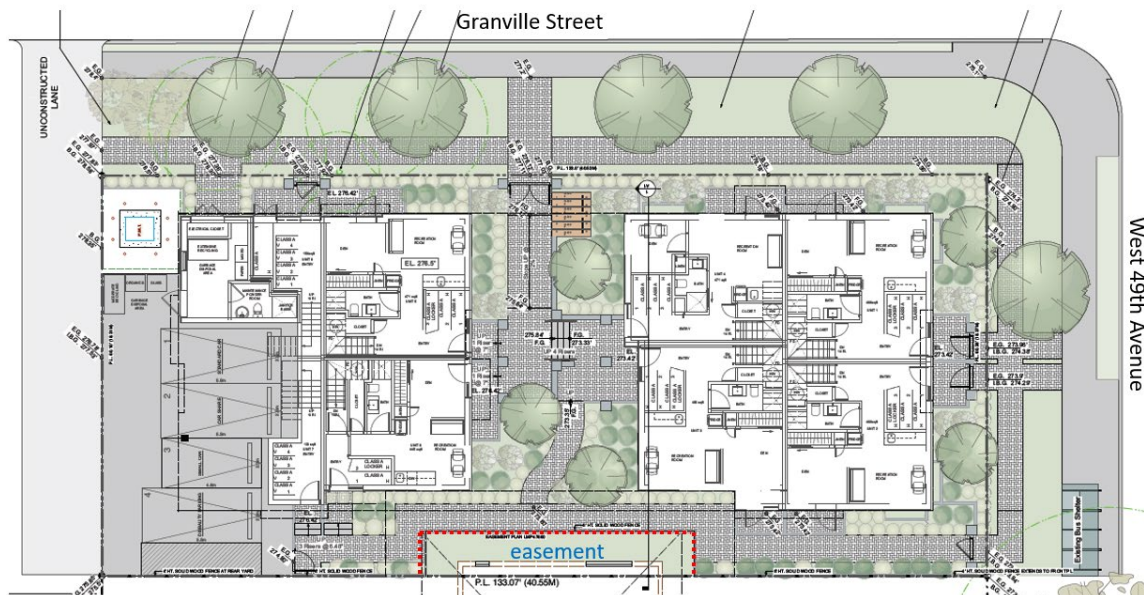
Neutral comments/suggestions/recommendations:

- Increase the density.
- Add electric car chargers.
- Reduce the building footprint.
- Increase building setbacks.
- Ban left hand turns into the new laneway entrance.
- Reduce the number of parking spaces to improve affordability.
- Add a green roof or rooftop amenity.
- Add a privacy fence to separate the multi-family project from single-family homes.
- Add retail spaces.
- Bring back the lock-off suites.

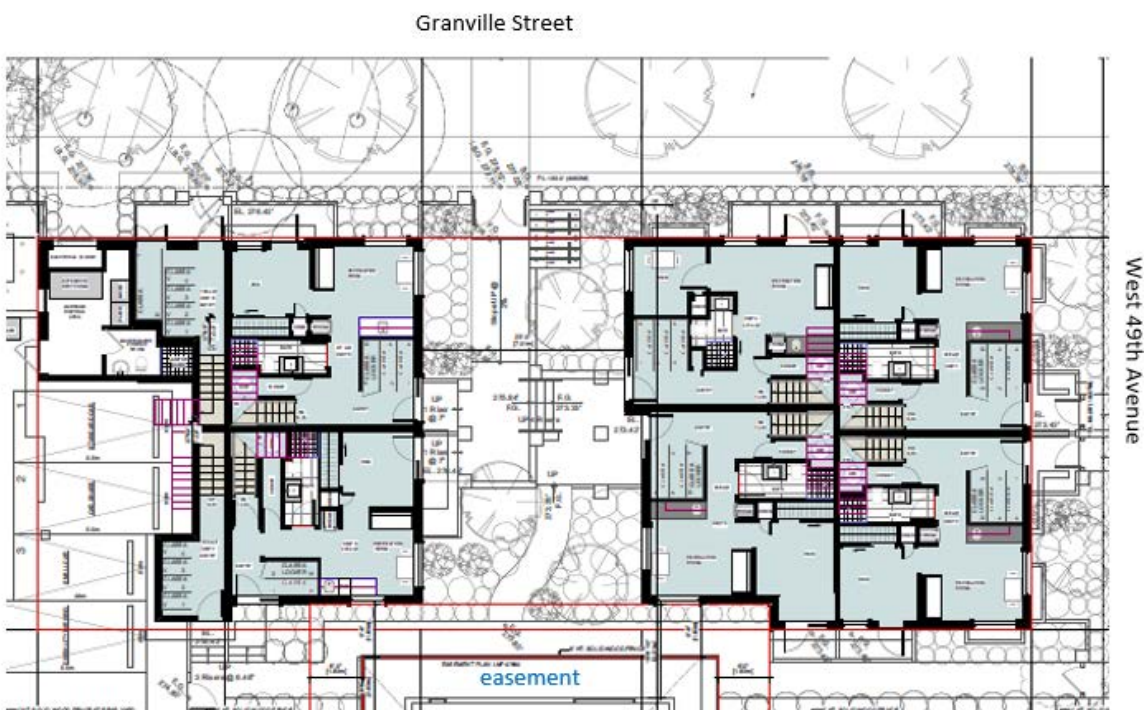
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FORM OF DEVELOPMENT DRAWINGS

Site Plan



Level 1



Level 2



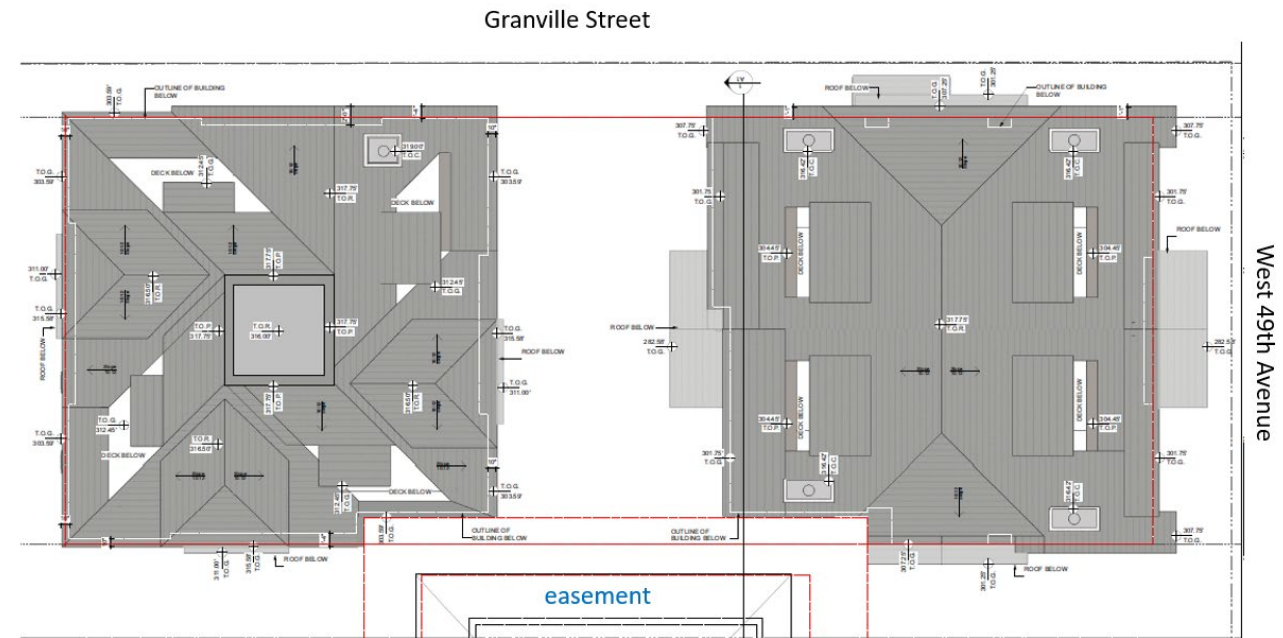
Level 3



Level 4



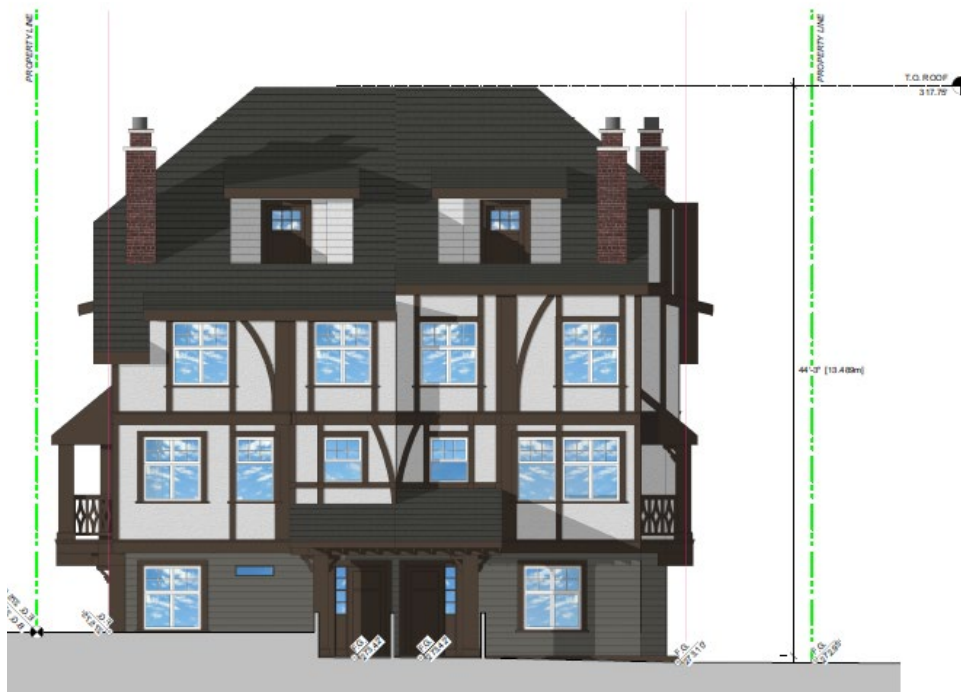
Roof Plan



North Elevation



North Elevation South Block



East Elevation



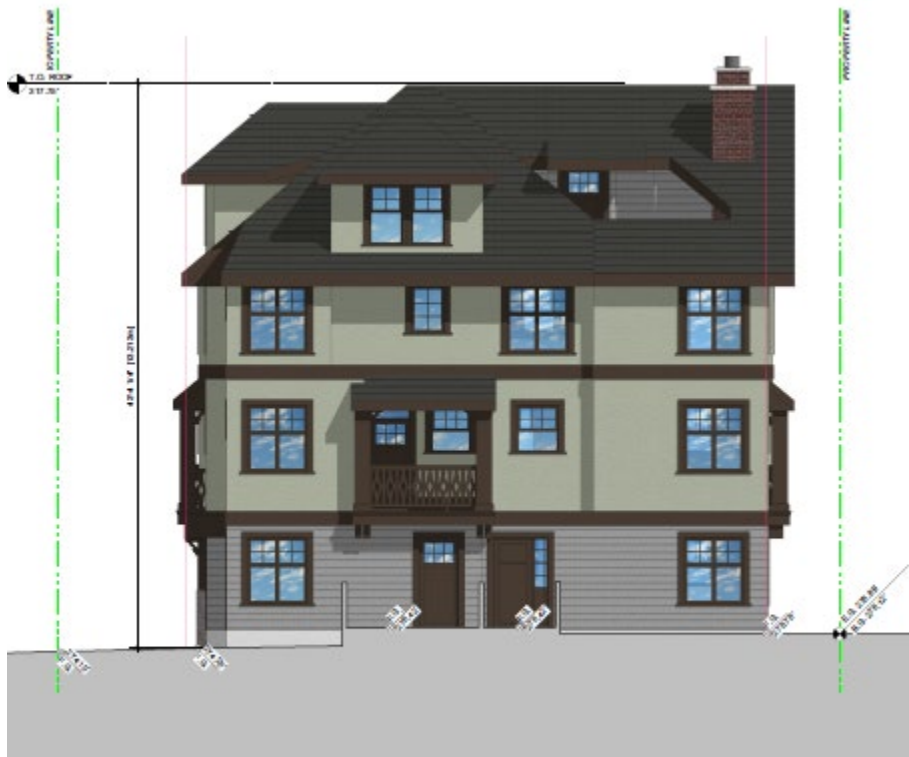
West Elevation



South Elevation



South Elevation North Block

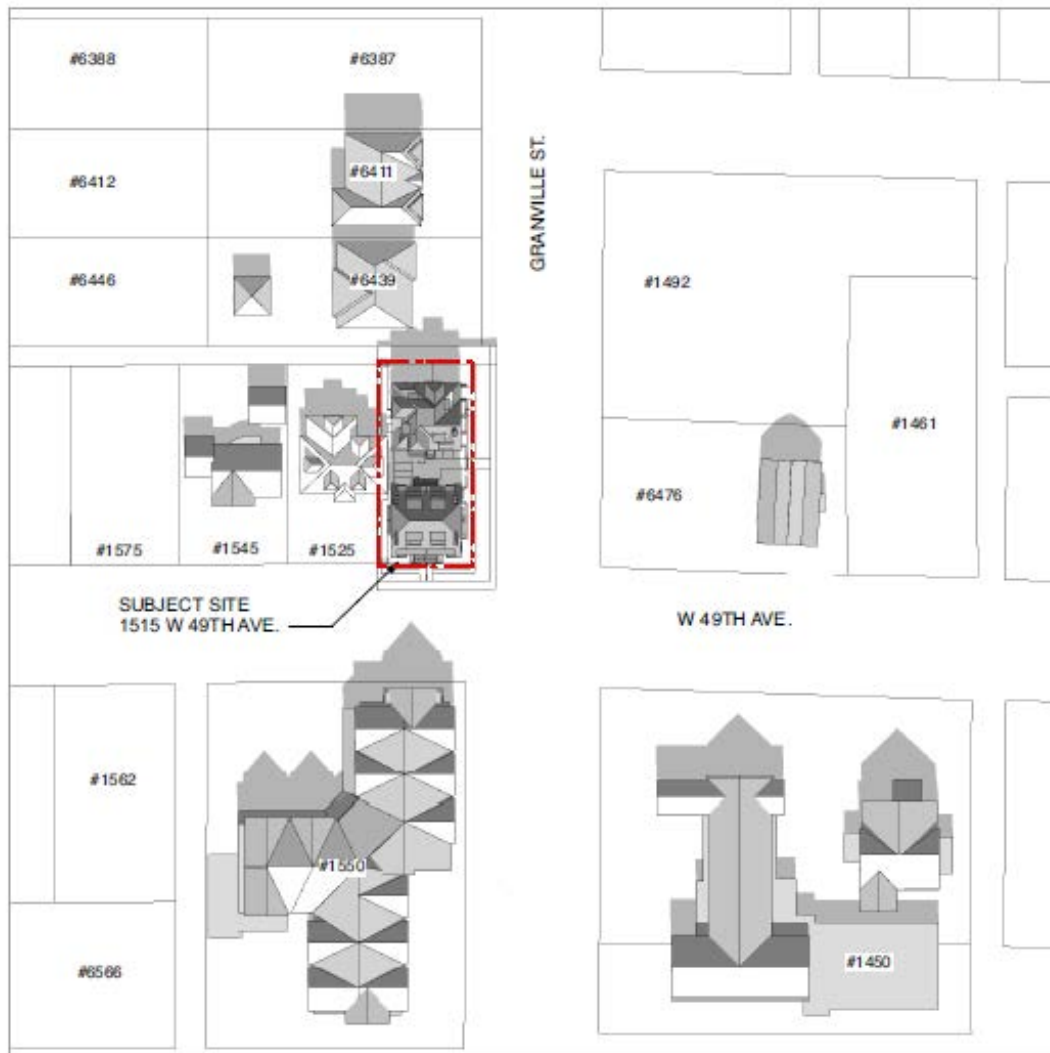


Shadow Studies: September 21st



9:00 AM

Shadow Studies: September 21st



12:00 PM

Shadow Studies: September 21st



3:00 PM

Street Perspective on W 49th Avenue



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1515 West 49th Avenue
PUBLIC BENEFITS SUMMARY

Project Summary:

To rezone the site from RS-3 to CD-1 to allow for two three-and-a-half storey residential buildings with a total of eight secured market rental townhouse units under the *Affordable Housing Choices Interim Rezoning Policy*.

Public Benefit Summary:

The proposal would provide eight secured market rental housing units for the longer of 60 years and the life of the building.

	Current Zoning	Proposed Zoning
Zoning District	RS-3	CD-1
FSR (site area = 744 sq. m (8,009.4 sq. ft.))	0.16 plus 130 sq. m (1,400 sq. ft.)	1.51
Buildable Floor Space (sq. ft.)	2,682	12,132
Land Use	Residential	Residential

Summary of Development Contributions Expected Under Proposed Zoning

City-wide DCL ^{1,2}	\$221,287
Utilities DCL ¹	\$122,897
TOTAL	\$344,184

Other Benefits (non-quantified components):

Eight dwelling units which will be secured for market rental housing for longer of 60 years and the life of the building.

¹ Based on rates in effect as of 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 City's [DCL Bulletin](#) for details.

² This application is exempt from CACs and will be eligible to request a DCL waiver at the development permit stage of the approval process. If the Applicant requests a DCL waiver, the project would be required to be subject to the maximum average unit sizes for "for-profit affordable rental housing" and maximum average rents by unit type for the below-market units, in accordance with the DCL By-law, as secured by an amendment to the Housing Agreement. If the application is eligible for a DCL waiver, the value of the City-wide DCL waiver on the residential floor area is estimated to be \$221,287.

1515 West 49th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

PROPERTY INFORMATION

Address	Property Identifier (PID)	Legal Description
1515 West 49th Avenue	018-090-273	Lot G of Lot 6 Block 3 District Lot 526 Plan LMP8588

APPLICANT INFORMATION

Architect	Stuart Howard Architects Inc.
Property Owner	Bhagwan Dhir

DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed
Zoning	RS-3	CD-1
Site Area	744 sq. m (8,009.4 sq. ft.)	744.1 sq. m (8,009.4 sq. ft.)
Land Use	Residential	Residential
Maximum FSR	0.16 plus 130 sq. m (1,400 sq. ft.)	1.51
Maximum Height	10.7 m (35.1 ft.)	13.5 m (44.3 ft.)
Floor Area	249.2 sq. m (2,682 sq. ft.)	1,127 sq. m (12,132 sq. ft.)
Unit Mix	-	<u>3-Bedroom</u> 8 Total 8
Parking and Bicycle Spaces	As per Parking By-law	5 vehicle parking stalls 25 Class A Bicycle Parking 6 Class B Bicycle Parking
Natural Assets	9 existing on-site bylaw trees or street trees.	New street trees to be planted. Approximately 5 new on-site trees to be planted. To be confirmed at the development permit stage.

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