



## REFERRAL REPORT

Report Date: April 25, 2023  
Contact: Yardley McNeill  
Contact No.: 604.873.7582  
RTS No.: 15695  
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: 3803 - 3823 West 10th Avenue

### ***RECOMMENDATION TO REFER***

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

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

### ***RECOMMENDATION FOR PUBLIC HEARING***

- A. THAT the application by Sightline Properties (Highbury Street) Ltd., the registered owners of the lands located at 3803 – 3823 West 10th Avenue [*Lot 22, 21, and 20, Block 183 District Lot 176 Plan 6188; PIDs 010-948-945, 010-948-929 and 010-195-572 respectively*], to rezone the lands from RS-1 (Residential) to RR-3B (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-3B (Residential Rental) District, for the site located at 3803-3823 West 10th Avenue. The amendment would allow for a six-storey mixed-use rental building, of which 20% of the residential floor area is secured as below-market rental units, 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-3B 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)
- Tenant Relocation and Protection Policy (2019)
- Community Amenity Contributions Policy for Rezoning (1999, last amended 2023)
- Green Buildings Policy for Rezoning (2010, last amended 2022)
- Urban Forest Strategy (2014)
- Latecomer Policy (2021)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183

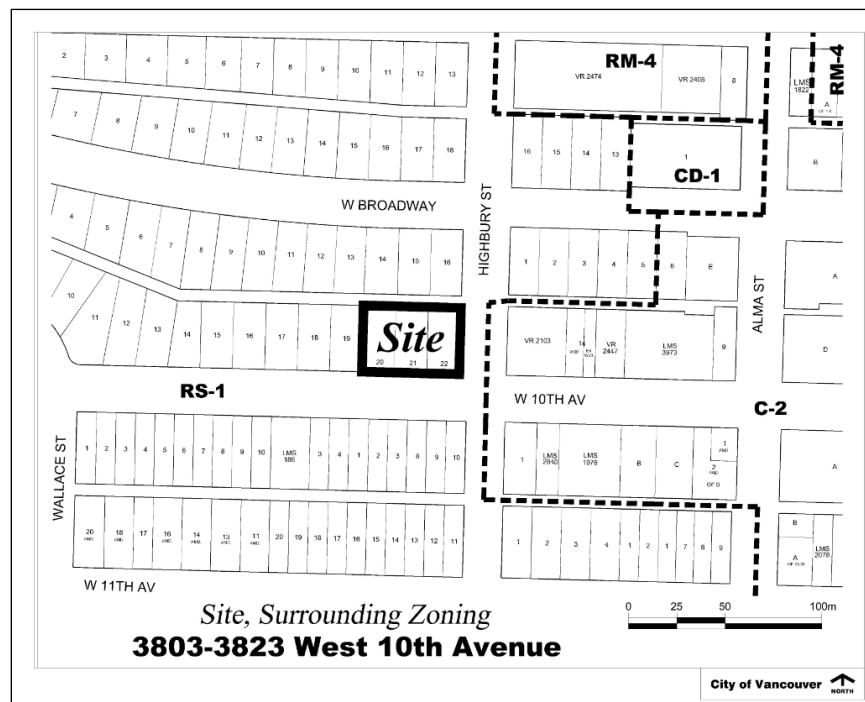
## REPORT

### Background/Context

#### 1. Site and Context

The subject site (see Figure 1) is comprised of three legal parcels at the corner of West 10th Avenue and Highbury Street. The total site area is approximately 1,726 sq. m (18,578 sq. ft), with frontage of approximately 50 metres (164 ft.) along West 10th Avenue and 35 metres (115 ft.) along Highbury Street.

**Figure 1: Location Map – Site and Context**



This property and the surrounding area are zoned for residential uses under RS and RM District Schedules with the exception of the C-2 area to the east that allows mixed-use development with commercial and residential uses. The site is currently zoned RS-1 and developed with three single-detached homes constructed in 1940 and 1942. The properties are not listed on the *Vancouver Heritage Register*. The property contains three rental tenancies and the tenant protection policy does 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 *Vancouver Plan* supports the *SRP* and increasing the supply of new purpose-built market and below-market rental housing.

**Secured Rental Policy** – 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 RR 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 criteria under the *SRP* for six-storey buildings.

**RR Zoning District Schedules and Design Guidelines** – Along with updates to the *SRP*, in December 2021 Council approved the addition of three new residential rental (“RR”) zoning district schedules to the Zoning and 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.

The RR-3B District Schedule permits mixed-use residential buildings up to six-storeys in height and 3.4 FSR, with a minimum 0.35 FSR of non-dwelling uses. Residential uses are permitted only on the second storey and above. Non-dwelling uses on the ground floor may include

cultural and recreational, office, retail and service uses. On corner sites within a minimum frontage of 40.2 m (132 ft.), a density of up to 3.5 FSR applies.

**Housing Vancouver Strategy** – In November 2017, Council approved the *Housing Vancouver Strategy (2018-2027)*. This seeks 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 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** – 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, including a component of below-market rental units, 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-3B District Schedule permits mixed-use apartment buildings up to six-storeys in height and 3.4 FSR, with a minimum of 0.35 FSR for non-residential uses. On some shallow sites and corner sites with a minimum frontage of 40.2 m (132 ft.) a density of up to 3.5 FSR applies. This schedule is applicable only to sites on arterials that are either a corner lot, adjacent to a site that is currently zoned for commercial use, or are developed with an existing non-residential use. The schedule also requires a minimum of 20% of the residential floor area to be permanently secured at below-market rental rates, and for 35% of the units to be for families and include two bedrooms or more. Six-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-3B District. An Urban Design Panel review will not be required at the development permit stage, as comprehensive design guidelines accompany the RR-3B 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 six-storey rental apartment building 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 Purpose-Built Market and Developer-Owned Below-Market Rental Housing as of December 31, 2022**

Housing Type	CATEGORY	10-YEAR TARGETS	Units Approved Towards Targets
Purpose-Built Market Rental Housing Units	Market Rental	16,000	11,813 (74%)
	Developer-Owned Below-Market Rental	4,000	1,228 (31%)
	Total	20,000	13,041 (65%)

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

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

**Vacancy Rates** - Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2022, the purpose-built apartment vacancy rate was 0.9% in Vancouver. The vacancy rate (based on the CHMC Market Rental Survey) for the Westside/Kerrisdale neighborhood, in which this site is located, was 2.5%. A vacancy rate between 3% and 5% is considered to represent a balanced market.

**Average Rents and Income Thresholds** – Under the *SRP*, the applicant must provide 100% secured rental units with a minimum of 20% of residential floor area as below-market units.

To be eligible for below-market rental housing, a household must have a gross annual income that meets the requirements for the specific unit type, and there must be at least one household member per bedroom. All residents in the building will have equal access to common indoor and outdoor amenities and facilities.

Under the *SRP*, the average below-market rents for this proposal are 20% less than the average city wide rents published by CMHC. If approved, the starting rents for the below-market units may be adjusted by the maximum allowable increase permitted by the Residential Tenancy Act for each full year until initial occupancy. Figure 3 provides a comparison of average below-market and market rents.

**Figure 3: Comparable Below-Market and Average Market Rents (Westside)**

Unit Type	Below-Market Units		Newer Rental Buildings – Westside	
	Average Starting Rents <sup>1</sup>	Average Household Income Required	Average Rent <sup>2</sup>	Average Household Income Required
Studio	\$1,077	\$43,080	\$1,561	\$62,440
1-bed	\$1,216	\$48,640	\$2,073	\$82,920
2-bed	\$1,683	\$67,320	\$2,997	\$119,880
3-bed	\$2,293	\$91,720	\$3,785	\$151,400

<sup>1</sup> The below-market rents shown here reflect a 20% discount from CMHC average market rents for purpose-built rental apartments in Vancouver for 2021. As this proposal is scheduled to be considered for approval in 2023, the applicable below-market rents will be based on a 20% discount from CMHC average market rent data for 2022.

<sup>2</sup> Data from the October 2021 CMHC Rental Market Survey for apartments in purpose-built rental buildings completed in the year 2012 or later on the Westside of Vancouver

**Security of Tenure** – Purpose-built rental housing offers secure rental tenure. The proposed RR-3B zoning designation would only permit residential uses that are secured as Residential Rental Tenure, and no strata or other ownership tenure of the residential units would be permitted. In addition, all 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.

### 3. Tenants

The rezoning site contains existing rental residential uses, including three units of secondary rental housing. One of the three existing residential tenancies is eligible under the *City's Tenant Relocation and Protection Policy (TRPP)*. The applicant provided a Tenant Relocation Plan (TRP) for the eligible tenant which meets the requirements of the City's TRPP, which is summarized in Appendix E of this report.

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

### 4. 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.

Some of the conditions of approval include updates to existing traffic signals, accessible pedestrian signals, and lighting at the intersection of 10th Avenue and Highbury Street, as well as lane upgrades and installation of parking signage on adjacent streets. Local servicing requirements will be secured through a services agreement. Engineering conditions are included in Appendix B.

### 5. Environmental Sustainability and Natural Assets

**Green Buildings** – The *Green Buildings Policy for Rezoning*s 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.

## 6. Public Input

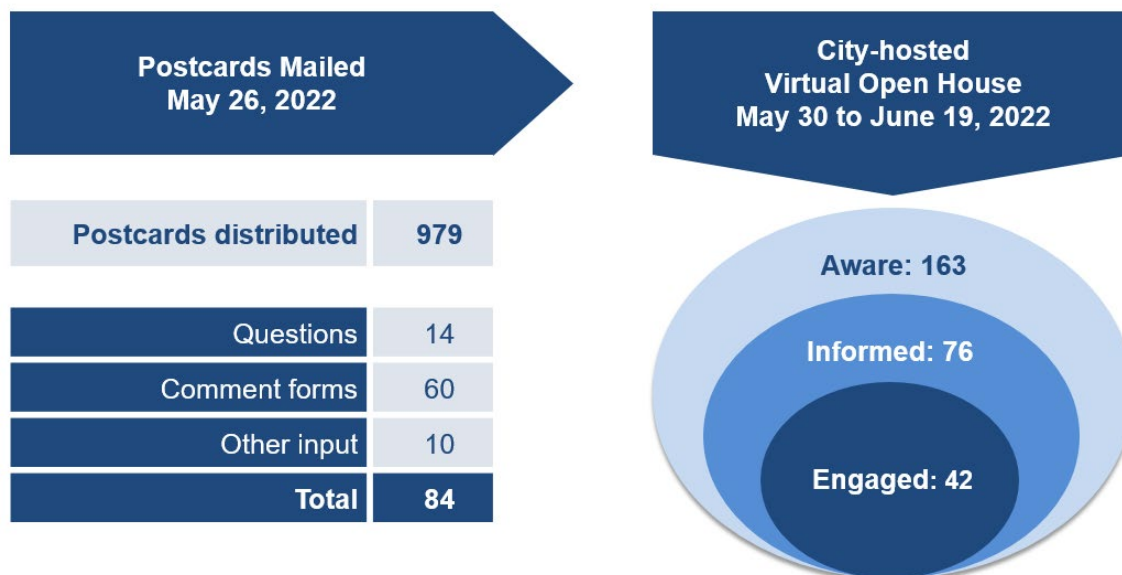
A rezoning information sign was installed on the site of this rezoning application on May 22, 2022. Approximately 979 notification postcards were distributed within the neighbouring area on or about May 26, 2022. Notification, application information, and an online comment form was provided on the Shape 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 May 30 to June 19, 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. 76 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 84 submissions were received. A summary of all public responses may be found in Appendix D.

**Figure 4: Overview of Notification and Engagement**



Generally, comments of support fell within the following areas:

- **Rental housing:** The development will create much needed rental stock, rental and affordable rental opportunities, and assist with Vancouver's housing crisis.
- **Mixed Use:** Support for the proposed commercial uses on the ground floor.



- **Location:** The development will add rental housing close to arterial routes, transit routes, and schools.
- **Neighbourhood Growth and Vitality:** The development adds needed density to the neighbourhood and will help to revitalize the community.

Generally, comments of concern fell within the following areas:

- **Height, Massing, Density and Form:** The proposed height, form and massing does not fit the existing single-family neighbourhood. Concern with the lack of drawings and detail regarding proposed form of development.
- **Neighbourhood Context:** The development will cause shadowing of neighbouring properties, will block views, and be the cause of crowding, noise, pollution, and a loss of privacy.
- **Traffic:** This development create further traffic and congestion in an area that is already busy.

### ***Response to Public Comments***

Height, massing, density, location, and form: The proposed use and form of development is consistent with the *SRP*. Rezoning conditions have been included to further enhance the design of the building, and improve the outdoor amenity space and the interface with the surrounding area.

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 updates to existing traffic, pedestrian signals and lighting at the intersection improvements at 10th Avenue and Highbury Street, and installation of parking regulatory signage on streets adjacent to the site.

SRP process and/or concern that no drawings submitted: Council approved amendments to the *Secured Rental Policy* to allow simplified rezonings in low-density areas after extensive public engagement (Appendix E). The intent of rezoning to a specific district schedule is to provide certainty on built form for residents, while streamlining the review process. So while architectural drawings are not available at rezoning, projects must meet the minimum requirements of the RR-2B district schedule. If the rezoning is approved, detailed architectural drawings will be submitted through the development process and reviewed with the public at that time.

## **7. Public Benefits**

**Community Amenity Contributions (CAC)** – The *Community Amenity Contributions Policy for Rezonings* 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-3B which only allows for up to six storeys, of which 20% of the residential floor area is secured as below-market rental units, the application is eligible for this CAC exemption.

**Development Cost Levies (DCLs)** – This site is currently subject to both City-wide and Utilities DCLs. 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 has requested and is expected to be eligible for a Class A (100%) waiver of the City-wide DCLs applicable to the residential portion of the building. Based on the rates in effect as of September 30, 2022, it is estimated that the project will pay City-wide DCLs of \$120,928 and Utilities DCLs of \$735,709 should it achieve the maximum 3.5 FSR including 0.35 FSR minimum for non-dwelling uses. The value of the anticipated City-wide DCL waiver is estimated at \$1,171,616.

This application is therefore subject to the maximum average starting rents and unit sizes by unit type applicable to “class A for-profit affordable rental housing” as per the By-law. These requirements will be secured by a Housing Agreement, and compliance will be assessed through the development permit stage to occupancy permit issuance.

**Public Art Program** – No public art contribution is applicable to this rezoning as the proposed floor area of the project is below the minimum threshold.

**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 F.

### ***FINANCIAL IMPLICATIONS***

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

### ***CONCLUSION***

Staff have reviewed the application to rezone 3803-3823 West 10th Avenue from RS-1 to RR-3B facilitate the delivery of a mixed-use development including secured rental housing. The location complies with the provisions of the RR-3B 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.

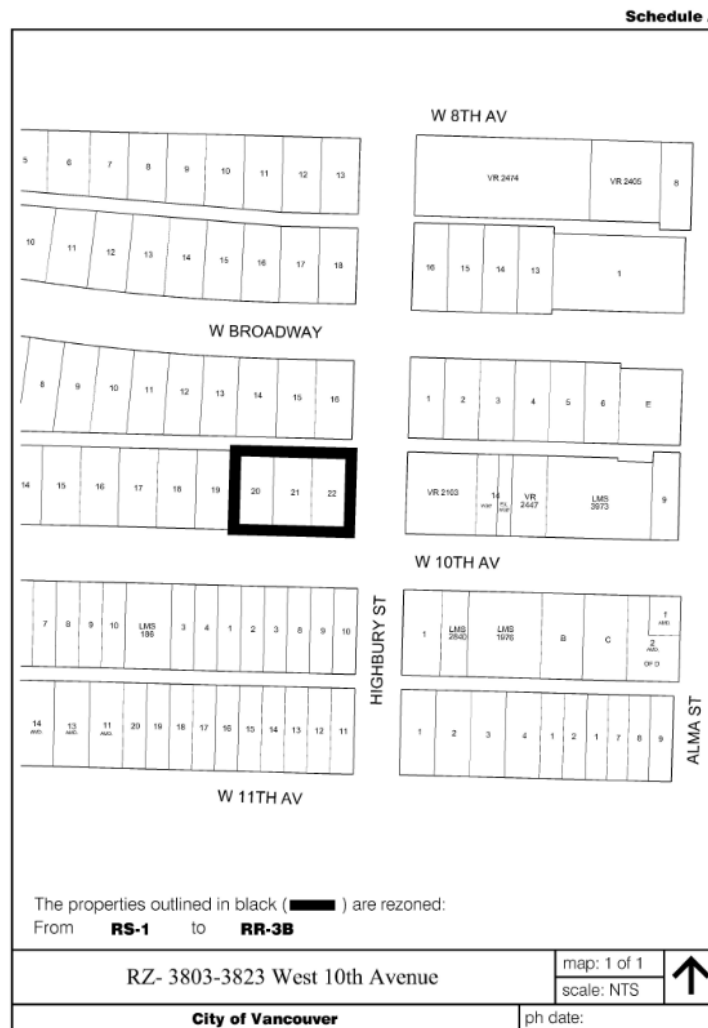
\* \* \* \* \*

**3803-3823 West 10th Avenue  
PROPOSED BY-LAW AMENDMENTS**

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



\* \* \* \* \*

3803-3823 West 10th Avenue  
CONDITIONS OF APPROVAL

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

**PART 1: CONDITIONS OF APPROVAL OF THE DEVELOPMENT APPLICATION**

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

**Sustainability**

- 1.1 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning*s (amended May 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*.

**Housing**

- 1.2 The unit mix to be included in the development permit drawings must include a minimum of 35% family units (two-bedroom and three-bedroom units) for both the below-market units and market rental units.
- 1.3 The below market units should be designed to the same standards of livability as the market rental units.

Note to Applicant: Clearly label the proposed below market units and market rental units on the architectural drawings.

- 1.4 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 (S. 3.3.2, 3.4.3);
  - (b) A minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each dwelling unit (S. 4.4.2), in suite storage is highly encouraged;
  - (c) A multi-purpose indoor amenity space, appropriate in size for the scale 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 (S. 3.7.3); and

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

Note to Applicant: Include balcony dimensions on the architectural drawings.

## **Engineering**

- 1.5 This development site has been identified as being adjacent the Major Road Network (MRN), as defined under the South Coast British Columbia Transportation Authority Act (<https://www.translink.ca/plans-and-projects/projects/roads-bridges-and-goods-movement> [translink.ca]) on one or more frontages. Potential impacts to the road network due to site specific construction activity must be reviewed for all sites proposing street use outside of currently regulated zone limitations. A Construction Management Plan must be submitted directly to Translink (MRN@translink.ca) with a copy of the correspondence provided to the City of Vancouver a minimum 8 weeks prior to any construction activity.

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

- 1.6 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 construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site.

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 for details.

- 1.8 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.
- 1.9 Confirmation that gates/doors are not to swing more than 0.3 m (1.0 ft.) over the property lines or into the SRW area.
- 1.10 Provision of a landscape and site plan that reflect the improvements to be provided as part of the Services Agreement.

- 1.11 The following information is required for drawing submission at the development permit stage to facilitate a complete Transportation review:
- (a) A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.
  - (b) All types of parking and loading spaces individually numbered, and labelled on the drawings.
  - (c) Dimension of column encroachments into parking stalls.
  - (d) Show all columns in the parking layouts.
  - (e) Dimensions for typical parking spaces.
  - (f) Dimensions of additional setbacks for parking spaces due to columns and walls.
  - (g) Dimensions of manoeuvre aisles and the drive aisles at the parkade entrance and all gates.
  - (h) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates. These clearances must consider mechanical projections and built obstructions.
  - (i) Details on the ramp/parkade warning and/or signal systems and locations of lights, signs and detection devices to be shown on the plans.
  - (j) Areas of minimum vertical clearances labelled on parking levels.
  - (k) Design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances. The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.
  - (l) Indicate the stair-free access route from the Class A bicycle spaces to reach the outside. Stair ramps are not generally acceptable.
  - (m) Existing street furniture including bus stops, benches etc. to be shown on plans.
  - (n) The location of all poles and guy wires to be shown on the site plan.
- 1.12 Provision of a complete final Rainwater Management Plan (RWMP) to be submitted to clearly indicate how the onsite system achieves the following:
- (a) General Requirements
    - i. Provision of post-development site plan(s) that includes the following:
      - building location/footprint;
      - underground parking extent;

- proposed service connections to the municipal sewer system;
  - location and labels for all proposed rainwater management practices;
  - area measurements for all the different land use surface types within the site limits; and
  - delineated catchments to demonstrate best management practices (detention tank(s), green infrastructure, etc.) are appropriately sized.
- ii. Provide the landscape plan that supports the use of the landscape area or feature as a rainwater management practice.
- iii. Ensure best management practice and requirements are adhered to for the design of the proposed rainwater management system which includes drainage by gravity to the receiving system for flow attenuation and overflow purposes.
- (b) Volume Reduction
- i. Prioritize methods of capture by Tier 1 and 2 with Tier 3 only as a last resort.
- Note to Applicant: Additional opportunities may include rainwater harvesting, green roof, and/or absorbent landscaping. It is unclear why the total capture from Tier 1 and 2 practices only account for 12.6% of the volume reduction requirement. Appropriate justifications must be stated for each Tier to determine if exemptions may be granted.
- ii. Provision of a grading plan to support the proposal of grading hardscapes into adjacent landscaping. Coordination with the landscape architect for soil storage capacities will be required to support this proposal.
- (c) Water Quality Target
- i. Provide information on how the water quality requirement will be achieved on this site, as water quality treatment is required for the first 24 mm (~70% annual average rainfall) of all rainfall from the site that is not captured in Tier 1 or Tier 2 practices and 48 mm (~90% annual average rainfall) of treatment is required for high traffic areas. For the DP submission, the following should be included for review for all proprietary devices:
- Product Name and Manufacturer/Supplier
  - Total area and % Impervious being treated
  - Treatment flow rate
  - Supporting calculations to demonstrate adequate sizing system based on the contributing drainage area.
  - Include discussion of the specified treatment device's % TSS removal efficiency certification by TAPE or ETV.
  - Location of device in drawing or figure in the report.

Note to Applicant: Provide supporting Water Quality system sizing calculations with the updated submission.

(d) Release Rate

- i. Provide further information related to the proposed detention tank system and water quality unit on the RWM drawings such as the location, geometric properties (footprint, volume, depth), method of flow control (orifice size and control structure configuration), emergency bypass, inverts, stage-storage-discharge characteristics and relevant specifications for these features.
- ii. Use appropriate runoff coefficients for different surface types and ensure consistency in % imperviousness estimates for all relevant calculations.

Note to Applicant: Runoff coefficients for landscaping on slab should be increased to reflect the increased runoff potential for these areas compared to landscaping over native soil. Currently the runoff coefficient for post-development landscaped areas on slab is assumed to be the less than the pre-development landscaping over native soil.

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

Note to Applicant: 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 it's associated appendix. Additional information can be found at the following link: <https://vancouver.ca/home-property-development/private-realm-rainwater-management.aspx>

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

- 1.13 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.
- 1.14 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.
- 1.15 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.
- 1.16 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 plan is required to be reviewed and accepted by the City Engineer prior to issuance of the Sewer Permit.



- 1.17 Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.
- 1.18 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.

- 1.19 Provision of the following statement on the landscape plan:

“This plan is NOT FOR CONSTRUCTION and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive “For Construction” approval and related permits are issued. Please contact Engineering, Development and Major Projects and/or your Engineering, Building Site Inspector for details.”

Note to Applicant: Landscape plan should include the following notes:

- Highlight the northwest corner of Highbury and W 10th Avenue, in the boulevard, as the bioretention area.
- Include the following note: “Coordination and communication of any off-site amenities and construction timing will be with the Green Infrastructure Implementation Branch”

Note to Applicant: The City will provide the green infrastructure location and high level sizing in the geometric design for these street improvements.

For further information, contact Green Infrastructure Implementation Branch,  
[ESRGGIIDL@vancouver.ca](mailto:ESRGGIIDL@vancouver.ca)

## **PART 2: CONDITONS 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 Service, 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 20 – 22, Block 183 District Lot 176 Plan 6188 to create a single parcel.
- 2.2 Provision of a building setback and surface statutory right of way (SRW) for public pedestrian use over a portion of the site, along W 10th Ave to achieve a 5.5 m offset distance measured from the back of the existing curb for widened sidewalks.

Note to Applicant: The SRW will be free of any permanent obstruction such as structure, mechanical vents, stairs, and planter walls at grade and is to accommodate the underground parking structure within the SRW agreement.

- 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 2.5(a) and 2.5(b), 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 November 16, 2021, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 150 mm along Lane North of W 10th Avenue or 150 mm along Highbury Street. Should the development require water service connections larger than the existing main, the developer shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost of the upgrading.

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

- (b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.
  - i. Implementation of development(s) at 3803 W 10th Avenue require the following in order to improve sewer flow conditions.

Off-site Servicing Upgrade:

- Separate 77 m of existing 200 mm COMB main to 200 mm SAN and 250 mm STM in lane north W 10th Avenue MH \_\_FJD1MD on the backside of 3827 W 10th Avenue to MH \_\_FJD3FD on Highbury Street.

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 250 mm STM sewers in L/E 10<sup>th</sup> Avenue.

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.

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.

- (c) Provision of improvements at the intersection of Highbury Street and W 10th Avenue including:
  - i. upgrades to the existing traffic signal including accessible pedestrian signals (APS);
  - ii. entire intersection lighting upgrade to current City standards and IESNA recommendations.
- (d) Provision of street improvements along W 10th Avenue adjacent to the site and appropriate transitions including the following:
  - i. minimum 1.22 m (4.0 ft) wide front boulevard (measured from the back of the existing curb) with street trees where space permits;

- ii. minimum 3.05 m (10.0 ft) wide broom finish saw-cut concrete sidewalk;
- iii. new concrete curb and gutter on W 10th Avenue.
- (e) Provision of street improvements along Highbury Street adjacent to the site and appropriate transitions including the following:
  - i. minimum 2.14 m (7.0 ft) wide broom finish saw-cut concrete sidewalk;
- (f) Provision of 50mm minimum mill and pave of Highbury Street to centerline adjacent to the site.
- (g) Provision of a bioretention system on Highbury Street, northwest corner of Highbury and W 10th Avenue. The bioretention system will receive runoff from the catchbasin located at the southwest corner of Highbury Street and West 10th Avenue.

Note to Applicant: The bioretention system should be 5 m long by 3.5 m in width and be located in the boulevard between the sidewalk and curb.

These improvements will generally include placement of plants, growing medium, and perforated pipe sub drain connected to the sewer system.

- (h) 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 DP issuance.

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

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

- (j) Provision of a new standard concrete lane crossing, new curb returns and curb ramps at the existing lane crossing on Highbury Street adjacent to the site.
- (k) Provision to reconstruct the laneway along the development site's frontage per City centre valley "Higher Zoned Laneway" pavement structure. Relocate existing lane catch basins to the lane's centreline.
- (l) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.

2.4 Provision of \$30,000 for sewer catchment flow monitoring.

2.5 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 2.3(b)(i)

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

b) Intersection improvements per condition 2.3(c)(i) and (ii)

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.

2.6 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](mailto: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 for-profit affordable rental housing, excluding Seniors Supportive or Assisted Housing, and including at least 20% of the residential floor area that is counted in the calculation of the dwelling unit area per the CD-1 By-law to be secured as below-market rental dwelling units, and the remaining units to be secured as market rental units, subject to the conditions set out below for such units, for a term equal to the longer of 60 years and the life of the building and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require. The agreement or agreements will include but not be limited to the following terms and conditions:

(a) A no separate sales covenant;

(b) A no stratification covenant;

(c) A provision that none of the units will be rented for less than one month at a time;

- (d) That a rent roll be provided indicating the agreed initial monthly rents for each below-market rental dwelling unit, when the Housing Agreement is entered into and again prior to development permit issuance;
- (e) That the average initial starting monthly rents for the below-market rental dwelling units in the project will be at least 20% below the average market rent for private rental apartment units city-wide as published by the Canada Mortgage and Housing Corporation in the 2022 Rental Market Survey Data Tables for Vancouver, subject to adjustment as contemplated by the Secured Rental Policy and Section 3.1B(d) of the Vancouver Development Cost Levy By-law;

Unit Type	Proposed Average Starting Rents
Studio	\$1,135
1-bed	\$1,303
2-bed	\$1,818
3-bed	\$2,447

- (f) That a rent roll indicating the agreed maximum average initial monthly rents for the below-market rental dwelling units will be required prior to Building Permit issuance and again prior to issuance of an Occupancy Permit, to the satisfaction of the General Manager of Planning, Urban Design or Sustainability (or successor in function) and the Director of Legal Services;
- (g) That the average size of all units by unit type is at or below the limits set out in the Vancouver Development Cost Levy By-law:

Unit Type	Maximum Average Unit Size – Apartment Unit	Maximum Average Unit Size – Townhouse Unit*
Studio	42 sq. m (450sq. ft.)	N/A
1-bed	56 sq. m (600 sq. ft.)	56 sq. m (600 sq. ft.)
2-bed	77 sq. m (830 sq. ft.)	90 sq. m (970 sq. ft.)
3-bed	97 sq. m (1,044 sq. ft.)	112 sq. m (1,205 sq. ft.)

\*Townhouse units of two or more storeys with internal stairways may add 4 sq. m (43 sq. ft.) to these maximums.

- (h) Following initial occupancy, on a change in tenancy for a below-market rental dwelling unit, the starting rent for such new tenancy will be at least 20% below the rent for private rental apartment units city-wide as published by the Canada Mortgage and Housing Corporation in the most recent Rental Market Survey Data Tables for Vancouver for that unit type at the time of the change in tenancy;
- (i) That the applicant will verify eligibility of new tenants for the below-market rental dwelling units, based on the following:
  - (i) For new tenants, annual household income cannot exceed (4) four times the annual rent for the unit (i.e. at least 25% of household income is spent on rent); and

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

Note to Applicant: This condition will be secured by a Section 219 Covenant and a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the *Vancouver Charter* prior to enactment of the rezoning by-law.

- 2.8 Enter into a Section 219 Covenant and/or 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 at the time of submission of the Development Permit Application.
  - (b) Provide a notarized declaration 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 to the satisfaction of the General Manager of Planning, Urban Design and Sustainability 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 to the satisfaction of the General Manager of Planning, Urban Design and Sustainability 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**

2.9 As applicable:

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

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

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

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

\* \* \* \*



**3803-3823 West 10th Avenue**  
**DRAFT CONSEQUENTIAL AMENDMENTS**

**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 maps forming part of Schedule A of the Subdivision By-law:

- (a) PID 010-195-572; Lot 20 Block 183 District Lot 176 Plan 6188;
- (b) PID 010-948-929; Lot 21 Block 183 District Lot 176 Plan 6188; and
- (c) PID 010-948-945; Lot 22 Block 183 District Lot 176 Plan 6188.

\* \* \* \* \*

3803-3823 West 10th 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 Rezoning Engagement Events, Notification and Responses**

	Date	Results
<b>Event</b>		
Virtual open house (City-led)	May 30, 2022 – June 19, 2022	163 participants (aware)* <ul style="list-style-type: none"> <li>• 76 informed</li> <li>• 42 engaged</li> </ul>
<b>Public Notification</b>		
Postcard distribution – Notice of rezoning application and virtual open house	May 26, 2022	979 notices mailed
<b>Public Responses</b>		
Online questions	May 30, 2022 – June 19, 2022	10 submittals
Online comment forms <ul style="list-style-type: none"> <li>• Shape Your City platform</li> </ul>	May 2022 – February 2023	60 submittals
Overall position <ul style="list-style-type: none"> <li>• support</li> <li>• opposed</li> <li>• mixed</li> </ul>	May 2022 – February 2023	59 submittals <ul style="list-style-type: none"> <li>• 30 responses</li> <li>• 21 responses</li> <li>• 8 response</li> </ul>
Other input	May 2022 – February 2023	No submittals

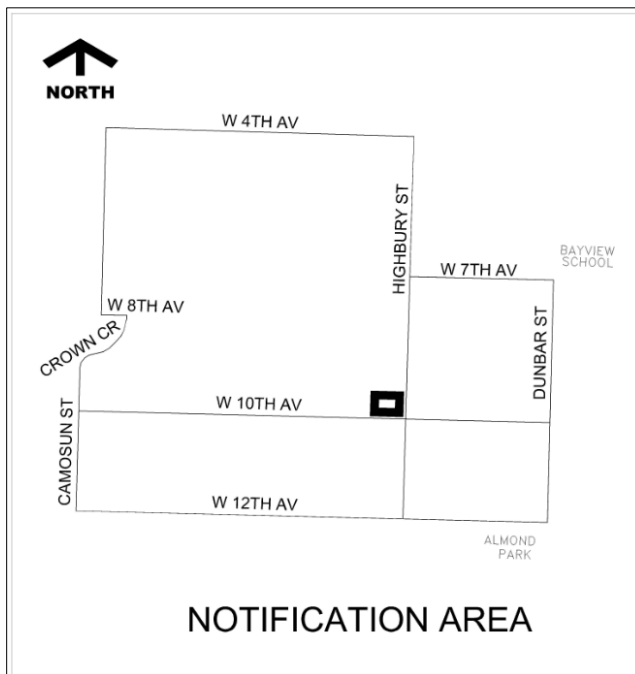
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	May 2022 – February 2023	692 participants (aware)* <ul style="list-style-type: none"> <li>• 200 informed</li> <li>• 67 engaged</li> </ul>

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 an analysis of all public feedback by topic.

Generally, comments of support fell within the following areas:

- **Rental housing:** This development will create rental opportunities and contribute towards much needed rental stock and affordable rental housing.
- **Uses and neighborhood context:** The proposed ground floor commercial and proposed form and massing fits the neighborhood.
- **Location:** This development will add rental housing that is close to arterial routes and transit routes.
- **Neighborhood growth and vitality:** This development will help to revitalize the community.

Generally, comments of concern fell within the following areas:

- **Height, Massing, Density and Form:** The proposed height, form and massing does not fit the existing single-family neighbourhood. Concern with the lack of drawings and detail regarding proposed form of development.
- **Neighbourhood Context:** The development will cause shadowing of neighbouring properties, will block views, and be the cause of crowding, noise, pollution, and a loss of privacy.
- **Parking and Traffic:** This development generate further traffic and congestion in an already-busy area.

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:*

- More density and building height is supported.

*Neutral comments/suggestions/recommendations:*

- The rezoning process should be faster for affordable housing.
- The rezoning application process should disclose more detail and form of development.

\* \* \* \* \*

**3803-3823 West 10<sup>th</sup> Avenue**  
**SUMMARY OF TENANT RELOCATION PLAN TERMS**

<b>Tenant Relocation and Protection Requirements</b>	<b>Tenant Relocation Plan Offer</b>
Financial Compensation	<ul style="list-style-type: none"> <li>• 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"> <li>○ 4 months' rent for tenancies up to 5 years;</li> <li>○ 5 months' rent for tenancies over 5 years and up to 10 years;</li> <li>○ 6 months' rent for tenancies over 10 years and up to 20 years;</li> <li>○ 12 months' rent for tenancies over 20 years and up to 30 years;</li> <li>○ 18 months' rent for tenancies over 30 years and up to 40 years; and</li> <li>○ 24 months' rent for tenancies over 40 years.</li> </ul> </li> </ul>
Notice to End Tenancies	<ul style="list-style-type: none"> <li>• Applicant has indicated that they entered into fixed term lease with the eligible tenant that ends June 30, 2023 therefore the 4 month notice does not apply.).</li> </ul>
Moving Expenses (flat rate or arrangement of an insured moving company)	<ul style="list-style-type: none"> <li>• A flat rate of \$750 or \$1000 will be provided to all eligible tenants depending on the type of unit.</li> </ul>
Assistance in Finding Alternate Accommodation (3 options)	<ul style="list-style-type: none"> <li>• Staff have distributed tenant needs assessment surveys. These surveys will be used in relocation efforts and to identify tenants' needs and preferences.</li> <li>• Applicant has committed to monitor rental market and provide tenants requesting assistance with three options in Vancouver that best meet the tenants' identified priorities.</li> </ul>
Additional Support for Low Income Tenants or Tenants Facing Other Barriers to Appropriate Housing	<ul style="list-style-type: none"> <li>• 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.</li> </ul>
First Right of Refusal (if applicable)	<ul style="list-style-type: none"> <li>• The applicant has committed to offering eligible tenant the right of first refusal at a 20% discount off starting rents in similar units in the new development once completed or one of the below-market rental units, subject to eligibility. Any subsequent rent increases for returning tenants will be in line with the Residential Tenancy Act.</li> </ul>

\* \* \* \* \*

**3803-3823 West 10th Avenue  
PUBLIC BENEFITS SUMMARY**

**Project Summary**

Rezoning to RR-3B District to facilitate a mixed-use development with a minimum of 20% of residential floor area secured as below-market rental units.

**Public Benefit Summary:**

The proposal would provide secured market and below-market rental units and would generate a DCL contribution.

	<b>Base Zoning</b>	<b>Proposed Zoning</b>
Zoning District	RS-1	RR-3B
FSR of Base Zoning and FSR of Base Density (site area = 1,726 sq. m / 18,578 sq. ft.)	0.70	3.50 (including minimum of 0.35 for non-dwelling uses)
Floor Area	1,208 sq. m (13,002 sq. ft.)	6,041 sq. m (65,0234 sq. ft.)
Land Use	Residential	Residential Rental, Cultural and Recreational, Institutional, Office, Retail, Service

**Summary of development contributions anticipated under proposed zoning**

City-wide DCL <sup>1,2</sup>	\$120,928
Utilities DCL <sup>1</sup>	\$735,709
<b>TOTAL</b>	<b>\$856,637</b>

**Other benefits (not-quantified components):** All residential units to be rental housing (non-stratified) and no less than 20% of the residential floor area as below-market rental units all secured for the longer of 60 years and the life of the building.

<sup>1</sup> 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 City's [DCL Bulletin](#) for more details.

<sup>2</sup> This application has requested and is expected to be eligible for a Class A (100%) waiver of the City-wide DCLs applicable to the residential portion of the building. The value of the anticipated City-wide DCL waiver is estimated at \$1,171,616. The application is therefore subject to the maximum average starting rents and unit sizes by unit type applicable to "class A for-profit affordable rental housing" as per the By-law. These requirements will be secured by a Housing Agreement, and compliance will be assessed through the development permit stage to occupancy permit issuance.

**3803-3823 West 10th Avenue**  
**APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

**Property Information**

<b>Address</b>	<b>Property Identifier (PID)</b>	<b>Legal Description</b>
3803 West 10th Avenue	010-948-945	Lot 22 Block 183 District Lot 176 Plan 6188;
3815 West 10th Avenue	010-948-929	Lot 21 Block 183 District Lot 176 Plan 6188;
3823 West 10th Avenue	010-195-572	Lot 20 Block 183 District Lot 176 Plan 6188;

**Applicant Information**

Applicant / Property Owner	Sightline Properties (Highbury Street) Ltd.
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**Site Statistics**

Site Area	1,726 sq. m (18,578 sq. ft.); Site dimensions 50 m (154 ft.) x 30 m (108 ft.)
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**Development Statistics**

	<b>Permitted Under Existing Zoning</b>	<b>Development Permitted Under Proposed Zoning</b>
Zoning	RS-1	RR-3B
Uses	Residential	Residential Rental, Cultural and Recreational, Institutional, Office, Retail, Service
Maximum Density	0.70	3.50 FSR (including minimum of 0.35 for non-dwelling uses)
Floor Area	1,208 sq. m (13,002 sq. ft.)	Up to 6,041 sq. m (65,0234 sq. ft.)
Height	Up to 3 storeys 9.5 m (31 ft.)	Up to 6 storeys (at the street): 22.0 m (72 ft.)
Unit Mix	n/a	as per RR-3B 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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