



REFERRAL REPORT

Report Date: October 31, 2023
Contact: Bryan Wong
Contact No.: 604.707.5420
RTS No.: 16005
VanRIMS No.: 08-2000-20
Meeting Date: November 14, 2023

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 8120-8168 Lord Street and 540 West 65th Avenue

RECOMMENDATION TO REFER

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

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

RECOMMENDATION FOR PUBLIC HEARING

- A. THAT the application by Francl Architecture Inc. on behalf of Lord Street Holdings Ltd., the registered owner of the lands located at 8120-8168 Lord Street and 540 West 65th Avenue [*Lots 13 to 18 of Lot X Blocks 1 and 2 District Lot 311 Plan 8548; PIDs 010-042-784, 005-405-181, 010-042-831, 010-042-881, 010-042-911, and 010-042-946*], to rezone the lands from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 0.70 to 2.88 and the maximum building height from 11.5 m (38 ft.) to 20.7 m (68 ft.), to permit the development of two six-storey residential buildings containing 146 secured-rental units, of which five units will be secured as below-market rental units, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Francl Architecture Inc., received October 7, 2022, provided

that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B.

- B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.
- C. THAT subject to approval of the CD-1 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 CD-1 By-law.

- D. THAT Recommendation 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, and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

This report evaluates an application to rezone 8120-8168 Lord Street and 540 West 65th Avenue to a CD-1 (Comprehensive Development) District for two six-storey residential buildings consisting of 146 secured-market rental units, of which five units would be below-market rental.

The application meets the intent of the *Cambie Corridor Plan* ("Plan"). Staff recommend that the application be referred to 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 in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)
- Cambie Corridor Plan (2018, last amended 2023)

- Cambie Corridor Public Realm Plan (2018)
- Marpole Community Plan – Public Benefits Strategy (2014, last amended 2021)
- Housing Needs Report (2022)
- Housing Vancouver Strategy (2017)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992, last amended 2020)
- Community Amenity Contributions Policy for Rezoning (1999, last amended 2023)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183
- Tenant Relocation and Protection Policy (2015, last amended 2019)
- Green Buildings Policy for Rezoning (2010, last amended 2023)
- Urban Forest Strategy (2014, last amended 2018)

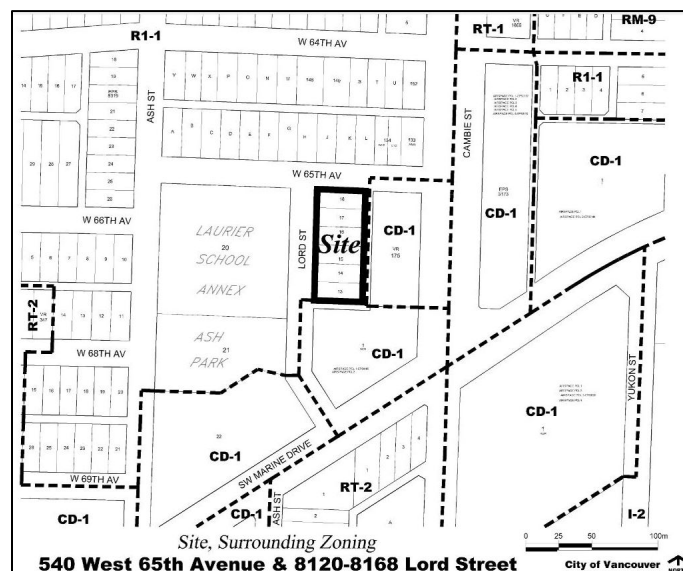
REPORT

Background/Context

1. Site and Context

The subject site is zoned R1-1 and located on the southeast corner of Lord Street and West 65th Avenue (Figure 1). The property consists of a six-lot assembly with a frontage of 43.9 m (276 ft.) along Lord Street and a depth of 36.0 m (120 ft.) along 65th Avenue. The total site area is 3,080.0 sq. m (33,153 sq. ft.) and is developed with six single-detached houses built in 1964 and 2002, all currently rented. As the application involves consolidation of two or more lots with secondary rental units, the *Tenant Relocation and Protection Policy* applies.

Figure 1: Location Map – Site and Context



The surrounding area contains a mix of uses and is undergoing significant change, with new buildings approved or under construction. East of the site is a townhouse development and two residential towers of 31- and 25-stories fronting Cambie Street. South of the site is a mixed-use development up to 31 stories, the YMCA 37-space childcare facility and the YMCA Marpole

Family Place. On the southeast corner of Cambie Street and Marine Drive is the mixed-use Marine Gateway development which comprises of the Canada Line Station, Translink bus loop, and two residential towers of 35- and 26-storeys. West of the site is the École des Colibris, Ash Park and the Vera Housing Co-operative.

Neighbourhood Amenities – The following amenities are within close proximity:

- *Parks*: Ash Park (80 m) and Winona Park (600 m);
- *Cultural/Community Spaces*: Marpole Oakridge Family Place (100 m) and Marpole-Oakridge Community Centre (1.4 km); and
- *Childcare*: Marpole YMCA Child Care Centre (100 m), Kids at Marine YMCA Child Care Centre (400 m), School Age Child Care at Sexsmith Elementary School (1.3 km) and Marpole Oakridge Day Care Society (1.4 km).

Local School Capacity – The site is within the catchment area of Sir Wilfrid Laurier Elementary School and Sir Winston Churchill Secondary School. According to the Vancouver School Board (VSB)'s *2020 Long Range Facilities Plan*, Sir Wilfrid Laurier Elementary will be operating above capacity and Sir Winston Churchill Secondary will be operating below capacity in the coming years, with a utilization rate at 105% and 93% respectively by 2031.

The VSB report notes that overall enrolment trends for the wider area are changing. The VSB continues to explore options to reduce pressure on schools in this area, monitor development, and work with City staff to help plan for future growth.

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 *Plan* will serve as a framework with further implementation planning work to follow over the next two to four years. The site is located within the *Cambie Corridor Plan* area which is generally in alignment with the *Vancouver Plan*.

Cambie Corridor Plan (“Plan”) – The site is within the “Marine Landing” neighbourhood of the *Plan*. Subsection 4.5.5.1 considers rezoning for a residential building up to six storeys and a floor space ratio (FSR) up to 2.5 based on urban design performance. An additional partial floor for co-located common outdoor and indoor amenity space is also permitted.

Housing Needs Report – On April 27, 2022, Council resolved at a public meeting to receive a [Housing Needs Report](#) (HNR) prepared by staff. Further to the BC Provincial government's requirement, Council must consider the 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. Proposal

The rezoning proposal is for two six-storey residential buildings containing 146 secured-market

rental units, of which five units would be secured as below-market rental (Figure 2). The building height is 20.7 m (68 ft.) with a floor space ratio (FSR) of 2.88. Ground-level units front onto Lord Street with underground parking and loading accessed from the lane.

Figure 2: Perspective from Lord Street and West 65th Avenue Looking Southeast



2. Land Use

The proposed residential use is consistent with the *Plan*.

3. Form of Development, Height and Density (Drawings in Appendix E and statistics in Appendix H)

In assessing urban design performance, staff considered the built form expectations of the *Plan*.

Form of Development – The *Plan* anticipates two buildings with a depth of 21.3 m (70 ft.) and a four-storey streetwall. The application proposes a building depth of 27.0 m (89 ft.) and a four-storey streetwall to maximize circulation efficiency and the delivery of below-market rental units. The *Plan*'s prescribed building depth is intended to ensure adequate provision of natural light and ventilation within dwelling units. While the proposed depth exceeds the policy, the dwelling units have been oriented such that they provide natural light and ventilation and as such, the depth is supported by staff.

Height – The *Plan* specifies a maximum building height of six storeys and an additional partial storey above for common indoor and outdoor amenity space, stepped back to reduce its appearance. The six-storey height of 20.7 m (68 ft.) is consistent with the *Plan*'s expectations. Staff have included a condition for the applicant to consider the provision of a co-located, rooftop indoor and outdoor amenity spaces. The CD-1 By-law includes additional height to accommodate a potential partial storey, limited to 24.4 m (80 ft.).

Density – The *Plan* estimates a density of up to 2.5 FSR and recognizes a development may fall within, below, or above the FSR. The proposed FSR of 2.88 is supported for the delivery of additional rental units as the application generally meets the objectives of the *Plan*.

Shadowing – The proposal is not expected to generate shadow impacts on to the adjacent Ash Park and École des Colibris schoolyard during the spring and fall equinoxes, given the modest scale of the development.

Public Realm and Interface – In accordance with the *Plan*, two enhanced open spaces at the northeast and southeast corners, and a lane connector walkway are proposed along the eastern property line (Figure 3). Design development conditions include further enrichment of the public realm by enlarging the enhanced open spaces and exploring strategies to incorporate active play elements, gathering space, and community gardening opportunities.

Figure 3: Proposed Enhanced Open Space from Rear Lane Looking Southwest



Private Amenity Space – The development includes common outdoor amenity space adjacent to indoor amenity space, as well as a children’s play area. Staff have provided a condition to enhance the solar access of the amenity space.

Urban Design Panel – A review by the Urban Design Panel was not required due to the modest scale of the project and its consistency with the expectations of the *Plan*.

Staff reviewed the site-specific conditions, and have concluded that the proposal reflects the *Plan’s* general built form, height and density and is appropriate for the context. Staff support the application subject to the Urban Design conditions detailed in Appendix B.

4. Housing

The *Housing Vancouver Strategy* seeks to deliver a range of housing tenures across the housing continuum. This application would add 146 rental housing units, including five below-market rental units, to the City’s inventory of rental housing, which would contribute to the targets set out in the *Housing Vancouver Strategy*.

Figure 4: Progress Towards 10-Year Housing Vancouver Targets for Purpose-Built Market and Developer-Owned Below-Market Rental Housing as of June 30, 2023

| Housing Type | Category | 10-Year Targets | Units Approved Towards Targets |
|---|-------------------------------------|-----------------|--------------------------------|
| Purpose-Built Market Rental Housing Units | Market Rental | 16,000 | 13,827 (86%) |
| | Developer-Owned Below-Market Rental | 4,000 | 1,453 (36%) |
| | Total | 20,000 | 15,280 (76%) |

*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 Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the Marpole area, which this site is located, was 0.4%. A vacancy rate of between 3% and 5% is considered to represent a balanced market.

Housing Mix – The *Family Room: Housing Mix Policy for Rezoning Projects* policy requires a minimum of 35% family units. This application proposes 34% family units in a mix of two-bedroom and three-bedroom units, thereby not meeting the policy. The CD-1 By-law and a condition of rezoning are included to increase the family unit mix to 35%, and ensure a minimum of 35% family units for both the below-market and market rental units. These units must be designed in accordance with the *High Density Housing for Families with Children Guidelines*.

Average Rents and Income Thresholds – Figure 5 below sets out the proposed average starting rents for the below-market units. These starting rents are applicable for the five below-market units and will be targeted to moderate income households.

Average market rents in newer rental buildings on the west side are also shown in Figure 5 below. The market rental housing component will provide options that are more affordable than home ownership, as illustrated in Figures 5 and 6.

Figure 5: Below-Market Unit Average Rents, Market Rents in Newer Buildings and Household Incomes Served

| | Below-Market Units Average Starting Rents (2023) ¹ | Annual Household Income Served in Below Market Unit | Average Market Rent in Newer Buildings – Westside (CMHC, 2022) ² | Annual Household Income Served in Market Rental for Newer Buildings |
|--------|---|---|---|---|
| Studio | \$1,135 | \$45,408 | \$1,938 | \$77,520 |
| 1-bed | \$1,303 | \$52,128 | \$2,209 | \$88,360 |
| 2-bed | \$1,818 | \$72,704 | \$3,411 | \$136,440 |
| 3-bed | \$2,447 | \$97,888 | \$4,426 | \$177,040 |

1. Starting rents shown are based on 20% below CMHC City-wide average rents.

2. Data from October 2022 CMHC Rental Market Survey for buildings completed in 2013 or later on the Westside of Vancouver.

Figure 6: Cost of Ownership and Household Incomes Served

| | Monthly Costs of Ownership for Median-Priced Apartment with 20% down-payment – Westside (BC Assessment 2021) ¹ | Annual Income Required to Afford Monthly Costs for Apartment Ownership – Westside | Down-payment at 20% – Westside Apartment |
|--------|---|---|--|
| Studio | \$2,837 | \$113,480 | \$106,000 |
| 1-bed | \$3,473 | \$138,920 | \$132,000 |
| 2-bed | \$5,193 | \$207,720 | \$198,400 |
| 3-bed | \$7,982 | \$319,280 | \$311,890 |

1. Based on the assumptions: Median of all BC Assessment strata apartment sales prices in Vancouver Westside in 2021 by unit type, 20% down-payment, 5% mortgage rate (in-line with qualifying rate), 25-year amortization, \$250-\$350 monthly strata fees and monthly property taxes at \$2.92 per \$1,000 of assessed value (2021 assessments and property tax rate).

Security of Tenure – Purpose-built rental housing offers rental housing and security of tenure, unlike rented condominiums or basement suites in the secondary rental market. All units in the proposal would be secured through a Housing Agreement and Section 219 Covenant for the longer of 60 years or the life of the building. Covenants will be registered on title to prohibit the stratification and/or separate sale of individual units.

The Housing Agreement will secure the five below-market units. Conditions related to securing the units are contained in Appendix B.

Tenants – The rezoning site contains existing rental residential uses, including secondary rental housing. However there are no eligible tenants as defined under the City's *Tenant Relocation and Protection Policy* (TRPP). All residential tenancies are protected under the provincial Residential Tenancy Act.

If any eligible tenants are identified through the City's regulatory approvals process, the applicant will be required to provide a Tenant Relocation Plan (TRP) that meets the City's TRPP.

5. Transportation and Parking

The site is well-served by transit, located two blocks northwest of the Marine Drive Canada Line Skytrain station with bus service along Cambie Street and Marine Drive. A bicycle lane is along Cambie Street, and the 64th Avenue bikeway connects to the Heather Street and Ontario Street bikeways.

Vehicle and bicycle parking is provided over two levels of underground parking, accessed from the lane. The application proposes 75 vehicle spaces, 277 bicycle spaces, and one Class B loading space. Parking and loading are to meet the Parking By-law at the development permit stage.

Engineering conditions require public realm improvements along Lord Street and West 65th Avenue. These improvements include new sidewalks, intersection lighting, lane repaving, and the installation of new regulatory parking signage on streets adjacent to the site, as set out in Appendix B.

6. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezoning* requires that rezoning applications satisfy the green and resilient building conditions. The applicant has submitted preliminary modelling analysis to meet the anticipated energy and emissions and embodied carbon targets in the Vancouver Building By-law. Examples include resilient building measures, a commitment to fulfil energy system sub-metering, and enhanced commissioning requirements. Conditions are provided in Appendix B.

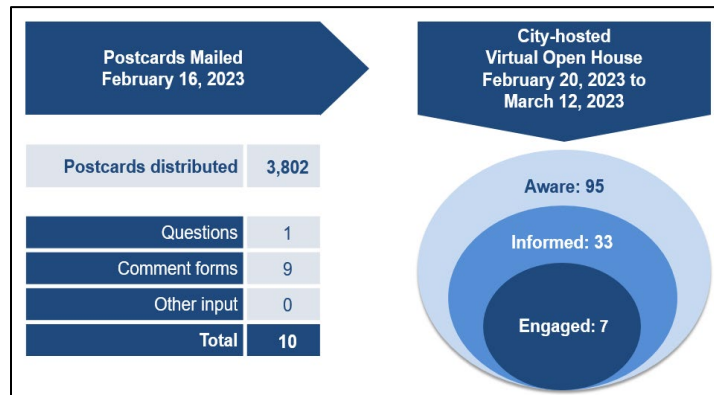
Natural Assets – The *Urban Forest Strategy* seeks to protect and strengthen Vancouver’s urban forest and tree canopy. The Protection of Trees By-law requires permission to remove trees that meet certain conditions in an effort to protect as many healthy, viable trees while still meeting the challenges of development and housing priorities.

Eight City trees are proposed for retention. Twelve on-site trees and four City trees are proposed for removal due to poor condition and conflict with the building footprint. A total of 30 new trees are proposed with removal of trees subject to a landscape plan and arborist report during the development permit process. In addition, green infrastructure strategies to enhance infiltration of rainwater onto impervious surfaces, such as the provision of green roofs, can be found in the Appendix B landscape conditions.

7. Public Input

Public Notification – A rezoning information site sign was installed on February 1, 2023. Approximately 3,802 notification postcards were distributed within the neighbouring area on or about February 16, 2023. Notification, application information, and an online comment form was provided on the City’s *Shape Your City* platform.

Figure 7: Overview of Notification and Engagement



Virtual Open House – A virtual open house was held from February 20 to March 12, 2023 on the Shape Your City platform with an open question and response event posted over a three-week period (Figure 7). The webpage received 95 visitors during this period. A digital model was posted for online viewing.

Public Response – Input was received via online questions, comment forms, by email and phone. A total of 95 visitors accessed the webpage to review the application and ten submissions were received. Below is a summary of feedback and a detailed summary is provided in Appendix D.

Comments of support were related to height, density, and additional rental stock next to transit and amenities. The building design and materials were seen as fitting well within the neighbourhood context. Comments of concern were related to fit in a single-detached neighbourhood, increase in noise and traffic, and lack of commercial and amenity spaces.

8. Public Benefits

Community Amenity Contributions (CAC) – The application is subject to a negotiated CAC. After factoring the costs of securing the 146 rental-housing units including five units of below-market rental, staff have determined no CAC is expected.

Development Cost Levies (DCL) – The site is currently subject to a 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 Development Cost Levy By-law. The value of the waiver is estimated to be \$1,795,014. The application is therefore subject to the maximum average starting rents 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, 2023 and the proposed 8,870.4 sq. m (95,480 sq. ft.) of residential floor area, it is estimated that the project will pay \$1,590,729 in DCLs.

Public Art Program – The application is not subject to the *Public Art Policy and Procedures for Rezoned Developments* as the total floor area is below the minimum threshold of 9,290 sq. m (100,000 sq. ft.).

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

Financial Implications

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

CONCLUSION

The use, height, and density for two six-storey residential rental buildings is consistent with the *Cambie Corridor Plan*. The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing, together with a draft CD-1 By-law as generally shown in Appendix A.

Staff recommend that the by-law be approved, subject to the Public Hearing, along with the conditions of approval listed in Appendix B, including approval in principle of the form of development as shown in plans included as Appendix E.

* * * * *

**8120-8168 Lord Street and 540 West 65th Avenue
PROPOSED CD-1 BY-LAW PROVISIONS**

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

Zoning District Plan Amendment

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

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

Designation of CD-1 District

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

Definitions

3. Words in this CD-1 by-law have the meaning given to them in the Zoning and Development By-law, except that:
 - (a) "Below-Market Rental Housing Units" means dwelling units that meet the requirements of approved Council policies and guidelines for Below Market Rental Housing, as secured by a housing agreement registered on title to the property.

Uses

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

Conditions of Use

- 5.1 A minimum of five of the total dwelling units must be below-market rental housing units.
- 5.2 The design and layout of at least 35% of the total number of below-market rental units and at least 35% of the total number of other dwelling units must:

- (a) be suitable for family housing; and
- (b) have 2 or more bedrooms.

Floor Area and Density

- 6.1 Computation of floor area must assume that the site area is 3,080.0 m², being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.
- 6.2 The maximum floor space ratio for all uses combined is 2.88.
- 6.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 6.4 Computation of floor area must exclude:
 - (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that:
 - (i) the total floor area of these exclusions must not exceed 12% of the permitted floor area; and
 - (ii) the balconies must not be enclosed for the life of the building;
 - (b) patios and roof decks, if the Director of Planning considers the impact on privacy and outlook;
 - (c) floors or portions thereof that are used for:
 - (i) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
 - (ii) bicycle storage; and
 - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;
 - (d) entries, porches and verandahs if the Director of Planning first approves the design;
 - (e) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and
 - (f) all storage area below base surface for non-dwelling uses.

- 6.5 The Director of Planning or Development Permit Board may exclude common amenity areas from the computation of floor area, to a maximum of 10% of the total permitted floor area, if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines.

Building Height

- 7.1 Building height must not exceed 20.7 m.
- 7.2 Despite section 7.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, if the Director of Planning permits common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portion of the building with permitted common rooftop amenity space or mechanical appurtenances must not exceed 24.4 m.

Horizontal Angle of Daylight

- 8.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 8.2 For the purpose of section 8.1 above, habitable room means any room except a bathroom or a kitchen.
- 8.3 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or 2 angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 8.4 The plane or planes referred to in section 8.3 above must be measured horizontally from the centre of the bottom of each window.
- 8.5 An obstruction referred to in section 8.3 above means:
- (a) any part of the same building excluding permitted projections; or
 - (b) the largest building permitted on any adjoining site.
- 8.6 The Director of Planning or Development Permit Board may vary the horizontal angle of daylight requirement, if:
- (a) the Director of Planning or Development Permit Board considers all applicable Council policies and guidelines; and
 - (b) the minimum distance of unobstructed view is at least 3.7 m.

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**8120-8168 Lord Street and 540 West 65th Avenue
CONDITIONS OF APPROVAL**

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

PART 1: CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by Francl Architecture Inc., received October 7, 2022, and provides that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with the development application.

THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning who shall have particular regard to the following:

Urban Design

- 1.1 Design development to augment the size and functionality of the north and south Enhanced Open Spaces (Plazas).

Note to Applicant: As per the *Cambie Corridor Plan*, this space should be a minimum of 75 sq. m (807 sq. ft.) is intended as a landscaped public space, often incorporating rainwater management opportunities, active play elements, gathering space, or community gardening opportunities. Ensure public access to the spaces from the lane walkway. Refer to the *Cambie Corridor Public Realm Plan* for additional information.

- 1.2 Design development to enhance the pedestrian interface as follows:

- (a) Reduce the amount of blank walls at the lane; and

Note to Applicant: Blank walls are discouraged. Explore strategies to activate the lane interface such as introducing indoor amenities at grade; natural grading that reduces blank walls.

- (b) Reinforce the ground-oriented character of all the at-grade units.

Note to Applicant: Suggested strategies include highlighting front doors (swing) leading to the principal living space (e.g. materials and tone), entry canopies, front patios, entry gates and landscaping.

- 1.3 Explore enhancing the project's livability as follows:

- (a) Provide outdoor amenity space with adequate solar access; and

Note to Applicant: The inter-building outdoor amenity space has limited daylight access. Supplemental amenities including a children's play area with access to daylight should be provided. Consider rooftop outdoor amenities.

- (b) Reconfigure dwelling units facing the inside-side yard to orient their principal living spaces to the front or rear yards.

Note to Applicant: All dwelling units should have at least one window from a principal living space facing front, rear or exterior side yards.

- 1.4 Identification on the architectural and landscape drawings of any built features intended to create a bird-friendly design.

Note to Applicant: Refer to the *Bird Friendly Design Guidelines* for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

Crime Prevention through Environmental Design (CPTED)

- 1.5 Design development to respond to CPTED principles, having particular regard for:

- (a) Limiting opportunities for nuisance activities, mischief in alcoves, and blind corners;
- (b) Limiting unobserved access or activity and encouraging natural visual surveillance;
- (c) Mail theft;
- (d) Site lighting developed with considerations for safety and security; and
- (e) Reduced opportunities for graffiti.

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

- 1.6 Design development to improve visibility and security in the underground parking in accordance with the Parking By-law including:

- (a) Overhead lighting and step lights at exit stairs and doors;
- (b) 24-hour lights and walls painted white; and
- (c) Visibility at doors, lobbies, stairs and other access routes.

Landscape

- 1.7 Design development to ensure the safe retention of tree(s) # 1, 2, 3, 4, 6, 7, 9, and 11.

Note to Applicant: This condition is per Park Board direction. Further design development and arborist reporting is required to comment on the specific conditions of

safe tree retention, in coordination with the design team, Park Board, Engineering and Urban Design group. Detailed design response is required at the development permit stage.

1.8 Design development to further refine and enhance the sustainability strategy, by the following:

- (a) Consider providing extensive type green roofs on all available flat rooftops;
- (b) Minimize the necessity for hidden grey mechanical water storage;
- (c) Add vines to any blank wall facades, ensuring the vine support is sturdy and low maintenance, avoid high maintenance modular “green wall” systems; and
- (d) Add edible plants, which can be used as ornamentals as part of the landscape design.

1.9 Design development to ensure maximized tree growing medium and planting depths for trees, shrubs and green roofs to ensure long term viability of the landscape.

Note to Applicant: Structural slabs need to be designed to handle loads and ensure adequate depth and continuous soil volumes. Growing mediums and planting depths should exceed the Canadian Landscape Standard published by the Canadian Society of Landscape Architects.

1.10 Provision of a detailed landscape plan illustrating soft and hard landscaping for the complete site, including rooftops (where applicable).

Note to Applicant: The plans should be at 1/8 inch: 1 ft. scale minimum. The plant list should include the common and botanical name, size and quantity of all existing and proposed plant material. Plant material should be clearly illustrated on the plans and keyed to the plant list. The landscape plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

1.11 Provision of detailed architectural and landscape cross sections (minimum 1/4 inch scale) through common open spaces, semi-private patio areas and planters.

Note to Applicant: The sections should illustrate the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

1.12 Provision of a vegetative cover calculation sheet, included with the landscape plans.

Note to Applicant: Include a comparison of the percentage vegetative cover as a ratio of the overall site and a separate calculation of the ratio of vegetative coverage to total building roof area.

1.13 Provision of a soil depth overlay sheet, included with the landscape plans.

1.14 Provision of an outdoor lighting plan.

Note to Applicant: Refer to Dark Night Design Principles.

<https://vancouver.ca/files/cov/outdoor-lighting-design-tips.pdf>. Provide dimmers and timers for lights where feasible.

1.15 Provision of a high-efficiency automatic irrigation system for all planted areas.

Note to Applicant: Provide a partial irrigation plan demonstrating intent, including notations, legend and symbols to confirm stub out and hose bib locations. Hose bibs to be provided for large private patios (sized 100 sq. ft. or larger). Any limitations to the installation of hose bibs on private decks to be brought to the attention of staff in the written response.

1.16 Provision of landscape features intended to create bird friendly design.

Note to Applicant: Bird friendly plants should be included on the plant palette, enabling bird habitat conservation and bird habitat promotion. Refer to the *Bird Friendly Design Guidelines* for examples of landscape features that may be applicable, and provide a design rationale for the features noted. Refer to:

<http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf>

<http://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf>

1.17 Coordination of new proposed street trees with Engineering and the Park Board, confirming quantities, species, sizes and locations, and addition of the following note on the plans:

Final location, quantity, tree species to the satisfaction of the General Manager of Engineering. Contact Engineering Services (Streets Design Branch) at 604-871-6131 to confirm planting location. New tree must be of good standard, minimum 6 cm calliper and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. New street trees to be confirmed prior to issuance of the building permit.

Call Park Board at 311 for tree species selection and planting requirements. Park Board to inspect and approve after tree planting completion.

Sustainability

1.18 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning* (amended July 25, 2023) 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 – Process and Requirements*.

Housing

- 1.19 The proposed unit mix, including 36 studio units (24.6%), 60 one-bedroom units (41%), 36 two-bedroom units (24.6%), and 14 three-bedroom units (9.6%), with the family unit component (two-bedroom and three-bedroom units) to be increased to 35.0%, is to be included in the Development Permit drawings.

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

- 1.20 The unit mix for the below market rental component to include a minimum of 35% family units (two-bedroom and three-bedroom units), and 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.

- 1.21 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), in suite storage is highly encouraged for all family units;
- (c) A multi-purpose indoor amenity space with a wheelchair accessible washroom and kitchenette appropriate in size for the scale of the project, and consider positioning this adjacent to the children's play area to enable parental supervision from the amenity room (Section 3.7.3); and
- (d) A balcony for each family-size unit with 1.8 by 2.7 m minimum dimensions (Section 4.3.2).

Note to Applicant: Include dimensions of balconies/patios on the Development Permit drawings to demonstrate compliance with the minimum dimensions.

Engineering

- 1.22 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.
- 1.23 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (City of Vancouver Design Guidelines, Construction Standards and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site prior to building permit issuance if shotcrete will be required for the 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. Please contact Engineering Services at shoringreview@vancouver.ca for details. Refer to:

<https://vancouver.ca/streets-transportation/street-design-construction-resources.aspx>
<https://vancouver.ca/home-property-development/construction-street-use-permits.aspx#shoring-and-excavation>

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

Note to Applicant: 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. Refer to <https://vancouver.ca/home-property-development/construction-street-use-permits.aspx>

- 1.25 Deletion of all building structure and walkways proposed at, below, and above grade within the corner cut lane dedication.

Note to Applicant: This space is required for vehicular maneuvering in the lane. Any walkways adjacent to the lane must be outside of the dedication area.

- 1.26 Design development to improve access and design of bicycle parking by performing the following:
- (a) Provision of automatic door openers for all doors providing access to the outside, for Class A bicycle storage.
- 1.27 Design development to improve access and design of loading spaces and demonstrate compliance with the Parking and Loading Design Supplement by performing the following:
- (a) Explore providing 1 Class A Passenger loading space at grade; and
 - (b) Provide Class B loading as per By-law.
- 1.28 Provision of the following information as part of the architectural drawing submission at the development permit stage to facilitate a complete Transportation review:
- (a) A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided;
 - (b) Dimension of any/all column encroachments into parking stalls;

- (c) Identification of all columns in the parking layouts;
- (d) 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.

- (e) Areas of minimum vertical clearances labelled on parking levels;
- (f) 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.

- (g) 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.

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

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

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

1.30 This development will be required to provide on-site rainwater management in accordance with Building By-law requirements (Book II, Division B, Article 2.4.2.5) in effect in January 2024.

Note to Applicant: The applicant will be required to demonstrate compliance with these requirements at the building permit application stage. See vancouver.ca/rainwater for more information.

1.31 Provision of a Final Hydrogeological Study, to the General Manager of Engineering Services' and the Director of Planning's satisfaction, which addresses the requirements outlined in the *Groundwater Management Bulletin*, including but not limited to:

- (a) A Groundwater Management Plan which includes:
 - (i) Results of the hydrogeological investigation as described in Section 8 of the Preliminary Hydrogeological Investigation Report (dated May 18, 2022); and
 - (ii) Anticipated groundwater discharge rates for City approval.

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

- (b) An Impact Assessment which achieves the following objective:
 - (i) Analysis to confirm that there are no significant risks from groundwater extraction/diversion.

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

1.32 Construction-related discharge to the sewer must be measured and reported to the City. This monitoring must include daily average flow rates, and be submitted monthly to groundwater@vancouver.ca. A hold will be placed on the issuance of a Building Permit for excavation. To remove the hold, provide an anticipated start date for excavation, and the contact details for the professional services that have been retained to conduct this monitoring, to groundwater@vancouver.ca.

1.33 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.

1.34 Submission of a Key Plan by the applicant and approved by the City prior to any third party utility drawing submissions. It is highly recommended that the applicant submit a Key Plan to the City for review as part of the Building Permit application. Third party utility service drawings will not be reviewed by the City 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.

1.35 Provision of a landscape and site plan that reflect the improvements to be provided as part of the Services Agreement.

Note to Applicant: Drawings must indicate that the off-site designs submitted as part of the DP application are preliminary, and that a final off-site geometric design will be provided by the City of Vancouver through the DP process.

(a) The following is to be placed or illustrated 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.”

- (b) Remove existing retaining wall encroachments from the City laneway;
- (c) Show all City supplied building grades on landscape and architectural drawings. To minimize grade differences, interpolate a continuous building grade between the elevations provided on the City supplied building grade plan;
- (d) Landscape drawings: remove proposed pavers from City boulevard along Lord Street;
- (e) Design of the streetscape to comply with the *Cambie Corridor Streetscape Design Guidelines*;

Note to Applicant: The Streets Design Guidelines are viewable online at <https://vancouver.ca/streets-transportation/streetscape-design-guidelines.aspx> and are to be used alongside the City construction and design manuals.

- (f) Update the landscape drawings and offsite servicing plan to include permeable pavement in the laneway to capture and retain 48 mm of rainfall as per Rezoning comments.
- (i) Permeable pavement structure may include permeable pavement material, rock reservoir/subbase, storage and underdrain, etc.; and
- (ii) The proposed permeable laneway pavement structure should provide equal performance and design life as the City “Higher-Zoned Laneway” pavement structure.

Note to Applicant: Permeable pavement structure design and details to be provided by the applicant, to the satisfaction of the General Manager of Engineering Services, during off-site improvements design development, prior to construction.

City does not have specifications for permeable pavement design. Industry standards are provided below for reference purpose only:

- Permeable pavements with interlocking concrete pavements – Design specifications by ICPI; and

- Permeable pavements with porous asphalt – NAPA: Design, Construction and Maintenance design guide for Porous asphalt; FHWA: Tech Brief for Porous asphalt.

All public realm treatments to the approval of the General Manager of Engineering Services. Provision of the detailed Landscape Plan to the satisfaction of the General Manager of Engineering Services.
For further information, contact Green Infrastructure Implementation Branch, ESRGGIIDL@vancouver.ca

Social Policy

- 1.36 Provision of construction noise, vibration, dust and debris mitigation and other safety measures pursuant to a Construction Mitigation Plan, including a Communications Plan, satisfactory to the General Manager of Arts, Culture and Community Services, to minimize health and safety impacts on users of the Marpole YMCA Child Care Centre and Marpole Oakridge Family Place in order to allow continued operation of the facilities during all construction activities.

Note to Applicant: Beyond mitigation techniques already required by the Noise Control By-law, the applicant must provide additional safety measures, noise, vibration, dust and debris protection for the adjacent outdoor spaces for the childcare and family place. This includes selecting construction procedures and technologies to minimize noise, debris and dust, such as using lower-noise level machines for demolition. Movement of cranes should not occur over the childcare and family place facility where alternate routes exist or scheduled at times when children are not at play outdoors. The applicant is required to communicate and work closely with the Marpole YMCA Child Care Centre and Marpole Oakridge Family Place Society to schedule construction activities that would impact the outdoor play area outside of times when the outdoor play areas are in use.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

- 2.1 Make arrangements to the satisfaction of the General Manager of Engineering Services, the Director of Legal Services and the Approving Officer for the consolidation of Lots 13 to 18 of Lot X, Blocks 1 and 2, District Lot 311, Plan 8548 to create a single parcel and subdivision of that site to result in the dedication of a 10' x 10' corner-cut truncation in the southeast corner of the site for lane purposes.

The area to be dedicated is to be free of structures.

Note to Applicant: A subdivision plan and application to the Subdivision and Strata Group is required. For general information see the subdivision website at:

<http://vancouver.ca/home-property-development/apply-to-subdivide-or-join-properties.aspx>

- 2.2 Provision of a Services Agreement to detail the on- 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. 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 MCW Consultants Ltd. dated July 16, 2022, water main upgrades are required to service the development.

The following water mains are required to be upgraded to service this development. These mains being upgraded by the City of Vancouver as part of the Utility Development Cost Levy (UDCL) Program:

- Lord Street, from West 65th Avenue to Southwest Marine Drive.

Note to Applicant: The City is targeting the completion of these upgrades prior to the development requiring water services. Should the City’s timeline change and these assets are not upgraded in time to meet the development’s need, the applicant would be responsible for delivering these assets prior to occupancy and the City and the applicant will enter into a Front Ender Agreement. These upgrades are required as a condition of occupancy.

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 540 West 65th Avenue and 8120-8168 Lord Street does not require any sewer upgrades.

Note to Applicant: Development to be serviced to the existing 200 mm COMB sewers in Lord Street.

- (c) Provision of street improvements along West 65th Avenue adjacent to the site and appropriate transitions including the following:
 - (i) 2.14 m (7.0 ft.) wide broom finish saw-cut concrete sidewalk;
 - (ii) Curb ramps;
 - (iii) Removal of the existing unused driveway crossing and reconstruction of the boulevard, sidewalk, and curb to current standards; and
 - (iv) Reconstruction of West 65th Avenue asphalt pavement per City "Higher Zoned Street" pavement structure.

- (d) Provision of street improvements along Lord Street adjacent to the site and appropriate transitions including the following:
 - (i) 2.14 m (7.0 ft.) wide broom finish saw-cut concrete sidewalk;
 - (ii) Curb ramps; and
 - (iii) Curb bulge, including any road reconstruction required to accommodate the curb bulge.

Note to Applicant: The sidewalk width may be reduced near the existing street trees if/as required to allow for their retention. The City will provide a geometric design for these street improvements.

- (e) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations;

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

- (f) Provision of entire intersection lighting upgrade to current City standards and IESNA recommendations at Lord Street and West 65th Avenue;

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

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

- (h) Provision of new standard concrete lane crossing, new curb returns and curb ramps at the existing lane crossing on West 65th Avenue adjacent to the site;

- (i) Provision of reconstruction of the north-south lane along the development site's frontage per City "Higher Zoned Laneway" pavement structure specifications with a center valley cross section. The laneway shall be rebuilt using permeable pavement structure to capture and retain 48 mm of rainfall. Permeable pavement structure will be applied from edge to edge for the entire length of the laneway fronting the property. A new catch basin will be installed at the downstream end of the laneway to remove excess runoff to the drainage system;
 - (j) Provision of mill and regrade to centerline of the east-west lane along the development site's frontage to accommodate City supplied building grades;
 - (k) Provision of lane lighting on standalone poles with underground ducts if BC Hydro poles with attached City lane lights are planned to be removed. The ducts must be connected to the existing City Street Lighting infrastructure; and
 - (l) Provision for the installation of parking regulatory signage on streets adjacent to the site.
- 2.3 Provision of all third party utility services (e.g., BC Hydro, Telus and Shaw) to be underground. BC Hydro service to the site shall be primary.

BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be located on private property with no reliance on public property for placement of these features. Submission of a written confirmation from BC Hydro that all these items will be located on the development property.

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

Housing

- 2.4 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 rental 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) 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, at the time when the Occupancy Permit is issued;

The for-profit affordable rental housing units will include a minimum of five (5) below-market rental housing units for which the initial rental rate for each tenancy will be at least 20% below the average market rent for private rental apartment units in the City of Vancouver applicable to the respective unit type, as published by the Canada Mortgage and Housing Corporation in the most recent Rental Market Survey Data Tables for Vancouver:

- (i) For the initial tenancy, at the time when the Occupancy Permit is issued; and
 - (ii) For a subsequent tenancy, when the tenancy commences.
- (e) A 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, which reflects the agreed monthly rents as of occupancy;
- (f) 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.
- (g) 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.
- (h) 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
- (i) 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.

- 2.5 In the event that one or more eligible tenants are discovered to reside at the property (or formerly resided at the property), 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 prior to issuance of the Development Permit that demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant;
- (c) Provide an Interim Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Demolition Permit. The Report must include, but may not be limited to whether each tenant has indicated interest in the Right of First Refusal to return to the new building (if applicable); 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) and their total compensation amount(s); 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; and

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 include, but may not be limited to the names of tenants; whether each tenant has taken up the Right of First Refusal in the new building (if applicable) and their starting rent; and for those not returning to the new building, 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.

Sustainability

- 2.6 The applicant will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services, that requires the future owner of the building to report energy use data, on an aggregated basis, for the building as a whole and certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

Environmental Contamination

2.7 As applicable:

- (a) Submit a disclosure statement to the Environmental Services Division;
- (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.

* * * * *

8120-8168 Lord Street and 540 West 65th Avenue
DRAFT CONSEQUENTIAL AMENDMENT

DRAFT AMENDMENT TO THE SUBDIVISION BY-LAW NO. 5208

Council amends Schedule A of the Subdivision By-law in accordance with the plan labelled Schedule A and attached to and forming part of this By-law, by deleting the following properties from the R1-1 maps forming part of Schedule A of the Subdivision By-law:

- (a) Lot 13 of Lot X Blocks 1 and 2 District Lot 311 Plan 8548; PID 010-042-784;
- (b) Lot 14 of Lot X Blocks 1 and 2 District Lot 311 Plan 8548; PID 005-405-181;
- (c) Lot 15 of Lot X Blocks 1 and 2 District Lot 311 Plan 8548; PID 010-042-831;
- (d) Lot 16 of Lot X Blocks 1 and 2 District Lot 311 Plan 8548; PID 010-042-881;
- (e) Lot 17 of Lot X Blocks 1 and 2 District Lot 311 Plan 8548; PID 010-042-911; and
- (f) Lot 18 of Lot X Blocks 1 and 2 District Lot 311 Plan 8548; PID 010-042-946.

* * * * *

8120-8168 Lord Street and 540 West 65th Avenue
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

| | Date | Results |
|---|---------------------------------|---|
| Event | | |
| Virtual open house (City-led) | February 20 – March 12, 2023 | 95 participants (aware)* <ul style="list-style-type: none"> • 33 informed • 7 engaged |
| Public Notification | | |
| Postcard distribution – Notice of rezoning application and virtual open house | February 16, 2023 | 3,802 notices mailed |
| Public Responses | | |
| Online questions | February 20 – March 12, 2023 | 1 submittal |
| Online comment forms <ul style="list-style-type: none"> • Shape Your City platform | January 2023 – July 2023 | 9 submittals |
| Overall position <ul style="list-style-type: none"> • support • opposed • mixed | January 2023 – July 2022 | 8 submittals <ul style="list-style-type: none"> • 6 responses • 2 responses • 0 responses |
| Other input | January 2023 – July 2023 | 0 submittal |
| Online Engagement – Shape Your City Vancouver | | |
| Total participants during online engagement period | January 2023 – July 2023 | 323 participants (aware)* <ul style="list-style-type: none"> • 123 informed • 10 engaged |

Note: All reported numbers above are approximate.

* The Shape Your City platform allows staff to capture more nuanced levels of engagement associated with the rezoning application, categorized as:

- **Aware:** Number of unique visitors to the application webpage that viewed only the main page.
- **Informed:** Visitors who viewed documents or the video/photo gallery associated with the application; *informed* participants are a subset of *aware* participants.
- **Engaged:** Visitors that submitted a comment form or asked a question; *engaged* participants are a subset of *informed* and *aware* participants.

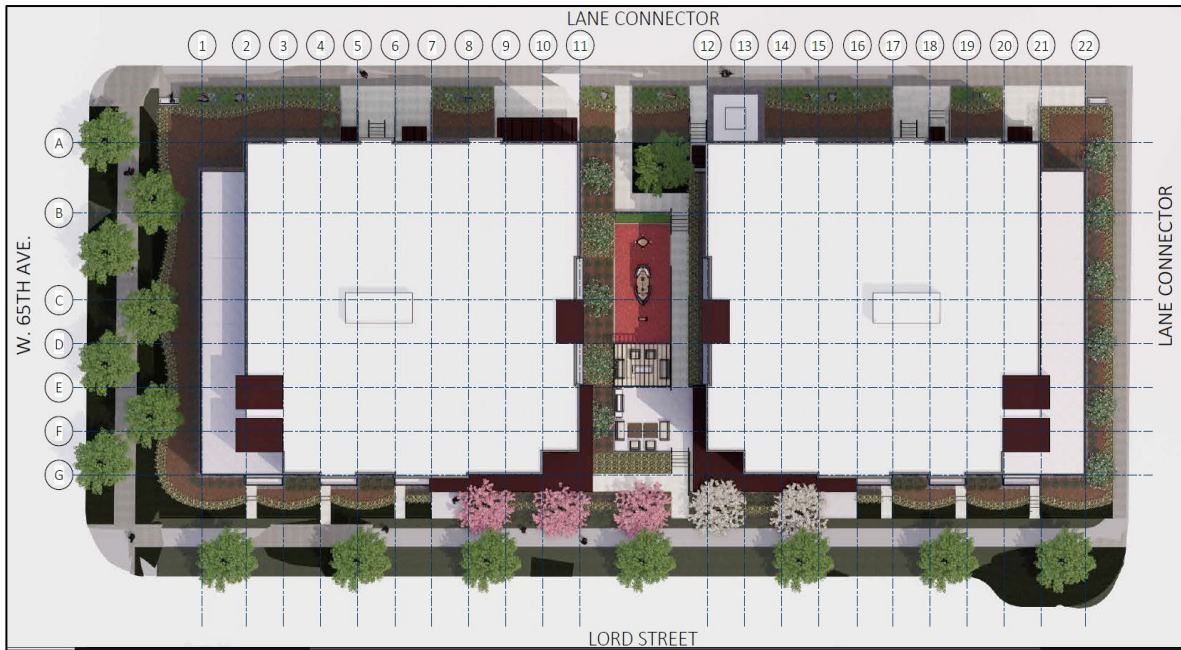
General neutral comments/recommendations:

- There should be infrastructure to charge electric vehicles.
- There should be at least one parking space per unit.
- The number of parking spaces should be reduced given the proximity to a major transit hub (Marine Canada Line Station and bus loop).
- This application should be pre-zoned to expedite the development process and to save on civic resources.

* * * * *

8120-8168 Lord Street and 540 West 65th Avenue
FORM OF DEVELOPMENT DRAWINGS

Site Plan



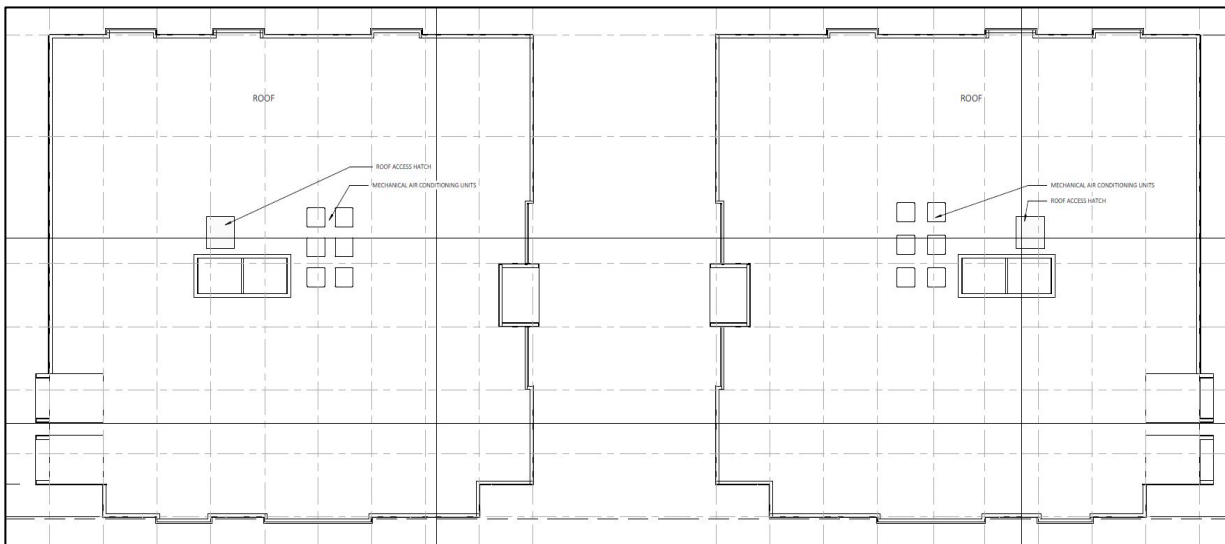
Perspective as Viewed from Lord Street and West 65th Avenue



Typical Floor Plan



Roof Plan



North Building
West Elevation (Front)

South Building
West Elevation (Front)



South Building
East Elevation (Rear)

North Building
East Elevation (Rear)

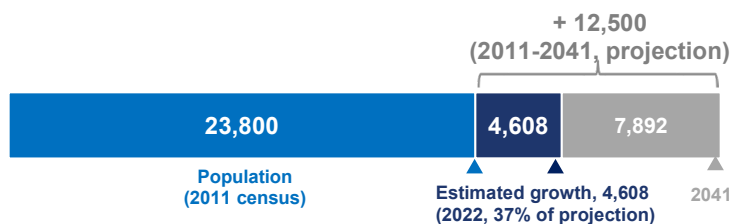


* * * * *

PUBLIC BENEFITS IMPLEMENTATION DASHBOARD
MARPOLE COMMUNITY PLAN (2014)
Updated 2022 year-end

POPULATION GROWTH^a

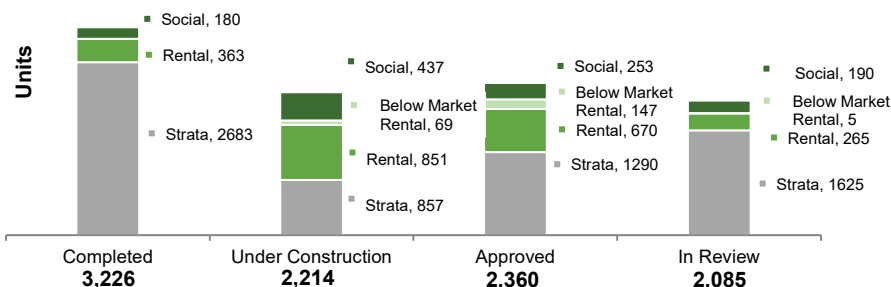
Marpole has grown by approximately **4,608** people since the 2011 census. The plan projects a total population of approximately **36,300** people by 2041.



DEVELOPMENT ACTIVITY (UNITS)^b

Recent rezoning approvals:

- [622-688 SW Marine Drive](#)
- [7929 Cambie Street](#)
- [7969 Cambie Street](#)
- [8804 Osler Street](#)
- [8460 Ash St and 8495 Cambie St \(Ashley Mar Co-op Site\)](#)



PUBLIC BENEFITS ACHIEVED AND IN PROGRESS SINCE 2014^c

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

| TARGETS <small>See Chapter 17 of the Marpole Community Plan for more details</small> | COMPLETED | UNDER CONSTRUCTION | PLANNING/ DESIGN | PROGRESS |
|--|---|---|---|---|
| HOUSING <ul style="list-style-type: none"> • ~ 1,100 units of social housing (approx. 285 units at Pearson Dogwood) • ~ 835 secured market rental units (gross numbers of units reported) | <ul style="list-style-type: none"> • 363 secured market rental units • 102 social housing units • 78 TMH social housing units^d | <ul style="list-style-type: none"> • 851 secured market rental units • 69 below market rental units • 437 social housing units | | <p>154% of secured rental target achieved (with BMR) ✓</p> <p>49% of social housing target achieved ✓</p> |
| CHILDCARE <ul style="list-style-type: none"> • ~ 234 spaces for children 0-4 • ~ 244 spaces for children 5-12 | <ul style="list-style-type: none"> • 74 spaces for 0-4 yrs children (Marpole Family Place, Kids at Marine Drive) | <ul style="list-style-type: none"> • 69 spaces for 0-4 yrs children (David Lloyd George Elementary) | <ul style="list-style-type: none"> • 74 spaces for 0-4 yrs (Marpole Community Centre) • 60 spaces for 5-12 (Marpole Community Centre) | <p>61% of childcare spaces (0-4) target achieved ✓</p> <p>0% of childcare spaces (5-12) target achieved ○</p> |
| TRANSPORTATION / PUBLIC REALM <ul style="list-style-type: none"> • Pursue improvements to the public realm and secure walking/cycling connections through sites as development occurs • Renew sidewalks as required and improve accessibility • Provide more and better walking/cycling access to the Fraser River • Work with TransLink and Coast Mountain Bus Company to maintain and enhance the existing transit network in Marpole • Pursue the construction of a new Canada Line station at West 57th Avenue | <ul style="list-style-type: none"> • SW Marine Drive bikeway improvements (Granville to Camosun streets) • North Arm Trail/Greenway: SW Marine Drive to Vivian Street along 59th Avenue • Arbutus Corridor temporary pathway and removable bollards • Plaza at 67th Avenue and Yukon Street | | <ul style="list-style-type: none"> • Four bio-retention/rain gardens curb bulges (54th Avenue from Neal to Cambie streets) and bike lane improvements • Walking and cycling infrastructure improvements (sidewalks/bike lanes/curb bulges) in Langara neighbourhood | <p>✓</p> |

| TARGETS <small>See Chapter 17 of the Marpole Community Plan for more details</small> | COMPLETED | UNDER CONSTRUCTION | PLANNING/ DESIGN | PROGRESS |
|---|--|--------------------|--|----------|
| CULTURE <ul style="list-style-type: none"> Preserve and stabilize cultural assets Retain/create multi-use neighbourhood creative spaces Reflect significant heritage themes (e.g. Musqueam presence) in public realm, public art and other opportunities as they arise. | <ul style="list-style-type: none"> Joy Kogawa House acquired and renovated Six completed artwork MC2 artist studios (2 units) | | | ✓ |
| CIVIC / COMMUNITY <ul style="list-style-type: none"> Renew the Marpole Library Replace or renew the existing Marpole-Oakridge Community Centre Work with YMCA as potential partner to deliver aquatic services. | <ul style="list-style-type: none"> Land acquired for Marpole Civic Centre | | <ul style="list-style-type: none"> Marpole Oakridge Community Centre renewal (youth centre, seniors centre, childcare, park fieldhouse) | ✓ |
| HERITAGE <ul style="list-style-type: none"> Explore opportunities with Musqueam and other partners for funding to recognize historical and cultural importance of the Marpole Midden and časna?em sites 5% allocation from cash community amenity contributions in Marpole | <ul style="list-style-type: none"> 5% allocation from cash community amenity contributions in Marpole | | <ul style="list-style-type: none"> Ongoing efforts for Fraser Arms Hotel and protection of časna?em site | ✓ |
| SOCIAL FACILITIES <ul style="list-style-type: none"> Marpole Oakridge Family Place relocation and expansion Neighbourhood House renewal and expansion Explore opportunities for affordable office space for community-based non-profit organizations | <ul style="list-style-type: none"> Marpole Oakridge Family Place Marpole Neighbourhood House restoration | | <ul style="list-style-type: none"> Youth and Seniors Centre at Marpole Oakridge Community Centre | ✓ |
| PARKS AND OPEN SPACES <ul style="list-style-type: none"> New Park Space/Access to Fraser River Pearson Dogwood park 1-2 plazas through redevelopment Upgrade 2 parks | <ul style="list-style-type: none"> 63rd Avenue and Yukon Street green rainwater infrastructure plaza Ash Park Playground replacement Winona Park Playground replacement | | <ul style="list-style-type: none"> William Mackie Park renewal Oak Park playground upgrades | ➔ |

EXPLANATORY NOTES

The Public Benefits Implementation Dashboard assists in monitoring progress toward the delivery of public benefits anticipated from the community plans. Data in this tracker reflects activity within the plan boundaries (and significant public benefits adjacent to the plan area) since *Plan* approval.

^a **Population Growth:** Growth is calculated by taking the difference between the latest census year and the base population and adding an estimate based on floor area completed between the latest census and the end of the most recent reporting period.

^b **Development Activity:** Development Activity reports on gross new units. The Development Activity Chart includes Building Permits, Development Permits, and rezoning applications:

- Completed: Occupancy Permit issuance
- Under Construction: Building Permit issuance
- Approved: Approved Rezoning Applications and Development Permits submitted without a rezoning
- In review: In Review Rezoning Applications and Development Permits submitted without a rezoning

^c **Public Benefits Achieved:** Public benefits in planning/design typically include City-or partner-led projects that have begun a public process or have made significant progress in planning or design stages, but have not yet moved to construction. Housing units and public benefits secured through developer-initiated applications are not included in the planning/design column and not counted towards public benefits achieved prior to construction as numbers and status may change throughout the permitting process.

^d **Temporary Modular Housing (TMH):** Modular homes that provide supportive housing services to residents with low and moderate incomes who have a need for transitional housing. See the [Housing Vancouver webpage](#) for more information. Note that TMH units do not count towards the affordable housing targets in the *Marpole Community Plan*.

* * * * *

**8120-8168 Lord Street and 540 West 65th Avenue
PUBLIC BENEFITS SUMMARY**

Project Summary

Two six-storey residential buildings containing 146 secured-rental units, of which five units will be secured as below-market rental units.

Public Benefit Summary:

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

| | Current Zoning | Proposed Zoning |
|---|--------------------------------|--------------------------------|
| Zoning District | R1-1 | CD-1 |
| FSR (site area of 3,080.0 sq. m / 33,153 sq. ft.) | 0.70 | 2.88 |
| Buildable Floor Space | 2,156.0 sq. m (23,207 sq. ft.) | 8,870.4 sq. m (95,480 sq. ft.) |
| Land Use | Residential | Multiple Dwelling |

Summary of Development Contributions Expected Under Proposed Zoning

| | |
|------------------------------|--------------------|
| City-wide DCL ^{1,2} | \$286,425 |
| Utilities DCL ¹ | \$1,304,304 |
| TOTAL | \$1,590,729 |

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

¹ Based on by-laws in effect as of September 30, 2023 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.

² 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 \$1,795,014. 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.

* * * * *

**8120-8168 Lord Street and 540 West 65th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

| Address | Property Identifiers (PIDs) | Legal Description |
|-----------------------|---|---|
| 8120-8168 Lord Street | 010-042-784, 005-405-181, 010-042-831, 010-042-881, and 010-042-911 | Lots 13 to 17 of Lot X Blocks 1 and 2 District Lot 311 Plan 8548 |
| 540 West 65th Avenue | 010-042-946 | Lot 18 of Lot X Blocks 1 and 2 District Lot 311 Plan 8548 |

Applicant Information

| | |
|-------------------------|-----------------------------------|
| Architect | Franc Architecture Inc. |
| Developer | Landmark Premiere Properties Ltd. |
| Registered Owner | Lord Street Holdings Ltd. |

Development Statistics

| | Permitted Under Existing Zoning | Proposed | Recommended Other than Proposed |
|--|--|--|--|
| Zoning | R1-1 | CD-1 | |
| Site Area | 3,080.0 sq. m (33,153 sq. ft.) | 3,080.0 sq. m (33,153 sq. ft.) | |
| Land Use | Residential | Residential | |
| Maximum Density | 0.70 FSR | 2.88 FSR | |
| Floor Area | 2,156.0 sq. m (23,207 sq. ft.) | 8,870.4 sq. m (95,480 sq. ft.) | |
| Maximum Height | 11.5 m (38 ft.) | 20.7 m (68 ft.) to top of roof parapet | 20.7 m (68 ft.) to top of roof parapet and 24.4 m (80 ft.) to top of rooftop amenity space |
| Parking, Loading and Bicycle Spaces | Per Parking By-law | Vehicle Parking 75 Bicycle Parking 277 Loading Spaces 2 To be confirmed at development permit stage | |
| Natural Assets | 12 existing on-site by-law trees and 12 City trees | 8 City trees to be retained 12 on-site and 4 off-site trees to be removed 30 new on- and off-site trees To be confirmed at development permit stage | |
