



REFERRAL REPORT

Report Date: October 8, 2024
Contact: Sarah Cranston
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RTS No.: 16573
VanRIMS No.: 08-2000-20
Meeting Date: October 22, 2024

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 1960 West 7th Avenue

RECOMMENDATION TO REFER

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

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary zoning 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 Gracorp Properties LP, on behalf of Kitsilano East Development Holdings Ltd., the registered owner of the lands located at 1960 West 7th Avenue [*Lots 4 to 6 of Block 306 District Lot 526 Plan 590; PIDs 004-623-011, 004-623-037 and 004-623-045 respectively*], to rezone the lands from RM-4 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 1.45 to 6.50 and the maximum building height from 10.7 m (35 ft.) to 61 m (200 ft.), plus additional height for rooftop amenity, to permit the development of a 20-storey residential rental building, with 20% of the residential floor area for below-market rental units, be approved in principle;

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

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Musson Cattell Mackey Partnership, received December 11, 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 Recommendations A to B 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 site at 1960 West 7th Avenue from RM-4 (Residential) District to CD-1 (Comprehensive Development) District, under the *Broadway Plan* (Plan). The proposal is to permit a 20-storey residential building, with an additional storey for rooftop amenity, containing 183 units, with 20% of the residential floor area for below-market rental units.

Staff have assessed the application and conclude that it meets the intent of the Plan. 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)
- Broadway Plan (2022)
- 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, last amended 2024)
- Tenant Relocation Plan Policy (2019, last amended 2022)
- Rental Incentives Bulletin (2019, last amended 2024)
- Urban Forest Strategy (2016, last amended 2018)
- Public Art Policy for Rezoned Developments (2014)
- Green Buildings Policy for Rezoning (2010, last amended 2023)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183
- Transit-Oriented Areas (TOA) Designation By-law (2024)
- Transit-Oriented Areas (TOA) Rezoning Policy (2024)

REPORT

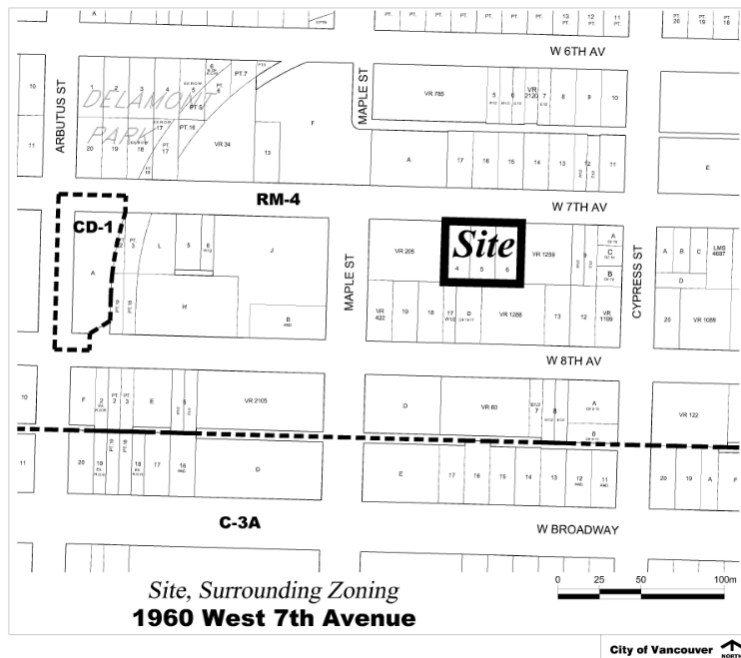
Background/Context

1. Site and Context

The subject site is comprised of three mid-block parcels located on the south side of West 7th Avenue between Cypress and Maple Streets (see Figure 1). The site area is approximately 1,674 sq. m (18,025 sq. ft.). The site and surrounding area is zoned RM-4 (Residential). The site is currently developed with a three-storey rental residential building with 35 units. 29 tenancies are eligible for tenant protection under the *Tenant Relocation and Protection Policy*.

The neighbourhood is undergoing significant change with future redevelopment of the *Broadway Plan*, as well as with the extension of Skytrain. The future Broadway Subway Arbutus Station is three blocks, or approximately a five minute walk, southwest of the subject site.

Figure 1: Location Map



Neighbourhood Amenities – The following amenities are within close proximity:

- **Parks:** Delamont Park (200 m), 6th and Fir Park (600 m). Arbutus Greenway Park (650 m), Connaught Park (950 m), Rosemary Brown Park (1 km).
- **Cultural/Community Spaces:** Kitsilano Neighbourhood House (250 m), Kitsilano Area Childcare Society (300 m), Russian Community Centre (400 m).
- **Childcare:** Kitsilano Area Childcare Society (270 m), CEFA Early Learning Vancouver – Kitsilano (300 m) New Beginnings Early Learnings Ltd. Montessori Day Care Society (600 m).

Local School Capacity – The site is located within the catchment area of Hudson Elementary School and Kitsilano Secondary School. According to the Vancouver School Board (VSB)'s 2020 *Long Range Facilities Plan*, Hudson Elementary is currently operating at 100% capacity and by 2031 is forecasted to be operating at 72% capacity. Kitsilano Secondary is operating at 103% with an expected capacity of 96% by 2031.

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

There are several independent schools close to the site: St. Augustine School (300 m), Madrona School (500 m), St. John's School (800 m), and Fraser Academy (950 m).

2. Policy Context

Vancouver Plan (2022) – 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 *Vancouver Plan* serves as a framework with further implementation planning work to follow over the coming years. The site is located within the *Broadway Plan* area which is generally in alignment with the *Vancouver Plan*.

Broadway Plan (2022) – The *Broadway Plan* (Plan) is a comprehensive community plan for the area within Vine Street to Clark Drive and 1st Avenue to 16th Avenue. The 30-year plan focuses on opportunities to integrate new housing, jobs, and amenities around the new Broadway Subway. The site is located within the Kitsilano North - Area A (KKNA) sub-area 8.1 of the Plan. The Plan allows for consideration of 20-storey rental housing towers up to 6.5 FSR, with a minimum of 20% of the residential floor area for below-market rental units.

Housing Needs Report (2022) – On April 27, 2022, Council received a *Housing Needs Report* (HNR). 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 rental housing including a component of below-market rental units and address the data and findings within the HNR.

Housing Vancouver Strategy (2017) – *Housing Vancouver* focuses on the right supply of new homes, including rental, to meet a continuum of housing types. Overall, 72,000 new homes are targeted, including 20,000 purpose-built rental units. Targets and actions seek to retain a

diversity of incomes and households in the city. If approved, this rezoning will contribute towards the targets for market and below-market rental housing units.

Transit-Oriented Areas (TOA) Designation By-law and Transit-Oriented Areas (TOA) Rezoning Policy – To align with provincial legislation, Council adopted a by-law and rezoning policy that establishes minimum heights and densities for developments within Transit-Oriented Areas (TOAs). This site is within Tier Two of the TOA legislation.

As the Plan allows more height and density, the application is being processed under the Plan policies.

Strategic Analysis

1. Proposal

The rezoning application proposes a 20-storey residential rental building with 183 units with 20% of the residential floor area for below-market rental units. The proposed building has a total floor residential floor area of 10,863.5 sq. m (116,934 sq. ft.), a proposed height of 61 m (200 ft.) inclusive of rooftop amenity, and floor space ratio (FSR) of 6.50. The proposal includes underground vehicle and bicycle parking with access from West 7th Avenue, until a rear lane is constructed within the block, at which time access will be relocated to the rear lane.

Figure 2: Proposed Building Looking Southeast



2. Land Use

The proposed residential use is consistent with the Plan.

3. Form of Development, Height and Density (Refer to drawings in Appendix C and statistics in Appendix G)

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

Form of Development – This application is consistent with the Plan for a 20-storey tower with a podium (see Figure 2). The proposal meets the Plan's expectations with regards to height, setbacks and floor plate size.

The *Plan* seeks to ensure that a minimum tower separation of 24.4 m (80 ft.) is accommodated equitably between the proposed development and future neighbouring tower developments and anticipates 12.2 m (40 ft.) tower separation setbacks along the shared property lines and to the centreline of the future rear lane. The application is seeking minor reductions to tower separation setbacks to 9.1 m (30 ft.) along the west property line and to the centreline of the south land dedication for a future rear lane.

Staff have reviewed the application and are supportive of the proposed tower siting and tower separation setbacks given site constraints, including reduced lot depth due to the required rear lane dedication. This application has also demonstrated through a block context study that the proposed tower siting accommodates the minimum tower separation requirement of 24.4 m (80 ft.) to future neighbouring tower developments while maintaining a viable tower floor plate size for the proposal and future developments. The proposed tower siting is sensitive to the existing context, provides the required tower separation within the block, and mitigates development limitations on other properties as per the Plan.

Height – The Plan contemplates a 20-storey building with an additional partial storey for rooftop amenities in this location. The proposed height complies with the Plan.

Density – The Plan allows density of up to 6.50 FSR in this location. The application proposes a density of 6.50 FSR and complies with the Plan.

Public Realm and Interface – The Plan envisions ground-oriented units with private patio spaces delineated by layered plantings to transition from private to public realm. The proposal includes townhouse units at grade along 7th Avenue, with vegetation, hedges and on-site trees buffering to the street, consistent with the Plan.

Private Amenity Space – The development offers on-site common indoor and outdoor amenities for the residents on the ground floor and rooftop. Staff have prepared conditions set out in Appendix B to increase size, functionality and landscaping of the amenities.

Urban Design Panel – A review by the Urban Design Panel was not required due to consistency with the urban design expectations of the Plan.

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

4. Housing

The *Housing Vancouver Strategy* seeks to deliver a range of housing tenures across the housing continuum. This application, if approved, would add approximately 183 housing units, including 146 market rental units and approximately 37 below-market rental units, to the City's

inventory of rental housing, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 3).

Figure 3: Progress Towards 10 Year Housing Vancouver Targets (2024-2033) for Market Rental Housing as of June 30, 2024

Housing Type	CATEGORY	10-YEAR TARGETS ¹	Units Approved Towards Targets ²
Purpose-Built Market Rental Units ²	Market Rental	30,000	3,087 (10%)
	Developer-Owned Below Market Rental	5,500	355 (6%)
	Total	35,500	3,440 (9%)

1. New 10-year targets were adopted in 2024, with tracking starting from January 1st, 2024.

2. Previous targets established in 2017 included 20,000 purpose-built rental, market and below-market combined, with tracking starting in 2017. As of December 31st, 2023, 87% of the previous targets had been reached.

3. 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 Kitsilano area, where this site is located, is 0.9%. A vacancy rate of between 3% and 5% is considered to represent a balanced market.

Housing Mix – The Plan requires a minimum of 35% family units, including a minimum of 10% of units with three or more bedrooms and 25% of units with two bedrooms.

This application proposes 34.4% family units including 24.6% two-bedroom and 9.8% three-bedroom units, thereby not meeting this policy. A condition in Appendix B and a provision in the proposed CD-1 By-law have been included to ensure the family unit mix is met separately in both the market rental and below-market portions, without rounding up. All family units must be designed in accordance with the *High-Density Housing for Families with Children Guidelines*.

Average Rents and Income Thresholds – Figure 4 below shows starting rents for below-market rental units for 2023. Average market rents and incomes served for newer rental buildings on the westside are shown in the middle two columns, and costs for home ownership are shown in the right hand columns. Figure 4 demonstrates that below-market rental housing and market rental housing provide options that are more affordable than home ownership.

If approved, starting rents for the below-market units will be 20% less the city-wide average market rents at the time of initial occupancy. On unit turnover, rents in the below-market units may be reindexed to 20% less the city-wide average market rent by unit type current at the time of unit turnover.

Figure 4 – Below-Market Unit Average Rents, Market Rents in Newer Buildings, Cost of Ownership and Household Incomes Served

	Below-Market Rental Units		Newer Rental Buildings		Monthly Costs of Ownership for Median-Priced Apartment – Westside (with 20% down payment)		
	Starting Rents (2023) ¹	Average Household Income Served	Average Market Rent (CMHC, 2023) ²	Average Household Income Served	Monthly Cost of Ownership (BC Assessment 2021) ³	Average Household Income Served	Down-payment at 20%
Studio	\$1,223	\$48,928	\$1,902	\$76,080	\$2,837	\$113,480	\$106,000
1-bed	\$1,429	\$57,152	\$2,306	\$92,240	\$3,473	\$138,920	\$132,000
2-bed	\$1,969	\$78,752	\$3,372	\$134,880	\$5,193	\$207,720	\$198,400
3-bed	\$2,395	\$95,808	\$4,434	\$177,360	\$7,982	\$319,280	\$311,890

1. Starting rents shown are calculated based on a 20 per cent discount to city-wide average market rents as published by CMHC in the October 2023 Rental Market Survey. Rents at initial occupancy will set at the same discount to city-wide average market rent current at the time of occupancy permit issuance.

2. Data from October 2023 CMHC Rental Market Survey for buildings completed in 2014 or later on the Westside of Vancouver

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

To qualify for a below-market rental unit, a household's gross annual income cannot exceed the maximum income requirements for the unit type, (see Figure 4) with at least one household member per bedroom. Policy 12.2.17 of the *Plan* specifies that below-market rental units will be subject to tenant income testing and monitoring requirements, as described in the *Rental Incentive Programs Bulletin*. All residents will have equal access to common indoor and outdoor amenities and facilities shown in Appendix C.

Security of Tenure – Purpose-built rental housing offers permanent rental housing and secure rental tenure. All residential units in the proposal would be secured through a Housing Agreement and Section 219 Covenant for the longer of 60 years or the life of the building. Covenants will be registered on title to prohibit the stratification and/or separate sale of individual units.

The Housing Agreement will secure not less than 20% of the residential floor area that is counted in the calculation of the floor space ratio for below-market units to be rented at rates targeted to meet the affordability needs of moderate-income households. Between tenancies, the rent for a below-market rental unit will be re-indexed to the then-current CMHC average rent by unit type, applying the same discount rate as was secured at the time of occupancy permit issuance. Rent increases during each tenancy are capped at the Provincial Residential Tenancy Act annual allowable rental increase. Conditions related to securing the units are contained in Appendix B.

Tenants – The rezoning site contains existing rental residential uses, including 35 units of primary rental housing.

29 out of the 35 existing residential tenancies are eligible under the City's *Tenant Relocation and Protection Policy (TRPP)* for the Plan area. The applicant has provided a Tenant Relocation

Plan (TRP) for eligible tenants which meets the requirements of the City's *TRPP* for the Plan area. The TRP is summarized in Appendix E of this report.

The existing residential tenancies are governed by the *Residential Tenancy Act* (British Columbia).

5. Transportation and Parking

The site is well served by public transit. It is within three blocks of the future Broadway Subway Arbutus Station as well as within one block of frequent bus service on Broadway. The property is along the 7th/8th Avenue bikeway and within one block of the Arbutus Greenway.

Parking, loading, bicycle and passenger loading spaces are required to meet the Parking By-law. Proposed parking reductions may be considered at the development permit stage with acceptable Transportation Demand Management (TDM) or other management measures.

Engineering conditions related to transportation, public realm and parking are included in Appendix B. They include conditions for an improved public realm, sidewalks, and intersection upgrades to improve transportation operations and safety for pedestrians, cyclists, and motorists alike.

6. Environmental Sustainability and Natural Assets

Green Buildings –The *Green Buildings Policy for Rezonings* requires that rezoning applications satisfy the green and resilient building conditions. The applicant has submitted preliminary modelling analysis detailing design and construction strategies to meet energy and emissions and embodied carbon targets in the 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.

There are four existing trees on the site, all of which are proposed for removal. There are two off-site trees to the east, and one off-site hedge to the west, within 4 metres (13 ft.) of the site or with a tree protection zone (TPZ) that extends into the site. The two off-site trees are recommended for retention, and the off-site hedge is recommended for removal. There are three City street trees for which protection during construction is required.

Approximately 14 new on-site trees are proposed at the ground level. A detailed tree review, and the final number of new trees will be determined through the development permit process. Conditions in Appendix B require more new trees within the rooftop amenity area, as well as design development to enhance the interface of the proposed building with the future rear lane with landscaping improvements.

7. Public Input

Public Notification – A rezoning information sign was installed on the site on February 29, 2024. Approximately 4,132 notification postcards were distributed within the neighbouring area

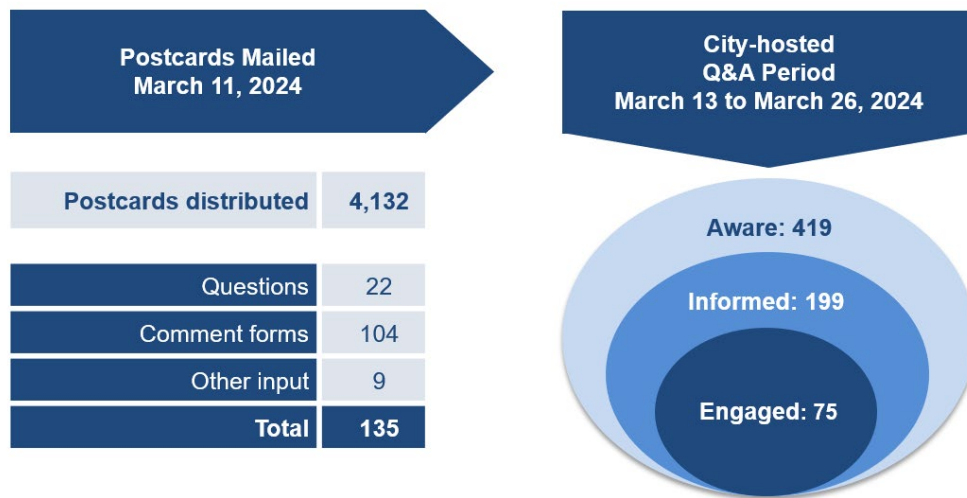
on or around March 11, 2024. Application information and an online comment form was provided on the Shape Your City (shapeyourcity.ca/) platform.

Q&A Period – A question and answer period was held from March 13 - 26, 2024. Questions were submitted by the public and posted with a response over a two-week period. A digital model was made available for online viewing.

The virtual approach allowed people to access materials online and engage at different levels at a time and location of their choosing. Members of the public could submit questions, which staff actively monitored and responded to publicly.

Public Response and Comments – Public input is collected via online questions, comment forms, through email, and by phone. A total of 135 submissions were received.

Figure 5: Overview of Notification and Engagement



Generally, comments of support fell within the following areas:

- Rental and Affordable Housing:** The proposed development adds much needed rental and affordable housing supply to the neighbourhood, notably secured rental and below-market housing options. The proposed housing tenures will help to strengthen diversity and inclusion in Kitsilano. Support to increase the percentage of below-market rental units in the building.
- Height, Density and Massing:** The proposed height and density is appropriate for the area, given the proximity of the development to transit routes, bikeways, schools, services and public amenities. The proposed height and density aligns with the policy direction and expectations of the *Broadway Plan*. Support for a tower form in quieter residential areas.
- Access to Transit:** The proposal is supported given proximity to existing transit hubs and the future Arbutus Skytrain station. The amount of vehicular and bike parking is appropriate given transit proximity and neighbourhood walkability.

Generally, comments of concern fell within the following areas:

- **Height and Density:** Concern regarding building height, and that the proposed high-rise form is incongruous with the low-rise scale of the neighbourhood. Concern that the proposed development will add too much density to the neighbourhood. Concern that the proposed building will block sightlines to the North Shore mountains.
- **Massing and Design:** Concern that the building is large, dark, and not an attractive design.
- **Affordability Tenant Displacement:** Concern that 20% below market rates are still unaffordable and will be higher rents than what existing tenants pay. Concern that people currently living in the building will be pushed out of their homes and into a rental market they can't afford.
- **Neighbourhood:** Concerns that the proposed development does not maintain the character and context of the neighbourhood and will have negative impacts on its liveability.
- **Shadowing:** Concern that the proposed building will cause negative shadow impacts to the surrounding area including shadowing of local gardens and a loss of sunlight.
- **Parking and Traffic:** Concern that the proposed development will negatively impact traffic and parking and will lead to increased congestion within the area. Concern that there are not enough parking stalls proposed in the new building, and whether current residents will maintain their existing parking stalls in the new building. Concern for increased traffic given the site is located on an existing bikeway and close to other bikeways, which are already dangerous due to slope.

Response to Public Comments

Height, Density, Massing and Design – The proposed height, density, uses and proportion of below-market units are consistent with the intent of the KNAA sub-area of the Plan. The proposal is consistent with the urban design expectations of the Plan. Staff have prepared conditions to improve the cohesiveness of the architectural concept, improve the interface of the building with the future rear lane, and provide universally accessible design for the ground level units as noted in Appendix B.

Affordability and Tenant Displacement – All proposed residential units will be rental units, with 20% of the residential floor area secured as below-market housing, consistent with the Plan. A Housing Agreement will be registered on title for the longer of 60 years or the life of the building, and will stipulate that no units can be stratified or sold. The Housing Agreement will also secure the below-market units at a 20% discount to CMHC city-wide average market rents, so that unit affordability and tenure will not lapse with a change of tenancy.

Existing tenants who meet the eligibility requirements are protected under the *Tenant Relocation and Protection Policy*. Eligible tenants will be provided the right of first refusal to move back into the new building at a 20% discount off city-wide average market rents or their current rent, whichever is lower.

Neighbourhood – A key objective of the Plan is to create new rental housing in residential areas close to public transit and away from arterial streets. This area is largely comprised of

low-rise rental apartment buildings built in the 1960s and 1970s. The Plan enables redevelopment options for aging rental buildings while providing enhanced protections for eligible existing tenants.

The Plan includes a comprehensive approach to creating a built environment that supports liveable communities. To further support a sense of neighbourhood sociability, the Plan supports an active public realm including cafes, parks, plazas, community amenities, and other engaging places where people can gather together throughout the neighborhood.

Shadowing – The solar access requirements of the Plan apply to parks, public school yards, and village shopping streets/plazas from the spring to fall equinoxes between 10 AM and 4 PM. The application complies with the solar access policies of the Plan and does not shadow the above-mentioned public spaces.

Parking and Traffic – Residential parking as well as visitor, loading and accessible parking will be provided as required by the Parking By-law at the time of development permit. A Transportation Demand Management Plan will also be required at the time of development permit to maximize the utility of sustainable transportation options and reduce motor vehicle dependence.

The site is well-served with transportation options, and Staff expect to see an overall reduction in vehicle trips with the completion of the Broadway Subway.

Transportation related conditions can be found in Appendix B. Conditions to improve traffic and safety in the immediate area include a ten foot dedication along the site's south property line for a future rear lane, and the provision of speed humps along 7th Avenue between Maple Street and Cypress Street.

8. Public Benefits

Community Amenity Contributions (CAC) – This application is subject to a negotiated CAC under the *Community Amenity Contributions Policy for Rezonings*. Real Estate Services staff reviewed the application and the cost of securing the rental housing units, including the 20% of the residential floor area at below-market rents, and have determined that no CAC is expected.

Development Cost Levies (DCLs) – The site is subject to the City-wide DCL and Utilities DCL, which will be calculated on 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 this residential building. This application is therefore subject to the maximum starting rents by unit type applicable to “Class A for-profit affordable rental housing” as per the 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, ensuring that a final rent roll that sets out the initial monthly rents is submitted.

Based on rates in effect as of September 30, 2024, and the proposed 10,863.5 sq. m (116,934 sq. ft.) of residential floor area, it is estimated that the project will pay DCLs of \$1,730,623. The value of the anticipated City-wide DCL waiver on the residential floor area is estimated to be \$2,761,981. DCL rates are subject to future adjustment by Council including annual inflationary adjustments. A development may qualify for 12 months of in-stream rate protection from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the City's [DCL Bulletin](#) for details on DCL rate protection.

Public Art Program – The application is subject to a public art contribution estimated at \$231,529. The final contribution will be calculated based on the rate in effect and the floor area at the development permit stage. Applicants may elect to provide on-site artwork or cash in lieu (at 80% of the public art budget).

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

FINANCIAL IMPLICATIONS

As noted in the Public Benefits section, this project is expected to provide market and below-market rental housing, a DCL payment and a public art contribution. See Appendix F for additional details.

CONCLUSION

Staff conclude that the proposed land use and form of development are consistent with the intent of the Plan. If approved, this application would contribute approximately 183 rental units including approximately 37 below-market rental units.

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 as generally shown in 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 the plans included as Appendix C.

* * * * *

**1960 West 7th Avenue
PROPOSED CD-1 BY-LAW PROVISIONS**

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

Zoning District Plan Amendment

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

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

Designation of CD-1 District

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

Definitions

3. Words in this by-law have the meaning given to them in the Zoning and Development By-law, except that:
 - (a) for the purposes of calculating the total dwelling unit area for section 5.1 of this by-law, "Dwelling Unit Area" is the floor area of each dwelling unit, measured to the inside of all perimeter walls, excluding any floor area as required by section 6.4 of this by-law; and
 - (b) "Below-market Rental Housing Units" means dwelling units that meet the requirements of approved Council policies and guidelines for Below-market Rental Housing, as secured by a housing agreement and registered on title to the property.

Uses

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

Conditions of Use

- 5.1 A minimum of 20% of the total dwelling unit area must be below-market rental housing units.
- 5.2 The design and layout of at least 35% of the total number of below-market rental housing units and at least 35% of the total number of other dwelling units must:
 - (a) be suitable for family housing; and
 - (b) have 2 or more bedrooms, of which:
 - (i) at least 25% of the total dwelling units must be 2-bedroom; and
 - (ii) at least 10% of the total dwelling units must be 3-bedroom units.

Floor Area and Density

- 6.1 Computation of floor area must assume that the site area is 1,674 m², being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.
- 6.2 The maximum floor space ratio for all uses combined is 6.50.
- 6.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 6.4 Computation of floor area and dwelling unit 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, verandahs and covered circulation if the Director of Planning first approves the design;
 - (e) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and
 - (f) all storage area below base surface for non-dwelling uses.
- 6.5 The Director of Planning or Development Permit Board may exclude common amenity areas from the computation of floor area, to a maximum of 10% of the total permitted floor area, if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines.
- 6.6 Where floor area associated with residential storage area is excluded, a minimum of 20% of excluded floor area above base surface must be located within the below-market rental housing units as storage area.

Building Height

- 7.1 Building height must not exceed 61 m.
- 7.2 Despite section 7.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, if the Director of Planning permits common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portion of the building with permitted common rooftop amenity space or mechanical appurtenances must not exceed 67 m.

Horizontal Angle of Daylight

- 8.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 8.2 For the purposes of section 8.1 above, habitable room means any room except a bathroom or a kitchen.
- 8.3 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or 2 angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 8.4 The plane or planes referred to in section 8.3 above must be measured horizontally from the centre of the bottom of each window.
- 8.5 An obstruction referred to in section 8.3 above means:
- (a) any part of the same building excluding permitted projections; or
 - (b) the largest building permitted on any adjoining site.

- 8.6 The Director of Planning or Development Permit Board may vary the horizontal angle of daylight requirement if the Director of Planning or Development Permit Board considers all applicable Council policies and guidelines; and
- (a) the minimum distance of unobstructed view is at least 3.7 m.
 - (b) the habitable room is within a unit assigned to below-market rental housing units containing a minimum of 3 bedrooms, where the horizontal angle of daylight requirement is varied for no greater than 1 of the habitable rooms in the unit.

* * * * *

**1960 West 7th Avenue
CONDITIONS OF APPROVAL**

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

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by Musson Cattell Mackey Partnership, received December 11, 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 provide universally accessible site design by ensuring direct internal access from all ground level townhouse units to shared indoor/outdoor amenities, services and parking and loading spaces;

Note: The intent of this condition is to ensure that access and circulation within the site is accessible and universal for all building occupants, particularly for people using wheelchairs and with other mobility challenges. This can be achieved by the following:

- (a) Provide an internal corridor behind the three townhouse units facing the West 7th Avenue frontage; and
- (b) Provide a direct internal access to the internal corridors for all townhouse units.

- 1.2 Design development to improve the interface of the building with the adjacent future rear lane and address safety concerns to ensure a high level of perceived safety and comfort at all hours by the following:

- (a) Between the proposed site and the future rear lane:
 - (i) Provision of high-quality landscape screening; and

Note to Applicant: Refer to Landscape condition 1.4.

- (b) Between the Class A passenger stalls and the future rear lane.

Note to Applicant: the intent of this condition is to mitigate tripping hazards between the Class A passenger stalls and the future rear lane.

- 1.3 Design development to improve the cohesiveness of the architectural concept by:
- (a) Shifting the parkade stairs to the east, fully aligned with the proposed podium massing; and
 - (b) Exploring façade articulation including materiality and colour to better reflect the surrounding residential character and context.

Landscape

- 1.4 Design development to improve the interface of the proposed building with the adjacent future rear lane. Refer also to Urban Design condition 1.2.

Note to Applicant: This could be achieved by including planting areas with shrubs in combination with the proposed fence to soften the transition to the future lane, and increase the livability of the space for the end users by providing greenery and elements of privacy.

- 1.5 Consideration to add additional trees and vegetation to the rooftop amenity area.

Note to Applicant: The addition of trees, specifically in the southwest corner, will provide shade for an otherwise exposed area. This will align with sub-section 11.4 of the *Plan*, and allow general enjoyment of nature on the rooftop amenity area. The addition of trees and extra vegetation would provide privacy, and reduce any overlook potential conditions for adjacent residential patios and balconies.

- 1.6 Provision of a signed neighbour letter of consent to support removal of Tree “OS Hedge”.

Note to Applicant: If the letter cannot be provided, applicant to provide coordinated application documents to ensure retention and undisturbed critical root zones of neighbours tree “OS Hedge”. A revised arborist report and signed letter of assurance are required, outlining recommended mitigation measures as per arborist’s recommendation. Updated landscape and architectural drawings are also required, including details and sections as needed.

- 1.7 At time of first development permit, provision of:

- (a) Detailed landscape plans illustrating soft and hard landscape designs for the complete site, including rooftops (where applicable);

Note to Applicant: The plans should be at 1/8 in. to 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.

- (b) Detailed architectural and landscape cross sections (minimum 1/4 inch scale) through common open spaces, rooftop areas, semi-private patio areas and planers, and all tree protection zones,

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.

- (c) A phased "Tree Removal/Protection/Replacement Plan" in coordination with a detailed arborist report including the assessment of existing trees, retention recommendations, special construction methods and limitations, site supervision requirements and letters of assurance.

Note to Applicant: Provide a tree plan that is separate from the landscape plan. The plan should clearly illustrate all trees to be removed and retained, including any tree protection barriers and important construction management directives drawn out of the arborist report. Replacement trees are likely best located on the proposed phased landscape plans.

- (d) Provision of a soil depth overlay sheet, included with the landscape plans;
- (e) Provision of landscape features intended to create bird friendly design;

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

<http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf>
<http://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf>

- (f) Trenching for utility connections to be coordinated with Engineering Department to ensure safe root zones of retained trees. Methods of tree protection for street trees to be approved by Park Board.

Note to Applicant: Methods of tree protection for street trees (as approved by Park Board Urban Forestry) to be shown on plan. Relocation of trenching locations are required if in conflict with tree protection. Two separate applications must be applied for: A commercial water permit and another commercial sewer permit. Please contact Engineering services as soon as possible to begin the process for confirming the trenching locations for Sewer and for Water.

Housing

- 1.8 The proposed unit mix, including 38 studio units (20.77%), 82 one-bedroom units (44.81%), 45 two-bedroom units (24.59) and 18 three-bedroom units (9.84%) is to be revised in the Development Permit drawings to achieve at least 10% three-bedroom units and 25% two-bedroom units, separately in both the market rental and below-market portions, without rounding up.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board

provided that it does not go lower than 35% of the market rental units and 35% of the below-market rental units, designed to be suitable for families with children, of which at least 25% must be two-bedroom units and at least 10% must be three-bedroom units, without rounding up. .

1.9 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 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 (25 sq. ft.) of bulk storage for each dwelling unit (S. 4.4.2);

Note to Applicant: Provide confirmation that all units have bulk storage, with preference for in suite storage for all family units.

- (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

Note: The proposed indoor amenity areas are insufficient in size for the scale of the project, an increase in floor area is expected at the Development Permit stage.

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

1.10 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.

Sustainability

1.11 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning*s (amended July 25, 2023) located here <https://guidelines.vancouver.ca/policy-green-buildings-for-rezonings.pdf>.

Note to Applicant: Refer to the most recent bulletin *Green Buildings Policy for Rezoning*s – *Process and Requirements*.

Engineering

1.12 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 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>

- 1.13 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-day lead time is required 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>

- 1.14 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.
- 1.15 Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.
- 1.16 Submission of letter prior to Development Permit issuance confirming acknowledgement that this application falls within the area with potential impacts due to the Broadway Subway Project construction and that you have contacted the Rapid Transit Office for more detailed information.

Note to Applicant: Please contact the City of Vancouver Rapid Transit Office (rapidtransitoffice@vancouver.ca) for more information on impacts to access and street use for your project.

<https://vancouver.ca/streets-transportation/ubc-line-rapid-transit-study.aspx>

- 1.17 Provision of garbage and recycling storage amenity design to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Draw and label container outlines. Pick up operations should not require the use of public property for storage, pick up or return of bins to the storage location.

Refer to the Garbage and Recycling Facility Storage Amenity Design Supplement for more information. [Guidelines: Garbage and Recycling Storage Facility Design \(vancouver.ca\)](#)

- 1.18 Provision of a crossing design applications to the satisfaction of the General Manager of Engineering Services, prior to Development Permit issuance.

Note to Applicant: Submission of a crossing application is required. Please review the City's construction and design manuals and show typical commercial crossing design on the plans and indicate if any existing street furniture, poles street trees or underground utility is impacted by the crossing design and location.

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

- 1.19 Submission to Engineering of an updated landscape plan reflecting all the public realm changes, including demonstration of:

(a) display of the following note(s):

(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. Installation of Engineered Soil may be required to obtain appropriate soil volumes based on site conditions. 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. Contact Park Board at pbdevelopment.trees@vancouver.ca for inspection after tree planting completion".

(b) existing locations of:

(i) street furniture; and

Note to Applicant: For drawings with existing street furniture displayed, a note must be added stating:

"All removals, relocations, reinstallations and replacements of street furniture must be carried out by the City Street Furniture Contractor in coordination with the City Street Furniture Coordinator."

(ii) poles and guy wires.

Note to Applicant: Poles and guywires that are to be removed or relocated must be called out and the existing and proposed locations shown.

(c) streetscape designed in compliance with the "All other City areas" Streetscape Design Guidelines.

Note to Applicant: Where a design detail is not available, make note of the improvement on the plan. Public realm changes include all 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 design guidelines and construction standards.

1.20 Provision of a [Transportation Demand Management \(TDM\) Plan](#).

Note to applicant: Submit TDM Plan A, B, C or D. Council approved amendments to the Parking Bylaw and the Transportation Demand Management (TDM) Administrative Bulletin. These requirements will apply to site development permits following this rezoning.

1.21 Provision of loading spaces, per the [Parking By-law Section 5](#) and the [Design Supplement](#).

Note to applicant: Council approved amendments to the Parking Bylaw for loading rates and design requirements. These requirements will apply to site development permits following this rezoning.

1.22 Revise architectural plans to provide:

- (a) section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and to the underside of raised security gates considering mechanical projections and built obstructions; and
- (b) design elevations at all breakpoints on both sides of ramps, drive aisles, loading and passenger loading spaces, accessible spaces, and entrances.

Note to Applicant: Refer to: <https://bylaws.vancouver.ca/Bulletin/parking-loading-design-supplement-bulletin.pdf>.

1.23 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.

1.24 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.

- 1.25 Provision of all third-party utility services (e.g., BC Hydro, Telus, and Shaw) to be underground, BC Hydro service to the site to be primary, and all required electrical plants to 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.

- 1.26 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 are to be shown on the plan (e.g., BC Hydro, TELUS, and 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.

<https://vancouver.ca/files/cov/Key%20Plan%20Process%20and%20Requirements.pdf>

- 1.27 Show all City supplied building grades (BGs) and entranceway design elevations (DEs) on the architectural and landscape plans, while ensuring any topographic survey used for design purposes is derived from a benchmark with elevations consistent with those denoted on the City issued building grade plan.

Note to Applicant: When providing additional property line elevations for proposed entrances, interpolate a continuous grade between the elevations provided on the City supplied building grade plan.

For more information, please contact Engineering, Streets Design Branch at building.grades@vancouver.ca or call 604-871-6373.

<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 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, and the General Manager of Engineering Services, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

- 2.1 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for consolidation of Lots 4 to 6, Block 306, District Lot 526, Plan 590 to create a single parcel and subdivision of that site to result in the dedication of the South 10 feet for lane purposes.

Note to Applicant: A subdivision plan and application to the Subdivision and Strata Group is required. For general information see the subdivision website at:
<http://vancouver.ca/home-property-development/apply-to-subdivide-or-joinproperties.aspx>

- 2.2 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the release of Easement & Indemnity Agreement 400523M (commercial crossing) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition for zoning enactment.

If the crossing is to remain in its original state, then the release of this agreement will not be necessary.

- 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. 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 domestic and 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 Aplin & Martin Consultants Ltd.

dated November 23, 2023, no water main upgrades are required to service the development.

The main servicing the proposed development is 200 mm on West 7th Avenue. 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.

As per the City of Vancouver Building Bylaw, the principal entrance must be within 90 m of a fire hydrant. Should the final design of the building change such that this requirement is no longer satisfied, provision of a new hydrant to be installed in accordance to the aforementioned bylaw will be required. The developer is responsible for 100% of the cost of this upgrade.

- (b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.

Note to Applicant: Implementation of development(s) at 1960 West 7th Avenue does not require any sewer upgrades.

Development to be serviced to the existing 375mm Storm and 200mm Sanitary sewers in West 7th Avenue.

- (c) Provision of street improvements with appropriate transitions, along West 7th Avenue adjacent to the site, including:
 - (i) 2.4 m wide broom finish saw-cut concrete sidewalk; and
 - (ii) removal and reinstallation of the existing driveway crossing and reconstruction of the sidewalks and curb to current standards.

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

- (d) Provision of speed humps on West 7th Avenue between Maple Street and Cypress Street
- (e) Provision of upgraded street lighting (roadway and sidewalk) to current City standards and IESNA recommendations.

- (f) Provision of Cypress Street/West 7th Avenue entire intersection street lighting upgrade to current City standards and IESNA recommendations.
- (g) Provision of new or replacement duct banks that meets current City standard.

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

Note to Applicant: A Development and Major Projects construction coordinator will contact the Applicant in the Development Permit stage and coordinate the submission of the detailed Electrical design. The detailed Electrical design is required prior to the start of any associated electrical work and is to conform with the current City Engineering Design Manual, Construction Specifications, Standard Detail Drawing, Canadian Electrical Code, and the Master Municipal Construction Documents.

- (h) 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. Installation of Engineered Soil under new sidewalks may be required to obtain appropriate soil volumes based on site conditions.

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

Housing

2.4 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant to secure all residential units as "Class A for-profit affordable rental housing" (as defined in the Vancouver Development Cost Levy By-law), excluding Seniors Supportive or Assisted Housing, and including at least 20% of the residential floor area that is counted in the calculation of the dwelling unit area per the CD-1 By-law to be secured as below-market rental housing units, and the remaining units to be secured as market rental units, subject to the conditions set out below for such units, subject to the conditions set out below for such units and in accordance with the requirements set out in the Broadway Plan, for a term equal to the longer of 60 years and the life of the building and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require. The agreement or agreements will include but not be limited to the following terms and conditions:

- (a) A no separate sales covenant;
- (b) A no stratification covenant;

- (c) A provision that none of the units will be rented for less than one month at a time;
- (d) That 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 most recent Canada Mortgage and Housing Corporation in the Rental Market Survey Data Tables for Vancouver at the time when the Occupancy Permit is issued;
- (e) That a rent roll indicating the agreed maximum average initial monthly rents for the below-market rental housing units will be required prior 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;
- (f) 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;
- (g) 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.
- (h) That the applicant will verify the ongoing eligibility of existing tenants in below-market rental dwelling units every five (5) years after initial occupancy:
 - (i) For such tenants, annual household income cannot exceed 5 times the annual rent for the unit (i.e., at least 20% of income is spent on rent); and
 - (ii) There should be at least one occupant per bedroom in the unit.
- (i) 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
- (j) Such other terms and conditions as the General Manager of Planning, Urban Design or Sustainability (or successor in function) and the Director of Legal Services may require in their sole discretion.

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

- 2.5 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 Broadway Plan and 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 eligible tenant summarizing the Tenant Relocation Plan offer and signed as received by each eligible tenant.
 - (c) Provide an Interim Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Demolition Permit. The Report must include, but may not be limited to, the names of tenants; whether each tenant has indicated interest in the Right of First Refusal to return to the new building; each tenant's choice of either the financial compensation or temporary rent top-up option; the names of any tenants who have ended their tenancy; the reason for its end (e.g. tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant), and their temporary rent top up amount for the first year of tenancy in the alternative unit (if applicable) and total compensation amount(s); the names of tenants still remaining in the building; the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan. A copy of the Temporary Rent Top-Up Calculation Form for each tenant that chooses the Temporary Rent Top up option must also be provided with the Interim Tenant Relocation Report.

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

- (d) Provide a Final Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Occupancy Permit. The Report must include, but may not be limited to, the names of tenants; whether each tenant has indicated interest in the Right of First Refusal to return to the new building and their starting rent, and for those not returning to the new building, the outcome of their search for alternate accommodations and the total monetary value given to each tenant (moving costs, financial compensation, total rent-top up amount, any other compensation).

Public Art

- 2.6 Execute an agreement satisfactory to the Director of Legal Services and the Managing Director of Cultural Services for the provision of public art in accordance with the City's *Public Art Policy*, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Head of Public Art.

Note to Applicant: Consult with the Head of Public Art regarding opportunities for investment in public spaces as per the Plan.

Note to Applicant: Provide development details to the satisfaction of the Head of Public Art (a checklist will be provided) confirming the selection of Option A, Art on Site, or Option B, 80% cash-in-lieu of art.

Note to Applicant: Please contact staff at publicart@vancouver.ca to discuss your application.

Environmental Contamination

- 2.7 The following conditions must be met prior to enactment of the rezoning:
- (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: 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 registrable charges pursuant to the Land Title Act.

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

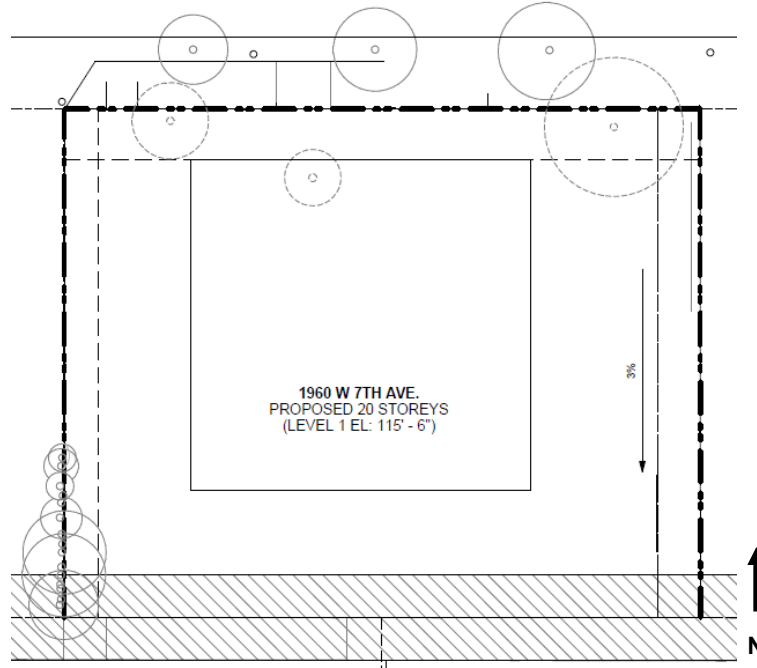
The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a

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.

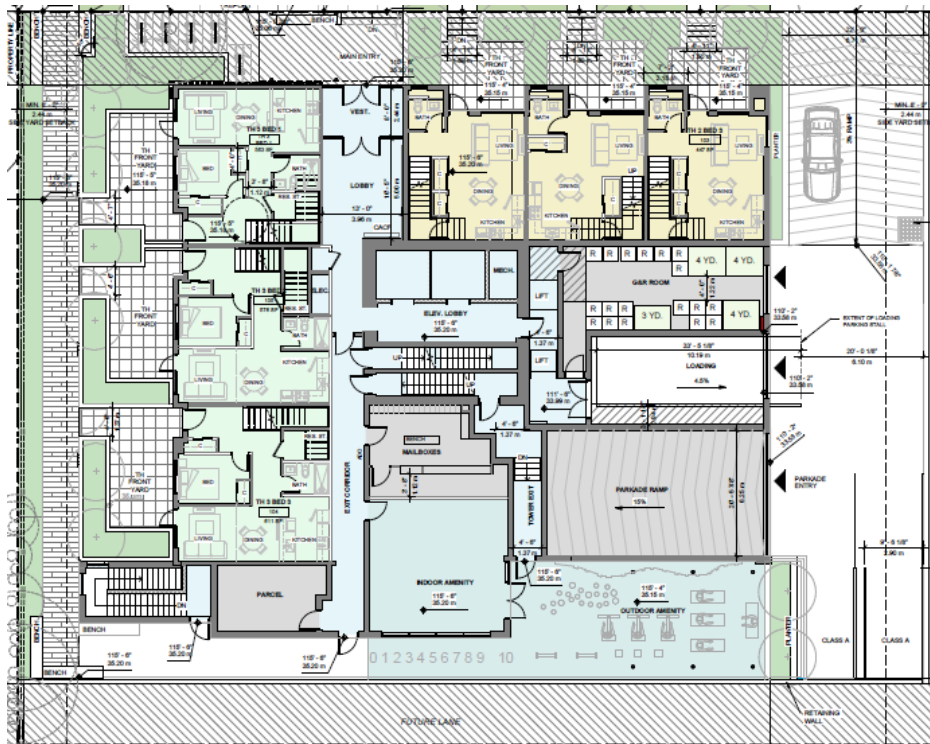
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1960 West 7th Avenue
FORM OF DEVELOPMENT DRAWINGS

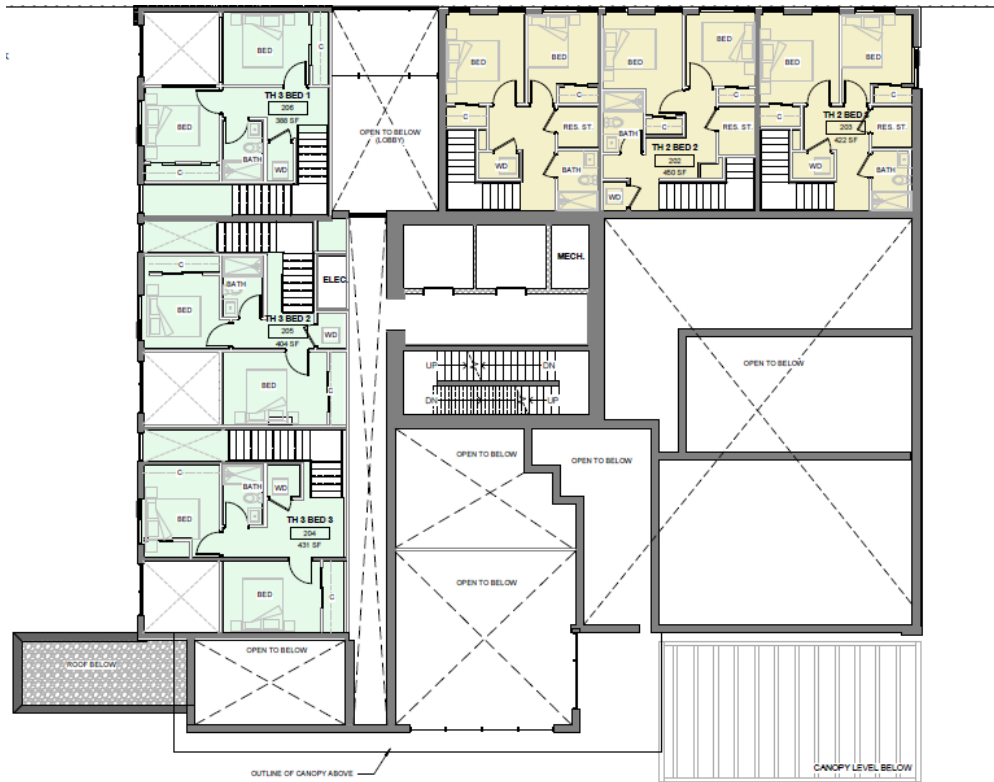
Site Plan



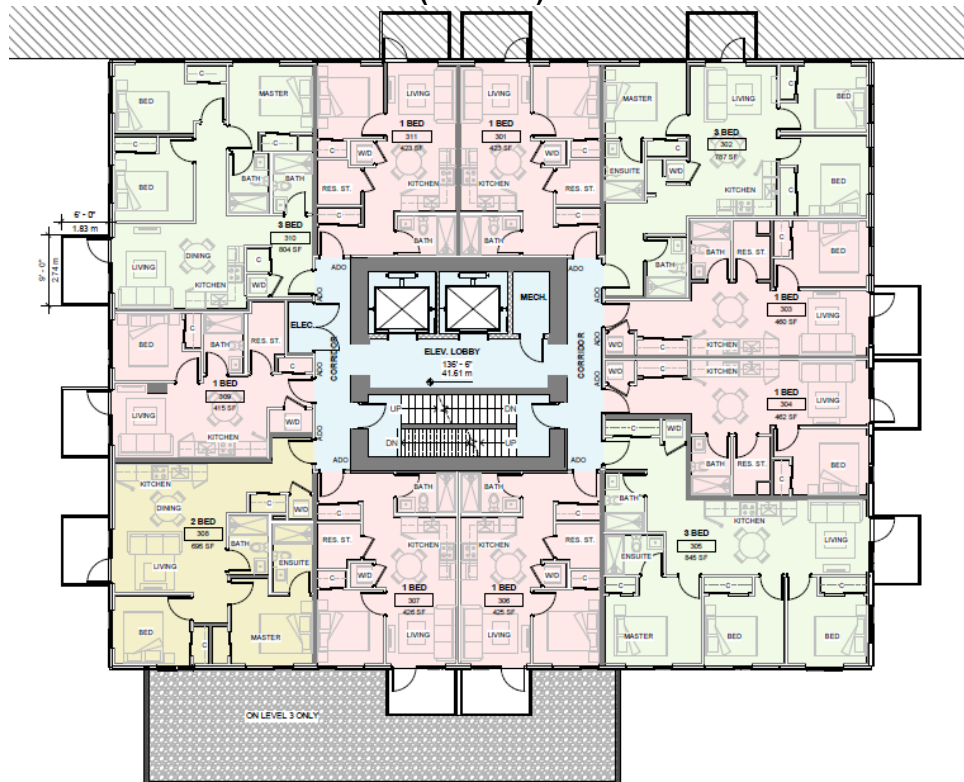
Ground Floor Plan



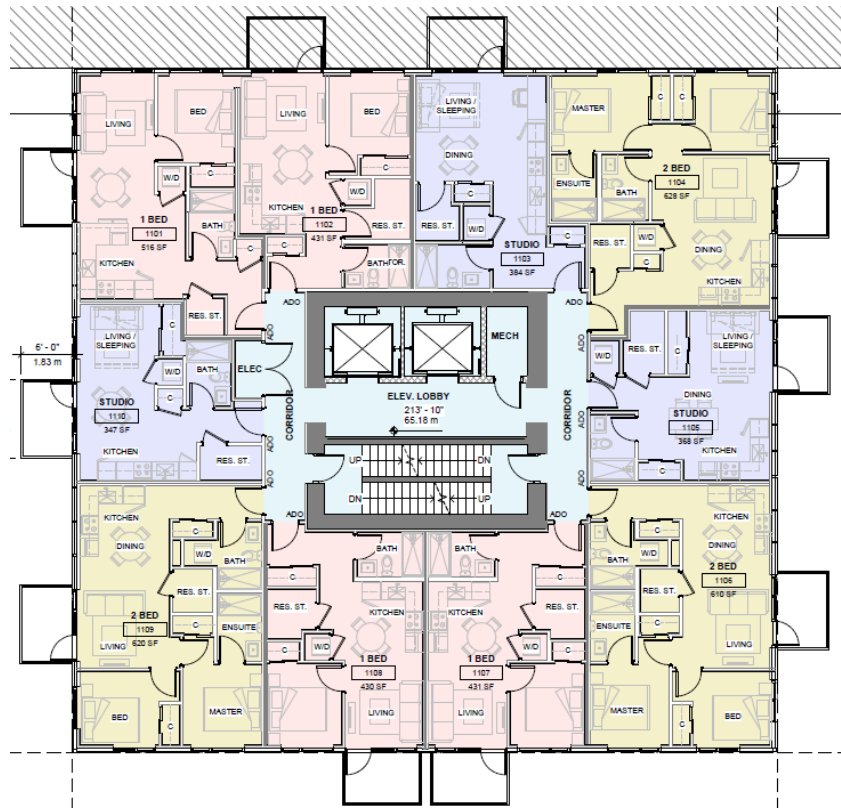
Level 2 Townhouse Floor Plan



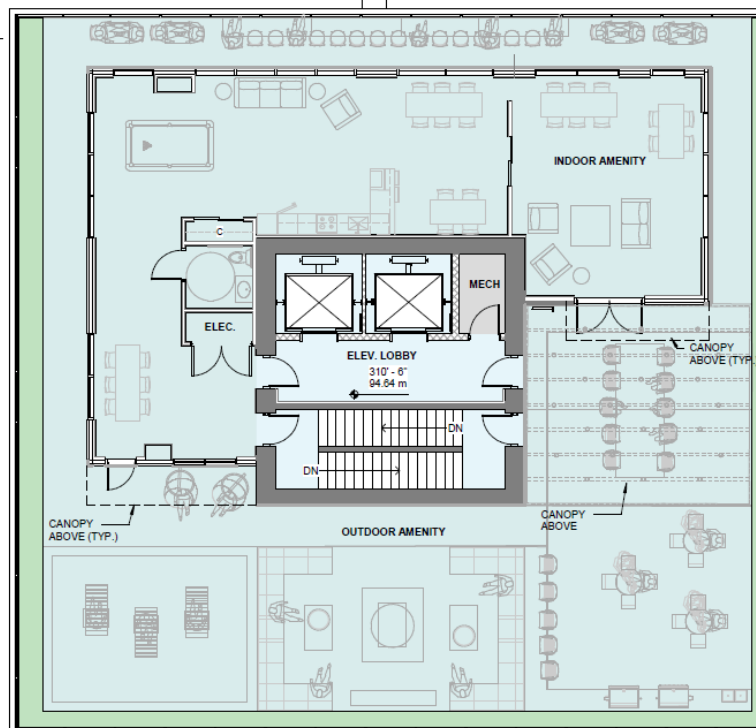
Level 3-4 (Podium) Floor Plan



Level 10-20 (Tower) Floor Plan



Rooftop Amenity Floor Plan



Shadow Studies

Spring



Mar 21st - 10 AM



Mar 21st - 12 PM



Mar 21st - 2 PM



Mar 21st - 4 PM

Fall



Sept 22nd - 10 AM



Sept 22nd - 12 PM



Sept 22nd - 2 PM



Sept 22nd - 4 PM



Summer



June 21 - 10 AM



June 21 - 12 PM



June 21 - 2 PM

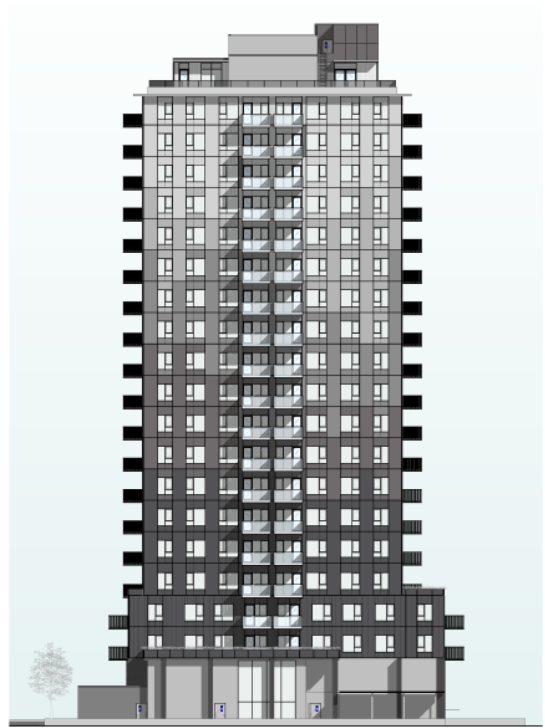


June 21 - 4 PM

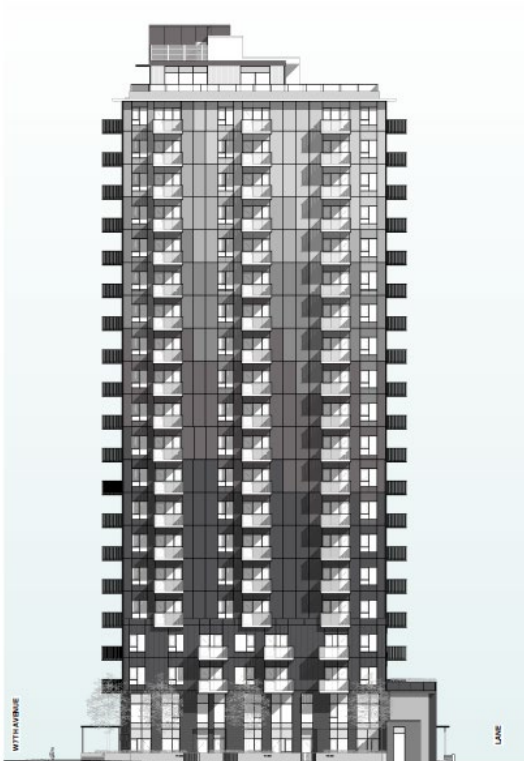
North Elevation



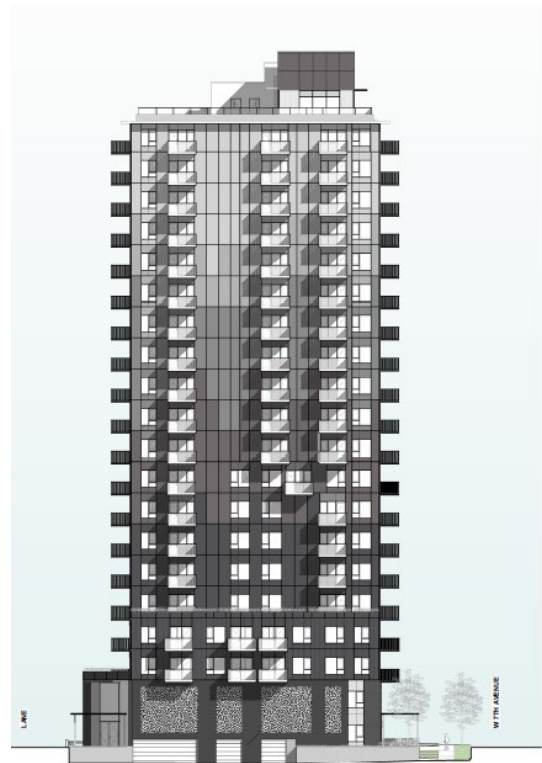
South Elevation



West Elevation



East Elevation



* * * * *

1960 WEST 7TH AVENUE
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

	Date	Results
Events		
Question and Answer Period (City-led)	March 13, 2024 – March 26, 2024	1289 participants (aware)* <ul style="list-style-type: none"> • 540 informed • 113 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	March 11, 2024	4132 notices mailed
Public Responses		
Online questions	March 13, 2024 – March 26, 2024	22 submittals
Online comment forms <ul style="list-style-type: none"> • Shape Your City platform 	February 2024 – July 2024	104 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	February 2024 – July 2024	104 submittals <ul style="list-style-type: none"> • 31 responses • 66 responses • 7 responses
Other input	February 2024 – July 2024	9 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	February 2024 – July 2024	1289 participants (aware)* <ul style="list-style-type: none"> • 540 informed • 113 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:

- **Rental and affordable housing:** The proposed development would add much needed rental and affordable housing to the neighbourhood.
- **Access to transit:** The proposal is supported given proximity to existing transit routes and to the future Arbutus Station.
- **Height, Density:** The proposed density is appropriate for the neighbourhood.

Generally, comments of concern fell within the following areas:

- **Height and Density:** Concern regarding building height and that the proposed high-rise form and density is incongruous with the low-rise scale and character of the neighbourhood. Concern the proposed development adds too much density to the neighbourhood.
- **Massing and Design:** Concern that the building is large, dark, and not an attractive design.
- **Affordability Tenant Displacement:** Concern that 20% below market rates are still unaffordable and will be higher rents that what existing tenants pay. Concern that people currently living in the building will be pushed out of their homes and into a rental market

they can't afford.

- **Neighbourhood:** Concerns that the proposed development does not maintain the character and context of the neighbourhood and will have negative impacts on its liveability.
- **Shadowing:** Concern that the proposed building will cause negative shadow impacts to the surrounding area including shadowing of local gardens and a loss of sunlight.
- **Parking and Traffic:** Concern that the proposed development will negatively impact traffic and parking and will lead to increased congestion within the area. Concern that there are not enough parking stalls proposed in the new building, and whether current residents will maintain their existing parking stalls in the new building. Concern for increased traffic given the site is located on an existing bikeway and close to other bikeways which are already dangerous due to slope.

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 building design is attractive.
- Liveability will improve the neighbourhood.
- The building form and massing is supported.
- The location of the development is supported in the *Broadway Plan* area.

General comments of concern:

- The development will reduce liveability in the neighbourhood.
- Construction will disrupt the neighbourhood and concerns about noise pollution.
- Not enough vehicle parking proposed, which will worsen parking in the surrounding area.
- Existing amenities and infrastructure cannot accommodate additional density.
- The proposal is not suited to this location and would be better suited closer to Broadway.

Neutral comments/suggestions/recommendations:

- More below-market rental units should be provided.
- Childcare should be offered as part of this proposal.
- Commercial space should be provided on the ground floor.
- Ground elevation between buildings should be the same.
- CACs should be relocated to POPS to upgrade the Arbutus Greenway.
- This rezoning should be approved or expedited and should not be required to go to UDP or public hearing.

* * * * *

1960 West 7th Avenue
SUMMARY OF TENANT RELOCATION PLAN TERMS

Tenant Relocation and Protection Requirements	Tenant Relocation Plan Offer
Financial Compensation	<p>The choice of either:</p> <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. <p>Or:</p> <ul style="list-style-type: none"> • For tenants that wish to exercise their Right of First Refusal to return to the new building, a temporary rent top-up to mitigate rent increases while waiting to return to the new building.
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"> • For low-income tenants and tenants facing other barriers to housing, as defined in the <i>TRP Policy</i>, the applicant has committed to assisting in securing a permanent, suitable affordable housing option.
First Right of Refusal	<ul style="list-style-type: none"> • The applicant has committed to offering all eligible tenants the Right of First Refusal to return to the new building at either a 20% discount to city-wide average market rents by unit type for the City of Vancouver, as published annually, or at the tenant's current rent, whichever is less.

1960 West 7th Avenue
PUBLIC BENEFITS SUMMARY

Project Summary:

A 20-storey rental building containing 183 units, with 20% of the residential floor area for below-market rental units.

Public Benefit Summary:

The proposal would provide market and below-market rental units, a DCL payment and public art contribution.

	Current Zoning	Proposed Zoning
Zoning District	RM-4	CD-1
FSR (site area = 1,674 sq. m [18,025 sq. ft.])	1.45	6.49
Buildable Floor Area	2,428.2 sq. m (26,136 sq. ft.)	10,863.5 sq. m (116,934 sq. ft.)
Land Use	Multiple Dwelling	Multiple Dwelling

Summary of development contributions expected under proposed zoning

City-wide DCL ^{1,2}	\$0
Utilities DCL ¹	\$1,730,623
Public Art ³	\$231,529
TOTAL	\$1,962,152

Other benefits (non-quantified): 183 rental housing units, with 20% of the residential floor area for below-market rental units, secured for the greater of 60 years and the life of the building.

¹ Based on by-laws in effect as of September 30, 2024; by-laws are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection, see the City's [DCL Bulletin](#) for more details.

² The applicant has requested a DCL waiver for the residential floor area of the proposal and will be subject to the maximum average rents by unit type for the below-market units, in accordance with the DCL By-law, as secured by an amendment to the Housing Agreement. The value of the City-wide DCL waiver on the residential floor area is approximately \$2,761,981.

³ Based on rates in effect as of 2016. Rates are subject to adjustments, see [Public Art Policy and Procedures for Rezoned Developments](#) for details.

* * * * *

1960 West 7th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
1960 West 7th Avenue	004-623-011	Lot 4, Block 306, District Lot 526, Plan 590
1960 West 7th Avenue	004-623-037	Lot 5, Block 306, District Lot 526, Plan 590
1960 West 7th Avenue	004-623-045	Lot 6, Block 306, District Lot 526, Plan 590

Applicant Information

Architect	Musson Cattell Mackey
Applicant	Gracorp Properties LP
Registered Owner	Kitsilano East Development Holdings Ltd.

Development Statistics

	Permitted Under Existing Zoning	Proposed																								
Zoning	RM-4	CD-1																								
Site Area	1,674 sq. m (18,025 sq. ft.)	1,674 sq. m (18,025 sq. ft.)																								
Land Use	Multiple Dwelling	Multiple Dwelling																								
Maximum FSR	1.45	6.49																								
Maximum Height	10.7 m (35 ft.)	61 m (200 ft.) to L21 parapet																								
Floor Area	2,428.2 sq. m (26,136 sq. ft.)	10,863.5 sq. m (116,934 sq. ft.)																								
Unit Mix	N/A	<table border="1"> <thead> <tr> <th>Unit Type</th> <th>Below-Market Units</th> <th>Market Units</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>3</td> <td>35</td> <td>38</td> </tr> <tr> <td>1-bed</td> <td>19</td> <td>63</td> <td>82</td> </tr> <tr> <td>2-bed</td> <td>3</td> <td>42</td> <td>45</td> </tr> <tr> <td>3-bed</td> <td>10</td> <td>8</td> <td>18</td> </tr> <tr> <td>Total</td> <td>35</td> <td>148</td> <td>183</td> </tr> </tbody> </table> <p>Revisions are expected so proposal meets 20% residential floor area as below-market units. To be confirmed at development permit stage</p>	Unit Type	Below-Market Units	Market Units	Total	Studio	3	35	38	1-bed	19	63	82	2-bed	3	42	45	3-bed	10	8	18	Total	35	148	183
Unit Type	Below-Market Units	Market Units	Total																							
Studio	3	35	38																							
1-bed	19	63	82																							
2-bed	3	42	45																							
3-bed	10	8	18																							
Total	35	148	183																							
Parking and Bicycle Spaces	N/A	62 vehicle spaces 311 bicycle spaces 3 loading spaces To be confirmed at development permit stage																								
Natural Assets	Six on-site by-law trees; four City trees	Four on-site trees for removal; Two City trees to be retained; 14 new trees proposed. To be confirmed at development permit stage																								