



## REFERRAL REPORT

Report Date: May 30, 2023  
Contact: Yardley McNeill  
Contact No.: 604.873.7582  
RTS No.: 15783  
VanRIMS No.: 08-2000-20  
Meeting Date: June 13, 2023

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: Rezoning: 3539 Hull Street

### **RECOMMENDATION TO REFER**

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

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

### **RECOMMENDATION FOR PUBLIC HEARING**

- A. THAT the application by Jitendar Jagpal, on behalf of 1153268 B.C. LTD.<sup>1</sup>, the registered owner of the land located at 3539 Hull Street [*PID 014-911-558; Lot 6 Except the West 10 Feet Now Lane Block 14 District Lot 195 Plan 1242*], to rezone the land from RS-1 (Residential) District to RR-1 (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.

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<sup>1</sup> Beneficially owned and controlled by Jitendar Jagpal.

- 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-1 (Residential Rental) District, for the site located at 3539 Hull Street. The amendment would allow for three-storey rental townhouses 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-1 District Schedule (2022)
- Residential Rental Districts Schedules Design Guidelines (2022)
- Housing Needs Report (2022)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992, last amended 2022)
- Tenant Relocation and Protection Policy (2019)

- Green Buildings Policy for Rezonings (2010, last amended 2022)
- Urban Forest Strategy (2014, amended 2018)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183

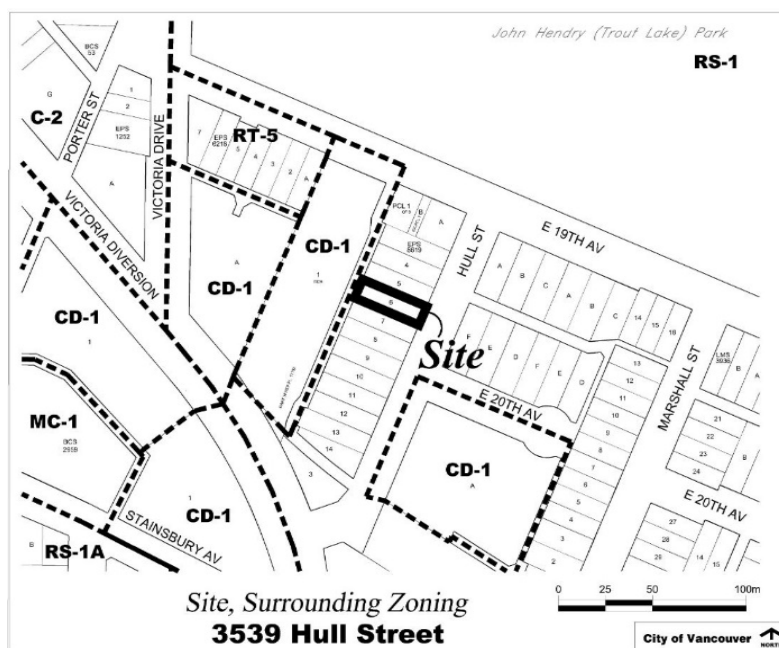
## REPORT

### Background/Context

#### 1. Site and Context

The subject site (see Figure 1) is comprised of one legal parcel fronting Hull Street. The total site area is approximately 396.8 sq. m (4,271 sq. ft.), with a frontage of 10.7 m (35 ft.) along Hull Street and a depth of 37.2 m (122 ft.).

Figure 1: Location Map – Site and Context



The surrounding area includes properties zoned for single and multiple dwelling uses under RS and RT District Schedules. In addition, there are a number of CD-1 zones that allow for a variety of uses including seniors supportive housing and mixed-use developments with commercial and residential uses. The site is currently zoned RS-1 and developed with one single-detached home constructed in 1918. The property is not listed on the *Vancouver Heritage Register*. The property contains two 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 criteria under *SRP* for three-storey 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)*. The strategy 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 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.

Under the *SRP*, this site is located on an eligible local road and is only able to rezone to RR-1 as the site does not meet the minimum frontage and site area requirements of the RR-2A District Schedule. This site is not eligible for a mixed-use development.

The RR-1 District Schedule permits townhouses and small multiplexes up to four-storeys in height and 1.45 FSR. The height and density are determined by the frontage of the assembly which can range from 10.0 m (33 ft.) to 40.2 m (132 ft.). The schedule also requires 35% of the units to be for families and include two bedrooms or more. Applicable to sites located on local streets, the size of assemblies are limited so that change is incremental and fits with the existing low scale building context.

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-1 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-1 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 new three-storey rental townhouses 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 December 31, 2022<sup>1</sup>**

Housing Type	10-Year Targets	Units Approved Towards Targets <sup>2</sup>
Purpose-Built Secured Rental Units	20,000	13,041 (65%)

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 2022, the purpose-built apartment vacancy rate was 0.9% in Vancouver. The vacancy rate (based on the CHMC Market Rental Survey) for the Kensington-Cedar Cottage neighbourhood, which this site is located, is 0.5%. 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-1 zoning designation would only permit residential uses that are secured as Residential Rental Tenure, and no strata or other ownership tenure 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.

**Tenants** – The rezoning site contains existing rental residential uses, including two units of secondary rental housing. As the subject site does not involve the consolidation of two or more property lots, the City's *Tenant Relocation and Protection Policy* does not apply. All residential tenancies are protected under the provincial Residential Tenancy Act.

### 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 the replacement of the existing driveway crossing on Hull Street with a new sidewalk and boulevard, reconstructed asphalt pavement along the site's frontage, and installation of new regulatory parking signage on streets adjacent to the site. 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*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.

## 5. Public Input

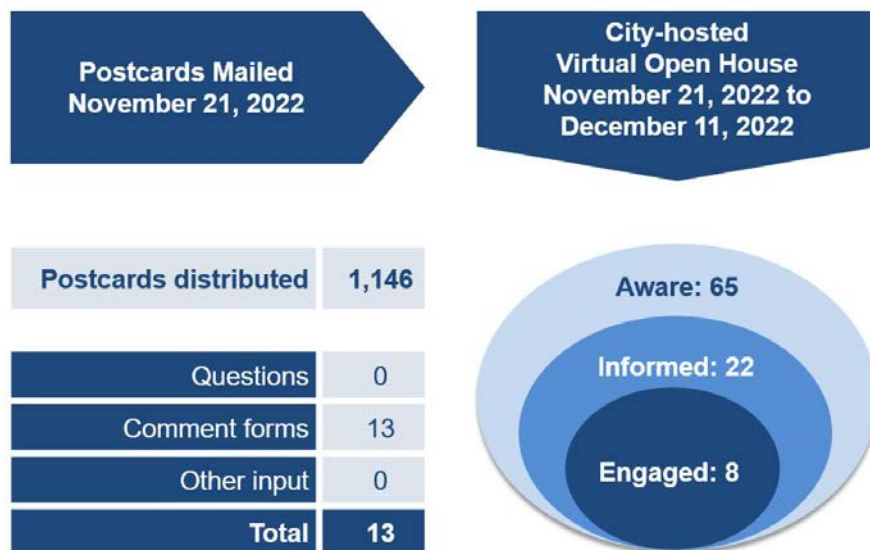
A rezoning information sign was installed on the site of this rezoning application on November 4, 2022. Approximately 1,146 notification postcards were distributed within the neighbouring area on or about November 21, 2022. Notification, application information, and an online comment form was provided 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. 65 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 13 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:

- **Housing and density:** More housing for the missing middle is welcomed and it's good to see an increase in density on local roads.

Generally, comments of concern fell within the following areas:

- **Affordability:** There are concerns that the rental units will not be affordable.
- **Tenants:** There are concerns about the displacement of the current tenants on the property.

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

**Affordability:** The applicant has requested a waiver of a portion of the City-wide Development Cost Levies (DCLs), as a result, the proposed rents will be subject to the maximum average starting rents in accordance with the Vancouver Development Cost Levy By-law.

**Tenants:** Although the City's *Tenant Relocation and Protection Policy* does not apply to existing tenants in "secondary" rentals where the proposed redevelopment is located on a single site, the existing tenancies continue to be protected under the BC Residential Tenancy Act which includes specific provisions regarding termination of tenancies. Any disputes would be resolved through the Residential Tenancy Branch.

## **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-1 which only allows up to three 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 has requested and is expected to be eligible for a Class B (86.24%) waiver of the City-wide DCLs, in accordance with the Vancouver Development Cost Levy By-law. The value of the waiver is estimated to be \$17,113. The application is therefore subject to maximum average starting rents and unit sizes by unit type applicable to "class B 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.

Based on the rates in effect as of September 30, 2022 it is estimated that the project will pay \$14,472 of DCLs should it achieve the maximum 1.00 FSR.

**Public Art Program** – No public art contribution is applicable to this rezoning as the proposed floor area 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 E.

## ***Financial Implications***

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

## **CONCLUSION**

Staff have reviewed the application to rezone 3539 Hull Street from RS-1 to RR-1 to facilitate the delivery of secured rental housing. The location complies with the provisions of the RR-1



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.

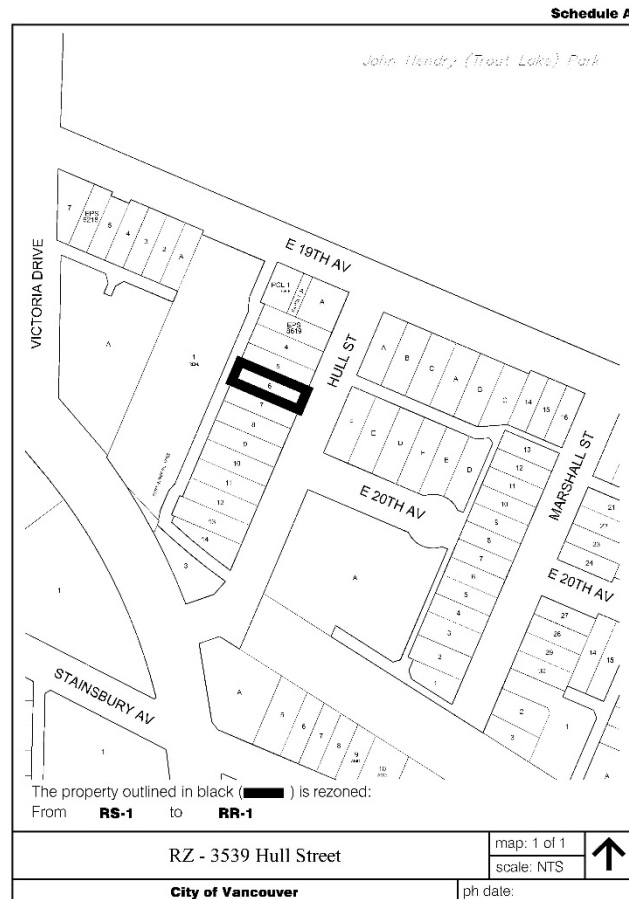
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**3539 Hull Street  
PROPOSED BY-LAW AMENDMENTS**

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

**Zoning District Plan Amendment**

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



\* \* \* \* \*

**3539 Hull Street  
CONDITIONS OF APPROVAL**

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

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

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

**Sustainability**

- 1.1 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning*s (amended May 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*s – *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); and
  - (c) A balcony for each family-size unit with 1.8 by 2.7 m minimum dimensions (section 4.3.2).

## Engineering

- 1.4 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- 1.5 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.
- 1.6 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.
- 1.7 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) Dimensions for typical parking spaces;
  - (f) Dimensions of additional setbacks for parking spaces due to columns and walls;
  - (g) Dimensions of 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) Areas of minimum vertical clearances labelled on parking levels;

- (j) 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.

- (k) 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.

- (l) Existing street furniture including bus stops, benches etc. to be shown on plans; and

- (m) The location of all poles and guy wires to be shown on the site plan.

1.8 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 19, 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) A.6. All units should be metric.
- (b) 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: The RWMP report should clearly summarize the Rainwater Management volume reduction criteria and demonstrate how it has been met through the proposed design.

Note to Applicant: Provide relevant supporting design details for any proposed green roof systems at the development permit (DP) stage.

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

- c) 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: The RWMP report should clearly describe Rainwater Management water quality criteria and demonstrate how it has been met through the proposed 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 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.
- d) 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: The RWMP report should clearly describe Rainwater Management release rate criteria and demonstrate how it has been met through the proposed design.

Note to Applicant: Provide supporting peak flow and storage sizing calculations for pre and post-development conditions at the DP stage.

- e) C.4. Provide justification for not prioritizing Tier 1 or 2 approaches, and specify the alternate system to meet requirements;

Note to Applicant: Best efforts shall be made to prioritize Tier 1 or 2 approaches to meet volume reduction requirement. Otherwise, justification shall be provided and alternate system shall be specified to meet requirements.

- f) 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 landscape plan that supports the use of the landscape area or feature as a rainwater management practice. Coordination with the landscape architect for soil storage capacities will be required to support this proposal.

Note to Applicant: Provision of a routing/grading plan to support the proposal of directing roof areas into adjacent landscaping. Identify the specific areas to be directed to receiving landscape planters and ensure the receiving planters are appropriately sized and have designed overflows to the storm drainage system.

Note to Applicant: Ensure that infiltration not proposed within 5 metres of any building structures consistent with the *Siting Requirements for On-Site Infiltration Systems Bulletin*.

- g) C.7. Provide 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 take off for all different land use surface types within the site limits; and delineated catchments to demonstrate BMPs are appropriately sized;

Note to Applicant: A post-development site plan was not provided with the Rezoning Rainwater Management Plan submission.

Note to Applicant: Indicate the preliminary proposed storm connection location and invert on the site plan.

Note to Applicant: Provide a preliminary stage-storage-discharge (SSD) table for the proposed detention tank including elevations, depths, storage volumes and release rates at key elevations throughout the detention storage. Label the proposed outlet invert, emergency overflow and design event storage elevation on the SSD table.

- h) C.8. Provide a schematic sketch or detail demonstrating how the overall rainwater management system is hydraulically connected with each other and the proposed tie-in to the municipal service connection; and
- i) 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](#).

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](mailto:rainwater@vancouver.ca).

- 1.9 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.
- 1.10 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.
- 1.11 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.
- 1.12 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.

Note to Applicant: The abandonment plan is required to be reviewed and accepted by the City Engineer prior to issuance of the Sewer Permit.
- 1.13 Building Grade application has not been initiated for this site yet. Building grades are required to be finalized prior to development permit application.
- 1.14 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.

- 1.15 The following to be 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 and Major Projects and/or your Engineering, Building Site Inspector for details.

## **PART 2: CONDITIONS OF BY-LAW ENACTMENT**

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

### **Engineering**

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

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 O.K.AI Milli, P.Eng dated September 16, 2022, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 200 mm along Hull Street. 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.

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 required to meet the demands of the project;
  - (i) Implementation of development at 3539 Hull Street require the following in order to maintain acceptable sanitary sewer flow conditions.

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.

Note to Applicant: Development to be serviced to the existing 200 mm sanitary sewer and existing 375 mm storm sewer at 3539 Hull Street.

- (c) Provision to reconstruct Hull Street asphalt pavement along the development site's frontage per City "Higher-zoned Street" pavement structure specifications;
  - (d) Provision for the removal of the existing driveway crossing on Hull Street and replace with sidewalk and boulevard to City standards; and
  - (e) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
- 2.2 Provision of all third party utility services (e.g., BC Hydro, Telus and Shaw) to be underground. BC Hydro service to the site shall be primary.
- 2.3 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

- 2.4 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant securing all residential units as for-profit affordable housing units, excluding Senior's Supportive or Assisted Housing, for a term equal to the longer of 60 years and life of the building, subject to the following conditions and requirements:
- (a) A no separate-sales covenant is required;
  - (b) A no stratification covenant is required;

- (c) None of the units are to be rented for less than one month at a time;
- (d) A rent roll is to be provided indicating the agreed initial monthly rents for each rental unit when the Housing Agreement is entered into, and prior to development permit issuance and DCL calculations during the building permit application review process and/or at such other times as determined by the General Manager of Planning, Urban Design and Sustainability;
- (e) The average initial starting monthly rents for each unit type will be at or below the rents as determined in Section 3.1A(e) of the Vancouver Development Cost Levy By-law, as amended from time to time, and if applicable subject to adjustment as contemplated by Section 3.1B(d) of the Vancouver Development Cost Levy By-law;
- (f) That the average size of each unit type is at or below the limit as contemplated by the Vancouver Development Cost Levy By-law:

Unit Type	Maximum Average Unit Size
Studio	42 sq. m (450 sq.ft.)
1-bed	56 sq. m (600 sq.ft.)
2-bed	77 sq. m (830 sq. ft.)
3-bed	97 sq. m (1,044 sq. ft.)

- (g) A final rent roll is to be provided, prior to issuance of an occupancy permit, to the satisfaction of General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services.

### **Environmental Contamination**

2.5 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.

\* \* \* \* \*

**3539 Hull Street**  
**DRAFT CONSEQUENTIAL AMENDMENT**

**DRAFT AMENDMENT TO THE SUBDIVISION BY-LAW NO. 5208**

Council amends Schedule A of the Subdivision By-law in accordance with the plan labelled Schedule A and attached to and forming part of this by-law, by deleting Lot 6 Except the West 10 Feet Now Lane Block 14 District Lot 195 Plan 1242, PID: 014-911-558 from the RS-1 maps forming part of Schedule A of the Subdivision By-law.

\* \* \* \* \*

3539 Hull Street  
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
<b>Event</b>		
Virtual open house (City-led)	November 21 to December 11, 2022	65 participants (aware)* <ul style="list-style-type: none"> <li>• 22 informed</li> <li>• 8 engaged</li> </ul>
<b>Public Notification</b>		
Postcard distribution – Notice of rezoning application and virtual open house	November 21, 2022	1,146 notices mailed
<b>Public Responses</b>		
Online questions	November 21 to December 11, 2022	0 submittals
Online comment forms <ul style="list-style-type: none"> <li>• Shape Your City platform</li> </ul>	October 2022 – March 2023	13 submittals
Overall position <ul style="list-style-type: none"> <li>• support</li> <li>• opposed</li> <li>• mixed</li> </ul>	October 2022 – March 2023	12 submittals <ul style="list-style-type: none"> <li>• 6 responses</li> <li>• 4 responses</li> <li>• 2 responses</li> </ul>
Other input	October 2022 – March 2023	0 submittals

Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	October 2022 – March 2023	218 participants (aware)* <ul style="list-style-type: none"> <li>• 46 informed</li> <li>• 13 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 a summary of feedback received from the public by topic.

Generally, comments of support fell within the following areas:

- **Housing and density:** More housing for the missing middle is welcomed and it's good to see an increase in density on local roads.

Generally, comments of concern fell within the following areas:

- **Affordability:** There are concerns that the rental units will not be affordable.
- **Tenants:** There are concerns about the displacement of the current tenants on the property.

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:*

- The height and density of the proposal is appropriate for the location.

*General comments of concern:*

- The proposal does not provide enough information (eg. form of development).

*Neutral comments/suggestions/recommendations:*

- Shorten the setbacks in the front yard to allow for more backyard space.
- This area should be rezoned to RR-1 in order to simplify the process to develop this type of housing in the area.
- The City should add sidewalks to both sides of Hull Street.

\* \* \* \* \*



3539 Hull Street  
PUBLIC BENEFITS SUMMARY

**Project Summary**

Rezoning to RR-1 District to facilitate secured rental housing.

**Public Benefit Summary:**

The project would provide secured market rental units and would generate a DCL contribution.

	Base Zoning	Proposed Zoning <sup>1</sup>
Zoning District	RS-1	RR-1
FSR of Base Zoning and FSR of Base Density (site area = 369.8 sq. m / 4,271 sq. ft.)	0.70	1.00
Floor Area	277.8 sq. m (2,990 sq. ft.)	396.8 sq. m (4,271 sq. ft.)
Land Use	Residential	Residential Rental

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

City-wide DCL <sup>1,2</sup>	\$2,731
Utilities DCL <sup>1</sup>	\$11,741
<b>TOTAL</b>	<b>\$14,472</b>

**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.

<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 B (86.24%) waiver of the City-wide DCLs. The value of the anticipated City-wide DCL waiver is estimated at \$17,113. The application is therefore subject to the maximum average starting rents and unit sizes by unit type applicable to "class B 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.

**3539 Hull Street  
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

**Property Information**

Address	Property Identifier (PID)	Legal Description
109 East 40th Avenue	014-911-558	Lot 6 Except the West 10 Feet Now Lane, Block 14, District Lot 195, Plan 1242

**Applicant Information**

Applicant	1153268 B.C. LTD.
Property Owner	1153268 B.C. LTD., INC.NO. BC1153268

**Site Statistics**

Site Area	396.8 sq. m (4,271 sq. ft.); Site dimensions 10.7 m (35 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-1
Uses	Residential	Residential Rental
Maximum Density	0.70 FSR	Up to 1.00 FSR
Floor Area	277.8 sq. m (2,990 sq. ft.)	Up to 396.8 sq. m (4,271 sq. ft.)
Height	10.7 m (35 ft.)	Up to 3 storeys and 11.5 m (38 ft.)
Unit Mix	n/a	as per RR-1 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	

\* \* \* \* \*