



REFERRAL REPORT

Report Date: January 31, 2023
Contact: Yardley McNeill
Contact No.: 604.873.7582
RTS No.: 15525
VanRIMS No.: 08-2000-20
Meeting Date: February 14, 2023

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: Rezoning: 817-837 West 28th Avenue and 4375 Willow Street

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 Shape Architecture Inc., on behalf of 1348857 B.C. Ltd.¹, the registered owners of the lands located at 817-837 West 28th Avenue and 4375 Willow Street [*Lots 8-11 Block 717 District Lot 526 Plan 5377; PIDs 011-166-371, 008-494-355, 011-166-398 and 007-147-881 respectively*], to rezone the lands from RS-1 (Residential) District to RM-8A (Residential) 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;

FURTHER THAT the Director of Legal Services be instructed to bring forward the

¹ Represented by Mohammad Tavangar

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 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 recommends a plan amendment to the Zoning and Development By-law for 817-837 West 28th Avenue and 4375 Willow Street. The amendment would rezone the properties from RS-1 (Residential) District to RM-8A (Residential) District to allow for a townhouse or rowhouse development. The floor space ratio (FSR) can be up to 1.20.

The application meets the intent of the *Cambie Corridor Plan* (“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

- Vancouver Plan (2022)
- 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)
- Housing Needs Report (2022)
- Tenant Relocation and Protection Policy (2019, amended 2022)
- Vancouver Development Cost Levy By-law No. 9755
- Green Buildings Policy for Rezoning (2010, amended 2022)
- Urban Forest Strategy (2014)
- Latecomer Policy (2021)

REPORT

Background/Context

1. Site and Context

The subject site at 817-837 West 28th Avenue and 4375 Willow Street (see Figure 1) is comprised of four legal parcels along 28th Avenue, west of Willow Street. The site area is approximately 2,344 sq. m (25,231 sq. ft.), with a frontage of 61.6 m (202.1 ft.) along 28th Avenue and a depth of 38.1 m (125.0 ft.). The current houses were constructed in 1944, 1945 and 2007 with tenants eligible for tenant protection.

The site and surrounding area is zoned RS-1, CD-1 or RM-8A. The RS-1 area is eligible for rezoning to RM-8A, for which a number of lots have been rezoned or contain an active rezoning application. Other uses in the area include Braemar Park and CD-1 districts for a community care facility, BC Women's and Children's Hospital, medical facilities, a synagogue, and a school.

Figure 1: Location Map – Site and Context



2. Policy Context

Vancouver Plan – The *Vancouver Plan* was approved by Council on July 22, 2022 and is a land use strategy to guide long-term growth of the City over the next 30 years. The *Vancouver Plan* will serve as a framework with further implementation planning work to follow over the next two to four years. The site is located within the *Cambie Corridor Plan* which is generally in alignment with the *Vancouver Plan*.

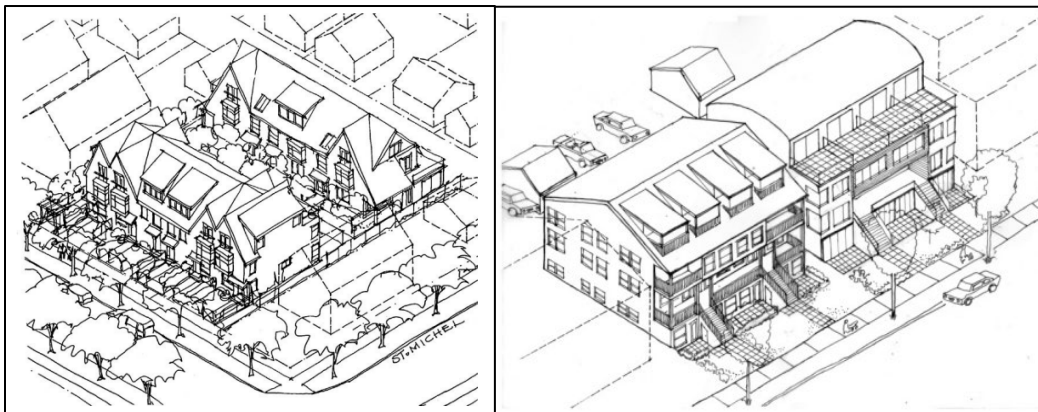
Cambie Corridor Plan (“Plan”) – The *Plan* guides the transformation of the Corridor into an area where people can live, work, shop, play and learn – all within close proximity to the Canada Line. The Corridor’s population is anticipated to double by 2041, with 30,000 new homes, making it one of the largest growth areas outside of downtown.

The *Plan* identifies over 1,100 detached lots as eligible to redevelop for townhouses, creating opportunities for approximately 8,200 units of much-needed ground-oriented housing. Specifically, Section 4.2.9 of the *Plan* supports townhouses or rowhouses for up to three storeys and a maximum density of 1.20 FSR.

The site is located within the Queen Elizabeth neighbourhood of the *Plan*, characterized by its low-density residential character and green park-like setting. The *Plan* calls for new ground, family-oriented housing opportunities, in the form of townhouses, to be introduced in transition areas surrounding Cambie Street and other large sites.

Design Guidelines – The RM-8A/AN District Schedule is accompanied by clear design guidelines. These guidelines establish form of development expectations which provide predictability and certainty for new buildings. Design criteria sets out expected typologies, requirements for family housing, access to sunlight, privacy, landscape treatment, along with flexible development options for smaller lots (see Figure 2).

**Figure 2: Form of Development per the Design Guidelines –
(Courtyard Rowhouses (Left) and Multiple Unit Stacked Townhouses (Right))**



Further, the RM-8AN District requires more robust noise mitigation measures for buildings that are located on arterial streets, whereas the RM-8A does not, since RM-8A sites are not facing arterials. Since 28th Avenue is classified as a local street and not an arterial, the proposed rezoning is to the RM-8A District Schedule.

Housing Needs Report – On April 27, 2022, Council resolved at a public meeting to receive a [Housing Needs Report](#) (HNR) prepared by staff. Further to the BC Provincial government's requirement, Council must consider their most recent *HNR* when developing a development plan, or when amending a development plan in relation to Council's housing policies respecting affordable housing, rental housing and special needs housing.

This rezoning application implements Council-approved direction contained in the *Plan*, and is well supported by the data and findings within the *HNR*.

Strategic Analysis

1. Simplified Rezoning Process

Rezoning to RM-8A/AN follows a simplified rezoning process. Since this rezoning is to an established District Schedule which sets out the allowable uses, maximum heights and densities, architectural drawings are not required at the rezoning stage. The rezoning review is

limited to a plan amendment to the Zoning and Development By-law to designate the site from RS-1 to RM-8A. Review of proposed building designs in accordance with the RM-8A/AN design guidelines will occur at a future development permit (DP) process.

An Urban Design Panel review is not required due to the small scale of the buildings and comprehensive design guidelines that accompany the District Schedule.

2. Existing Tenants

The rezoning site contains existing rental units, including five units of secondary rental housing. Two out of the five existing residential tenancies are eligible under the City's Tenant Relocation and Protection Policy (TRPP). The applicant has provided a Tenant Relocation Plan (TRP) for eligible tenants which meets the requirements of the City's TRPP, and is summarized in Appendix D of this report.

All residential tenancies are protected under the provincial Residential Tenancy Act.

3. Transportation and Parking

The site is well served by public transit and is located along the 28th Avenue bicycle route. Parking, loading and bicycle spaces must align 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 repave the laneway, install speed humps, provide parking signage, and provide a painted bicycle lane on 28th Avenue. Willow Street and 28th Avenue are to be upgraded with new sidewalks, curbs ramps, and street lighting.

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 the application satisfy the green and resilient building conditions stated within the policy. A Rainwater Management Plan is required to detail how rainwater run-off will be managed. This will include information related to the detention tank system, peak flow calculations, and how the water quality requirement will be achieved on site. Further details can be found in Appendix B.

Natural Assets – The *Urban Forest Strategy* was developed to preserve, protect and strengthen Vancouver's urban forest and tree canopy. The Protection of Trees By-law requires permission be granted to remove trees to protect viable trees while supporting a healthy urban forest. A landscape plan and arborist report at the DP stage allows staff to apply conditions to enhance green assets in and around the site. There are a number of trees on site and a detailed tree assessment and retention report is required with a future development permit application.

5. Public Input

A site sign was installed on July 25, 2022. Approximately 349 notification postcards were distributed within the neighbouring area on or about July 26, 2022. Notification, application information, and an online comment form was provided on the Shape Your City website. Staff received 22 responses from the public, expressing support for the supply of new housing that is family friendly, sustainable, and relatively affordable. There were no comments of concern.

Open houses are not required for townhouse rezoning applications as public engagement was

undertaken during the *Plan* process to inform land use changes. Further opportunities for public input, including for building design, will be available at the development permit stage.

6. 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*. The application is instead subject to a DBZ contribution, payable at building permit issuance, based on rates in effect at that time and the additional density above the base entitlement of 0.75 FSR and up to the 1.20 FSR maximum. Based on rates in effect as of September 30, 2022, it is estimated that the project would pay a DBZ contribution of \$681,991, should it achieve the maximum 1.20 FSR.

Development Cost Levies (DCLs) – This site is currently subject to both City-wide 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 rates in effect as of September 30, 2022, it is estimated that the project will pay DCLs of \$223,899, should it achieve the maximum 1.20 FSR.

A summary of public benefits associated with this application is included in Appendix E.

Financial Implications

As noted in the Public Benefits section, this project is expected to provide a DBZ and DCL contribution. See Appendix G for additional details.

CONCLUSION

Staff have reviewed the application to rezone 817-837 West 28th Avenue and 4375 Willow Street from RS-1 to RM-8A to facilitate townhouses or rowhouses, in alignment with the RM-8A/AN District Schedule. The application is consistent with the *Cambie Corridor Plan*.

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

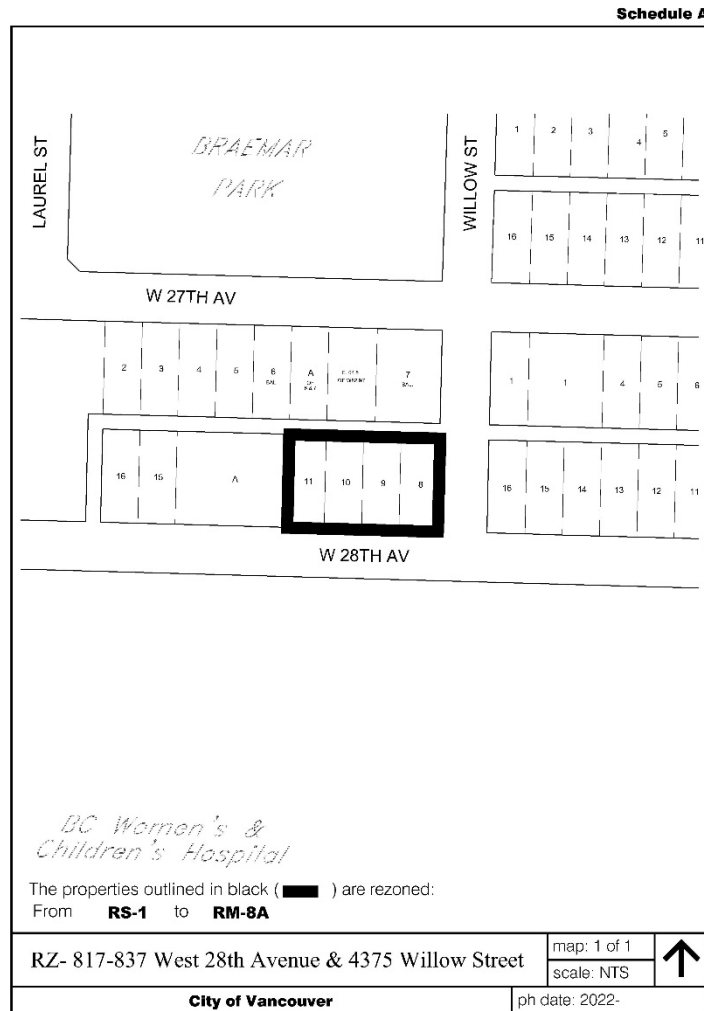
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**817-837 West 28th Avenue and 4375 Willow Street
 PROPOSED BY-LAW AMENDMENTS**

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.



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817-837 West 28th Avenue and 4375 Willow Street
CONDITIONS OF APPROVAL

Note: If the application is referred to a Public Hearing, these Conditions of Approval will be referenced in the Summary and Recommendations included in the hearing agenda package. Any changes to the conditions approved by Council will be contained in its decision. Applicants are advised to consult the 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 18, 2022), located here <https://guidelines.vancouver.ca/policy-green-buildings-for-rezonings.pdf>

Note to Applicant: Refer to the most recent bulletin *Green Buildings Policy for Rezoning*s – *Process and Requirements*.

Engineering

- 1.2 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- 1.3 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.
- 1.4 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (COV Design Guidelines and Construction Standards 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.

Note to Applicant: Additional details can be found at <https://vancouver.ca/streets-transportation/street-design-construction-resources.aspx>

- 1.5 Provision of a landscape and site plan that reflect the improvements to be provided as part of the Services Agreement.
- 1.6 Provision of the following information as part of the architectural 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;
 - (c) dimension of any/all column encroachments into parking stalls;
 - (d) identification of all columns in the parking layouts;
 - (e) dimensions for typical parking spaces;
 - (f) dimensions of additional setbacks for parking spaces due to columns and walls;
 - (g) dimensions of maneuvering aisles and the drive aisles at the parkade entrance and all gates;
 - (h) section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates;

Note to Applicant: These clearances must consider mechanical projections and built obstructions.
 - (i) details on the ramp/parkade warning and/or signal systems and locations of lights, signs and detection devices to be shown on the plans;
 - (j) areas of minimum vertical clearances labelled on parking levels;
 - (k) design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, accessible spaces, and at all entrances;

Note to Applicant: The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.
 - (l) indication of the stair-free access route from the Class A bicycle spaces to reach the outside;

Note to Applicant: Stair ramps are not generally acceptable.
 - (m) existing street furniture including bus stops, benches etc. to be shown on plans; and
 - (n) the location of all poles and guy wires to be shown on the site plan.

Note to Applicant: Engineering has not completed a formal nor fulsome review of any architectural landscape plans submitted through this simplified rezoning application. A formal review by Engineering will only be provided through the Development Permit application review and process.

1.7 Provision of a complete Rainwater Management Plan (RWMP) to be submitted to clearly indicate how the onsite system achieves the prescribed performance requirements as detailed in the Zoning and Development By-law and the Rainwater Management Bulletin.

- (a) Only includes pages or excerpts from supporting documents that are relevant to the rainwater management design. Report may describe the relevant information from supporting documents and reference the source for additional information.
- (b) Provision of an updated post-development site plan(s) that includes the following:
 - (i) building location/footprint;
 - (ii) underground parking extent;
 - (iii) proposed service connections to the municipal sewer system;
 - (iv) location and labels for all proposed rainwater management practices;
 - (v) area measurements for all the different land use surface types within the site limits; and
 - (vi) delineated catchments to demonstrate best management practices (detention tank(s), green infrastructure, etc.) are appropriately sized.

Note to Applicant: The Site Plan provided by SHAPE Architecture on May 12, 2022 does not match the site layout shown in the RWMP. Ensure coordination with other disciplines.

- (c) Specify the detention storage required based on the greater of either the pre-development peak flow storage volume requirement or the amount of the 24 mm rainfall not captured in Tier 1 & 2 practices. Detention storage shall be utilized fully by further reducing the target release rate in the case that the required detention volume is greater than the amount necessary to meet the pre-development peak flow rate.

Note to Applicant: It is noted that building #1 is redirected to adjacent landscape at ground surface elevation to infiltrate into native soil. If this infiltration facility is not able to comply with the required minimum setback, provide an alternate solution to capture claimed area or ensure sufficient storage is provided to reroute in the detention tank/tier 3 as last resort.

- (d) 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.

Note to Applicant: As of July 5, 2022, the *Rainwater Management Bulletin* has been updated to clarify the City's review process and detail submission requirements for applicants. In preparing for resubmission at development permit, please review the document and its associated appendix. Additional information can be found at the

following link: <https://vancouver.ca/home-property-development/private-realm-rainwater-management.aspx>.

- 1.8 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.
- 1.9 Provision of a final signed and sealed 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.
- 1.10 Provision of a final signed and sealed standalone rainwater Operations and Maintenance (O&M) Manual to the satisfaction of the General Manager of Engineering Services prior to the issuance of any building permit.
- 1.11 Provision of an updated Final Hydrogeological Study, to the General Manager of Engineering Services' and the Director of Planning's satisfaction, which addresses requirements in the Groundwater Management Bulletin, including but not limited to:
 - (a) An updated Groundwater Management Plan which includes:
 - (i) Results from the additional groundwater monitoring as noted in Section 7.3 of the Final Hydrogeological Study Report (dated December 21, 2021). This should include seasonal ranges for groundwater levels;
 - (ii) A quantitative estimate (in litres per minute) of both the anticipated construction dewatering/drainage rate and the permanent (post-construction) dewatering/drainage rate for City approval. The estimates should use site-specific field data in the calculations. Include calculations, assumptions, and the methodology used to determine the rates;
 - (iii) Provide cross-section schematic(s) showing features such as: site stratigraphy; current site grade; location(s) and elevation(s)/depth(s) of planned excavation(s), foundation slab(s), test pits, boreholes, monitoring wells including screen intervals, static and perched water level(s), seasonal range of water levels (estimated or measured, with dates shown if available); groundwater flow direction; and any proposed groundwater management solutions (see *Groundwater Management Bulletin* for example);
 - (iv) Proposed groundwater management methods for the construction and post-construction stages for the development.

Note to Applicant: The City does not support the long-term discharge of groundwater to our drainage system. Every effort should be made to prevent or limit this discharge.

- (b) An Impact Assessment which achieves the following objective:

- (i) Analysis to confirm that there are no significant risks from groundwater extraction/diversion.

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

- 1.12 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 issuance of a Building Permit for excavation. To remove 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.
- 1.13 Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.
- 1.14 Developer's Engineer to submit a sewer abandonment plan to the City that details the following:

- (a) The abandonment or removal of all existing storm, sanitary, and combined connections to the development site;
- (b) The abandonment or removal of all existing storm, sanitary, and combined sewer mains that are no longer in use due to the development of the site.

Note to Applicant: The abandonment plan is required to be reviewed and accepted by the City Engineer prior to issuance of the Sewer Permit.

- 1.15 Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings is required. The review of third party utility service drawings will not be initiated until the Key Plan is defined and achieves the following objectives:
 - (a) The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan <https://vancouver.ca/files/cov/engineering-design-manual.PDF>;
 - (b) All third party service lines to the development is to be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant is to provide documented acceptance from the third party utilities prior to submitting to the City.

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

- 1.16 The following statement is to be placed 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 and Major Projects and/or your Engineering, Building Site Inspector for details.”

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

- 2.1 Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the consolidation of Lots 8 to 11, Block 717 District Lot 526, Plan 5377 to create a single parcel.
- 2.2 Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the Rezoning Site (collectively called the “Services”) such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights-of-way for the Services are provided all to the satisfaction of the General Manager of Engineering Services. No development permit for the Rezoning Site, or any portion thereof, or for any building or improvements thereon will be issued until the letter of credit, as security for the Services, is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. Except as explicitly provided for in Condition 2.3 (a), 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 Aplin & Martin Consultants Ltd. dated January 25, 2022, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 200 mm along West 28th Avenue or 200 mm along Willow Street. Should the development require water service connections larger than the existing main, the developer shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost of the upgrading.

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

- (b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.
 - (i) Local Servicing Upgrade:
 - Separate/construct 75 m of 200 mm sanitary and 300 mm storm in lane north of W 28th Ave from MH__FJCS81 (north of 837 West 28th Avenue) to Willow Street.

The lengths and diameters of these improvements are approximate and subject to detailed design by Developer's Engineer.

Development to be serviced to the proposed 200 mm sanitary and 300 mm storm sewers in lane north of West 28th Avenue.

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

Developer's Engineer to submit design brief, calculations and/or model, and design drawings to the City. All submittals including Issued for Construction (IFC) drawings are required to be reviewed and accepted by the City Engineer prior to building permit issuance.

Note to Applicant: The Sewer servicing plan for this area is under development. Developer to contact City Engineer prior to commencing design or analysis of sewer system as the upgrade requirement may be modified based on servicing plan (requirement will be approximately equivalent to the above condition).

- (c) Provision of street improvements along Willow Street adjacent to the site and appropriate transitions including the following:
 - (i) 2.14 m (7.0 ft.) wide broom finish saw-cut concrete sidewalk;
 - (ii) new concrete curb and gutter;
 - (iii) installation of a new catch basin on Willow Street south of the lane crossing.
- (d) Provision of street improvements along West 28th Avenue adjacent to the site and appropriate transitions including the following:

- (i) 2.14 m (7.0 ft.) wide broom finish saw-cut concrete sidewalk;
- (ii) painted bike lane;

Note to applicant: the City will provide a paint plan for the bike lane.

- (e) Provision to remove and replace full depth of asphalt on West 28th Avenue along the development site's frontage.
- (f) Provision of entire intersection lighting upgrade to current City standards and IESNA recommendations at Willow Street and West 28th Avenue.
- (g) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations.

Note to Applicant: A lighting simulation is required prior to Development Permit issuance.

- (h) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work.

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

- (i) Provision to remove and replace full depth of asphalt on the laneway along the development site's frontage.
- (j) Provision of speed humps in the lane north of West 28th Avenue between Willow Street and Oak Street.
- (k) Provision of lane lighting on standalone poles with underground ducts if BC Hydro poles with attached City lane lights planned to be removed. The ducts must be connected to the existing City street lighting infrastructure.
- (l) Provision of a new standard concrete lane crossing, new curb returns and curb ramps at the existing lane crossing on Willow St adjacent to the site.
- (m) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.

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

- (a) Sewer upgrades per condition 2.2 (b) (i).

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

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

- 2.4 Provision of all third party utility services (e.g., BC Hydro, Telus and Shaw) to be underground. BC Hydro service to the site shall be primary.

BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be located on private property with no reliance on public property for placement of these features. Submission of a written confirmation from BC Hydro that all these items will be located on the development property. For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at umb@vancouver.ca.

Housing

- 2.5 Enter into a 219 Covenant and such other agreements as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services determine are necessary to require the applicant to:

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

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

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

Environmental Contamination

2.6 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.

Agreements

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.

* * * * *

817-837 West 28th Avenue and 4375 Willow Street
DRAFT CONSEQUENTIAL AMENDMENT

DRAFT AMENDMENT TO THE SUBDIVISION BY-LAW NO. 5208

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

- (a) PID 011-166-371; Lot 8 Block 717 District Lot 526 Plan 5377;
- (b) PID 008-494-355; Lot 9 Block 717 District Lot 526 Plan 5377;
- (c) PID 011-166-398; Lot 10 Block 717 District Lot 526 Plan 5377; and
- (d) PID 007-147-881; Lot 11 Block 717 District Lot 526 Plan 5377.

* * * * *

**817-837 West 28th Avenue and 4375 Willow Street
SUMMARY OF TENANT RELOCATION PLAN TERMS**

The application involves consolidation of four lots containing secondary rental units. Two tenancies are eligible. The other three tenancies are previous owners, and therefore not eligible for support and compensation.

| Tenant Relocation and Protection Requirements | Tenant Relocation Plan Offer |
|---|--|
| Financial Compensation | <ul style="list-style-type: none"> • Compensation in the form of free rent, a lump sum payment, or a combination of both, will be available for each unit eligible for Tenant Relocation Plan according to the following schedule: <ul style="list-style-type: none"> ○ 4 months' rent for tenancies up to 5 years; ○ 5 months' rent for tenancies over 5 years and up to 10 years; ○ 6 months' rent for tenancies over 10 years and up to 20 years; ○ 12 months' rent for tenancies over 20 years and up to 30 years; ○ 18 months' rent for tenancies over 30 years and up to 40 years; and ○ 24 months' rent for tenancies over 40 years |
| Notice to End Tenancy | <ul style="list-style-type: none"> • Landlord to provide regular project updates to tenants throughout the development approvals process. • A minimum of four months' notice to end tenancy after all permits are issued is required (e.g. all development, building, and demolition permits in place). |
| Moving Expenses | <ul style="list-style-type: none"> • A flat rate compensation of \$750 for the 1-bedroom \$1,000 for the 2-bedroom for moving expenses. |
| Assistance in Finding Alternate Accommodation (3 options) | <ul style="list-style-type: none"> • Applicant has committed to monitor rental market and provide tenants requesting assistance with three options in Vancouver that best meet the tenants' identified priorities. |
| Additional Support for Low Income Tenants or Tenants Facing Other Barriers to Appropriate Housing | <ul style="list-style-type: none"> • For low income tenants and tenants facing other barriers to housing, as defined in the TRP Policy, the applicant has committed to assisting in securing a permanent, suitable affordable housing option. |

**817-837 West 28th Avenue and 4375 Willow Street
PUBLIC BENEFITS INFORMATION**

Public Benefits Information

The Cambie Corridor Plan (“Plan”) guides change and growth in the area over the next 30 years. By 2041, the population is anticipated to double, with 30,000 new housing units.

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. 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 for 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/AN 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 be considered 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 applied to support delivery of the Cambie Corridor Public Benefits Strategy (see Appendix F).

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)

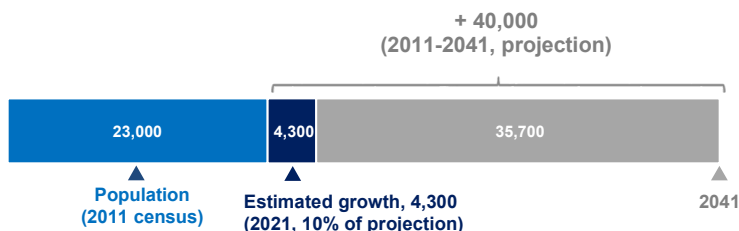
Development Cost Levies (DCLs) collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and engineering infrastructure.

DCL rates are subject to future adjustment by Council. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage, see the [DCL Bulletin](#) for additional details.

PUBLIC BENEFITS IMPLEMENTATION DASHBOARD
CAMBIE CORRIDOR PLAN (2018) – North of 57th Avenue
Updated 2021 year-end

POPULATION GROWTH^a

The Cambie Corridor has grown by approximately **4,300** people since the 2011 census. The plan projects an additional growth of approximately **35,700** people by 2041.

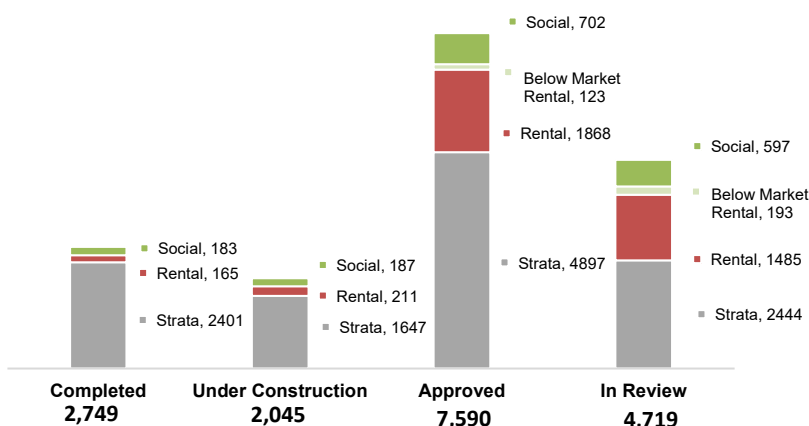


DEVELOPMENT ACTIVITY (UNITS)^b

Recent rezoning approvals:

- [277-291 West 42nd Avenue](#)
- [7969-7989 Cambie Street](#)
- [3353 Cambie Street](#)
- [5412 Cambie Street](#)
- [485 W 28th Avenue](#)
- [325-341 West 42nd Avenue](#)

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



PUBLIC BENEFITS ACHIEVED AND IN PROGRESS (North of 57th Avenue)^c

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

| TARGETS | COMPLETED | UNDER CONSTRUCTION | PLANNING/ DESIGN | PROGRESS |
|---|---|--|---|--|
| See Chapter 13 of the Cambie Corridor Plan for more details | | | | |
| HOUSING^d ~ 4,700 additional secured market rental units ~ 2,250 social housing units ~ 400 additional below-market units (gross numbers of units reported) | 165 secured market rental units 85 social housing units 98 TMH ^e | 221 secured market rental units 187 social housing units | | 8% of secured rental target achieved 12% of social housing target achieved ○ |
| CHILDCARE ~ 1,080 spaces for all age groups | Restoration of 8 Oaks Acorn childcare outdoor area | 138 spaces for 0-4 yrs children (Oakridge Civic Centre, Eric Hamber Secondary School) 60 spaces for 5-12 yrs children (Oakridge Civic Centre) | | 18% of childcare spaces target achieved ➔ |
| TRANSPORTATION / PUBLIC REALM Upgrade/expand walking and cycling networks Complete Street design on Cambie St and major streets "Car-light" Heather St Greenway | 45th Avenue Bikeway improvements Interim Plazas (Cambie Street & 17th Avenue, Cambie Street & 18th Avenue) 29th Avenue & Cambie Street Plaza and Public Art • R4 Rapid Bus on 41st Avenue Cambie Complete Streets (35th Avenue to McGuigan Avenue) Ontario and 16th curbside bulge bio-retention | King Edward Avenue Complete Street (Yukon to Columbia streets) | 54th Avenue Curbside bio-retention upgrade Cambie Street and 31st Avenue closure Alberta St transportation and green rainwater infrastructure upgrades 49th Avenue transportation upgrades | ✓ |

| | Oak Street and 27th Avenue pedestrian and bike signal Eastbound Complete Street on W King Edward (Yukon to Columbia) & improved crossing at W King Edward Avenue / Yukon Street | | | |
|--|--|--|--|----------|
| TARGETS | COMPLETED | UNDER CONSTRUCTION | PLANNING/ DESIGN | PROGRESS |
| See Chapter 13 of the Cambie Corridor Plan for more details | | | | |
| CULTURE • 5 new artist studios | Five public art installations | Cultural space, performance theatre, outdoor performance space at Oakridge Civic Centre | 12 public art installations | ✓ |
| 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 (seniors centre, youth centre, childcare, library, community centre) | VanDusen & Bloedel Strategic Plan | ✓ |
| HERITAGE • 5% allocation from cash community amenity contributions | James Residence Milton Wong Residence 5% allocation from cash community amenity contributions | Turner Dairy retention | | ✓ |
| SOCIAL FACILITIES Renewal and expansion of Oakridge Seniors Centre Youth Hub Non-profit organization centre Additional Seniors' Centre | | Oakridge Seniors Centre and Youth Centre | | ✓ |
| PARKS AND OPEN SPACES 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 and Hillcrest Park Lillian To Park (17th Avenue and Yukon Street) Playground renewal at Douglas Park Queen Elizabeth Park tennis court resurfacing | Oakridge Centre Park | Alberta Street Blue-Green System and Columbia Park Renewal Queen Elizabeth Master Plan Heather Park off-leash dog area Little Mountain Plaza and Wedge Park | ✓ |

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. Public benefits secured through developer-initiated applications are not included in the planning/design column and not counted towards public benefits achieved prior to construction as numbers and status may change throughout the permitting process.

^d **Housing - Planning/Design:** Housing units in developer-initiated applications are not included in the planning/design column and not counted towards public benefits achieved prior to construction as numbers and status may change throughout the permitting process.

^e **Temporary Modular Housing (TMH):** are modular homes that provide supportive housing services to residents with low and moderate incomes who have a need for transitional housing. See the [Housing Vancouver webpage](#) for more information. These 98 social housing units are temporary modular housing that were not anticipated in the Cambie Corridor Plan; therefore, they do not count towards the Plan's housing goal.

817-837 West 28th Avenue and 4375 Willow Street
PUBLIC BENEFITS SUMMARY

Project Summary

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

| | Base Zoning | Proposed Zoning |
|---|---|--|
| Zoning District | RS-1 | RM-8A |
| FSR (site area = 2,344 sq. m / 25,231 sq. ft.) | 0.70 | 0.75 to 1.20 |
| Floor Area | 1,640.8 sq. m (17,661 sq. ft.) | 1,758.0 to 2,812.8 sq. m (18,923 to 30,277 sq. ft.) |
| Land Use | Single-detached Houses and Duplexes (Residential) | Multiple Dwelling (Residential) |

Summary of development contributions anticipated under proposed zoning

| | |
|---|------------------|
| City-wide DCL ¹ | \$140,668 |
| Utilities DCL ¹ | \$83,231 |
| Density Bonus Zone Contribution (for density above 0.75 FSR) ² | \$681,991 |
| TOTAL | \$905,890 |

¹ Based on by-laws in effect as of September 30, 2022 and assumes the development maximizes the allowable density. 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. DCL by-laws are subject to future adjustment by Council including annual inflationary adjustments. A development may qualify for 12 months of in-stream rate protection. See the [DCL Bulletin](#) for more details.

² Based on by-laws in effect as of September 30, 2022 and assumes the development maximizes the allowable density. DBZ contributions are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage. DBZ rates are subject to future adjustment by Council including annual inflationary adjustments. A development may qualify for in-stream rate protection. See the City's [DBZ Bulletin](#) for more details.

* * * * *

817-837 West 28th Avenue and 4375 Willow Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

| Address | Property Identifier (PID) | Legal Description |
|----------------------|---------------------------|---|
| 4375 Willow Street | 011-166-371 | Lot 8 Block 717 District Lot 526 Plan 5377 |
| 817 West 28th Avenue | 008-494-355 | Lot 9 Block 717 District Lot 526 Plan 5377 |
| 827 West 28th Avenue | 011-166-398 | Lot 10 Block 717 District Lot 526 Plan 5377 |
| 837 West 28th Avenue | 007-147-881 | Lot 11 Block 717 District Lot 526 Plan 5377 |

Applicant Information

| | |
|---------------------|---|
| Architect/Applicant | Shape Architecture Inc. |
| Property Owner | 1348857 B.C. Ltd., represented by Mohammad Tavangar |

Site Statistics

| | |
|-----------|--|
| Site Area | 2,344 sq. m (25,231 sq. ft.); Site dimensions 61.6 m (202.1 ft.) x 38.1 m (125.0 ft.) |
|-----------|--|

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 | 1,640.8 sq. m (17,661 sq. ft.) | Up to 2,812.8 sq. m (30,277 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/AN 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 | |