



REFERRAL REPORT

Report Date: April 25, 2023
Contact: Yardley McNeill
Contact No.: 604.873.7582
RTS No.: 15694
VanRIMS No.: 08-2000-20
Meeting Date: May 9, 2023

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: Rezoning: 109 East 40th Avenue

RECOMMENDATION TO REFER

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

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

RECOMMENDATION FOR PUBLIC HEARING

- A. THAT the application by GMC Projects Inc, on behalf of 40th Avenue Apartment Holdings Inc., the registered owner of the land located at 109 East 40th Avenue [PID 031-806-902; Lot A, Block F, District Lots 639 and 640, Group 1 New Westminster District Plan EPP100728], to rezone the land from RS-1 (Residential) District to RR-3A (Residential Rental) 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 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 zoning amendment By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.

- C. THAT subject to approval of the 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 amendment to the Subdivision By-law at the time of enactment of the zoning amendment by-law.

- D. THAT Recommendations A to C 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 from RS-1 (Residential) District to RR-3A (Residential Rental) District, for the site located at 109 East 40th Avenue. The amendment would allow for a four-storey mixed-use residential building in accordance with the *Secured Rental Policy* (“SRP”). A future building design would be submitted through the development permit process and reviewed with the public at that time.

Staff have assessed the application and conclude that it meets the intent of the *SRP*. 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)
- Secured Rental Policy (2012, last amended 2023)
- RR-3A District Schedule (2021)
- Residential Rental Districts Schedules Design Guidelines (2021)
- Housing Needs Report (2022)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992, last amended 2020)
- Green Buildings Policy for Rezoning (2010, last amended 2022)
- Urban Forest Strategy (2014)
- Latecomer Policy (2021)
- Community Amenity Contributions Policy for Rezoning (1999, last amended 2023)

- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183

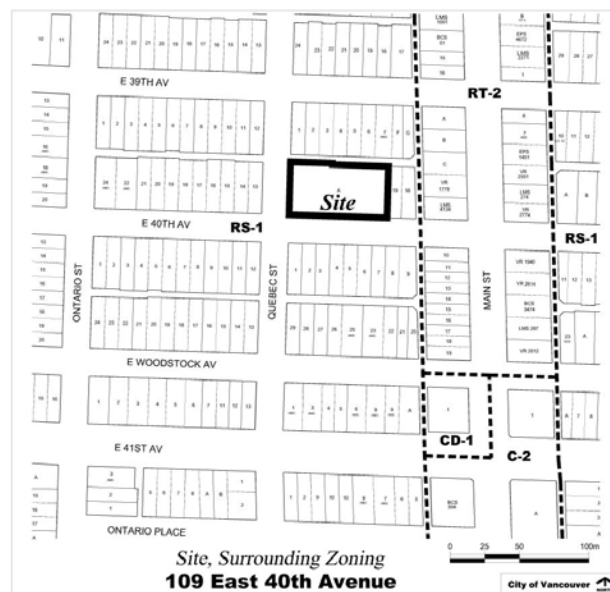
REPORT

Background/Context

1. Site and Context

The subject site (see Figure 1) is comprised of one legal parcel on the northeast corner of East 40th Avenue and Quebec Street. The site area is approximately 2,653.9 sq. m (28,566 sq. ft.), with a frontage of 70.4 m (231 ft.) along East 40th Avenue and a depth of 37.2 m (122 ft.).

Figure 1: Location Map – Site and Context



This property and the surrounding area are zoned for residential uses under RS and RT District Schedules with the exception of the CD-1 and C-2 areas to the southeast that allows mixed-use development with commercial and residential uses. The site is currently zoned RS-1 and developed with a church constructed in 1956. The property is not listed on the *Vancouver Heritage Register*. The property contains no rental tenancies and the tenant protection policy does not apply.

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 approved *Vancouver Plan* will serve as a framework with further implementation planning work to follow over the next two to four years. The proposal addresses priorities within the *Housing Vancouver Strategy* which aligns with the *Vancouver Plan*.

Secured Rental Policy (“SRP”) – The *SRP* encourages the construction of new purpose-built rental housing in Vancouver. Updates to the *SRP* were approved by Council in December 2021 to streamline the delivery of new rental housing. These included clarifying opportunities for

rezoning in low-density areas close to public transit, shopping and other daily needs, and to streamline and simplify the rezoning process by utilizing new rental zones with standardized regulations.

The *SRP* outlines the following locational eligibility criteria for sites in low-density areas:

- In an existing RS or RT zone outside of recent community plan areas (excluding certain RT-zoned areas in Kitsilano and Kensington-Cedar Cottage with high proportions of heritage buildings and multiple conversion dwellings);
- Located within close proximity to public transit and local shopping; and
- On the first full block on either side of an eligible arterial road.

Sites that meet these criteria and that are part of the typical street grid (including having lane or secondary street access to the rear) and are regular in shape, size and other attributes may be considered for rezoning under the *SRP* to one of the new residential rental zones. The applicable option or options are further informed by the site's size, orientation and adjacent context.

The *SRP* generally supports up to four-storey mixed-use and five-storey residential apartments on arterials, and up to four-storey townhouses or apartments on sites off arterials. Up to six-storeys may be considered for projects on arterials where the residential component includes a minimum 20% permanently secured below-market rental housing or 100% social housing. This application complies with the location and existing non-residential use criteria under *SRP* for off-arterial four-storey mixed-use buildings.

RR Zoning District Schedules and Design Guidelines – Along with updates to the *SRP*, in December 2021 Council approved the addition of new residential rental (“RR”) zoning district schedules to the Zoning & Development By-law: RR-1, RR-2A, RR-2B and RR-2C, and RR-3A and RR-3B. Like other standard zoning districts, the RR zones set basic regulations such as permitted use, density, and height limits, while allowing for a range of building designs. All residential uses in the RR zones are secured as rental tenure, and no stratification or sale of individual residential units is allowed.

Further direction on form of development expectations under each of the RR zones is provided in the *Residential Rental Districts Schedules Design Guidelines*. Recognizing that the *SRP* and RR zones are intended to enable incremental change in neighbourhoods that currently consist primarily of detached houses and duplexes, the guidelines support new missing middle buildings that foster neighbourliness and social connection, and contribute to an evolving streetscape which accommodates more architectural variety and diversity of housing options.

Housing Vancouver Strategy – In November 2017, Council approved the *Housing Vancouver Strategy (2018-2027)*. These seek to shift the supply of new homes toward the right supply, with targets for new units along a continuum of housing types. The Housing Vancouver targets were based on the core goals of retaining the diversity of incomes and households in the City, shifting housing production towards rental to meet the greatest need, and coordinating action with government and non-profit partners to deliver housing for the lowest income households.

Overall, 72,000 new homes are targeted for the 10-year period, including 12,000 social, supportive and non-profit co-operative units and 20,000 purpose-built rental units. Nearly 50% of the new units are to serve households earning less than \$80,000 per year, and 40% are to be family-size units.

Housing Needs Report (2022) – On April 27th, 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 zoning amendment would facilitate the delivery of secured rental housing and address the data and findings within the HNR.

Strategic Analysis

1. Simplified Rezoning Process

To facilitate the delivery of secured rental units, the City has implemented a simplified process for owner-initiated rezonings to a RR District Schedule. Rather than rezoning to a site-specific Comprehensive Development (CD-1) District, rezoning to a standard RR zone streamlines the review process and provides greater certainty for the achievable built form.

The RR-3A District Schedule permits mixed-use residential buildings up to four-storeys in height and 2.4 FSR. Residential uses are permitted only on the second storey and above. Non-dwellings are required on the ground floor and permitted uses include cultural and recreational uses, institutional uses, office uses, retail uses, and service uses. On some shallow sites and corner sites with a minimum frontage of 40.2 m (132 ft.) a density of up to 2.5 FSR applies.

This zoning is applicable only on sites that are either a corner lot, adjacent to a site that is currently zoned for commercial, or are developed with an existing non-residential use. The existing site is developed with a church and Table 2 of the *SRP* permits rezoning to the RR-3A District Schedule as the church is a non-residential use. The schedule also requires 35% of the units to be for families and include two bedrooms or more. Four-storey apartment buildings will introduce incremental change to local streets and will typically be limited in frontage width to achieve a higher degree of compatibility with the existing streetscape.

The rezoning process allows for a secured rental development through a streamlined process. Architectural drawings are not required at the rezoning application stage. The form of development will be reviewed at the development permit stage. All proposals will need to meet the intent and regulations of the RR-3A District. An Urban Design Panel review will not be required for this project at the Development Permit stage, as comprehensive design guidelines accompany the RR-3A District Schedule.

2. Housing

The *Housing Vancouver Strategy* seeks to deliver a range of housing tenures across the housing continuum. This application, if approved, would support submission of a development permit for a new four-storey mixed-use building including rental apartments to the City's inventory of rental housing, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 2).

Figure 2: Progress Towards 10 Year Housing Vancouver Targets for Secured Market Rental Housing as of September 30, 2022¹

Housing Type	10-Year Targets	Units Approved Towards Targets ²
Purpose-Built Secured Rental Units	20,000	12,515 (63%)

1. Note that tracking progress towards 10-year Housing Vancouver targets began in 2017,

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

Vacancy Rates - Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2021, the purpose-built apartment vacancy rate was 1.1% in Vancouver. The vacancy rate (based on the CHMC Market Rental Survey) for the Riley Park neighbourhood, in which this site is located, is 0.6%. A vacancy rate between 3% and 5% is considered to represent a balanced market.

Security of Tenure – Purpose-built rental housing offers secure rental tenure. The proposed RR-3A zoning designation would only permit residential uses on the second storey and above that are secured as Residential Rental Tenure, and no strata or other ownership tenure residential units would be permitted. In addition, all residential units in the project would be secured through a Housing Agreement and 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. Conditions related to securing the units are contained in Appendix B.

Existing Tenants – There are no existing residential tenants on site that are eligible under the *Tenant Relocation and Protection Policy*.

3. Transportation and Parking

Parking, loading and bicycle spaces must be provided and maintained according to the Parking By-law and will be reviewed at time of development permit application when architectural drawings are submitted.

Through this application, conditions of approval include street upgrades along East 40th Avenue and Quebec Street, new intersection lighting, a 3 ft. lane dedication along the northwest portion of the site, and speed humps in the lane. Local servicing requirements will be secured through a services agreement. Engineering conditions are included in Appendix B.

4. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezoning* requires that rezoning applications satisfy the green and resilient building conditions stated within the Policy. The applicant has committed to submitting Reporting of Green and Resilient Building Measures at the Building Permit Stage, as well as fulfilling energy system sub-metering and enhanced commissioning requirements throughout the project.

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

A detailed tree assessment and retention report will be required as part of a subsequent development permit application. Staff will review these materials and provide conditions to retain

and protect trees, wherever possible. This process allows for a coordinated assessment of tree retention and replacement with the proposed form of development.

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

5. Public Input

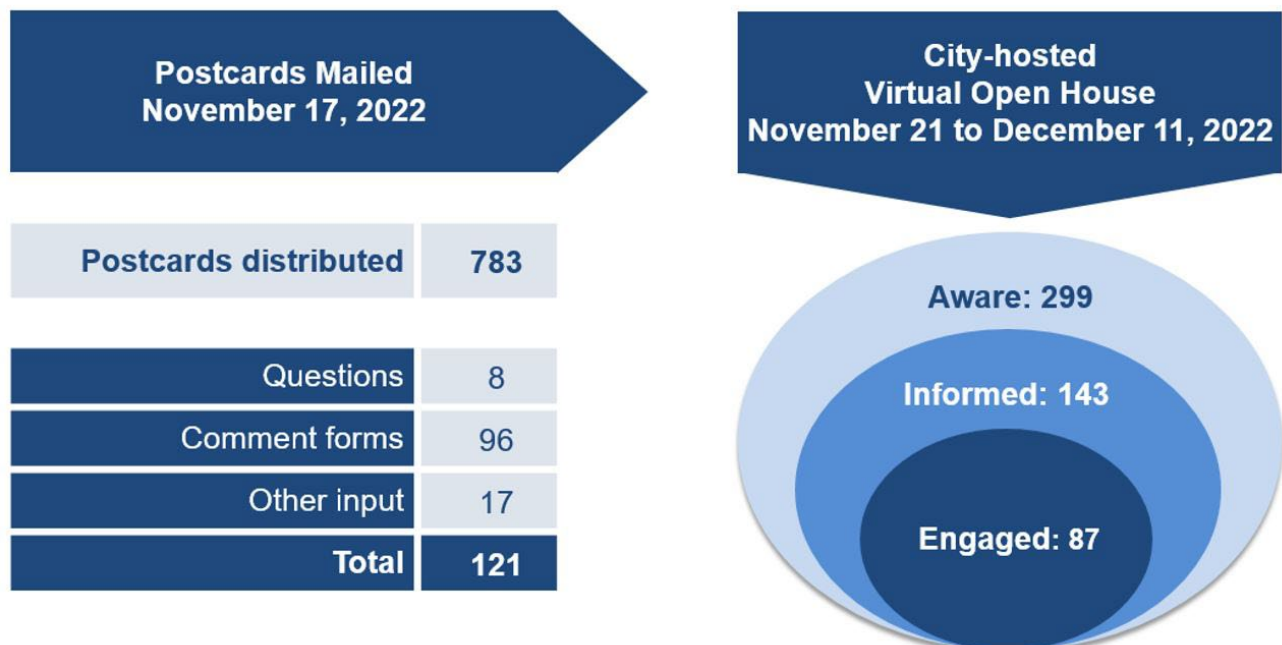
A rezoning information sign was installed on the site of this rezoning application on October 13, 2022. Approximately 783 notification postcards were distributed within the neighbouring area on or about November 17, 2022. Notification, application information, and an online comment form was provided on the Shape Your City Vancouver website (<https://shapeyourcity.ca/>).

For a more detailed summary of public comments and the SRP consultation process and background, see Appendix D.

Virtual Open House – A virtual open house was held from November 21 to December 11, 2022 on the Shape Your City platform. The open house consisted of an open-question online event where questions were submitted and posted with a response over a period of three weeks. 299 people signed onto the project webpage to view the rezoning proposal including a hypothetical building example.

Public Response and Comments – Public input was via online questions, comment forms, by email and phone. A total of 121 submissions were received. A summary of all public responses may be found in Appendix D.

Figure 3: Overview of Notification and Engagement



Generally, comments of support fell within the following areas:

- **Location:** The rezoning is a welcome addition to the neighbourhood.
- **Rental Stock:** The proposal will create additional rental stock and is well aligned with the City's goal of increasing housing supply.

Generally, comments of concern fell within the following areas:

- **Height, density, and location:** The proposed four-storey mixed-use building's height and density does not align with the family character of the neighbourhood.
- **Engagement:** The applicant led a community engagement of the proposal which is inconsistent with the current rezoning proposal.
- **Traffic and Parking:** Additional traffic from this rezoning will pose a safety risk to residents in the immediate area and will cause parking bottlenecks.
- **Church:** The existing church is a historical architectural feature that is an asset to the community. It should not be considered as part of the rezoning.

Response to Public Comments

Height, density, and location: The proposed building is consistent with the *Secured Rental Policy* which allows for simplified rezonings in low-density areas. The intent of rezoning to a specific district schedule is to provide certainty on built form for residents, while streamlining the review process. If the rezoning is approved, detailed architectural drawings will be submitted through the development process, reviewed against the RR-3A District Schedule, and shared with the public at that time.

Traffic and safety: Engineering staff have reviewed the proposed development for transportation safety issues and included rezoning conditions to deliver improvements that will address safety for all road users. This includes intersection lighting improvements at Quebec Street and East 40th Avenue, a new lane crossing on Quebec Street, and speed humps in the lane.

Engagement: The applicant has stated they previously led a pre-application open house with the public under the *Affordable Housing Choices Interim Rezoning Policy*. The current application was submitted, and is being considered, under the *Secured Rental Policy*.

Church: The church building is not listed on the Vancouver Heritage Registry, nor is the church building listed on the "gap" list of buildings identified as potential candidates for addition to the Heritage Registry. The RR-3A District Schedule allows for institutional uses which includes church uses. The applicant has proposed the church use will be retained on the site, so it will continue to serve as a gathering place within the community. The applicant has also proposed to reuse and repurpose elements of the existing church in the new building. This opportunity will be explored at the development stage.

6. Public Benefits

Community Amenity Contributions (CAC) – The *Community Amenity Contributions Policy for Rezoning*s provides an exemption for certain routine, lower density secured market rental rezoning applications that comply with the City's rental policies. As this site is currently zoned RS-1 and proposes to rezone to RR-3A which only allows up to four storeys, the application is eligible for this CAC exemption.

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.

This application was eligible for a waiver of (a portion of) the City-wide DCLs applicable to the residential portion of the building, however the applicant has elected not to seek the waiver. As per Section 3.1B of the Vancouver Development Cost Levy By-law, the decision to seek the waiver is made at the rezoning application stage. Should the applicant wish to request a DCL waiver at a later stage, the application would be expected to return to Council for a subsequent Public Hearing to amend the rezoning condition.

Based on the rates in effect as of September 30, 2022 it is estimated that the project will pay \$2,206,873 of DCLs should it achieve the maximum 2.50 FSR including the 0.35 FSR minimum for non-dwelling uses.

Public Art Program – The proposed floor area is below the 9,290 sq. m (100,000 sq. ft.) minimum threshold, and as such, no public art contribution is required from this application.

Other Benefits – The secured market rental housing in this proposed development will contribute to the City's secured rental housing stock.

A summary of public benefits associated with this application can be found in Appendix E.

Financial Implications

As noted in the Public Benefits section this project is expected to provide to provide secured rental housing and a DCL contribution. See Appendix E for additional details.

CONCLUSION

Staff have reviewed the application to rezone 109 East 40th Avenue from RS-1 to RR-3A to facilitate the delivery of secured rental housing. The location complies with the provisions of the RR-3A District Schedule, and staff conclude the zoning amendment can be considered as it is consistent with the *Secured Rental Policy* and advances the City's housing policy goals.

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.

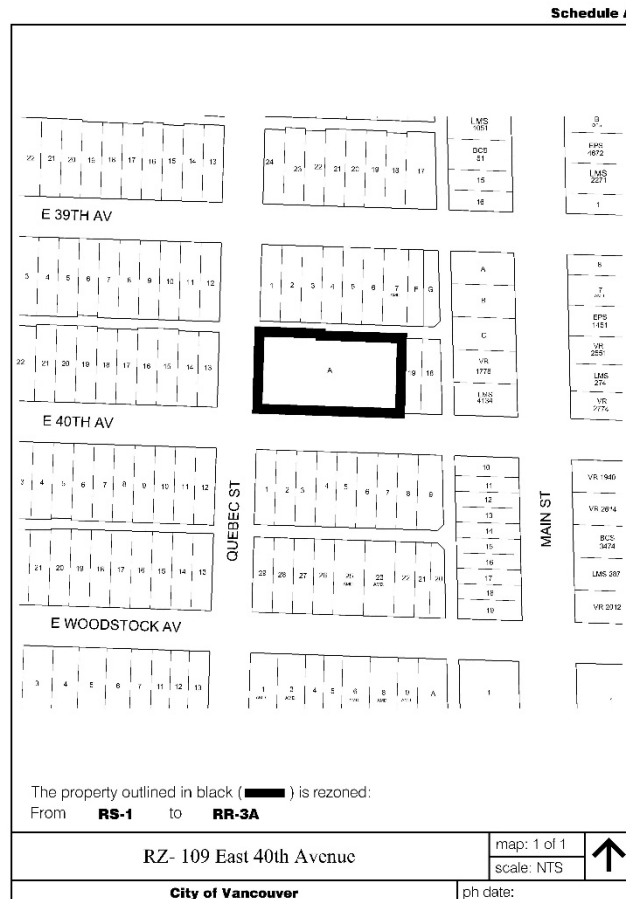
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**109 East 40th Avenue
PROPOSED BY-LAW AMENDMENTS**

Note: A By-law to rezone an area to RR-3A 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 RR-3A District Schedule.



* * * * *

109 East 40th Avenue
CONDITIONS OF APPROVAL

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

PART 1: CONDITIONS OF APPROVAL OF THE DEVELOPMENT APPLICATION

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

Sustainability

- 1.1 All new buildings in the development will meet the requirements of the Green Buildings Policy for Rezoning (amended May 17, 2022) located here <https://guidelines.vancouver.ca/policy-green-buildings-for-rezonings.pdf>

The project is also required to meet the green building requirements of the *Secured Rental Policy* (last amended March 2022).

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

Housing

- 1.2 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.
- 1.3 The development should be designed in accordance with the *High-Density Housing for Families with Children Guidelines*, including the provision of:
- (a) An outdoor amenity area to include areas suitable for a range of children’s play activities and urban agriculture, appropriate in size for the scale of the project and situated to maximize sunlight access (section 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 (section 4.4.2);
 - (c) A multi-purpose indoor amenity space appropriate in scale for the size of the project, 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 (section 3.7.3); and

- (d) A balcony for each family-size unit with 1.8 by 2.7 m minimum dimensions (section 4.3.2).

Engineering

- 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.

Note to Applicant: 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 at StreetUseReview@vancouver.ca for details.

- 1.5 The owner or representative is advised to contact Engineering Services at StreetUseReview@vancouver.ca to acquire the project's permissible street use.

Note to Applicant: 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.

- 1.6 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.
- 1.7 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 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) Dimension typical parking spaces;
 - (f) Dimension additional setbacks for parking spaces due to columns and walls;
 - (g) Dimension manoeuvring 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) Location of all poles and guy wires to be shown on the site plan.

1.8 Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.

1.9 Provision of a complete Rainwater Management Plan (RWMP):

Note to Applicant: Subset of the submission list items and additional notes are provided below based on the RWMP submission dated July 15, 2022. Ensure all information expected in a complete RWMP as described in the appendix of the Rainwater Management Bulletin are included in the updated version.

- (a) C.1. Outline the rainwater management approach proposed to meet the volume reduction requirement. The approach shall include descriptions of each rainwater management practices/best management practices (BMP). BMPs proposed to meet the volume reduction requirement shall be classified as either Tier 1, 2, or 3;

Note to Applicant #1: The RWMP report should more clearly summarize the rainwater management volume reduction criteria and demonstrate how it has been met through the various components of the proposed design. At present, the RWMP is not entirely clear on the catchment areas for each BMP, including which surfaces are being directed to each BMP.

Note to Applicant #2: Provide a table that clearly breaks down the catchment areas for each BMP, including the area of the BMP and contributing area for surfaces being routed to it to demonstrate that the entire site volume reduction target is met.

- (b) C.2. Outline the rainwater management approach proposed to meet the water quality requirement. The approach shall include descriptions on how the water quality requirement is to be achieved on site and include supporting calculations and specifications necessary to demonstrate adequate design;

Note to Applicant: Provide information on how the water quality requirement will be achieved on this site, as water quality treatment is required for the first 24 mm (~70% annual average rainfall) of all rainfall from the site that is not captured in Tier 1 or Tier 2 practices and 48 mm (~90% annual average rainfall) of treatment is required for high traffic areas. For the development permit (DP) submission, the following should be included for review for all proprietary devices:

- (i) Product Name and Manufacturer/Supplier;
 - (ii) Total area and % Impervious being treated;
 - (iii) Treatment flow rate;
 - (iv) Supporting calculations to demonstrate adequate sizing system based on the contributing drainage area;
 - (v) Include discussion of the specified treatment device's % TSS removal efficiency certification by TAPE or ETV; and
 - (vi) Location of device in drawing or figure in the report.
- (c) C.3. Outline the rainwater management approach proposed to meet the release rate requirement. The approach should include descriptions on how the release rate requirement is achieved on site and specify the peak flow rates at both pre-development and post-development site conditions, as well as the designed release rate. Ensure that the pre-development calculation uses the 2014 IDF curve values and the post-development calculation uses the 2100 IDF curves;

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

Note to Applicant: Ensure consistency between reported post-development release rate values within the RWMP as there is a slight different between the values in text in Section 4.2 and Table 4.

- (d) C.5. Provide an overview of each BMP and design specifics to support the design claim for meeting target requirements. Design detail of each BMP should

be coordinated with other disciplines, if necessary, and the report should include the necessary rainwater management specific supporting drawings and calculations;

Note to Applicant: Provision of a grading plan to support the proposal of grading hardscapes into adjacent landscaping.

- (e) C.9. As the development proposes an engineered infiltration BMP, provide a geotechnical report/infiltration study that includes the following: an evaluation of the potential for and risks of onsite rainwater infiltration, such as slope stability and soil contamination; results of infiltration testing at likely locations for infiltration practices and a proposed design infiltration rate; soil stratigraphy; and depth to bedrock and seasonally high groundwater at likely locations for infiltration practices;

Note to Applicant: Attach the geotechnical report as an appendix to the RWMP at Development Permit.

Note to Applicant: Ensure best management practice and requirements are adhered to for the design of the proposed infiltration facility and tree soil cells where infiltration is included in their design:

- (i) Minimum horizontal setback of 5 m from any edge of building foundation and 3 m offset from watermains. Relevant dimensions should be indicated on plans and drawings (required for tree soil cells if infiltration is proposed within these features);
 - (ii) Specify the proposed design infiltration rate for drawdown time calculations;
 - (iii) Preferred estimated drawdown for the entire rainwater storage volume in less than or equal to 48 hours using the design infiltration rate;
 - (iv) Infiltration facility must be able to accommodate the expected loading imposed at grade;
 - (v) Minimum 0.60 m vertical separation from the proposed bottom of the facility and seasonally high groundwater table; and
 - (vi) Shall not be proposed at locations where there are known contamination concerns.
- (f) C.11. Provide a completed Rainwater Management Project Summary Form as a PDF in a separate file to the RWMP. For a fillable copy of the form, refer to the rainwater management webpage; and
- (g) D.6. Provide cross-sections and details to demonstrate the overall rainwater management configuration of the detention & infiltration system and the proposed soil cells.

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

Please contact the City of Vancouver's Rainwater Management Group for any questions or concerns related to the conditions or comments prior to resubmission with the DP application. A meeting may be scheduled upon request by contacting rainwater@vancouver.ca. Refer to the Rainwater Management Bulletin <https://bylaws.vancouver.ca/bulletin/bulletin-rainwater-management.pdf>.

- 1.10 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.
- 1.11 Provision of a final signed and sealed Rainwater Management Plan, 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.
- 1.12 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.
- 1.13 Provision of a Final Hydrogeological Study, to the General Manager of Engineering Services' and the Director of Planning's satisfaction, which addresses the requirements outlined in the Groundwater Management Bulletin, including but not limited to:
 - (a) A Groundwater Management Plan which includes:
 - (i) Construction-related and permanent groundwater management, including anticipated groundwater discharge rates for City approval; and

Note to Applicant: The City does not support the long-term discharge of groundwater to our sewer system. Every effort should be made to prevent or limit this discharge.
 - (b) An Impact Assessment which achieves the following objective:
 - (ii) 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. Every effort should be made to prevent or limit this discharge.

Note to Applicant: 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.

1.14 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; and
- (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>; and
- (b) All third party service lines to the development is to be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant is to provide documented acceptance from the third party utilities prior to submitting to the City.

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

1.16 The following information to be displayed 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.

1.17 Provision of an updated landscape site plan to reflect the public realm changes including all of the off-site improvements sought for in the rezoning.

Note to Applicant: Where a design or detail is not available, make note of the improvement on the site and/or landscape plans. Placeholders may be used for any details not yet available that require a geometric, but must include a note stating “Final design and location to be determined once City geometric is received”.

- 1.18 All public realm treatments to the approval of the General Manager of Engineering Services.
- 1.19 Parking, loading, bicycle, and passenger loading spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.

Note to Applicant: Proposed parking reductions may be considered at the Development Permit stage with acceptable Transportation Demand Management (TDM) or other management measures.

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 Make arrangements to the satisfaction of the General Manager of Engineering Services, the Director of Legal Services and the Approving Officer for the dedication of the north 3.0 feet of the west portion (formerly Lots 24 – 26, Plan 1393) of the site for lane purposes.

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

- 2.2 Provision of a copy of a current title search for each parcel of land involved in the development site. The title search must be dated within one week of the intake date. Also, copies of all non-financial charges (Statutory Right of Way, Right of Way, Covenant, Easement, Option to Purchase, and Easement and Indemnity) and legal notations listed on each title search for the development site must be submitted along with a charge summary prepared by a lawyer or notary.

Examples of charges, which are not required, include Mortgage, Assignment of Rents, and Builders Liens.

- 2.3 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 2.4, 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 June 22, 2022, no water main upgrades are required to service the development.

Note to Applicant:

- The main servicing the proposed development is 200 mm along East 40th Avenue. Should the development require water service connections larger than 200 mm, the developer shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost of the upgrading. The maximum water service connection size is 300mm.
 - 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 requires to meet the demands of the project:
- (i) Implementation of development at 109 East 40th Avenue requires the following in order to maintain acceptable sewer flow conditions:
- Local Servicing Upgrade:
- A. Separate 43.51 m of existing 250 mm COMB main to 200 mm SAN and 450 mm STM on East 40th Avenue from MH__FJCPAU on Quebec Street to MH__FJCPAT on fronting 132 East 40th Avenue.
- B. Separate 59.80 m of existing 375 mm COMB main to 200 mm SAN and 600 mm STM on East 40th Avenue from (MH__FJCPAT) fronting 132 East 40th Avenue to MH__FJCPAS fronting 178 East 40th Avenue.

- C. Separate 42.47 m of existing 375 mm COMB main to 200 mm SAN and 600 mm STM on East 40th Avenue from MH__FJCPAS fronting 178 East 40th Avenue to MH__FNH6KE on Main Street.

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

Note to Applicant: Development to be serviced to the proposed 200 mm SAN and 600 mm STM on East 40th Avenue.

The post-development 10 year flow rate discharged to the storm sewer shall be no greater than the 10 year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for climate change. This shall be demonstrated by preparation of a Rainwater Management Plan with all necessary supporting calculations and drawings prior to the issuance of the development permit.

Developer's Engineer to submit a sewer 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.

- (c) Provision of street improvements along Quebec Street adjacent to the site and appropriate transitions including:
 - (i) Minimum 2.14 m (7.0 ft.) wide broom finish saw-cut concrete sidewalk; and
 - (ii) Curb ramps.
- (d) Provision of street improvements along East 40th Avenue adjacent to the site and appropriate transitions including:
 - (i) Minimum 2.14 m (7.0 ft.) wide broom finish saw-cut concrete sidewalk; and
 - (ii) Curb ramps.
- (e) Provision of a new standard concrete lane crossing, new curb returns and curb ramps at the existing lane crossing on Quebec Street adjacent to the site;
- (f) Provision of speed humps in the lane north of East 40th Avenue between Quebec Street and Main Street;
- (g) 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;

- (h) Provision of upgraded street lighting (roadway and sidewalk) and existing lane lighting adjacent to the site to current City standard and IESNA recommendations;
- (i) Provision of Quebec Street and East 40th Avenue entire intersection lighting upgrade to current COV standards and IESNA recommendations;
- (j) Provision of new or replacement duct bank adjacent to the development site that meets current City's standards. Duct banks are to consist of electrical and communication ducts and cables, and connected to existing electrical and communication infrastructure;

Note to Applicant: A detailed Electrical Design will be required prior to the start of any associated electrical work to the satisfaction of the General Manager of Engineering Services, and, in conformance with current City Engineering Design Manual, Construction Specifications, Standard Detail Drawing, Canadian Electrical Code and the Master Municipal Construction Documents.

- (k) Provision of lane lighting on standalone poles with underground ducts if BC Hydro poles with attached COV lane lights planned to be removed. The ducts must be connected to the existing COV SL infrastructure; and
- (l) Provision of parking regulatory signage installation on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.

2.4 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) 2.3(b) - Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.

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.

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

2.5 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.

2.6 Provision of written confirmation that all required electrical plants will be provided within private property.

Note to Applicant: 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.

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

Housing

- 2.7 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 a Section 219 Covenant to secure all residential units as secured market rental housing units, excluding Seniors Supportive or Assisted Housing, pursuant to the City's *Secured Rental Policy*, for a term equal to the longer of 60 years and the life of the building, subject to a no-separate-sales covenant and a no-stratification covenant, and that no such units shall be rented for less than one month at a time, and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may 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 a Section 219 Covenant.

Environmental Contamination

- 2.8 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.

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109 East 40th Avenue
DRAFT CONSEQUENTIAL AMENDMENT

DRAFT AMENDMENT TO THE SUBDIVISION BY-LAW NO. 5208

Council amends Schedule A of the Subdivision By-law in accordance with the plan labelled Schedule A and attached to and forming part of this by-law, by deleting Lot A Block F District Lots 639 and 640, Group 1, New Westminster District Plan EPP100728, PID: 031-806-902 from the RS-1 maps forming part of Schedule A of the Subdivision By-law.

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109 East 40th Avenue
PUBLIC CONSULTATION SUMMARY

1. Background of SRP Consultation

A review of the City’s previous rental incentive programs began in late 2018 and led to an updated Secured Rental Policy in November 2019. In that initial round of work, two in-person public open houses were held, pedestrian intercept surveys were undertaken and a Talk Vancouver survey was available, in addition to stakeholder and industry engagement and a survey of residents living in buildings created through City incentive programs. In the following phases of work, between March 2020 and August 2021, City of Vancouver staff engaged residents through in-person and online virtual information sessions, surveys, and stakeholder engagement meetings. This process included six in-person public information sessions (attended by over 800 residents), 10 stakeholder workshops, an online comment form (400 responses received), the Shape Your City project webpage (5,000 visitors), 2 online public information sessions (102 attendees), as well as public and development industry one-on-one sessions (attended by 18 residents and 15 industry representatives).

2. List of Engagement Events, Notification, and Responses

	Date	Results
Event		
Virtual open house (City-led)	November 21 to December 11, 2022	299 participants (aware)* <ul style="list-style-type: none"> • 143 informed • 87 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	November 17, 2022	783 notices mailed
Public Responses		
Online questions	November 21 to December 11, 2022	8 submittals
Online comment forms <ul style="list-style-type: none"> • Shape Your City platform 	August 2022 – January 2023	96 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	August 2022 – January 2023	96 submittals <ul style="list-style-type: none"> • 37 responses • 49 responses • 10 responses
Other input- email	August 2022 – January 2023	17 submittals

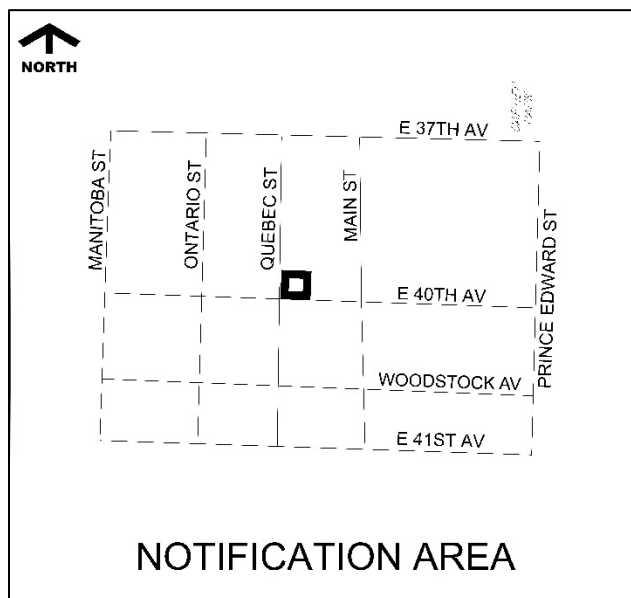
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	August 2022 – January 2023	573 participants (aware)* <ul style="list-style-type: none"> • 194 informed • 101 engaged

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.

3. Map of Notification Area



4. Analysis of All Comments Received

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

Generally, comments of support fell within the following areas:

- **Location:** This rezoning is a welcome addition to the neighbourhood

- **Rental Stock:** This proposal will help create additional rental stock and is well aligned with the city's goal to increase housing supply
- **General Support:** There is general support for this project

Generally, comments of concern fell within the following areas:

- **Height, density, location:** The proposed 4-storey mixed use building does not align with the family character of the neighbourhood. The allowable height and density is too high.
- **Engagement:** Previous engagement held by the developer has caused confusion to the public on what this rezoning is proposing. Community members believe that the previous rezoning proposal for the Affordable Housing Choices Interim Rezoning Policy (AHCIRP) that rezones the vacant lots are the only parcels being considered and the Church is not included.
- **Traffic and Parking:** Additional traffic that will result from this rezoning will pose a safety risk to residents in the immediate area and will create parking constraints in the community.
- **Church:** The existing church is a historical architectural feature that is an asset to the community. It should not be considered as part of the rezoning.

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:

- Density in the area is welcome due to its close proximity to the Canada Line.
- In support of utilizing the vacant lots to create homes.
- This rezoning is aligned with appropriate community plans.
- In support of the applicant's choice of developer leading the project.

General comments of concern:

- The development will cause shadowing on the north side of the development.
- The height of the development will block private views and will impede on the privacy of neighbouring homes.
- There is a lack of infrastructure to support a mixed-use development.
- There are a lack of parks and green spaces to support recreational area.
- The life of the European Beech Trees will be compromised as a result of this rezoning.
- The proposal does not adhere with the South Cambie Community Vision.
- Increased traffic from this rezoning will cause noises and disruptions to nearby residents.
- The development should be rezoned to a maximum RR-2A, the RR-3A zoning increases the FSR too much. An FSR of 1.75 to 2 should be the maximum, not 2.5. Yes, this site technically fits the definition, but using a church as essentially a loophole to increase the FSR is not what should be allowed.

- Two properties on the same block will create an incongruent block that orphans out the lot.
- Lack of detail regarding massing.
- Placement of rezoning sign is misleading as it portrays the vacant parcels to be rezoned and not the Church.

Neutral comments/suggestions/recommendations:

- Gentle density should be applied to help with the transition between single family homes.
- A stacked townhouse project would be more suitable for the site.
- There is a lack of diverse typologies in the neighbourhood.
- This application will not support the affordability goals highlighted by the City of Vancouver.
- More support should be given to charities developing land for affordable housing.
- There is enough social housing.
- Road infrastructure around the neighbourhood should be improved.
- Commercial use of the building should be selective. Should not include pawn shops, tattoo parlours, or marijuana dispensaries.
- Commercial developments should not appear on a local street.
- Columbia Park fields should be removed in favour of a walking park.
- The previous application proposed by the applicant should be considered.

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**109 East 40th Avenue
PUBLIC BENEFITS SUMMARY**

Project Summary

Rezoning to RR-3A District to facilitate secured rental housing.

	Base Zoning	Proposed Zoning¹
Zoning District	RS-1	RR-3A
FSR of Base Zoning and FSR of Base Density (site area = 2,653.9 sq. m / 28,566 sq. ft.)	(0.70)	2.50, including 0.35 non-residential use
Floor Area	1,857.7 sq. m (19,996 sq. ft.)	6,634.8 sq. m (71,416 sq. ft.)
Land Use	Residential	Residential Rental, Cultural & Recreational, Institutional, Office, Retail, Service

Summary of development contributions anticipated under proposed zoning²

City-wide DCL ^{1,2}	\$1,415,486
Utilities DCL ^{1,2}	\$791,387
TOTAL	\$2,206,873

Other benefits (not-quantified components): All residential units to be rental housing (non-stratified) all secured for the longer of 60 years and the life of the building.

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 instream rate protection. See the City's [DCL Bulletin](#) for more details.

² This application is eligible for a waiver of the City-wide DCL, however the applicant has elected not to seek the waiver. As per Section 3.1B of the Vancouver Development Cost Levy By-law, the applicant's decision regarding the waiver for projects requiring rezoning is to be made at the rezoning application stage and the relevant requirements should be secured in the conditions of enactment. Should the applicant wish to request a DCL waiver at a later stage, the application would be expected to return to Council for a subsequent public hearing to amend the rezoning condition.

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**109 East 40th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

Property Information

Address	Property Identifier (PID)	Legal Description
109 East 40th Avenue	031-806-902	Lot A Block F District Lots 639 and 640 Group 1 New Westminster District Plan EPP100728

Applicant Information

Applicant	GMC Projects Inc.
Property Owner	40th Avenue Apartment Holdings Inc., Inc. No. BC1265550

Site Statistics

Site Area	2,653.9 sq. m (28,566 sq. ft.); Site dimensions 70.4 m (231 ft.) x 37.2 m (122 ft.)
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Development Statistics

	Permitted Under Existing Zoning	Development Permitted Under Proposed Zoning
Zoning	RS-1	RR-3A
Uses	Institutional	Residential Rental, Cultural & Recreational, Institutional, Office, Retail, Service
Maximum Density	0.70 FSR	Up to 2.50 FSR
Floor Area	1,857.7 sq. m (19,996 sq. ft.)	Up to 6,634.8 sq. m (71,416 sq. ft.)
Height	10.7 m (35 ft.)	Up to 4 storeys (at the street): 15.3 m (50 ft.)
Unit Mix	n/a	as per RR-3A District
Parking, Loading and Bicycle Spaces	as per Parking By-law	as per Parking By-law
Natural Assets	To be assessed at the development permit stage	

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