



REFERRAL REPORT

Report Date: May 28, 2024
Contact: Helen Chan
Contact No.: 604.829.9615
RTS No.: 16391
VanRIMS No.: 08-2000-20
Meeting Date: June 11, 2024

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 4906-4958 Main Street

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-law(s), in accordance with the recommendations set out below, for consideration at the Public Hearing.

RECOMMENDATION FOR PUBLIC HEARING

- A. THAT the application by Vorden Development Corp., on behalf of Main33 Project Holdings Inc., the registered owner of the lands located at:
- 4906 Main Street [*PID: 014-902-494; Lot 1, except part in Plan 4481, Block 5 District Lot 637 Plan 1192*];
 - 4924 Main Street [*PID: 008-136-831; Lot 2, except the west 10 feet now road, Block 5 District Lot 637 Plan 1192*];
 - 4936 Main Street [*PID: 014-902-508; Lot 3, except part in Plan 4481, Block 5 District Lot 637 Plan 1192*];
 - 4940 Main Street [*PID: 014-902-516; Lot 4, except part in Plan 4481, Block 5 District Lot 637 Plan 1192*]; and
 - 4958 Main Street [*PID: 014-902-524; Lot 5, except part in Plan 4481, Block 5 District Lot 637 Plan 1192*];

to rezone the lands from RT-2 (Duplex Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.75 to 3.27 and the building height from 9.2 m (30 ft.) to 22.0 m (72 ft.), to permit the development of a six-storey mixed-use building containing 72 residential rental units with commercial space on the ground floor, 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 W.T. Leung Architects Inc., received May 24, 2022, and supplemental plans received September 20, 2022 and December 19, 2023, 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 application to amend the Sign By-law to establish regulations for the CD-1, generally as set out in Appendix C, be approved.
- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the CD-1, generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law.

- E. THAT Recommendations A to D 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 the properties at 4906-4958 Main Street to a CD-1 (Comprehensive Development) District to permit development of a six-storey mixed-use building containing 72 residential rental units with commercial space on the ground floor.

Staff have assessed the application and conclude that it meets the intent of the *Affordable Housing Choices Interim Rezoning Policy* (AHC Policy). 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 in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)
- Affordable Housing Choices Interim Rezoning Policy (2012, last amended 2018)
- Rental Incentive Programs Bulletin (2012, last amended 2023)
- Secured Rental Policy (2019, last amended 2023)
- 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 2022)
- Community Amenity Contributions Policy for Rezoning (1999, amended 2023)
- Public Art Policy and Procedures for Rezoned Developments (2014, last amended 2021)
- Green Buildings Policy for Rezoning (2010, amended 2022)
- Urban Forest Strategy (2014, amended 2018)
- Latecomer Policy (2021)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No.12183

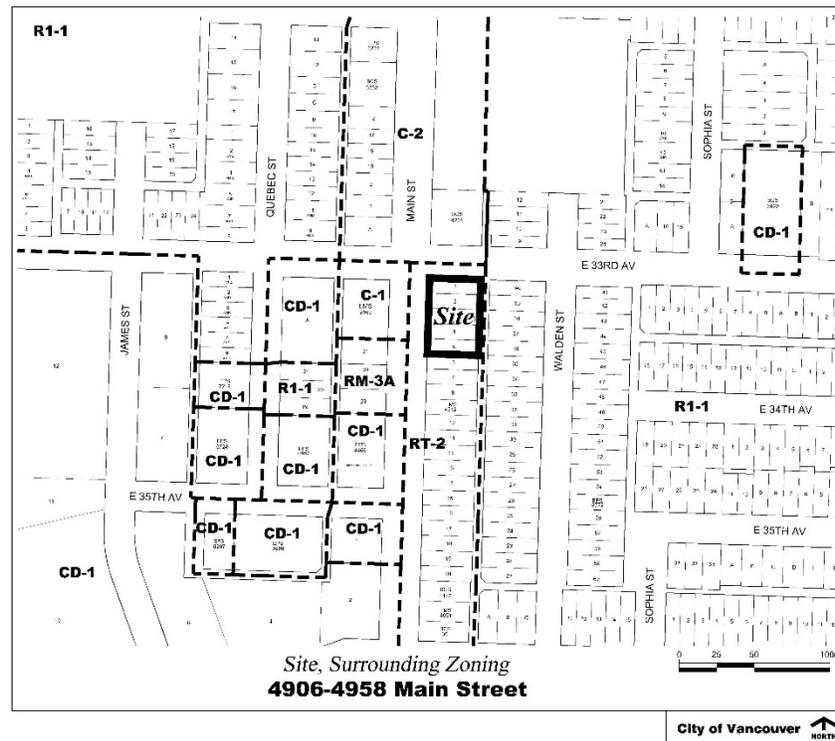
REPORT

Background/Context

1. Site and Context

The subject site is located at the southeast corner of Main Street and East 33rd Avenue (see Figure 1). The site comprises five lots, currently developed with one two-storey multi-family building at the corner and four single-detached houses to the south. The site area is 1,717.5 sq. m (18,487 sq. ft.), with a frontage of 50.3 m (165 ft.) along Main Street and a depth of 34.1 m (112 ft.) along East 33rd Avenue. The property contains 12 secondary rental tenancies, of which five are eligible for provisions under the *Tenant Relocation and Protection Policy* (TRPP). The surrounding area is a mix of commercial and multi-family residential buildings along Main Street, with single-detached buildings to the south and east.

Figure 1: Surrounding Zoning and Context



Neighbourhood Amenities – The following amenities are in close proximity:

- *Parks:* Queen Elizabeth Park (315 m), Riley Park (300 m), Hillcrest/Nat Bailey Stadium Park (300 m) and Cartier Park (525 m).
- *Cultural/Community Spaces:* Hillcrest Centre (820 m) and Bloedel Conservatory (1 km).
- *Childcare:* Brock Junction After School Program (170 m).

Local School Capacity – The site is located within the catchment area of Brock Elementary School and John Oliver Secondary School. According to the Vancouver School Board (VSB)'s *2020 Long Range Facilities Plan*, both Brock and John Oliver schools are under enrollment capacity and will continue to be in the coming years, operating at 75% and 50% respectively by 2031. The City coordinates with the VSB to inform decision-making and reduce enrolment pressure, recognizing that some schools are full, but there is overall surplus capacity within their system. The VSB continues to 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 the long-term growth of the City over the next 30 years. *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*.

Affordable Housing Choices Interim Rezoning Policy (AHC Policy) – On October 3, 2012, Council approved the AHC Policy, which intended to enable market rental housing and ground-oriented/mid-rise housing types. The interim policy was adopted to expand market rental opportunities into areas which were excluded from the prevailing rental policy of the time, *Secured Market Rental Housing Policy*, commonly known as Rental 100 (R-100). By 2018, new rental housing policies were under development, and Council introduced a deadline of June 30, 2019 for new rezoning enquiries under the AHC Policy. Furthermore, once an enquiry was completed, receipt of a full rezoning application was required by June 30, 2022 to continue to remain eligible to proceed under the AHC Policy.

This rezoning application was received on May 24, 2022 and therefore, the project remains eligible under the AHC Policy.

Rezoning applications considered under the AHC Policy must meet a number of criteria, such as providing 100% of the residential floor area as secured rental housing, fitting contextually within neighbouring development and meeting location requirements. Sites fronting an arterial street that is on TransLink's Frequent Transit Network and near local shopping areas permit mid-rise forms up to a maximum of six storeys. The AHC Policy allows for a maximum of two projects to be considered within ten blocks along the same arterial. No other AHC Policy projects have been considered within ten blocks of this site.

There are currently two in-stream AHC Policy applications remaining.

Secured Rental Policy (SRP) – On November 26, 2019, Council approved amendments to the *Secured Market Rental Housing Policy* (commonly known as Rental 100) and retitled it to *Secured Rental Policy* (SRP). The SRP expands on Rental 100 by consolidating rezoning opportunities for secured rental housing previously contained in the AHC Policy and introducing new green buildings requirements. This site is eligible for redevelopment under the new SRP. However, the six-storey mixed-use option (RR-3B) would require that a minimum 20% of residential floor area be secured as below-market rental units.

Housing Needs Report (HNR) – 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 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.

Housing Vancouver Strategy – In November 2017, Council approved the *Housing Vancouver Strategy* (2018-2027), which seeks to shift the supply of new homes towards the right supply, with targets for new units along a continuum of housing types. The targets were based on the core goals of retaining the diversity of incomes and households in the city, and shifting housing production towards rental to meet the greatest need. The *Housing Vancouver Strategy* has targeted the delivery of 72,000 new homes, including 20,000 purpose-built rental units by 2028. Targets and actions seek to retain a diversity of incomes and households in the city. If approved, this application would contribute towards the targets for purpose-built rental units.

Strategic Analysis

1. Proposal

The application proposes a six-storey mixed-use building containing 72 residential rental units with commercial space on the ground floor (Figure 2).

Figure 2: View from the West on Main Street



2. Land Use

The proposed residential rental units and ground floor commercial are consistent with the intent of the AHC Policy.

3. Form of Development, Height and Density (refer to drawings in Appendix F and statistics in Appendix H)

Height and Density – The site is currently zoned RT-2 (Duplex Residential) which permits a maximum density of 0.75 FSR. The AHC Policy allows a maximum of six storeys for sites fronting an arterial street. The proposed six-storey development has a height of 22.0 m (72 ft.), density of 3.27 FSR and floor area of 5,614.0 sq. m (60,428 sq. ft.).

Form of Development – The building presents a six storey form on both street fronts, with a four storey structure towards the southern neighbour. The proposed residential uses provide a 5.6 m (18.5 ft.) setback towards the eastern lane side. Overall, the proposal fits well with the surrounding context. The retail spaces on the ground level are accessed from Main Street and the residential lobby to access upper level residential units is along 33rd Avenue.

Livability and Privacy – Staff evaluated the proposal with respect to the transition to the south neighbouring property. Although the proposal provides zero feet setback at the south property line, this portion of the building has a reduced height of four storeys and has no windows on the south facade. Conditions in Appendix B for livability and privacy, include addressing window location and balcony design on the upper levels to ensure privacy with respect to overlooking of the south neighbouring front and rear yards. For properties located to the east, direct overlook is mitigated by a 6.0 m (20 ft.) wide service lane, existing garages, and proposed balconies adjacent to living rooms. Design conditions are included to further reduce overlook and mitigate

privacy concerns in the interface to the east, by adding hedging and including translucent glazing for balconies.

Public Realm – The design creates a public open space at the southwest corner of the building, with a building setback to match the front setback of the existing residential building to the south (Figure 3). This open space has a width of 6.0 m (20 ft.) from the south property line. Conditions have been added in Appendix B to enhance the quality of public realm space with the provision of street furniture and landscape elements for a better pedestrian ambience.

Figure 3: View from the Southwest on Main Street



Private Amenity Areas – Indoor and outdoor amenity areas are proposed on the second storey. Shadow diagrams indicate that the current outdoor amenity location does not receive adequate sunlight during late afternoon. Consequently, a condition has been added to consider relocating the outdoor amenity to the rooftop area in order to maximize sunlight access.

Urban Design Panel – Staff determined a review by the Urban Design Panel was not required due to the relatively small size of the development in the residential zones. Further design development conditions to improve the lane interface with landscaping and mitigate privacy concerns between the proposed units are contained in Appendix B.

Staff have reviewed the rezoning application and concluded that the proposed design is an appropriate response to the neighbourhood context, and recommend approval of the proposed form of development subject to conditions in Appendix B.

4. Housing

The *Housing Vancouver Strategy* seeks to deliver a range of housing tenures across the housing continuum. This application, if approved, would add 72 rental housing units to the City's inventory of rental housing, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 4).

Figure 4: Progress Towards 10-Year Housing Vancouver Targets for Purpose-Built Secured Market Rental Housing as of March 31, 2024

Housing Type	10-YEAR TARGETS	Units Approved Towards Targets
Purpose-Built Market Rental Housing Units	20,000	18,641 (93%)

*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

***Includes Developer-Owned Below-Market Rental Housing

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 Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the Riley Park neighbourhood, in which this site is located, is 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* requires a minimum of 35% family units. This application proposes 34.7% family units in a mix of two-bedroom and three-bedroom units which does not currently meet this policy. These units must be designed in accordance with the *High Density Housing for Families with Children Guidelines*. A provision is included in the CD-1 By-law to meet the minimum unit mix requirements.

Average Rent and Income Thresholds – Average rents for units on the eastside are shown in Figure 5. Rent increases, over time, are subject to the Residential Tenancy Act. Average market rents in newer rental buildings on the eastside are shown in the middle two columns in Figure 5. The market rental housing will provide options which are significantly more affordable than average home ownership costs as illustrated in Figure 5.

Figure 5: Market Rents in Newer Eastside Buildings, Costs of Ownership and Household Income Served

Unit	Average Unit Size	Newer Rental Buildings Eastside		Monthly Costs of Ownership for Median-Priced Apartment – Eastside (with 20% down payment)		
		Average Market Rent ¹	Average Household Income Served	Monthly Costs of Ownership ²	Average Household Income Served	Down Payment at 20%
Studio	447	\$1,776	\$71,040	\$2,200	\$88,000	\$79,550
1-bed	553	\$2,116	\$84,640	\$2,885	\$115,400	\$108,000
2-bed	781	\$2,839	\$113,560	\$3,809	\$152,360	\$141,300
3-bed	908	\$3,245	\$129,800	\$5,565	\$222,600	\$213,000

¹ Data from the October 2023 CMHC Rental Market Survey for apartments in purpose-built rental buildings completed in the year 2014 or later on the Eastside of Vancouver.

² Based on the following assumptions: median of all BC Assessment apartment sales prices in Vancouver Eastside in 2021 by unit type, 20% down payment, 5% mortgage rate (in line with Bank of Canada conventional rate), 25-year amortization, \$150-\$250 monthly strata fees and monthly property taxes at \$2.92 per \$1,000 of assessed value (2020 assessments and property tax rate).

Security of Tenure – Purpose-built rental housing offers secure rental tenure. All 72 units in the proposal would be secured through a Housing Agreement and a Section 219 Covenant for the

longer of 60 years and the life of the building. Covenants will be registered on title to prohibit the stratification and/or separate sale of individual units.

Tenants – The rezoning site contains existing rental residential uses, including 12 units of secondary rental housing. Five out of the 12 existing residential tenancies are eligible under the City's *Tenant Relocation and Protection Policy* (TRPP). The applicant has provided a Tenant Relocation Plan (TRP) for eligible tenants which meets the requirements of the City's TRPP, which is summarised in Appendix D of this report. All residential tenancies are protected under the provincial Residential Tenancy Act.

5. Transportation and Parking

The application proposes no parking reduction, with 75 vehicle spaces and 136 bicycle spaces in two levels of underground parking accessed from the lane. Twelve surface bicycle parking spaces are also provided. Parking and loading are to meet the Parking By-law at the development permit stage.

The site is well-served by transit with bus service on both Main Street and 33rd Avenue. Main Street is part of TransLink's Frequent Transit Network (FTN). The site is also located less than 300 m away from two bikeways, with the Ontario bikeway to the west and the Prince Edward bikeway to the east. As a condition of rezoning, the applicant must provide amenities for a future bus stop adjacent to the site on 33rd Avenue.

Other conditions of approval include dedicating 2.13 m (7 ft.) for road widening on 33rd Avenue, providing a building setback and surface statutory right-of-way to allow for a widened boulevard and sidewalk on Main Street, and upgrading the existing traffic signal at the intersection of Main Street and 33rd Avenue with accessible pedestrian signals (APS). Engineering conditions are included in Appendix B.

6. 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 submitted preliminary modelling analysis detailing design and construction strategies to meet anticipated energy and emissions, and embodied carbon targets in Vancouver Building By-law, a summary of the resilient building measures considered for the application, and a commitment to fulfil energy system sub-metering and enhanced commissioning requirements throughout the project.

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 to protect as many healthy, viable trees while still meeting the challenges of development and housing priorities.

The subject site contains no permit sized trees. Five City street trees on Main Street will be retained, while five hedges in the boulevards on both Main Street and 33rd Avenue are proposed for removal. The final number of trees planted will be determined through the development permit process, and be coordinated with the location of the future bus stop. See Appendix B for landscape and tree conditions.

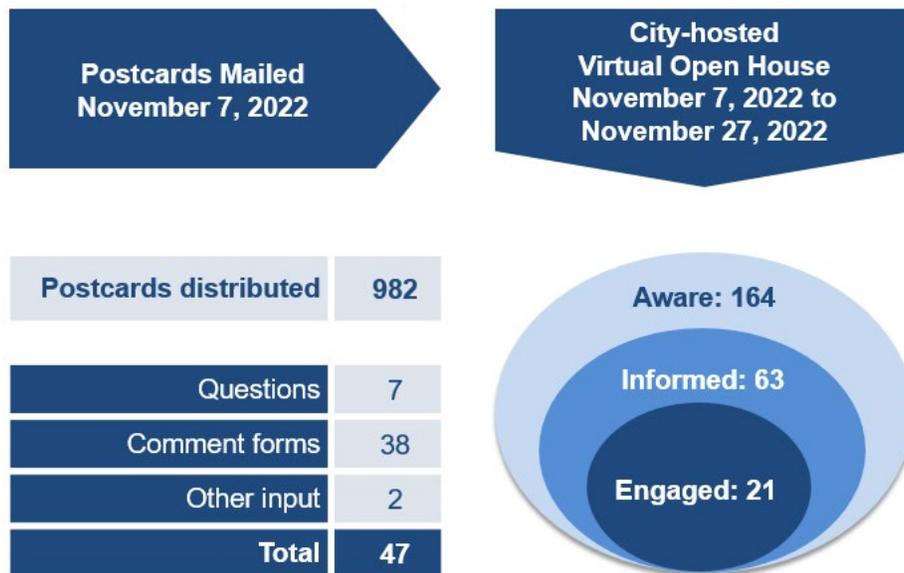
7. Public Input

Public Notification – A rezoning information sign was installed on the site on October 18, 2022. Approximately 982 notification postcards were distributed within the neighbouring area on or about November 7, 2022. Notification and application information, and an online comment form, was provided on the City’s Shape Your City (shapeyourcity.ca/) platform.

Virtual Open House – A virtual open house was held from November 7, 2022 to November 27, 2022 on the Shape Your City platform. The open house consisted of an open-question online event where questions were submitted and posted with a response over a period of three weeks. A digital model was posted for online viewing.

Public Response and Comments – Public input was via online questions, comment forms, email and phone. A total of 47 submissions were received. A summary of all public responses may be found in Appendix E.

Figure 6: Overview of Notification and Engagement



Below is a summary of feedback received from the public by topic. Generally, comments of support fell within the following areas:

- **Height, massing, density, location:** The development’s density, height, massing, and use are aligned with the surrounding neighbourhood.
- **Housing stock:** This development will provide much needed housing stock for the city and to residents that want to stay within their community.
- **Commercial space:** Adding commercial units at grade is well supported as the area is lacking retail space and it will liven up the area.

Generally, comments of concern fell within the following areas:

- **Parking impacts on the neighbourhood:** Vehicles from the residents and retail customers of the project will overflow on to the surrounding roads and will make it even more difficult to find street parking in the area.
- **Excessive number of parking spaces:** There are concerns that there are too many vehicle parking spaces proposed given the development's proximity to transit lines and bike paths. The investment in vehicle related infrastructure does not align with sustainability goals.
- **Traffic:** The intersection at Main Street and 33rd Avenue is busy with vehicle activity. The residents and customers of the proposed development will worsen the existing traffic congestion in the area.

Response to Comments – The application does not propose any parking reduction and must meet the Parking By-law at the development permit stage. A total of 75 vehicle parking spaces and 148 bicycle parking spaces are proposed, of which 30 vehicle spaces and 12 bicycle spaces will be for the commercial uses. As a condition of rezoning, the applicant must dedicate 2.13 m (7 ft.) for road widening on 33rd Avenue and upgrade the existing traffic signal at the intersection of Main Street and 33rd Avenue, including with accessible pedestrian signals.

8. Public Benefits

Community Amenity Contribution (CAC) – The application is subject to the *Community Amenity Contributions Policy for Rezoning*s with CACs based on a negotiated contribution. The applicant has offered a cash CAC of \$270,000. Real Estate Services staff have reviewed the applicant's development pro forma and concluded that total CAC value offered by the applicant is appropriate. Staff recommend that the offering be accepted and that the amount be allocated toward public benefits in and around the Main/Cambie/Fraser Street area.

Should the applicant choose to pursue a DCL waiver at a later stage, the application will be subject to further review to determine if an additional land lift is generated. If the revised pro forma results in an increase to the CAC, the application will return to Council through a subsequent Public Hearing to amend the CAC rezoning enactment condition.

Development Cost Levies (DCLs) – The site is subject to the City-wide DCL and Utilities DCL, which will be calculated at the development permit stage. Based on rates in effect as of September 30, 2023 and the proposed 4,775.9 sq. m (51,407 sq. ft.) of residential and 838.1 sq. m (9,021 sq. ft.) sq. ft. of commercial floor area, the DCLs are estimated to be \$2,081,190.

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

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 rental housing in this proposed development will contribute to the City’s rental housing stock.

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

Financial Implications

As noted in the Public Benefits section, this project is expected to provide rental housing, a cash CAC and DCLs. See Appendix G for additional details.

CONCLUSION

Staff review of the application to rezone the site at 4906-4958 Main Street has concluded that the proposed land use, height, density and public benefits are consistent with the AHC Policy and will help achieve key housing objectives in and around the area.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing together with the draft CD-1 by-law provisions generally shown Appendix A with a recommendation that these 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 F.

* * * * *

**4906-4958 Main Street
PROPOSED CD-1 BY-LAW PROVISIONS**

Note: A By-law 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 (___).

Uses

3. 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 this CD-1 and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Cultural and Recreational Uses;
 - (b) Dwelling Uses, limited to Mixed-Use Residential Building;
 - (c) Institutional Uses;
 - (d) Manufacturing Uses;
 - (e) Office Uses;
 - (f) Retail Uses;
 - (g) Service Uses;
 - (h) Utility and Communication Uses; and
 - (i) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

- 4.1 The design and layout of at least 35% of the total number of dwelling units must:
- (a) be suitable for family housing; and
 - (b) have 2 or more bedrooms.
- 4.2 No portion of the first storey of a building, to a depth of 10.7 m from the front wall of the building and extending across its full width, may be used for residential purposes except for entrances to the residential portion.
- 4.3 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building, other than the following:
- (a) display of flowers, plants, fruits and vegetables in combination with a permitted use;
 - (b) farmers' market;
 - (c) neighbourhood public house;
 - (d) public bike share; and
 - (e) restaurant,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this by-law.

Floor Area and Density

- 5.1 Computation of floor area must assume that the site area is 1,717.5 m², being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.
- 5.2 The maximum floor space ratio for all uses combined is 3.27.
- 5.3 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.
- 5.4 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 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.
- 5.5 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

- 6.1 Building height must not exceed 22.0 m.
- 6.2 Despite section 6.1 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 mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portions of the building with the mechanical appurtenances must not exceed 24.0 m.

Horizontal Angle of Daylight

- 7.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 7.2 For the purposes of section 7.1 above, habitable room means any room except a bathroom or a kitchen.
- 7.3 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.

- 7.4 The plane or planes referred to in section 7.3 above must be measured horizontally from the centre of the bottom of each window.
- 7.5 An obstruction referred to in section 7.3 above means:
- (a) any part of the same building excluding permitted projections; or
 - (b) the largest building permitted on any adjoining site.
- 7.6 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.

* * * * *

4906-4958 Main 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 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 W.T. Leung Architects Inc., received May 24, 2022, and supplemental plans received September 20, 2022 and December 19, 2023, 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 improve the building interface with the public realm, including:

- (a) Relocate the bike stalls from the public realm to an area that does not obstruct pedestrian movement;
- (b) Provide continuous weather protection along building street frontages; and
- (c) Provide confirmation of padmounted transformer (PMT) location in the drawings.

Note to Applicant: Consider adding benches, planters and decorative lighting at grade. The location of PMT should be integrated and not impacting the public realm.

1.2 Design development to reduce overlook on to residential neighbours located due east across the lane.

Note to Applicant: Possible design strategies to satisfy this condition may include:

- Providing landscape hedges where applicable along the eastern property line at grade to reduce views from upper levels into neighbouring yards; and/or
- Providing translucent glazing in balcony railing design for upper levels to reduce the overlook into neighbouring yards.

1.3 Design development to improve livability and mitigate privacy concerns:

- (a) Reconfigure the interior layout of units 505 and 605 to ensure the living room windows do not overlook into the south property line; and
- (b) Provide privacy mitigating measures such as translucent glazing or opaque railing design for upper level balconies along with perimeter planting and/or planter hedges for the adjacent residential properties located due south.

1.4 Design development to improve livability and privacy of individual units:

- (a) Provide balconies with a minimum of 1.8 m (6 ft.) in depth.

Note to Applicant: Private open space in the form of balconies, decks or patios should have a minimum single horizontal dimension of 1.8 m and a minimum area of 4.5 sq. m.

- (b) Provide privacy screens between unit balconies.

1.5 Confirmation in drawings that a minimum of 1.86 sq. m (20 sq. ft.) per unit for common outdoor amenity area is provided.

Note to Applicant: Outdoor play areas should be situated in an area that maximizes sunlight access. Consider relocating the common amenity spaces into roof-top outdoor amenity area.

1.6 Design development to consider exploring options for passive design strategies and provision of cooling elements in the overall building design, along with a mechanical air ventilation system.

Note to Applicant: The intent is to address the noise and pollution levels from the arterial streets (Main Street and East 33rd Avenue).

1.7 Design development to identify in the architectural and landscape drawings 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>.

1.8 Identify on the drawings at the time of development permit application, Crime Prevention through Environmental Design (CPTED) strategies including:

- (a) Consideration of residential break and enter;
- (b) Provision of outdoor common area and path lighting;
- (c) Provisions for visibility and security in the underground parking garage in accordance with the Parking By-law, including:
- (i) Providing 24-hour overhead lighting at exit doors and step lights;
 - (ii) Providing white-painted walls; and
 - (iii) Ensuring a high degree of visibility at doors, lobbies, stairs, and other access routes.

Note to Applicant: Alcoves and other similar visually hidden areas should be designed so as to not be covered or have limited cover and 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.

Landscape

1.9 Design development to the lane interface to enhance and activate as much as possible; (see also Urban Design Condition 1.2).

1.10 Design development to the south property interface to buffer and provide privacy as much as possible, at both ground level and second level; (see also Urban Design Condition 1.3)

Note to Applicant: This can be achieved by providing significantly more planting, to be larger scale, evergreen, woody plant material for year-round presence.

1.11 Design development to improve the sustainability strategy, by the following:

- (a) Consider providing intensive and/or extensive green roofs on all available flat roofs;
- (b) Add substantially more landscape around all entry areas, to accent and soften the area;
- (c) Add vines to any blank wall facades, ensuring the vine support is sturdy and low maintenance (avoid high maintenance modular “green wall” systems);
- (d) Add planters with overarching shrubs to common upper level decks, to be visually accessible from below, softening the edges, and consisting of woody evergreen plant material for year-round presence; and
- (e) Add edible plants, which can be used as ornamentals as part of the landscape design, in addition to urban agriculture plots.

1.12 Design development to ensure the intended landscape design is carried into the future by adequate maintenance, as follows:

- (a) Provide common maintenance access to all planted common areas; and
- (b) Provide a high efficiency irrigation system for all planted areas.

1.13 Provision of coordination between landscape plan and architectural site plan, for most updated information.

1.14 Provision of complete information, such as references on the roof deck plan, confirming all landscape elements.

1.15 Provision of a detailed landscape plan illustrating soft and hard landscaping.

Note to Applicant: The plans should be at 1/8": 1 ft. scale minimum. The plant list should include the common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the landscape plan 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.

- 1.16 Provision of detailed architectural and landscape cross sections (minimum 1/4" inch scale) through common open spaces, semi-private patio areas and the public realm.

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.

- 1.17 Provision of a tree management plan as part of the landscape plans, in coordination with arborist report tree management plan.

Note to Applicant: It is preferred that the arborist tree management plan becomes the primary document for tree removal/ protection related matters.

- 1.18 Provision of an arborist "letter of undertaking" to include signatures by the owner, contractor and arborist.

Note to Applicant: The signatures confirm that all parties are aware of the roles and responsibilities and that the project is on track to satisfy the steps and recommendations outlined by the arborist. For example, advanced planning will be needed to ensure that certain works, such as site supervision checkpoints, are coordinated.

- 1.19 Coordination for the provision of new street trees and any proposed City owned tree removals adjacent to the development site, where applicable.

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Engineering (604-871-6131) to confirm tree planting locations and Park Board (604-257-8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, 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. Call Park Board for inspection after tree planting completion".

- 1.20 Provision of an outdoor lighting plan.

Sustainability

- 1.21 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning*s (amended May 17, 2022) located here <https://guidelines.vancouver.ca/policy-green-buildings-for-rezonings-2022-may17.pdf>.

Note to Applicant: Refer to the bulletin *Green Buildings Policy for Rezoning – Process and Requirements* located here

<https://bylaws.vancouver.ca/bulletin/bulletin-green-buildings-policy-for-rezoning-2022-june14.pdf>.

Engineering

- 1.22 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.

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.

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

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

- 1.23 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.

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

- 1.24 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.

- 1.25 Design development to improve access and design of bicycle parking by:

- (a) Provision of an alcove for the bike room access off the vehicle parking ramp and manoeuvring aisle;
- (b) Relocation of Class B bike parking to eliminate encroachments on public property and rights of way;
- (c) Provision of 0.6 m width for Class B bicycle spaces;

- (d) Indication of the stair-free access route from the Class A bicycle spaces to reach the outside;
 - (e) Prevention of columns encroaching into the Class A bicycle spaces; and
 - (f) Provision of drawings to note two full-sized and two stacked Class A bicycle clothing lockers are provided.
- 1.26 Design development to improve access and design of loading spaces and demonstrate compliance with the *Parking and Loading Design Supplement* by provision of:
- (a) 4.0 m width for the Class A passenger space;
 - (b) Convenient, internal, stair-free loading access to/from all site uses, including access to the residential elevator lobby;

Note to Applicant: Access to the commercial corridor must be accommodated entirely on private property while the loading spaces are occupied.
 - (c) A double load throat for the Class B loading space to facilitate manoeuvring to/from both directions, with the double load throat to be maintained while all other loading spaces are occupied; and

Note to Applicant: The double load throat is required to accommodate ingress/egress from East 33rd Avenue, as East 36th Avenue cannot be used as a loading route.

Explore providing one of the Class A loading spaces and the 4.0 m Class A passenger space at grade. These loading spaces will need to be setback from the property line at the lane and moved towards the building in order to accommodate the double load throat for the Class B loading space.
- 1.27 Prior to issuance of a development permit, provision of a Shared Use Loading Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the Class (B) loading space between the commercial and residential uses and labelling of the space as 'Residential and Commercial Loading'.
- 1.28 Design development to improve the parkade layout and access design and demonstrate compliance with the *Parking and Loading Design Supplement* by provision of:
- (a) Vehicle turning movements and identification of vehicle turning swaths demonstrating two-way flow the entire length of the ramp access and manoeuvring aisles throughout the parkade;

Note to Applicant: Based on the review of the vehicle turning swaths, additional width may be required through the full length of the ramp.
 - (b) Improved visibility for two-way vehicle movement in the parkade and mirrors to be provided at all corners of the parkade;
 - (c) Confirmation that the drive aisle gate is a minimum 6.1 m (20 ft.) wide; and

- (d) All columns to be setback a minimum 0.3 m (1 ft.) from the manoeuvring aisle.

Note to Applicant: Refer to the column located between parking space 43 and 44.

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

- (a) Identify all types of parking and loading spaces by numbering and labelling individually.
- (b) Dimension all parking spaces.
- (c) Dimension any/all column encroachments into parking stalls.
- (d) Dimension manoeuvring aisles and the drive aisles at the parkade entrance and all gates.
- (e) Provide 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.

- (f) Identify areas of minimum vertical clearances on parking levels.
- (g) Identify 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.

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

1.31 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.

1.32 The developer's engineer is to submit a sewer abandonment plan to the City that details 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 the issuance of the sewer permit.

- 1.33 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. All required electrical plants will be provided within private property.

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

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

- 1.34 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>.
- (b) All third party service lines to the development are 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 submit 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.

- 1.35 Provision of written confirmation that a waste hauler can access and pick up from the location shown without reliance on the lane for extended bin storage. If this cannot be confirmed, then an on-site garbage bin staging area is to be provided adjacent the lane.
- 1.36 Arrangements to the satisfaction of the General Manager of Engineering Services and the appropriate public utility companies for pole relocation if the driveway, loading bay, walkway, etc. cannot be relocated.

Note to Applicant: Existing wood pole in lane conflicts with access.

- 1.37 Confirmation that gates/doors are not to swing more than 0.3 m (1.0 ft.) over the property lines or into the statutory right-of-way (SRW) area.
- 1.38 Submission to Engineering of an updated landscape plan reflecting all of 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".
- (b) Existing locations of:
- (i) Street furniture; and
 - (ii) Poles and guy wires.
- (c) Deletion of:
- (i) Class B bicycle parking encroachment from the dedication area on East 33rd Avenue;

Note to Applicant: Relocate the Class B bicycle parking proposed to private property.
 - (ii) Class B bicycle parking encroachment from Main Street on the statutory right-of-way (SRW);

Note to Applicant: Relocate the Class B bicycle parking proposed to private property and reorient to be parallel to the building to minimize parked bicycles encroaching into the SRW area.
 - (iii) The bench and planter proposed along Main Street (near the plaza area) on the SRW;

Note to Applicant: Street furniture proposals on City property require a separate application to the City Street Furniture Coordinator.
 - (iv) Pavers from City boulevard and SRW; and

Note to Applicant: Hardscape treatment on City boulevard and SRW to be standard concrete.
 - (v) Two proposed street trees on East 33rd Avenue that are closest to Main Street.

Note to Applicant: No new street trees may be planted on East 33rd Avenue in the area that is within 21.5 m of the property line along Main Street. The front boulevard within this area must be clear of trees in order to accommodate transit operations at a future bus stop.

- 1.39 Provision of City supplied building grades and interpolated design elevations along the property line for the creation of a continuous building grade on both the architectural and the landscape plans.

<https://vancouver.ca/home-property-development/building-grades-for-sidewalk-and-street-elevation.aspx>

Housing

- 1.40 The design and layout of at least 35% of the dwelling units must:

- (a) Be suitable for family housing; and
- (b) Include two or more bedrooms.

- 1.41 The proposed unit mix, including 21 studio units (29%), 26 one-bedroom units (36%), 14 two-bedroom units (19%), and 11 three-bedroom units (15%) is to be revised in the development permit drawings to achieve at least 35% family units.

Note to Applicant: Any changes in the unit mix from the rezoning application may 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, designed to be suitable for families with children.

- 1.42 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 appropriate in size for the scale of the project, with a wheelchair accessible washroom and kitchenette. Consider positioning this adjacent to the children's play area to enable parental supervision from the amenity room (S. 3.7.3); and
 - (d) A balcony for each unit with 1.8 m by 2.7 m minimum dimensions (S. 4.3.2).

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 Arrangements are to be made to the satisfaction of the General Manager of Engineering Services, the Approving Officer and the Director of Legal Services for the consolidation of Lots 1, 3, 4 and 5, all Except Part in Plan 4481, and Lot 2, Except the West 10 Feet Now Road; all of Block 5, District Lot 637, Plan 1192 to create a single parcel and subdivision of that site to result in the dedication of the northerly 2.13 m (7 ft.) for road purposes.

The area to be dedicated is to be free of building structure.

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 building setback and surface statutory right-of-way (SRW) for public pedestrian use over a portion of the site, along Main Street to achieve a 5.5 m (18 ft.) offset distance measured from the back of the existing curb for widened sidewalks.

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

- 2.3 Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the rezoning site (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the Services are provided all to the satisfaction of the General Manager of Engineering Services. No development permit for the rezoning site, or any portion thereof, or for any building or improvements thereon will be issued until the letter of credit, as security for the Services, is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. Except as explicitly provided for in Condition 2.4 (a), 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: Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by R.F. Binnie & Associates Ltd. dated November 30, 2021, no water main upgrades are required to service the development.

The main servicing the proposed development is 300 mm along Main Street or 300 mm along East 33rd Avenue. 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, and in order to maintain acceptable sewer flow conditions, implementation of development(s) at 4906-4958 Main Street require:
 - (i) Development to be serviced to the existing 200 mm SAN on Main Street.

Note to Applicant: Implementation of development(s) at 4906-4958 Main Street does not require any sewer upgrades.

- (c) Street improvements along Main Street adjacent to the site and appropriate transitions including the following:
 - (i) Minimum 1.22 m (4.0 ft.) wide front boulevard (measured from the back of the existing curb);
 - (ii) Minimum 3.05 m (10.0 ft.) wide broom finish saw-cut concrete sidewalk; and
 - (iii) Curb ramps.
- (d) Street improvements along East 33rd Avenue adjacent to the site and appropriate transitions including the following:
 - (i) Minimum 1.22 m (4.0 ft.) wide front boulevard (measured from the back of the existing curb) with street trees where space permits;
 - (ii) Broom finish saw-cut concrete sidewalk from the edge of the front boulevard to the new property line;
 - (iii) Curb ramps; and
 - (iv) Removal of the existing unused driveway crossings and reconstruction of the boulevard, sidewalk and curb to current standards.
- (e) Provision of a new standard concrete lane crossing, new curb returns and curb ramps on both sides of the crossing at the lane crossing on East 33rd Avenue.

- (f) Provision of a new curb ramp at the intersection of East 33rd Avenue and Main Street adjacent to the development site.
- (g) Provision of a rebuilt laneway along the development site's frontage per City "Higher Zoned Laneway" pavement structure.
- (h) Provision of speed humps in the lane east of Main Street between East 33rd Avenue and East 36th Avenue.
- (i) Provision of improvements at the intersection of Main Street and East 33rd Avenue including:

- (i) Upgrades to the existing traffic signal including accessible pedestrian signals (APS).

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

- (j) Provision of the addition of bus stop amenities adjacent to the site including all associated passenger facilities (shelter, seating, litter can, advertising panels, foundations, drainage, electrical connection, etc.) at applicant's cost at a location to be determined by Engineering Services.

Note to Applicant: Bus shelters shall be placed in such a way as to maintain accessibility for bus boarding and alighting. Refer to the following standards:

- (i) Typical bus shelter dimensions are approximately 4.3 m x 2.2 m (14.1 ft. x 7.2 ft.);
 - (ii) Bus shelters shall be a minimum of 1.8 m (5.9 ft.) from the curb;
 - (iii) Bus shelters shall be a maximum of 9.0 m (29.5 ft.) from the bus ID pole;
 - (iv) There shall be a minimum of 3.0 m (9.8 ft.) width direct clear path from the bus ID pole to the sidewalk to allow for ramp deployment and access to the front doors of the bus; and
 - (v) No conflict with underground utilities.
 - (k) 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, centred on each street tree adjacent to the sidewalk and any off street bike facility.

- (l) Provision of street lighting improvements to the satisfaction of the General Manager of Engineering Services prior to building occupancy, including but not limited to:
 - (i) Upgraded street lighting (roadway and sidewalk) to current City standards and IESNA recommendations;
 - (ii) 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.
 - (iii) Lane lighting on standalone poles with underground ducts if BC Hydro poles with attached City lane lights are planned to be removed; and

Note to Applicant: The ducts must be connected to the existing City street lighting grid.

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.

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

2.4 Provision of one or more Latecomer Agreements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following works, which constitute excess and/or extended services:

- (a) Main Street and East 33rd Avenue intersection upgrades to the existing traffic signal including accessible pedestrian signals (APS) per Condition 2.3 (i).

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

Note to Applicant: An administrative recovery charge will be required from the applicant in order to settle the latecomer agreement. The amount, which will be commensurate with the costs incurred by the City to administer the latecomer scheme, will be provided by the City and specified in the latecomer agreement.

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

Housing

2.5 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 72 residential units as secured market rental housing units, excluding Seniors Supportive or Assisted Housing, pursuant

to the City's *Affordable Housing Choices Interim Rezoning Policy* Program, for a term equal to the longer of 60 years and the life of the building, subject to a no-separate-sales covenant and a no-stratification covenant, a provision that none of such units will be rented for less than one month at a time, and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require.

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

- 2.6 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 outline the names of any tenants who have ended their tenancy; the reason for its end (e.g. tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant); the names of tenants still remaining in the building; the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan.

Note to Applicant: If a long period of time elapses between Public Hearing and before issuance of Demolition Permit, the City may request an additional Interim Tenant Relocation Report be submitted.

- (d) Provide a Final Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Occupancy Permit. The Report must outline the names of tenants; indicate the outcome of their search for alternate accommodations; summarize the total monetary value given to each tenant (moving costs, rents, any other compensation); and include a summary of all communication provided to the tenants.

Community Amenity Contribution

- 2.7 Pay to the City the cash Community Amenity Contribution of \$270,000 which the applicant has offered to the City and which is to be allocated to support the delivery of public benefits in and around the Main/Cambie/Fraser Street area. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services.

Environmental Contamination

- 2.8 If applicable:
- (a) Submit a site disclosure statement to Environmental Services;
 - (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 Covenants pursuant to Section 219 of 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-laws 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.

* * * * *

4906-4958 Main Street
PROPOSED CONSEQUENTIAL BY-LAW AMENDMENTS

DRAFT AMENDMENTS TO THE SIGN BY-LAW NO. 11879

Amend Schedule A (CD-1 Zoning Districts Regulated by Part 9) by adding the following:

“4906-4958 Main Street [CD-1#] [By-law #] [C-2]”

DRAFT AMENDMENT TO THE NOISE CONTROL BY-LAW NO. 6555

Amend Schedule B (Intermediate Zone) by adding the following:

“[CD-1 #] [By-law #] 4906-4958 Main Street”

4906-4958 Main Street
SUMMARY OF TENANT RELOCATION PLAN TERMS

Tenant Relocation and Protection Requirements	Tenant Relocation Plan Offer
Financial Compensation	<ul style="list-style-type: none"> • Compensation in the form of free rent, a lump sum payment, or a combination of both, will be available for each unit eligible for Tenant Relocation Plan according to the following schedule: <ul style="list-style-type: none"> ○ 4 months' rent for tenancies up to 5 years; ○ 5 months' rent for tenancies over 5 years and up to 10 years; ○ 6 months' rent for tenancies over 10 years and up to 20 years; ○ 12 months' rent for tenancies over 20 years and up to 30 years; ○ 18 months' rent for tenancies over 30 years and up to 40 years; and ○ 24 months' rent for tenancies over 40 years.
Notice to End Tenancies	<ul style="list-style-type: none"> • Landlord to provide regular project updates to tenants throughout the development approvals process. • A minimum of four months' notice to end tenancy after all permits are issued is required (e.g. all development, building, and demolition permits in place).
Moving Expenses (flat rate or arrangement of an insured moving company)	<ul style="list-style-type: none"> • A flat rate of \$750 or \$1000 will be provided to all eligible tenants depending on the type of unit.
Assistance in Finding Alternate Accommodation (3 options)	<ul style="list-style-type: none"> • Staff have distributed tenant needs assessment surveys. These surveys will be used in relocation efforts and to identify tenants' needs and preferences. • Applicant has committed to monitor rental market and provide tenants requesting assistance with three options in Vancouver that best meet the tenants' identified priorities.
Additional Support for Low Income Tenants or Tenants Facing Other Barriers to Appropriate Housing	<ul style="list-style-type: none"> • The applicant is partnering with a tenant relocation coordinator to assist existing tenants with finding alternate accommodation. • For low income tenants and tenants facing other barriers to housing, as defined in the Tenant Relocation Plan Policy (TRPP), the applicant has committed to assisting in securing a permanent, suitable affordable housing option.
First Right of Refusal (Where starting rents are anticipated to be higher than what the tenant currently pays, provide a 20% discount off starting rents for any returning tenants)	<ul style="list-style-type: none"> • The applicant has committed to offering all eligible tenants the right of first refusal at a 20% discount off starting rents in similar units in the new development once completed OR (if applicable), one of the below-market rental units, subject to eligibility. Any subsequent rent increases for returning tenants will be in line with the Residential Tenancy Act.

4906-4958 Main Street
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

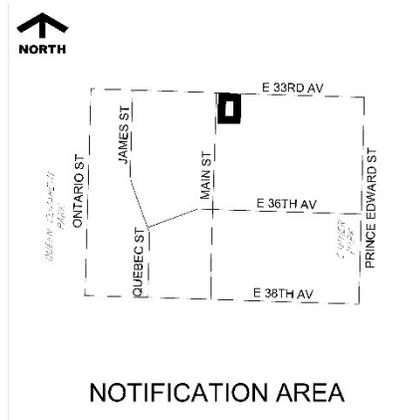
	Date	Results
Event		
Virtual open house (City-led)	November 7, 2022 – November 27, 2022	164 participants (aware)* <ul style="list-style-type: none"> • 63 informed • 21 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	November 7, 2022	982 notices mailed
Public Responses		
Online questions	November 7, 2022 – November 27, 2022	7 submittals
Online comment forms <ul style="list-style-type: none"> • Shape Your City platform 	October 2022 – September 2023	38 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	October 2022 – September 2023	38 submittals <ul style="list-style-type: none"> • 23 responses • 5 responses • 10 responses
Other input	October 2022 – September 2023	2 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	October 2022 – September 2023	736 participants (aware)* <ul style="list-style-type: none"> • 214 informed • 44 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.

2. Map of Notification Area



3. Analysis of All Comments Received

Below is an analysis of all public feedback by topic.

Generally, comments of support fell within the following areas:

- **Commercial space:** Adding commercial units at-grade is well supported as the area is lacking retail space and it will liven up the area.
- **Housing stock:** There is support for increasing the stock of rental housing in the City.
- **Scale, density, and height:** The scale, density and height of the project is supported.

Generally, comments of concern fell within the following areas:

- **Parking impacts on the neighbourhood:** Vehicles from the residents and retail customers of the project will overflow on to the surrounding roads and will make it even more difficult to find street parking in the area.
- **Excessive number of parking spaces:** There are concerns that there are too many vehicle parking spaces proposed given the development's proximity to transit lines and bike paths. The investment in vehicle related infrastructure does not align with sustainability goals.
- **Traffic:** The intersection at Main Street and 33rd Avenue is busy with vehicle activity. The residents and customers of the proposed development will worsen the existing traffic congestion in the area.

The following miscellaneous comments were received from the public (note: these were topics that were not ranked as highly as above).

General comments of support:

- It is good to see family-friendly units and an amenity space.

General comments of concern:

- Why is this being proposed when the Little Mountain lot is still empty?
- There are not enough family-friendly units.
- This project will not provide affordable housing and will only profit developers.
- Property taxes in the surrounding area will increase as a result of the development.
- The proposal is too dense and tall and does not fit in with the existing quiet neighbourhood.
- The reported height of the building does not align with the posted drawings.
- There are concerns about the viability of the retail space as one of the commercial units in the area has been vacant for a while.

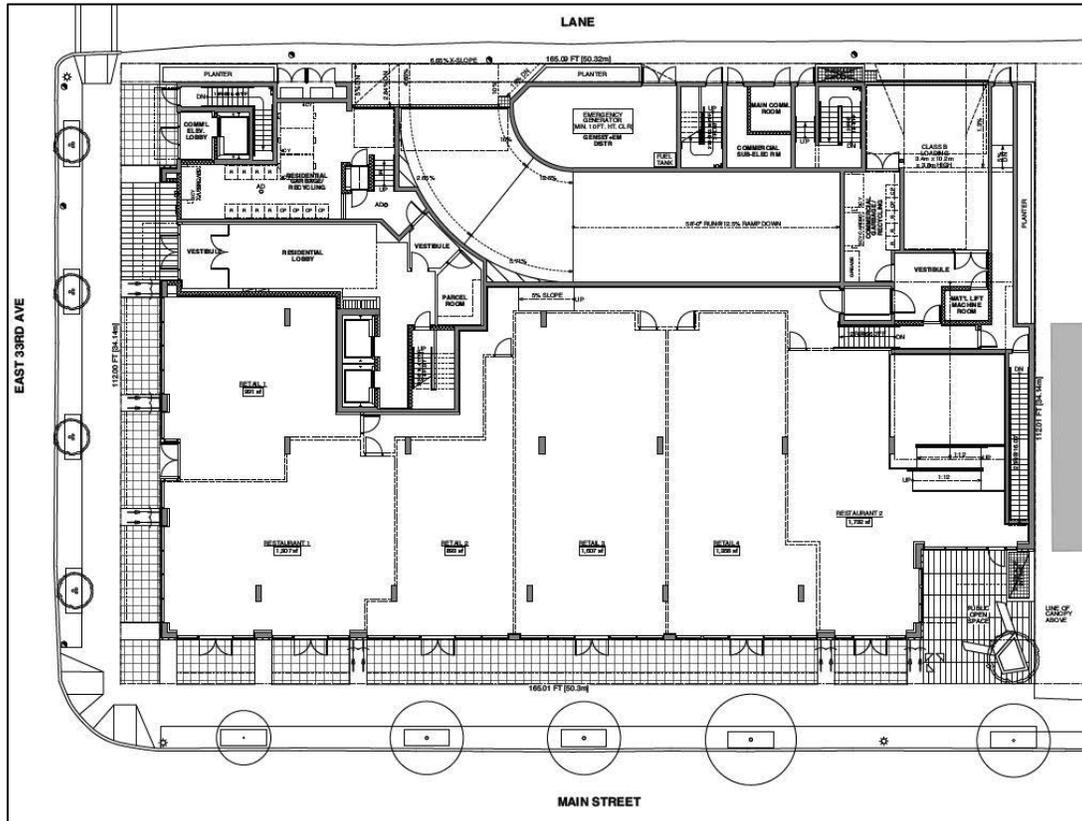
General neutral comments/recommendations:

- The operator of the retail space should be a food and beverage business or a child day care, not a bank as there are enough banks in the area.
- The building should be limited to four storeys.
- The building should be denser.
- Rent for a one bedroom should be less than \$1,000 per month.
- Recommendations such as adding a rooftop amenity space, relocating the front entrance so it is not fronting a busy arterial road and avoiding large, blank concrete exterior walls to ensure a pleasant streetscape.
- There should be retail space along Main Street up to 49th Avenue.
- More robust safety measures (e.g. setbacks to improve pedestrian visibility and an advanced green left turn) are needed at the intersection of Main Street and 33rd Avenue because it is a busy intersection that elementary school students often cross.
- Sidewalk improvements by Little Mountain are needed because rain pools on the sidewalks and makes it difficult for pedestrians to use.

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4906-4958 Main Street
FORM OF DEVELOPMENT DRAWINGS

Ground Level Plan



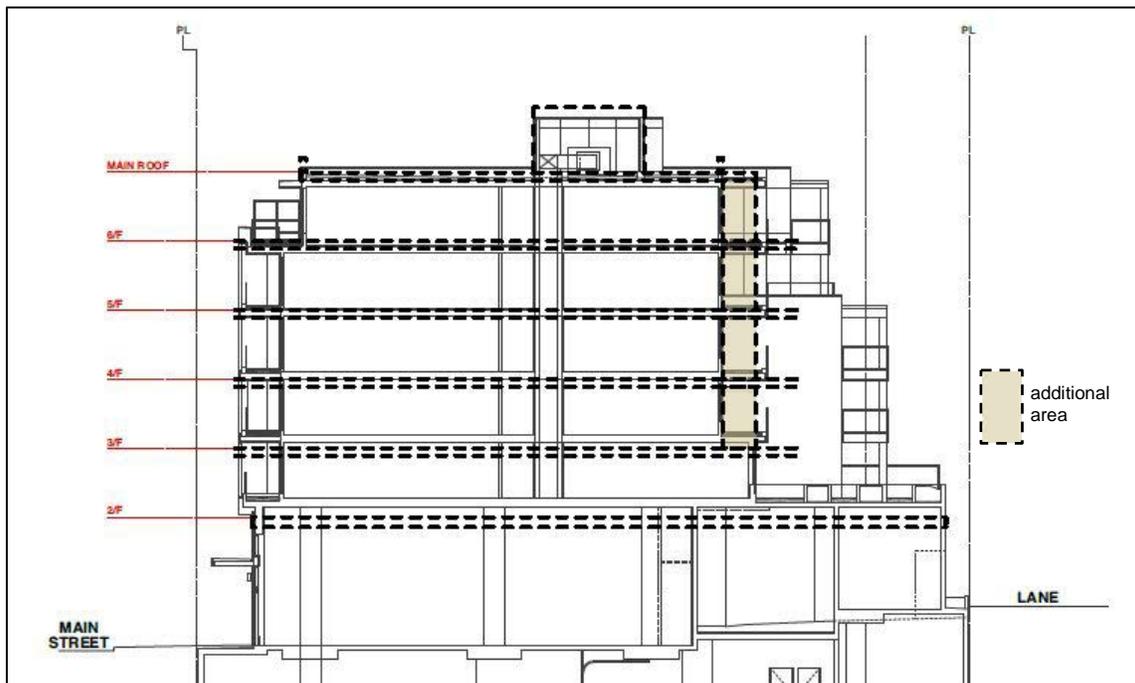
West Elevation from Main Street



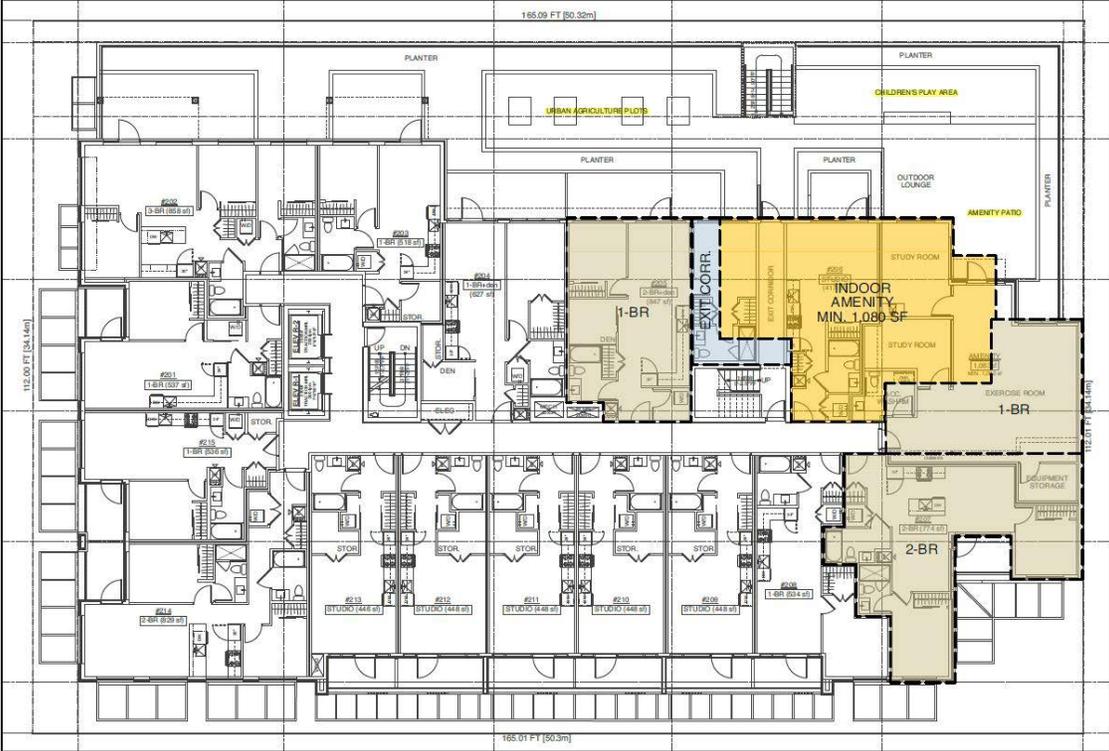
South Elevation – Building Envelope at Lane in Original Submission



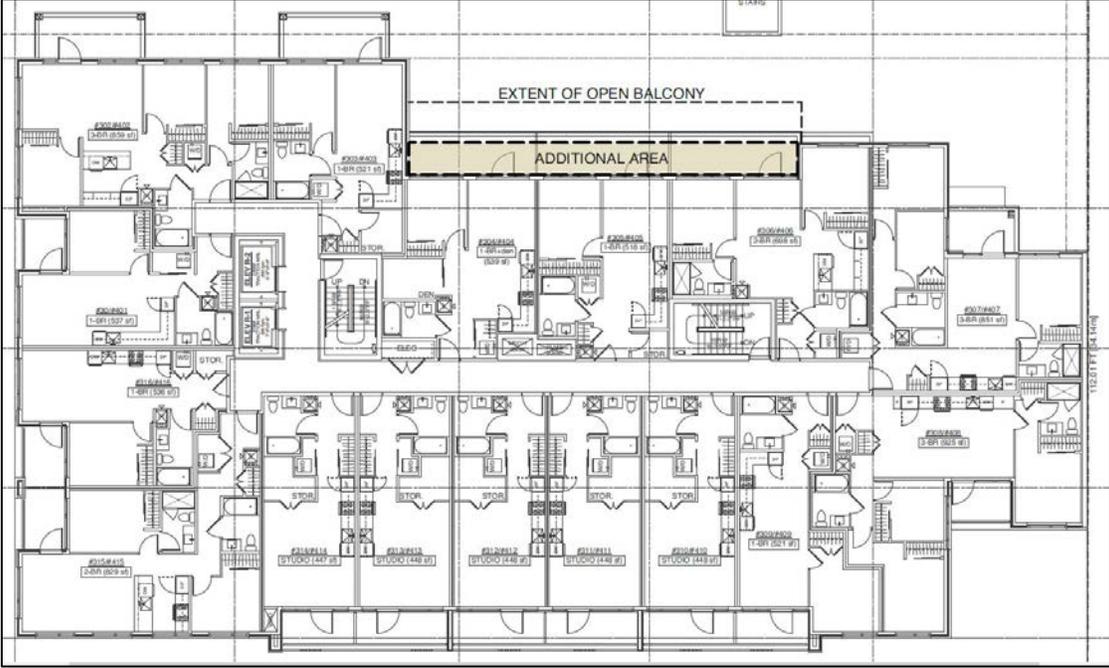
Revision to Extend Building Envelope to Align with Second Floor



Level Two Floor Plan



Levels Three and Four Floor Plan



4906-4958 Main Street
PUBLIC BENEFITS SUMMARY

Project Summary

Proposed six-storey, mixed-use building containing 72 residential rental units with commercial space on the ground floor.

Public Benefit Summary

The project would deliver 72 rental housing units secured through a Housing Agreement for the longer of 60 years and the life of the building.

	Current Zoning	Proposed Zoning
Zoning District	RT-2	CD-1
FSR (site area = 1,717.5 sq. m / 18,487 sq. ft.)	0.75	3.27
Floor Area	1,288.1 sq. m (13,865 sq. ft.)	5,614.0 sq. m (60,428 sq. ft.)
Land Use	Residential	Residential and Commercial

Summary of Additional Development Contributions Expected under Proposed Zoning

City-wide DCL ¹	\$1,317,325
Utilities DCL ¹	\$763,865
Community Amenity Contribution – cash	\$270,000
TOTAL	\$2,351,190

Other benefits (non-quantified components): 72 dwelling units secured for rental housing for the longer of 60 years and the life of the building.

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

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4906-4958 Main Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
4906 Main Street	014-902-494	Lot 1, except part in Plan 4481, Block 5 District Lot 637 Plan 1192
4924 Main Street	008-136-831	Lot 2, except the west 10 feet now road, Block 5 District Lot 637 Plan 1192
4936 Main Street	014-902-508	Lot 3, except part in Plan 4481, Block 5 District Lot 637 Plan 1192
4940 Main Street	014-902-516	Lot 4, except part in Plan 4481, Block 5 District Lot 637 Plan 1192
4958 Main Street	014-902-524	Lot 5, except part in Plan 4481, Block 5 District Lot 637 Plan 1192

Applicant Information

Architect	W.T. Leung Architects Inc.
Registered Owners	Main33 Project Holdings Inc.
Developer	Vorden Development Corp.

Development Statistics

	Permitted Under Existing Zoning	Proposed
Zoning	RT-2	CD-1
Site Area	1,717.5 sq. m (18,487 sq. ft.)	1,717.5 sq. m (18,487 sq. ft.)
Land Use	Duplex Residential	Mixed-Use Residential
Maximum Density	0.75 FSR	3.27 FSR
Maximum Height	9.2 m (30 ft.)	Roof Parapet: 22.0 m (72 ft.) Rooftop Appurtenances: 24.0 m (79 ft.)
Floor Area	1,288.1 sq. m (13,865 sq. ft.)	5,614.0 sq. m (60,428 sq. ft.)
Unit Mix	-	Total rental units: 72 Studio units: 21 One-bedroom units: 26 Two-bedroom units: 14 Three-bedroom units: 11
Parking and Bicycle Spaces	As per Parking By-law	Vehicle spaces: 75 Class A bicycle spaces: 136 Class B bicycle spaces: 12 Loading spaces: 2 Confirmed at development permit stage
Natural assets	By-law trees on-site: 0 City street trees: 10	New trees proposed: 5 City street trees retained: 5 Confirmed at development permit stage