



REFERRAL REPORT

Report Date: April 9, 2024
Contact: Daniel Feeney
Contact No.: 604.326.4868
RTS No.: 16297
VanRIMS No.: 08-2000-20
Meeting Date: April 23, 2024

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: Rezoning: 4635-4675 Arbutus 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 Perkins + Will Canada Architects Co. on behalf of Constantine Dino Bonnis, the registered owner of the land located at 4635 Arbutus Street [*PID 009-167-102; Lot 7 Block 93 District Lot 526 Plan 11076*], to rezone the land from CD-1 (26) (Comprehensive Development) District to RR-3B (Residential Rental) District, be approved in principle;

FURTHER THAT the draft zoning amendment by-law, prepared for the Public Hearing in accordance with Appendix A, be approved in principle;

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

- B. THAT subject to the approval of the RR-3B zoning amendment referenced in A above, an amendment to the CD-1 (26) 2105 West 32nd Avenue and 4615-4675 Arbutus Street By-law No. 4078, prepared for the Public Hearing in accordance with Appendix C of the associated Referral Report, be approved.

- C. 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.
- 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 an amendment to the Zoning and Development By-law from CD-1(26) (Comprehensive Development) District to RR-3B (Residential Rental) District for 4635 Arbutus Street. The amendment would allow for a six-storey, mixed-use rental building of which 20% of the residential floor area is secured as below-market rental units, in accordance with the *Secured Rental Policy* (SRP).

An estimated total of 74 secured rental units may be delivered through this application. A future building design would be submitted through the development permit process and reviewed with the public at that time.

Staff have assessed the application and conclude that it meets the intent of the *SRP*. Staff recommend that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it in principle, subject to the Public Hearing, and conditions contained within Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)
- Secured Rental Policy (2012, last amended 2023)
- RR-3A and RR-3B Districts Schedule (2023)
- Residential Rental Districts Schedules Design Guidelines (2023)
- Comprehensive Development (CD-1) District Schedule (26) (1963)
- Housing Vancouver Strategy (2017)
- 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)
- Green Buildings Policy for Rezoning (2010, last amended 2023)
- Urban Forest Strategy (2014, amended 2018)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183
- Provincial Bill 47- Housing Statues (Transit Oriented Areas) Amendment Act, adopted November 30, 2023

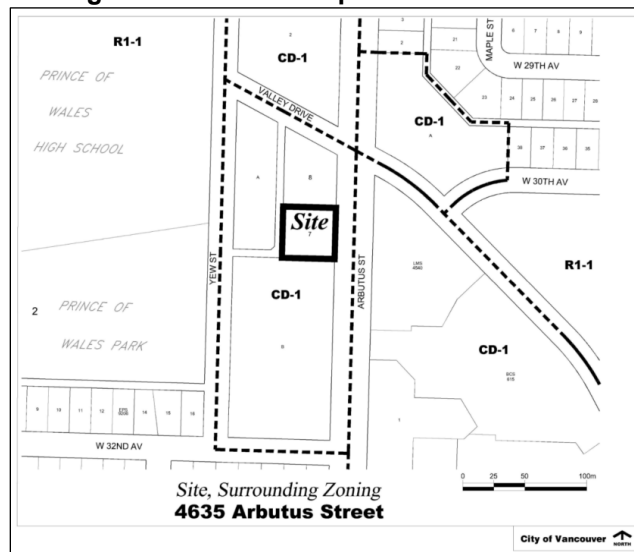
REPORT

Background/Context

1. Site and Context

The subject site is located mid block, comprised of one legal parcel fronting Arbutus Street and north of West 32nd Avenue (see Figure 1). The site and the entire block is zoned CD-1 (26) and bounded by Valley Drive, West 32nd Avenue, Yew and Arbutus Streets. The existing CD-1 zone is addressed as 4615-4699 Arbutus Street, 4620-4676 Yew Street, and 2105 West 32nd Avenue and consists of four legal parcels with four separate owners. The current proposal is limited to redevelopment of the central portion of the CD-1 (26) site, addressed as 4635 Arbutus Street.

Figure 1: Location Map – Site and Context



The site area is approximately 1,762 sq. m (18,966 sq. ft.) with a frontage of 41.3 m (135.5 ft.) along Arbutus Street and a depth of 42.7 m (140 ft.). The CD-1 (26) permits a mix of uses, including commercial, service, and residential. The current uses on the rezoning site, 4635 Arbutus Street, are a two-storey commercial building constructed in 1965 and a surface parking lot. The property does not contain residential rental tenancies and the *Tenant Relocation and Protection Policy* (TRPP) does not apply. The surrounding sites are zoned R1-1 (Residential Inclusive) and CD-1 which permit a mix of uses, including commercial, service, and residential uses. The Prince of Wales Park and Secondary School are also located to the west of the site.

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* serves 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 updates 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 R1-1 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 (containing a 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 residential rental zones. The applicable option or options are further informed by the site size, orientation and adjacent context.

The *SRP* also supports consideration for existing CD-1 sites to be rezoned to Residential Rental (RR) zones. Rezoning applications for existing CD-1 sites may be considered if existing residential rental units do not currently exist and where infill development does not displace existing residential tenants. The proposed Residential Rental (RR) zone must also be appropriate to the location and context. Further, the proposal must generally meet the locational eligibility criteria set out within the *SRP*.

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

RR Zoning District Schedules and Design Guidelines – Along with updates to the *SRP*, in December, 2021 Council approved the addition of new residential rental (“RR”) zoning district schedules to the Zoning and Development By-law: “RR-1”, “RR-2A, RR-2B and RR-2C”, and “RR-3A and RR-3B”. Like other standard zoning districts, the RR zones set basic regulations such as permitted use, density, and height limits, while allowing for a range of building designs. All residential uses in the RR zones are secured as rental tenure, for which stratification or sale of individual residential units are not permitted.

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 housing

that foster neighbourliness and social connection, and contribute to an evolving streetscape which accommodates architectural variety and a diversity of housing options.

Housing Vancouver Strategy – In November 2017, Council approved the *Housing Vancouver Strategy*. 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 27, 2022, Council resolved at a public meeting to receive a [Housing Needs Report](#) (*HNR*) prepared by staff. Further to the BC Provincial government's requirement, Council must consider their most recent *HNR* when developing a development plan, or when amending a development plan in relation to Council's housing policies respecting affordable housing, rental housing and special needs housing.

This 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 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 certainty for the achievable built form.

Under the *SRP*, this site is located on an eligible arterial road and can be considered for a rezoning to the RR-3A (four storey), RR-2B (five storey) and RR-3B (six storey with 20% of residential floor area secured as below-market rental units) zones. This site is eligible for a mixed-use development. Out of the eligible options, the applicant has chosen to request a rezoning to RR-3B.

The RR-3B District Schedule permits mixed-use residential buildings up to six storeys in height and 3.40 FSR, with a minimum 0.35 FSR of non-dwelling uses. Residential uses are permitted on the second storey and above. Residential uses can also be located on the ground floor at the lane, or in the case of corner sites, on the flanking street. Non-dwelling uses are required at the main frontage on the ground floor and may include cultural and recreational, institutional, office, retail and service uses. On certain corner sites, a density of up to 3.50 FSR may be permitted, at the discretion of the Director of Planning.

The schedule also requires a minimum of 20% of the residential floor area to be secured at below-market rental rates, and for 35% of the units to include two bedrooms or more. Six-storey apartment buildings may introduce incremental change to local streets and will typically be limited in frontage width to achieve a higher degree of compatibility with the existing streetscape.

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

2. Rooftop Amenity Rooms and Decks

On July 6, 2021, Council approved changes to the Zoning and Development By-law to provide clearer regulations to better enable rooftop amenity spaces for residents of multiple dwellings. These regulations are applicable to zones citywide including RR. Common rooftop amenity rooms and access structures (elevators and stairs) contiguous with common outdoor amenity space (roof decks) may be provided under these regulations. The additional height is limited to 3.6 m and the amenity room should be stepped back significantly from building edges to minimize its appearance from ground level. An additional partial storey consisting of a rooftop amenity room, with required elevators and stairs, as well as outdoor deck space, may therefore be included with the future building proposal for this site, and will be reviewed at the development permit stage.

3. Housing

The *Housing Vancouver Strategy* seeks to deliver a range of housing tenures across the housing continuum. This application, if approved, would support submission of a development permit for a new six-storey mixed-use rental building to add to the City's inventory of rental housing, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 2). Proposed unit numbers are not required for the simplified rezoning process but staff anticipate that this proposal could create approximately 74 rental units based on an average unit size assuming 35% will be units with two or more bedrooms.

Figure 2: Progress Towards 10 Year Housing Vancouver Targets for Purpose-Built Market and Developer-Owned Below-Market Rental Housing as of December 31, 2023

Housing Type	Category	10-Year Targets*	Units Approved Towards Targets**
Purpose-Built Market Rental Housing Units	Market Rental	16,000	15,843 (99%)
	Developer-Owned Below-Market Rental	4,000	1,525 (38%)
	Total	20,000	17,368 (87%)

*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 2023, the purpose-built apartment vacancy rate was 0.8% in Vancouver. The vacancy rate (based on the Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the Westside Kerrisdale neighbourhood, in which this site is located, is 1.1%. A vacancy rate between 3% and 5% represents a balanced market.

Average Rents and Income Thresholds – Under the *SRP*, the average below-market rents for this proposal are 20% less than the average citywide rents published by CMHC. If approved, the

starting rents for the below-market units will be 20% less the city-wide rents at the time of initial occupancy. On unit turnover, rents in the below-market units may be reindexed to 20% less than the CMHC average rent by unit type current at the time of unit turnover. Figure 3 provides a comparison of average below-market and market rents.

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

Unit Type	Below-Market Units		Newer Rental Buildings – Westside	
	Average Starting Rents ¹	Average Household Income Served	Average Rent ²	Average Household Income Served
Studio	\$1,135	\$48,928	\$1,938	\$77,520
1-bed	\$1,303	\$57,152	\$2,209	\$88,360
2-bed	\$1,818	\$78,752	\$3,411	\$136,440
3-bed	\$2,447	\$95,808	\$4,426	\$177,040

¹ The below-market rents shown here reflect a 20% discount from CMHC average market rents for purpose-built rental apartments in Vancouver for 2023.

² Data from the October 2022 CMHC Rental Market Survey for apartments in purpose-built rental buildings completed in the year 2013 or later on the Westside of Vancouver

Security of Tenure – Purpose-built rental housing offers secure rental tenure. The proposed RR-3B zoning designation would only permit residential uses that are secured as Residential Rental Tenure, and no strata or other ownership tenure residential units would be permitted. In addition, all units in a project will be secured through a Housing Agreement and a Section 219 Covenant for the longer of 60 years and the life of the building. The Section 219 Covenant will be registered on title and 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 does not currently have any existing rental residential uses and there are no eligible tenants as defined under the City's *Tenant Relocation and Protection Policy* (TRPP). If any eligible tenants are identified through the City's regulatory approvals process, the applicant will be required to provide a Tenant Relocation Plan that meets the City's TRPP.

4. Transportation and Parking

Parking, loading and bicycle spaces must be provided according to the Parking By-law and will be reviewed at time of development permit application when architectural drawings are submitted. Conditions of approval for this application include construction of new sidewalks, new intersection lighting, and new laneways to advance the City's walking and cycling objectives. Local servicing requirements will be secured through a services agreement. Engineering conditions are included in Appendix B.

5. Environmental Sustainability and Natural Assets

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

Green Assets – The *Urban Forest Strategy* was developed to preserve, protect and strengthen

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

A detailed tree assessment and retention report will be required as part of a subsequent development permit application. Staff will review these materials and provide conditions to retain and protect trees, wherever possible. This process allows for a coordinated assessment of tree retention and replacement with the proposed form of development.

6. Public Input

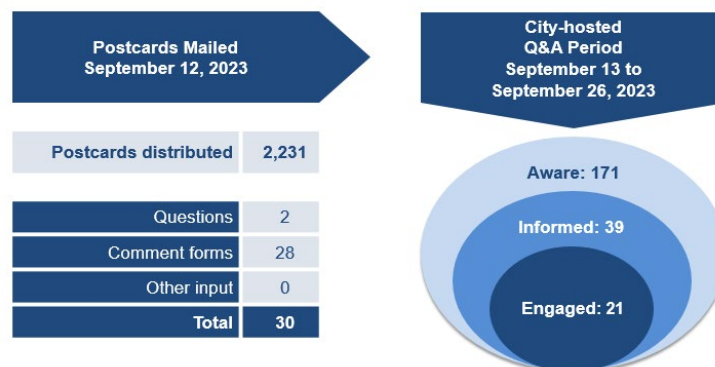
A rezoning information sign was installed on the subject site on July 26, 2023. Approximately 2,231 notification postcards were distributed within the neighbouring area on or about September 12, 2023. Notification, application information, and an online comment form was provided on the Shape Your City Vancouver website (<https://shapeyourcity.ca/>).

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

Question and Answer Period – A Question and Answer Period was held between September 13 and September 26, 2023 on the Shape Your City platform. The Question and Answer Period consisted of an open-question online event where questions were submitted and posted with a response over a period of two weeks. A project webpage was created and 171 people signed on to view the rezoning proposal including a hypothetical building example.

Public Response and Comments – Public input was provided via online questions, comment forms, by email and phone. A total of 21 submissions were received. A summary of all public responses may be found in Appendix D.

Figure 4: Overview of Notification and Engagement



Support was expressed for increased density, additional housing stock, and for new commercial uses. Concerns were related to the proposed height, loss of existing commercial tenants and the lack of affordability.

In response to public comments, the height is supported under the *SRP* and, if approved, the existing commercial uses would be replaced with new commercial space. Unlike residential tenancy, there are currently no specific senior government, city-wide or plan policies that require a landlord or developer to provide supports (direct or indirect) to a commercial tenant impacted

by redevelopment. However, the City has developed a series of resource guides to assist commercial tenants with real estate decision making and relocation planning. Regarding affordability, the RR-3B zone requires a minimum 20% of the residential floor area to be secured at below-market rental rates. Delivery of the below-market rental units will help contribute to the *Housing Vancouver Strategy* goals. Further, the proposal is also seeking the Class A (100%) waiver of the City-wide DCLs which sets out maximum average starting rents to ensure a level of affordability.

7. 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. To qualify for an exemption, the underlying zoning must be R1-1, RT or RM. While the current zoning is CD-1 and ineligible for an exemption, Real Estate Services staff have reviewed the application and determined no land lift is associated with the rezoning and therefore no CAC contribution is required.

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 A (100%) waiver of the City-wide DCLs applicable to the residential portion of the building. This application will therefore be subject to the maximum average starting rents and unit sizes by unit type applicable to “Class A for-profit affordable rental housing” as per the Vancouver Development Cost Levy By-law, if applicable and as may be amended from time to time. 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 5,374 sq. m (57,846 sq. ft.) of residential floor area and 616.7 sq. m (6,638 sq. ft.) of commercial floor area, it is estimated that a project will pay DCLs of \$980,222 should it achieve the maximum 3.40 FSR. The value of an anticipated City-wide DCL waiver on the residential floor area is estimated at \$1,261,043.

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 permitted through this proposed application will contribute to the City’s secured rental housing stock.

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

FINANCIAL IMPLICATIONS

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

CONCLUSION

Staff have reviewed the application to rezone 4635 Arbutus Street from CD-1(26) (Comprehensive Development) District to RR-3B to facilitate the delivery of secured rental housing. The location complies with the provisions of the RR-3B District Schedule, and staff conclude that 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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4635-4675 Arbutus Street
PROPOSED BY-LAW AMENDMENTS

Note: A by-law to rezone an area to RR-3B will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Zoning District Plan Amendment

1. This by-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan attached as Schedule A to this by-law, and incorporates Schedule A into Schedule D of By-law No. 3575.
2. The area shown within the heavy black outline on Schedule A is rezoned and moved from CD-1(26) to the RR-3B district.

[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.]

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4635-4675 Arbutus 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 August, 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*s – *Process and Requirements*.

Housing

- 1.2 The unit mix to be included in the development permit drawings must include a minimum of 35% family units (with two or more bedrooms) across both the below-market units and market rental units.
- 1.3 A minimum of 20% of the total residential floor area must be below-market rental housing.
- 1.4 The development should be designed in accordance with the High-Density Housing for Families with Children Guidelines, including the provision of:
- (a) An outdoor amenity area to include areas suitable for a range of children’s play activities and urban agriculture, appropriate in size for the scale of the project and situated to maximize sunlight access (S. 3.3.2, 3.4.3);
 - (b) A minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each dwelling unit (S. 4.4.2);
 - (c) A multi-purpose indoor amenity space at least 37 sq. m (398 sq. ft.) with a wheelchair accessible washroom and kitchenette. Consider positioning this adjacent to the children’s play area to enable parental supervision from the amenity room (S. 3.7.3); and
 - (d) A balcony for each family-size unit with 1.8 by 2.7 m minimum dimensions (S. 4.3.2).

The below market units should be designed to the same standards of livability as the market rental units.

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

Engineering

Arrangements to the satisfaction of the General Manager of Engineering Services for the following:

- 1.5 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 should excavation be required two or more levels below grade or if excavation is flush to the property line.

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 Occupancy Permit issuance.

Please contact Engineering Services at shoringreview@vancouver.ca for details.

<https://vancouver.ca/streets-transportation/street-design-construction-resources.aspx>

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

- 1.6 The owner or representative is 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 & 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.

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

- 1.7 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.
- 1.8 Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.
- 1.9 Provision of written confirmation that a waste hauler can access and pick up from the site without reliance of the lane for extended bin storage if the garbage and recycling storage is designed below the first level below grade.

Note to Applicant: If this cannot be confirmed, then an on-site garbage bin staging area is to be provided adjacent the lane.

- 1.10 Submission to Engineering of an updated landscape plan reflecting all the public realm changes, including demonstration of:
 - (a) display of the following notes:

- (i) "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."

- (ii) "Tree species, final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil volumes. Root barriers shall be of rigid construction, 8 feet long and 18 inches deep, centre on each street tree adjacent to the sidewalk and any off-street bike facility. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".
- (iii) "The off-site designs submitted as part of the Development Permit application are preliminary."

- (b) existing locations of:

- (i) street furniture; and
- (ii) poles and guy wires.

Note to Applicant: Where a design detail is not available, make note of the improvement on the plan. Public realm changes include all the off-site improvements sought for this rezoning. 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.

- 1.11 Provision of the following information as part of the architectural drawing submission at the development permit stage to facilitate a complete Transportation review:

- (a) a complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided;
- (b) all types of parking and loading spaces individually numbered and labelled;
- (c) dimension of any/all column encroachments into parking stalls;
- (d) identification of all columns in the parking layouts;
- (e) dimensions for typical parking spaces;
- (f) dimensions of additional setbacks for parking spaces due to columns and walls;
- (g) dimensions of 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; and

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.

- 1.12 Provision of 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.

- 1.13 Provision of the Developer's Engineer is to submit a sewer abandonment plan 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.

- 1.14 Provision of all third-party utility services (e.g., BC Hydro, Telus, and Shaw) to be underground and BC Hydro service to the site to be primary. All electrical plants will be provided within private property.

Note to Applicant: BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be located on private property with no reliance on public property for placement of these features.

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

- 1.15 A Key Plan shall be submitted by the applicant and approved by the City prior to any third-party utility drawing submissions and 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: It is highly recommended that the applicant submits a Key Plan to the City for review as part of the building permit application. Use of street for temporary power (e.g., temporary pole, pole mounted transformer or ducting) is to be coordinated with the city well in advanced of construction.

Requests will be reviewed on a case-by-case basis with justification provided substantiating need of street space against other alternatives. If street use for temporary power is not approved, alternate means of providing power will need to be proposed. An electrical permit will be required.

- 1.16 Show all City supplied building grades on the architectural and landscape plans, and when providing additional property line elevations for proposed entrances, interpolate a continuous grade between the elevations provided on the City supplied building grade plan.

Note to Applicant: Building Grades have not been designed at this site. The Applicant is to submit an application for building grades. Building grades need to be finalized prior to Development Permit application.

For further information contact Streets.Design@vancouver.ca and follow the link to the City web page <https://vancouver.ca/home-property-development/building-grades-for-sidewalk-and-street-elevation.aspx>.

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

Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:

- 2.1 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for release of an Easement & Indemnity Agreement 402027M (commercial crossing) prior to enactment.

Prior to issuance of any Occupancy Permits for new development, the existing crossing must be removed in accordance with the Crossing By-law No. 4644, and confirmation that the existing crossing has been removed is required must be provided to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: A fresh title search and a copy of the documents along with executable discharge documents to effect the releases must be provided.

- 2.2 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 to the satisfaction of the General Manager of Engineering Services. No development permit for the site, or any portion thereof, or for any building or improvements thereon will be issued until the security for the Services is provided.

The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in their sole discretion and holds shall be placed on such permits as deemed necessary in their 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.

Note to Applicant: No off-site upgrades are required. Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by Vector Engineering dated May 16th, 2023, no water main upgrades are required to service the development.

The main servicing the proposed development is 200 mm. 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 300 mm.

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.

Note to Applicant: No sewer upgrades are required. The development is to be serviced to the existing 300 mm COMB sewer in L/E Yew Street near the southwest corner of the site.

- (c) Provision of street improvements along Arbutus St. adjacent to the site and appropriate transitions, including:

- (i) broom finish saw-cut concrete sidewalk from the edge of the front boulevard to the property line;
- (ii) engineered soil under new sidewalks for better growing conditions of the street trees; and
- (iii) removal of existing driveway(s) and replacement with full-height curb, boulevard, and sidewalk.

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. Confirm if your site is within a Streetscape Design Guideline area and follow the applicable guidelines.

- (d) Provision of street improvements along the lane adjacent to the site and appropriate transitions, including:

- (i) reconstruction of the laneway along the development site's frontage, complete with center valley drainage; and

Note to Applicant: Asphalt pavement reconstruction on lane per City higher zoned lane pavement structure.

If porous asphalt is used in this laneway, the proposed porous asphalt pavement structure shall meet the same loading performance as the City standard higher zoned lane pavement structure.

- (ii) installation of one new catch basin.

- (e) Provision of street trees where space permits.

Note to Applicant: Final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. Tree species to the approval of the City Arborist. Street tree planting to include appropriate soil volumes and approved root barriers of rigid construction, 8' long and 18" deep, centre on each street tree adjacent to the sidewalk and any off-street bike facility.

- (f) Provision of installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.

- (g) Provision of upgraded street lighting (roadway and sidewalk) and existing lane lighting to current City standards and IESNA recommendations.

- (h) Provision of Arbutus/Valley Drive entire intersection street lighting upgrade to current City standards and IESNA recommendations.

- (i) Provision of new or replacement duct bank that meets current City standard.

Note to Applicant: Duct banks are to consist of electrical and communication ducts and cables and connect to existing electrical and communication infrastructure.

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 City of Vancouver Engineering Design Manual, Construction Specifications, Standard Detail Drawing, Canadian Electrical Code and the Master Municipal Construction Documents.

Housing

- 2.3 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant to secure all residential units as Class A for-profit affordable rental housing, as defined in the DCL By-law, meaning:

- (a) all dwelling units are secured rental units, which excludes Seniors Supportive or Assisted Housing;
- (b) at least 20% of the residential floor area is secured as below-market rental dwelling units and
- (c) the remaining units are secured as market rental units,

all subject to the conditions set out below for such units and in accordance with the requirements set out in the Secured Rental Policy, and for a term equal to the longer of 60 years and the life of the building and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require. These agreement(s) will include but not be limited to the following terms and conditions:

- (d) A no separate sales covenant;
- (e) A no stratification covenant;
- (f) A provision that none of the units will be rented for less than one month at a time;
- (g) That the average initial starting monthly rents by unit type for the below-market rental housing units in the project will be at least 20% below the average market rent for private rental apartment units city-wide as published by the Canada Mortgage and Housing Corporation in the most recent Rental Market Survey Data Tables for Vancouver at the time when the Occupancy Permit is issued;
- (h) That a rent roll indicating the agreed maximum average initial monthly rents for the below-market rental housing units will be required prior to issuance of an Occupancy Permit, to the satisfaction of the General Manager of Planning, Urban Design or Sustainability (or successor in function) and the Director of Legal Services;
- (i) Following initial occupancy, on a change in tenancy for a below-market rental housing unit, the starting rent for such new tenancy will be at least 20% below the rent for private rental apartment units city-wide as published by the Canada Mortgage and Housing Corporation in the most recent Rental Market Survey Data Tables for Vancouver for that unit type at the time of the change in tenancy;
- (j) That the applicant will verify eligibility of new tenants for the below-market rental housing 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.
- (k) That the applicant will verify the ongoing eligibility of existing tenants in below-market rental housing 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.
- (l) 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 housing 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 housing units, and a summary of the results of eligibility testing for these units; and

- (m) 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 Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter and a Section 219 Covenant prior to enactment of the rezoning by-law.

Environmental Contamination

2.4 As applicable:

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

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

Agreements

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the By-law and at no cost to the City. The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

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**4635-4675 Arbutus Street
PROPOSED CONSEQUENTIAL BY-LAW PROVISIONS**

Note: By-laws will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

CD-1 (26) BY-LAW NO. 4078

1. This by-law amends the indicated provisions of By-law No. 4078.
2. Council strikes out section 1 and substitutes the following:

“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.]

3. Council strikes out Schedule D and substitutes the map attached to this by-law as Schedule A.

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**4635-4675 Arbutus Street
PUBLIC CONSULTATION SUMMARY**

1. Background of Secured Rental Policy (SRP) Consultation

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

2. List of Engagement Events, Notification, and Responses

	Date	Results
Event		
Question and Answer Period (City-led)	September 13 to September 26, 2023	171 participants (aware)* <ul style="list-style-type: none"> • 39 informed • 21 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	September 12, 2023	2,231
Public Responses		
Online questions	September 13 to September 26, 2023	2 submittals
Online comment forms <ul style="list-style-type: none"> • Shape Your City platform 	July 2023 – January 2024	28 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	July 2023 – January 2024	28 submittals <ul style="list-style-type: none"> • 17 responses • 6 responses • 5 responses
Other input- email	July 2023 – January 2024	0 submittals

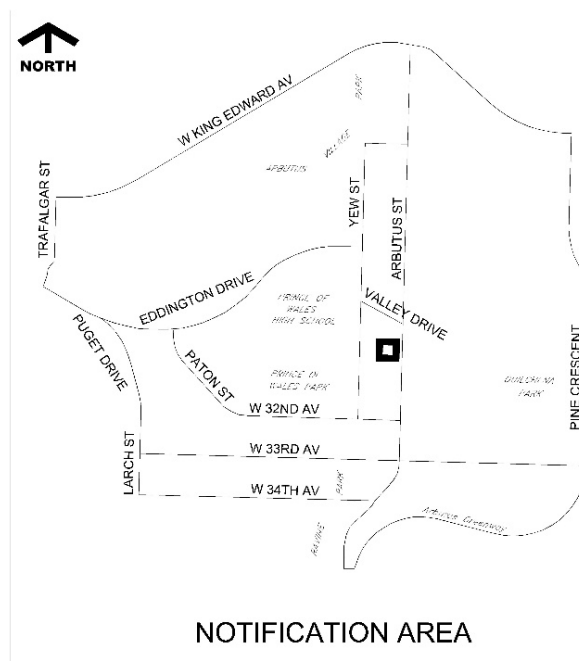
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	July 2023 – January 2024	547 participants (aware)* <ul style="list-style-type: none"> • 81 informed • 30 engaged

Note: All reported numbers above are approximate.

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

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

3. Map of Notification Area



4. Analysis of All Comments Received

Below is an analysis of all public feedback by topic.

Generally, comments of support fell within the following areas:

- **Density:** The density from this building is appropriate for the neighbourhood, and assists in addressing the housing crisis.

- **Rental Housing:** Adds much needed rental housing to the neighbourhood, increasing the housing supply.
- **Support for commercial space:** The proposed development is supportive to the provision of spaces. The preservation of commercial usages was highlighted as a priority by respondents.

Generally, comments of concern fell within the following areas:

- **Height:** The height of the development is too tall, and out of scale with adjacent blocks.
- **Affordability:** The proposed development is providing insufficient affordable rental or ownership opportunities.
- **Driving away small businesses:** Existing small businesses will be driven out of the neighbourhood as they will be unable to afford to rent the proposed commercial spaces.

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 development fits in with the neighbourhood character.
- General support for the height and density.

General comments of concern:

- The development does not fit with the overall character of the neighbourhood.
- The development will increase traffic congestion.

Neutral comments/suggestions/recommendations:

- The rezoning application should be expedited to bring much needed housing to the community.
- It would be appropriate to add additional height and density to the development.
- Would like to see space provided for a mid-block pedestrian connection between the development site and Quilchena Gardens.
- Include a mural or some sort of interesting colour palette or design on the North side of the development.
- Trees and wildlife should be protected.
- Roads should be widened to accommodate additional traffic

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**4635-4675 Arbutus Street
PUBLIC BENEFITS SUMMARY**

Project Summary

Rezoning to the RR-3B 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
Zoning District	CD-1 (26)	RR-3B
FSR of Base Zoning and FSR of Base Density (site area = 1,762 sq. m (18,966 sq. ft.))	1.20	3.40 (0.35 designated as commercial)
Floor Area	2,114 sq. m (22,759 sq. ft.)	Residential: 5,374 sq. m (57,846 sq. ft.) Commercial: 616.7 sq. m (6,638 sq. ft.)
Land Use	Commercial	Mixed Use

Summary of development contributions anticipated under proposed zoning

City-wide DCL ^{1,2}	\$144,708
Utilities DCL ¹	\$835,514
TOTAL	\$980,222

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 A (100%) waiver of the City-wide DCLs applicable to the residential portion of the building. The value of the anticipated City-wide DCL waiver is estimated at \$1,261,043. The application is therefore subject to the maximum average starting rents and by unit type applicable to "class A for-profit affordable rental housing" as per the By-law. These requirements will be secured by a Housing Agreement, and compliance will be assessed through the development permit stage to occupancy permit issuance.

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**4635-4675 Arbutus Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

Property Information

Address	Property Identifier (PID)	Legal Description
4635-4675 Arbutus Street	009-167-102	Lot 7 Block 93 District Lot 526 Plan 11076

Applicant Information

Architect/Applicant	Perkins + Will Canada Architects Co.
Property Owner	Constantine Dino Bonnis

Site Statistics

Site Area	1,762 sq. m (18,966 sq. ft.); Site dimensions 41.3 m (135.5 ft.) x 42.7 m (140 ft.)
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Development Statistics

	Permitted Under Existing Zoning	Development Permitted Under Proposed Zoning
Zoning	CD-1 (26)	RR-3B
Uses	Commercial	Residential Rental, Cultural and Recreational, Institutional, Office, Retail, Service
Maximum Density	1.20 FSR	Up to 3.40 FSR
Floor Area	2,114 sq. m (22,759 sq. ft.)	Up to 5,374 sq. m (57,846 sq. ft.) for residential and 616.7 sq. m (6,638 sq. ft.) for commercial
Height	Up to two-storeys	Up to 6 storeys (at the street): 22 m (72 ft.)
Unit Mix	n/a	as per RR-3B District
Parking, Loading and Bicycle Spaces	as per Parking By-law	as per Parking By-law
Natural Assets	To be assessed at the development permit stage	

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