CITY OF VANCOUVER

REFERRAL REPORT

Report Date: May 3, 2022
Contact: Yardley McNeill
Contact No.: 604.873.7582
RTS No.: 15161
VanRIMS No.: 08-2000-20
Meeting Date: May 17, 2022

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 1066-1078 Harwood Street

RECOMMENDATION TO REFER

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

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary 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 Henriquez Partners Architects on behalf of BOSA4RENT 1066-1078 HARWOOD INC., the registered owner of the lands located at 1066-1078 Harwood Street [*Lots 8 to 9, Block 13 District Lot 185 Plan 92; PIDs 004-345-410 and 015-749-053, respectively*], to rezone the lands from RM-5A (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 2.20 to 12.55 and the building height from 58.0 m (190.3 ft.) to 91.44 m (300 ft.), to permit the development of a 33-storey residential building with 278 secured rental units, of which 20% of the units are secured at below-market rental units, be approved in principle;

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

FURTHER THAT the proposed form of development be approved in principle, generally as prepared by Henriquez Partners Architects, received April 7, 2021 with revisions submitted October 21, 2021, provided 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 and 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 1066-1078 Harwood Street from RM-5A (Residential) District to CD-1 (Comprehensive Development) District. The proposal is for a 33-storey residential building with 278 secured rental housing units, of which 20% of the floor area contains below-market rental (BMR) units. A floor space ratio (FSR) of 12.55 and building height of 91.44 m (300.0 ft.) are proposed.

Staff have assessed the application and concludes that it meets the intent of the *Criteria for 100% Secured-Market Rental and Below-Market Rental* ("West End Rental Policy") and *West End Community Plan* ("Plan"). The application would contribute 278 secured rental units, which consists of 223 market rental units and 55 below-market rental units, advancing the City's rental housing goals.

Staff recommend the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it, subject to a Public Hearing and the conditions outlined in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Criteria for 100% Secured Rental and Below-Market Housing as an Alternative to Inclusionary Social Housing in the Burrard Corridor of the West End Community Plan (2020)
- Rezoning Policy for the West End (2013, last amended 2017)
- West End Community Plan (including West End Public Benefit Strategy) (2013)
- West End Tower Form, Siting, and Setbacks Bulletin (2017, last amended 2020)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families With Children Guidelines (1992)
- Tenant Relocation and Protection Policy and Guidelines (2015, last amended 2019)
- Green Buildings Policy for Rezonings (2010, amended 2018)
- Community Amenity Contributions Policy for Rezonings (1999, amended 2022)
- Latecomer Policy (2021)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183
- Public Art Policy and Procedures for Rezoned Developments (2014)
- Urban Forest Strategy (2014)

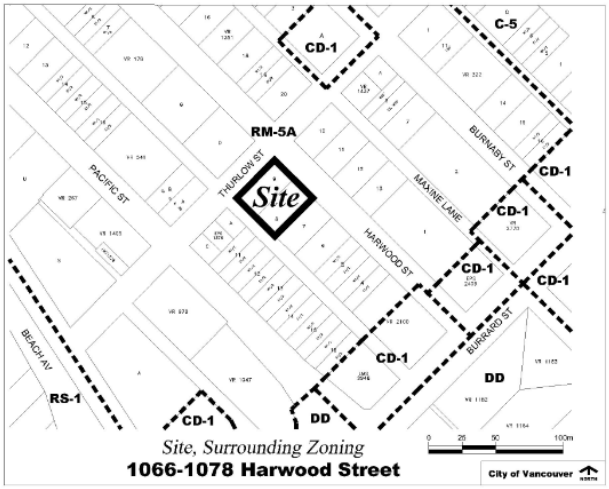
REPORT

Background/Context

1. Site Context

This 1,606.9 sq. m (17,296 sq. ft.) site is located on the southeast corner of Thurlow and Harwood Streets (see Figure 1). The current zoning is RM-5A (Residential) District. The properties are occupied by two three-storey residential buildings containing 51 rental units.

Figure 1: Site and Context



The site is three blocks south of Davie Village. The surrounding zoning is RM-5A or CD-1 with low- and mid-rise buildings, with taller buildings facing Burrard Street. This area is undergoing significant change with numerous developments under consideration or approved for up to 91.44 m (300 ft.). A similar rezoning application is under review for a 33-storey rental building to the north at 1332 Thurlow Street and 1065 Harwood Street.

Previous 2017 Rezoning Application – In August 2017, the same owner submitted a rezoning application to develop a 32-storey residential building with 143 strata-titled units under the *Plan*. The owner chose not to proceed and withdrew the application in April 2021. The site remains under the prevailing RM-5A zoning.

Neighbourhood Amenities – The following amenities are within close proximity:

- *Parks:* Sunset Beach Park (265 m), May and Lorne Brown Park (375 m) and Nelson Park (430 m).
- *Cultural/Community Space:* Vancouver Aquatic Centre (298 m), Wall Centre Plaza (450), Pacific Cinematheque (463 m) and Gordon Neighbourhood House (1.1 km)
- *Childcare:* Nelson Park (280 m), Little Beach (295 m) and Mole Hill (427 m).

Local School Capacity – This site is located within the catchment area of Roberts Elementary School at 1100 Bidwell Street and King George Secondary School at 1755 Barclay Street. Per the Vancouver School Board (VSB)'s *Draft Long Range Facilities Plan* from January 2021, Roberts Elementary had an operating capacity of 109% in 2019. By 2029, that capacity is expected to decrease to 104%. Coal Harbour Elementary is currently under development, and may create additional capacity. King George Secondary's operating capacity was 101% in 2019. By 2029, enrolment is expected to operate at 84% capacity.

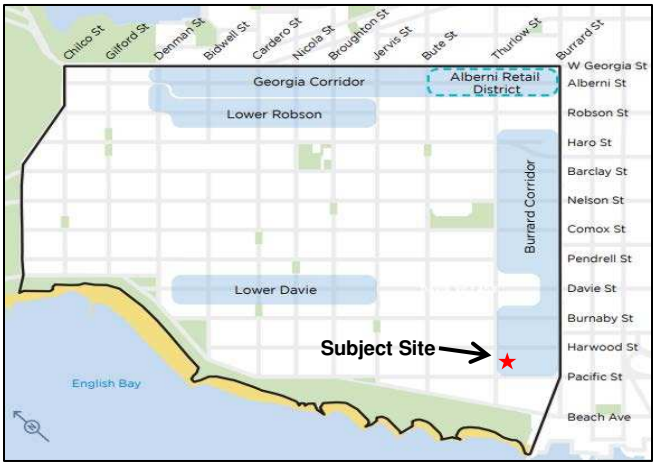
The City coordinates with the VSB to inform decision making and reduce enrolment pressure. While some schools are full, there is an overall surplus capacity within their system. The VSB continues to monitor development and work with City staff to help plan for future growth.

2. Policy Context

Three key policies guide the redevelopment of this site.

West End Community Plan ("Plan") – The *Plan* provides a framework to guide development in the West End until 2041. It contains policy directions for land use, built form, housing, public spaces, and amenities. The *Plan* identifies the Burrard and Georgia Corridors as areas suitable for increase in heights and density for the provision of additional housing. The subject site is located in the Burrard Corridor, shown in Figure 2.

Figure 2: West End Corridors and Neighbourhoods (Subject Site in Red)



Rezoning Policy for the West End ("Rezoning Policy") – The *Rezoning Policy* requires that new development be focused on specific areas identified for change through the *Plan* and it stipulates the conditions by which new development may be considered to achieve public objectives. The subject site is in area E (see Figure 3), where rezoning applications for additional density may be considered for residential proposals that include contributions to the Public Benefits Strategy, through the delivery of social housing.

Figure 3: Rezoning Policy for the West End



In 2020, staff analysis determined the need for a broader range of housing tenure in the West End. As such, Council approved an interim approach to consider rezonings in the Burrard Corridor for 100% secured rental buildings with a 20% below-market rental (BMR) component. This 2020 rental policy forms the enabling policy, discussed below.

Criteria for 100% Secured Rental and Below-Market Housing as an Alternative to Inclusionary Social Housing in the Burrard Corridor of the West End Community Plan ("West End Rental Policy") – The *West End Rental Policy* expands the housing tenure options for areas D and E of the Burrard Corridor. Applicants can pursue a rezoning for 100% secured rental housing with a minimum 20% of the floor area at below-market rents (BMR).

The *West End Rental Policy* offers a secured rental option with a built-in level of affordability to advance Council's objective to deliver more rental and deeper affordability. Applications can be received under the interim policy until the end of 2022.

Housing Vancouver – *Housing Vancouver* focuses on the right supply of new homes, including rental, to meet a continuum of housing types. *Housing Vancouver* has targeted the delivery of 72,000 new homes, including 20,000 purpose-built rental units by 2028. Targets and actions seek to retain a diversity of incomes and households in the city. If approved, this application would contribute towards the targets for purpose-built rental units.

Strategic Analysis

1. Proposal

This application proposes to rezone 1066-1078 Harwood Street to permit the development of a 33-storey secured-rental building with 20% of the residential floor area secured at below market rental levels. This project includes a total of 278 rental units, of which 223 are market-rental and 55 are BMR (see Figure 4). A total floor area of 20,174.5 sq. m (217,157 sq. ft.) and building height of 91.44 m (300 ft.) are proposed for an FSR of 12.55. Six levels of underground parking is proposed, accessed from the rear lane.

Figure 4: Proposed Building (Right)



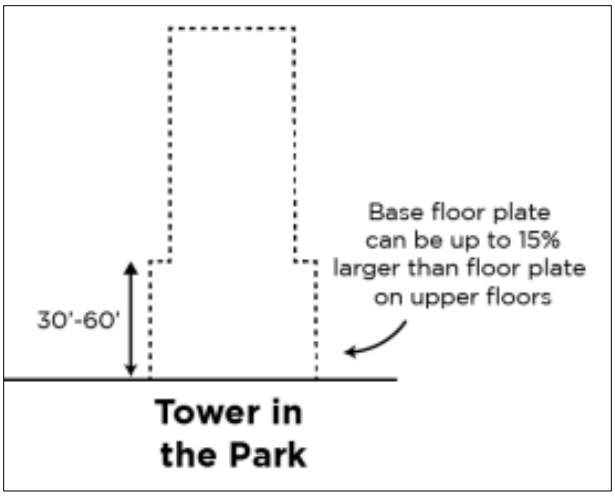
2. Land Use

The site is zoned RM-5A, which permits primarily residential with limited commercial and institutional uses. This proposal for residential is consistent with the *West End Rental Policy* that anticipates residential at this location.

3. Form of Development, Height and Density (See drawings in Appendix D)

In assessing urban design performance, staff are guided by the *West End Tower Form, Siting and Setbacks Administrative Bulletin* ("Bulletin"). The *Bulletin* establishes urban design criteria with guidance on tower typologies, tower width, siting and massing, and building articulation.

Figure 5: Tower in the Park Typology

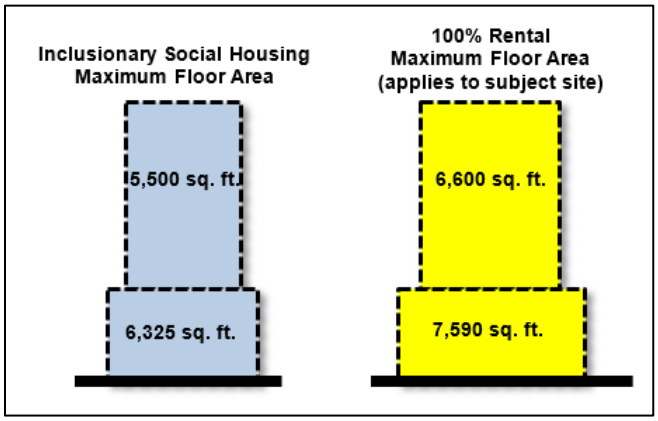


Form of Development

Tower Typology – Shown in Figure 5, a "tower in the park" typology is anticipated for Areas D and E of the Corridor under the *Rezoning Policy*. This typology allows the base of a tower to be up to 15% larger than the residential floor plate above. The proposal has maintained this building typology.

Floor Area – For 100% rental buildings, the *West End Rental Policy* permits up to a 20% increase in floor area beyond what is prescribed for inclusionary projects under the *Rezoning Policy*. The *Rezoning Policy* does not prescribe a maximum FSR. Figure 6 demonstrates how the rental building could be developed to achieve a floor area up to 20% greater than an inclusionary proposal under the *West End Rental Policy*.

Figure 6: Base and Tower Floor Area Maximums



As illustrated above, a tower floor plate of 613.6 sq. m (6,600 sq. ft.) with a 15% wider base of 705.1 sq. m (7,590 sq. ft.) is one opportunity to achieve additional density. The current proposal respects these maximums.

Public Realm and Setbacks – On-site open space is proposed at the base of the building. A 3.7 m (12 ft.) setback along Harwood Street allows for an improved pedestrian connection (Figure 7). The main residential entrance is on the Harwood Street frontage, serving to activate the streetscape. Conditions seek to further animate the open space, including additional pedestrian-scale lighting and street furniture.

Figure 7: View of Main Entry at Harwood Street



Landscape – The outdoor amenity space offers planting and the rooftop amenity offers urban agriculture plots and outdoor seating. Two levels of landscaped retaining walls with garden space and outdoor seating have been incorporated to delete blank walls. Further landscaping to soften the public interface is required, per Appendix B.

Building Design – The proposal incorporates common West End architectural elements with brick, punched windows, interlocking balconies, and landscaped setbacks. The overall expression meets the intent of the *Bulletin*. Further design refinement is expected, such as the provision of additional landscape features for visual variety.

Height – Under the *Plan*, building heights in Area E of the Burrard Corridor are limited to 91.44 m (300 ft.) or to the underside of a view cone. The *Bulletin* also requires building articulation to preserve sunlight onto public spaces. Specifically, developments are to minimize shadows onto the north sidewalk of Davie Street between 10 am and 4 pm at the spring and fall equinoxes.

The April 2021 application proposed a building height of 96.32 m (316 ft.). In keeping with policy, the applicant has since lowered the height to 91.44 m (300 ft.). The revised height adheres to the *Plan's* height limit and does not shadow Davie Street during hours specified in the *Bulletin* (Appendix D).

Density – The *Plan* and rezoning policies do not set a density limit. Instead, the maximum building height and form of development guide the achievable density for this site. Based on height limits, floor area maximums, and urban design performance, the floor area of 20,174 sq. m (217,157 sq. ft.) represents an FSR of 12.55. This density is supported.

Urban Design Panel – The application was reviewed by the Urban Design Panel on May 26th, 2021. The project was supported with recommendations for improving the material palette, design expression, architectural detailing, public realm interface, crime prevention through

environmental design (CPTED) considerations, and landscaping. Panel recommendations are reflected in the design conditions in Appendix B.

4. Housing

Housing Vancouver establishes targets to address a continuum of housing needs in Vancouver.

If approved, this application would add 223 secured-market rental housing and 55 BMR units to the city's stock of rental housing. These new rental units would contribute to the rental targets set out in *Housing Vancouver* (Figure 8).

Figure 8: Progress Towards 10 Year Housing Vancouver Targets for Purpose-Built Market and Developer-Owned Below-Market Rental Housing as of December 31st, 2021

Housing Type	Category	10-Year Targets	Units Approved Towards Targets
Purpose-Built Market Rental Housing Units	Market Rental	16,000 units	8,275 (52%)
	Developer-Owned Below-Market Rental	4,000 units	660 (17%)
	Total	20,000 units	8,935

1. Tracking progress towards 10-year Housing Vancouver targets began in 2017
2. Unit numbers exclude the units in this proposal, pending Council's approval.

Vacancy Rates – Vancouver has exhibited historically low vacancy rates in the last 30 years. From 2017 to 2019, prior to the COVID-19 pandemic, the average vacancy rate for purpose-built apartments (based on the Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the English Bay neighbourhood was 1%. The vacancy rate in 2021 was 1.6% and is anticipated to return closer to the average near term rate when the building could be ready for occupancy. A vacancy rate between 3% and 5% represents a balanced market.

Housing Mix – The *Family Room: Housing Mix Policy for Rezoning Projects* requires that a minimum of 35% of the units be family units with two or more bedrooms. These units are to be designed in accordance with the *High-Density Housing for Families with Children Guidelines*. This application proposes a total of 35% of all units to be family units, which is consistent with policy and secured in the CD-1 By-law. Further, 35% of the market rental units and 35% of the BMR units are family units (see Figure 9).

Figure 9: Proposed Unit Mix

Type	Market Rental		Below-Market Rental	
	Unit Count	Percentage	Unit Count	Percentage
Studio	46	21%	8	15%
1-bed	98	44%	28	51%
2-bed	79	35%	13	24%
3-bed	0	0%	6	11%
Total	223	100%	55	100%

Average Rents and Income Thresholds – Figure 10 sets out the average rents for BMR units based on the CMHC Average Market Rent for the English Bay neighbourhood (i.e. Zone 2). A minimum of 20% of the residential floor area that is counted in the calculation of the floor space ratio will be secured as BMR units, in accordance with the *West End Rental Policy*.

At a minimum, 70% of the BMR units rented at 20% below the CMHC Average Market Rent for Zone 2, and 30% of the BMR units will be rented at 50% below the CMHC Average Market Rent for Zone 2. Starting rents for the initial occupants will be calculated using the Average Market Rents for Zone 2 at the time of occupancy permit issuance. On unit turnover, rents in the BMR units will be reset to the same CMHC discount as applied at initial occupancy, calculated using the CMHC Average Market Rent at the time of unit turnover.

Figure 10: Below-Market Unit Average Rents and Household Incomes Served

	Below-Market Units Average Starting Rents				
	Proposed Average Unit Size (sq. ft.)	20% Below Zone 2 Average Market Rent[1]	Annual Income Required to Afford Below-Market Unit	50% Below Zone 2 Average Market Rent[1]	Annual Income Required to Afford Below-Market Unit
Studio	368	$1,070	$ 42,784	$669	$ 26,740
1-bed	517	$1,297	$ 51,872	$811	$ 32,420
2-bed	803	$1,923	$ 76,928	$1,202	$ 48,080
3-bed	911	$2,523	$100,928	$1,577	$ 63,080

[1] From October 2021 CMHC Rental Market Survey for Zone 2 (English Bay)

The market and below-market rental housing component will provide options that are more affordable than home ownership, illustrated in Figure 11.

Figure 11: Market Rents in Newer Buildings, Cost of Ownership and Household Incomes Served

	Average Market Rent in Newer Buildings – Westside (CMHC, 2020)[1]	Annual Income Required to Afford Average Market Rent in Newer Buildings	DCL By-Law Maximum Averages – Westside (CMHC, 2021)[2]	Annual Income Required to Afford DCL By-Law Maximum Averages	Monthly Costs of Ownership for Median-Priced Unit – Westside – 20% Down payment[3]	Annual Income Required to Afford Monthly Costs for Ownership	Starting down payment required at 20%
Studio	$1,832	$73,280	$1,859	$74,360	$2,569	$102,776	$99,050
1-bed	$1,975	$79,000	$2,243	$88,720	$3,191	$127,654	$124,600
2-bed	$2,804	$112,160	$2,996	$119,840	$4,812	$192,492	$186,600
3-bed	$3,349	$133,960	$4,135	$165,400	$7,809	$312,350	$309,000

1. *From October 2020 CMHC Rental Market Survey for buildings completed in 2011 or later on the Westside.*
2. *For studio, 1-, 2-, and 3-bedroom units, the maximum DCL rents are the average rents for all residential units built since the year 2005 in the City of Vancouver as published by CMHC in the fall 2021 Rental Market Survey.*
3. *Assumptions: Median of all BC Assessment sales prices on the Westside in 2020 by unit type, 20% down payment, 5% mortgage rate (in-line with Bank of Canada), 25-year amortization, $150-$250 monthly.*

To be eligible for a BMR unit, a household's gross annual income must not exceed the income requirements for the unit type, with at least one household member per bedroom. Per the *West End Rental Policy,* eligibility requirements for the below-market units are described in the *Moderate Income Rental Housing Pilot Program* document. All residents will have access to common indoor and outdoor amenities.

Security of Tenure – Purpose-built rental housing offers security of rental tenure. All 278 rental units would be secured through a Housing Agreement and/or a Section 219 Covenant for the longer of 60 years and the life of the building.

The Housing Agreement will secure no less than 20% of the residential floor area that is counted in the calculation of the floor space ratio for BMR units to be rented at rates targeted to meet the affordability needs of moderate income households. Covenants will be registered on title to prohibit the stratification and/or separate sale of individual units.

Existing and Previous Tenants – If approved, the existing 51 rental units would be replaced with 223 new secured-market rental units and 55 BMR units. The 2015 and the 2019 *Tenant Relocation and Protection Policy* ("TRPP") applies here, explained below.

Existing Tenants – At the time of the 2021 rezoning submission, 16 out of the 51 existing rental units were tenanted. The 16 tenancies began more than one year prior to the current rezoning application being received, so qualify under the 2019 TRPP. Of these 16 tenancies, the average length is approximately 15 years. 12 tenants have lived in their apartments for more than 10 years, including three tenants with tenancies greater than 20 years.

Per the 2019 policy, a draft Tenant Relocation Plan (TRP) has been provided in Appendix C. The current eligible tenants will receive a minimum of four months free rent, payment towards moving costs, and assistance finding alternative accommodation. Tenants will be offered Right-of-First Refusal to return to one of either the below-market rental units if eligible, or to the new market rental units at 20% below-market rates.

Previous Tenants – The remaining 35 units were occupied by tenants at the time of the previous 2017 rezoning submission. All 35 units were vacated prior to the current 2021 rezoning application being submitted, and the units were not re-tenanted. 31 of the previous tenancies were eligible under the 2015 TRPP.

The applicant has confirmed that all eligible previous tenants who vacated prior to the 2021 application have received compensation under the 2015 TRPP. This included financial compensation based on length of tenancy, moving expenses and assistance finding alternative accommodation where requested. The previous tenants will also be offered Right-of-First Refusal to return to one of the BMR units if eligible, or to the new market rental units at 20% below market rates. Staff have received a Final Tenant Relocation Report for these tenants that meets the minimum requirements.

5. Transportation and Parking

The site is well served by public transit with Skytrain located approximately 1 km from the site and bus service along Davie Street, Burrard Street and Pacific Street. The Burrard, Burnaby, and Pacific Bikeways are two blocks away.

The application proposes 160 vehicle parking spaces over five levels, accessed from the lane. One Class B loading space and 547 bicycle spaces are proposed. The application will comply with the provisions of the Parking By-law. The applicant is to provide a Transportation Demand Management Plan to seek reductions in the number of parking spaces in lieu of sustainable transportation options. Engineering conditions require improvements to the functionality of the parking and loading layout with appropriate widths, included in Appendix B.

6. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezonings* requires applications to satisfy either the near zero emission buildings or low emissions green buildings. This application is pursuing the low emissions green buildings requirements, which establishes energy and carbon limits to create efficient and comfortable homes and workplaces. A design strategy outlining how the project will meet targets has been submitted, with conditions included in Appendix B.

Natural Assets – The *Urban Forest Strategy* seeks to protect and strengthen Vancouver's urban forest and tree canopy. The Protection of Trees By-law requires permission be granted to remove trees. The intent is to protect as many healthy trees as possible, while still meeting the challenges of development and housing priorities. These priorities are in keeping with City goals to achieve resilient and healthy natural systems in our urban areas.

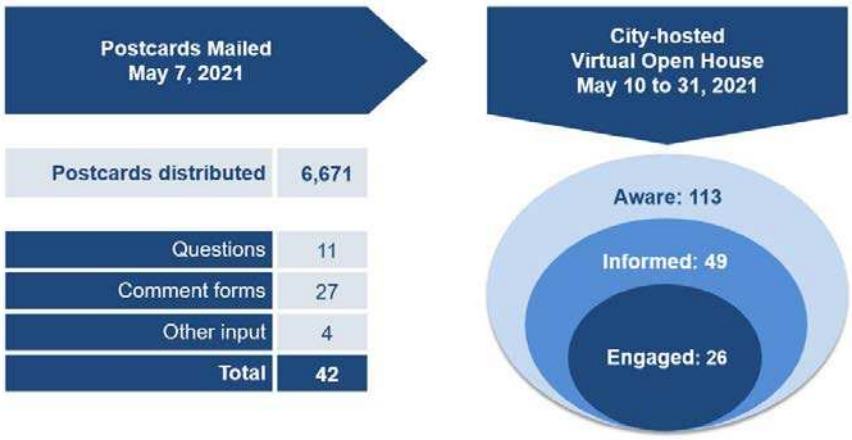
There are six on-site trees and the landscape plan proposes 11 new on-site trees. Conditions require new city trees along Thurlow and Harwood Streets for additional green infrastructure. The final number of new trees will be determined during the development permit process.

7. Public Input

Public Notification – A total of 6,671 notification postcards were distributed within the neighbouring area on or about May 7, 2021. Notification, application information, and an online comment form was provided on the City's Shape Your City Vancouver engagement platform.

Virtual Open House – A virtual open house was held from May 10th to 31st, 2021 on the Shape Your City platform. The open house consisted of an open question event where questions were submitted and posted with a response over a period of three weeks.

Figure 12 – Overview of Notification and Engagement



Public Response and Comments – Public input was received via online questions, comment forms, by email and phone. A total of 42 submissions were received (Figure 12). A summary of all public responses are found in Appendix C.

Generally, comments of support fell in the following areas:

- **Height, density, and massing:** The height, density and massing is supportable as no view cones are being penetrated.

- **Housing supply:** The addition of secured rental housing to the neighbourhood.

- **Building design:** The architecture is attractive and fits into the West End. The staggered interlocking design is well-considered and the warm brick is appreciated.

Generally, comments of concern fell within the following areas:

- **Height and density:** The building does not suit the surrounding context and will impact the character of the neighbourhood. The building is too tall and density is much higher than surrounding buildings, creating a height precedent.

- **Shadowing:** The height will shadow the surrounding buildings and Thurlow Street.

- **Traffic and parking:** This area is already heavily congested and the proposed development will further contribute to high volumes of traffic and potential safety concerns for pedestrians. There are too many levels of underground parking proposed.

Response to Public Comments – The height and density align with the height and form of development expectations in the policies and *Bulletin*. The building has been further articulated to eliminate shadows onto Davie Street during peak hours. To mitigate traffic concerns, underground parking is proposed with further opportunities to increase sustainable transportation options to mitigate the traffic volumes.

8. Public Benefits

Community Amenity Contributions (CACs) – Within the context of the City's *Financing Growth Policy*, an offer of a Community Amenity Contribution (CAC) to address the impacts of rezoning can be anticipated from the owner of a rezoning site. CAC offers typically include either on-site amenities or a cash contribution towards other public benefits.

The 20% residential floor area (approximately 55 residential units) secured as BMR units, is the public benefit accruing from this application. Given the provision of BMR units, a land lift is not generated and no additional CAC will be required.

West End Plan Public Benefits (PBS) Strategy – The PBS identifies the need for public benefits and infrastructure to support growth in the West End, including affordable housing and community facilities. The PBS establishes targets, including the delivery of 1,900 rental housing units in the Corridors. This application would add 278 new rental units to advance the rental housing targets set out in the PBS (see Appendix E).

Development Cost Levies (DCLs) – DCLs collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and engineering infrastructure.

This site is subject to the City-wide DCL and the Utilities DCL. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at building permit stage. Based on the DCL by-laws and rates in effect as of September 30, 2021, and the

proposed 217,157 sq. ft. of residential floor area, $6,160,744 in DCLs would be expected from this development.

The applicant may request a waiver of the City-wide DCL at the development permit stage. If the applicant requests a DCL waiver, a further staff review will be required of a revised pro forma. If the revised pro forma results in an additional land lift being generated such that a CAC is payable, or additional or deeper levels of affordability can be provided, the application would be required to return to Council through a subsequent Public Hearing. The Housing Agreement would be amended or replaced, as required, in order to include the applicable terms and agreements with respect to the DCL waiver, such as the maximum average unit sizes for "for-profit affordable rental housing" and maximum average rents by unit type, all to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services. If the DCL waiver is taken, the value of the waiver of City-wide DCLs would be approximately $3,960,944.

DCL rates are subject to future adjustment by Council including annual inflationary adjustments, 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 from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the DCL Bulletin for details.

Public Art Program – The application is subject to the *Public Art Policy and Procedures for Rezoned Developments* as the proposed floor area meets the minimum 9,290 sq. m (100, 000 sq. ft.) requirement. The public art budget will be calculated on the floor area proposed at the development permit stage and is subject to Council approved period adjustments to address inflation. Based on the 2016 rate, the public art budget is estimated to be $429,969.

See Appendix F for a summary of all the public benefits for this application.

Financial Implications

The 278 rental housing units, including the 20% of residential floor secured as BMR units, will be privately owned and operated, secured by a Housing Agreement and Section 219 Covenant for the longer of 60 years and the life of the building.

Based on rates in effect as of September 30, 2021, it is anticipated this project will generate approximately $6,160,744 in DCLs. The project may be eligible to request a DCL waiver at the development permit application stage valued at $3,960,944.

If the rezoning application is approved, the applicant will be required to provide public art on site at an estimated value of $429,969.

CONCLUSION

Staff have reviewed the application to rezone the site at 1066-1078 Harwood Street from RM-5A to CD-1 to permit the development of a 33-storey secured-market rental building. The application is consistent with the *Criteria for 100% Secured-Market Rental and Below-Market Rental* and the *West End Community Plan.* The form of development represents an appropriate urban design response, per the *Bulletin*. If approved, this application would advance the City's rental and affordable housing targets.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing together with a draft CD-1 By-law as generally shown in Appendix A. Further, it is recommended that, subject to the Public Hearing, the application including the form of development, as shown in the plans in Appendix D, be approved in principle, subject to the applicant fulfilling the Conditions of Approval in Appendix B.

* * * * *

1066-1078 Harwood Street
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 appends 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 purpose 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 6.5 of this By-law; and

   (b) "Below-Market Rental Housing Units" means dwelling units where the rents are set, at the commencement of each new tenancy, at rates that do not exceed either 20% or 50% below the Canada Mortgage Housing Corporation (CMHC) average rents for Zone 2 (English Bay), all as secured by a housing agreement registered on title to the property.

Uses

4. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 ( ), and the only uses for which the Director of Planning or the 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 dwelling units must:

(a) be suitable for family housing; and

(b) include two or more bedrooms.

Floor Area and Density

6.1 Computation of floor area must assume that the site area is 1,606.9 m^2 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 floor space ratio for all uses combined must not exceed 12.55.

6.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.

6.4 Computation of floor area must include all storage area above or at base surface for residential dwelling units.

6.5 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, except that:

(i) the total area of these exclusions must not exceed 12% of the floor area being provided for dwelling uses; and

(ii) the balconies must not be enclosed for the life of the building;

(b) patios and roof decks, if the Director of Planning first approves the design of the sunroofs and walls;

(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used that are at or below the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;

(d) amenity areas accessory to a residential use, to a maximum of 10% of the total floor area being provided for dwelling uses; and

(e) all residential storage areas below base surface.

Building Height

7.1 Building height, measured from base surface to the top of parapet of the uppermost habitable floor, must not exceed 91.44 m.

7.2 Despite the provisions of section 7.1 of this By-law and of section 10.18 of the Zoning and Development By-law, the Director of Planning or the Development Permit Board may permit a greater height than otherwise permitted for roof-top appurtenances such as stairs and elevators for roof-top access, elevator machine rooms, and mechanical screens, and for common roof-top amenity structures that do not exceed a height of 4.6 m contiguous with common outdoor amenity spaces, if the Director of Planning or the Development Permit Board first considers:

(a) their siting and sizing in relation to views, overlook, shadowing, and noise considerations; and

(b) all applicable policies and guidelines adopted by Council.

Horizontal Angle of Daylight

8.1 Each habitable room must have at least one window on an exterior wall of a building.

8.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

8.3 Measurement of the plane or planes referred to in section 8.2 must be horizontally from the centre of the bottom of each window.

8.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council and the minimum distance of unobstructed view is not less than 3.7 m.

8.5 An obstruction referred to in section 8.2 means:

(a) any part of the same building excluding permitted projections; or

(b) the largest building permitted under the zoning on any adjoining site.

8.6 A habitable room referred to in section 8.1 does not include:

(a) a bathroom; or

(b) a kitchen whose floor area is the lesser of:

(i) 10% or less of the total floor area of the dwelling unit; or

(ii) 9.3 m^2.

Acoustics

9. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustical engineer demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be defined simply as noise level in decibels.

Portions of dwelling units	**Noise levels (Decibels)**
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

* * * * *

1066-1078 Harwood Street
CONDITIONS OF APPROVAL

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

PART 1: CONDITIONS OF APPROVAL OF 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 Henriquez Partners Architects, received April 7, 2021 with revisions submitted October 21, 2021, 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 the common amenity spaces to support the increase in number of residential tenants, as follows:

(a) Improve the outdoor common amenity space at level one, providing a larger and more functional children's play area with sufficient solar access to the space.

(b) Consider the provision of additional bicycle racks at the south end of outdoor space at level one, facing Jung Lane and loading space to relocate urban agriculture spaces to the south west corner of the site with additional site furniture.

(c) Confirmation of sufficient light transparency (permeability) and weather protections at main entranceway with the planting canopy.

Note to Applicant: Ensure sufficient sunlight access to the north facing main entranceway. This may be provided in the form of large scape architectural detail drawings, and/or perspectives at the time of development permit application.

(d) Confirmation of sufficient light transparency and weather protection at main entrance with the planting canopy.

Note to Applicant: This may be provided in the form of large architectural detail drawings, and/or perspectives at the time of the development permit application.

(e) Provision of a maintenance plan for all planters including planter canopies and balcony planters, or redesign as required to ensure regular easy maintenance of all planters.

Note to Applicant: Planters appear to be in locations with limited access for regular maintenance. Provide landscape drawings for further design development coordinated with Landscape Conditions.

1.2 Design development to improve the public and private realm conditions particularly at the Harwood Street interface:

(a) Explore additional landscape features to strengthen the pedestrian amenity and interface of public and private realm.

Note to Applicant: Additional landscaping and site furniture can be considered along Harwood Street within the property. Additional landscape plans required to confirm further design.

(b) Provision of a conceptual lighting strategy and implementation plan for pedestrian scale lighting to enhance the proposed public realm environment.

Note to Applicant: Public realm lighting to be coordinated to meet city Engineering standards and requirements.

(c) Provide distinctive, visually-appealing, enhanced landscaping at the north-west corner of the property to provide for a softer public interface at Thurlow Street and Harwood Street.

(d) Reduce the length of the main entrance screen wall to provide more visual permeability and create a welcoming entranceway.

Note to Applicant: The intent of this condition is to better 'ground' the building into its steeply sloped site and to create a more attractive public realm interface.

1.3 Design development to improve the livability of the proposed dwelling units with special focus in the following areas:

(a) Enhance the unit design to ensure sufficient daylight access into all units;

Note to Applicant: Mitigate issues associated with lack of natural light and shadowing, particularly for north facing units at levels three and four with a long narrow entry hallway.

Note to Applicant: Consider increase in floor height (without increasing overall building height) or improve the unit layouts. Updated dwelling unit layouts are required for review at the time of development permit application.

(b) Provision of an operable exterior window to all bedrooms.

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

Note to Applicant: Refer to the Bird-Friendly Design Guidelines for examples of built features that may be applicable. For more information, see the guidelines at: http://guidelines.vancouver.ca/B021.pdf

Crime Prevention through Environmental Design (CPTED)

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

(a) limiting opportunities for nuisance activities, mischief in alcoves, and blind corners;

(b) limiting unobserved access or activity and encouraging natural visual surveillance;

(c) mail theft;

(d) site lighting developed with considerations for safety and security; and

(e) reduced opportunities for graffiti;

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

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

(a) overhead lighting and step lights at exit stairs and doors;

(b) 24 hour lights and walls painted white; and

(c) visibility at doors, lobbies, stairs and other access routes.

Landscape

1.7 Design development to the Integrated Rainwater Management Strategy to explore opportunities for on-site rain water infiltration and soil absorption, as follows:

(a) Maximize natural landscape best management practises;
(b) Minimize the necessity for hidden mechanical water storage;
(c) Optimise the amount of planting to the rooftop areas, where possible;
(d) Employ treatment chain systems (gravity fed, wherever possible); and
(e) Use grading methods to direct water to soil and storage areas.

Note to Applicant: Refer to the City of Vancouver Integrated Rainwater Management Plan (I.R.M.P), Vol.1 and 2 for further information. A consulting engineer (subject matter expert) will need to be engaged and early phase soil analysis will be needed. Further comments may be outstanding at the development permit stage.

1.8 Verification that the green roof elements will be provided at the development permit stage and the structure will be designed accordingly.

1.9 Provision of the following to ensure offsite tree retention:

(a) Additional details (cross sections and plans notations) consistent with the arborist report recommendations; and

(b) Coordination with the Park Board and Engineering with regard to retention of street trees, utility locations, and street design.

1.10 Provision of additional large scale details for the modular roof planter system, the urban agriculture and childcare areas.

Note to Applicant: Urban agriculture garden plots should include hose bib(s), potting benches, tool storage and composting.

1.11 Provision of a detailed Landscape Plan illustrating soft and hard landscape areas.

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

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

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

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

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

1.15 Provision of an outdoor lighting plan.

Note to Applicant: Refer to Dark Night Design Principles. https://vancouver.ca/files/cov/outdoor-lighting-design-tips.pdf. Provide dimmers and timers for lights where feasible.

1.16 Provision of a “Tree Management Plan” to be included in the architectural and landscape package submission;

Note to Applicant: The plan should include phased tree protection (pre-excavation, post excavation, landscape phase), special tree protection measures and arborist supervision requirements. To avoid incongruities that can often occur when attempting to coordinate arborist and landscape architect plans, it is preferred that the arborist's tree protection plan be the primary tree management document.

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

Note to Applicant: Provide a partial irrigation plan demonstrating intent, including notations, legend and symbols to confirm stub out and hose bib locations. Any limitations to the installation of hose bibs on private decks to be brought to the attention of staff in the written response.

1.18 Provision of landscape features intended to create a bird-friendly design.

Note to Applicant: Bird friendly plants should be included on the plant palette, enabling bird habitat conservation and bird habitat promotion. Refer to the Bird Friendly Design Guidelines for examples of landscape features that may be applicable, and provide a design rationale for the features noted. Refer to:
http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf
http://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf

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

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

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

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, "*Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion*".

1.21 Provision of confirmed trenching locations for utility connections, avoiding conflict with tree root zones and addition of the following note:

"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) to be shown on plan. Relocation of trenching locations are required if in conflict with tree protection. Please contact Engineering services as soon as possible to begin the process for confirming the trenching locations for Sewer and for Water.

Sustainability

1.22 All new buildings in the development will meet the requirements of the Green Buildings Policy for Rezonings (amended May 2, 2018), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at http://guidelines.vancouver.ca/G015.pdf

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin Green Buildings Policy for Rezonings – Process and Requirements (amended April 28, 2017 or later).

Zero Waste

1.23 In order to minimize waste, a salvage strip-out must be done to remove fixtures, systems, and elements such as doors, deck, and fencing, for reuse. Any buildings which are not already subject to the Green Demolition By-law must achieve a 75% recycling rate for demolition. Buildings subject to the Green Demolition By-law must meet the by-law requirements in place at the time of the demolition permit application.

Engineering

1.24 Water Sustainability Act: Construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or License. Applications for provincial Approvals or Licenses can be completed online. The application will be received and accepted into the province's online system, and the provincial authorizations team strives for 140 days to get the approval to the applicant. The approval holder must be able to produce their approval on site so that it may be shown to a government official upon request. Dewatering before this approval is granted is not in compliance with the provincial Water Sustainability Act. Provide a letter confirming acknowledgement of the condition.

For more information: https://www2.gov.bc.ca/gov/content/environment/air-landwater/water/water-licensing-rights/water-licences-approvals.

1.25 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.

1.26 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.

1.27 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

1.28 Design development to comply with City Boulevard Gardening Guidelines for plantings located on City right-of-way, including:

(a) Plantings shall maintain sightlines and not encroach onto the sidewalk, street, lane, and/or bike lane.

(b) All planting on City right-of-way to be maintained by the adjacent property owner.

(c) All plant material within the same continuous planting area that is located on street Right of Way within 10 m, measured from the corner, of an intersection, pedestrian crossing, entrance to a driveway or other conflict areas where sightlines need to be maintained for safety reasons, shall not exceed a mature height of 0.6 m measured from the sidewalk.

(d) All plant material within the street Right of Way that is located outside of the areas described in the bullet above shall not exceed 1m in height, measured from the sidewalk.

1.29 Provision of a finalized Transportation Assessment and Management Study (TAMS), to the satisfaction of the General Manager of Engineering Services, including:

(a) Commentary on changes to the development plan as part of the development permit application, as well as any required analysis.

1.30 Design development to improve access and design of bicycle parking and comply with the Bicycle Parking Design Supplement.

(a) Provision of bicycle storage rooms to accommodate a maximum of 40 bicycles.

Note to Applicant: This number may be increased to 120 if the room is compartmentalized and providing independent access to each section within the bicycle storage room.

(b) Provision of automatic door openers for all doors providing access to Class A bicycle storage.

(c) Provision of minimum bicycle locker dimensions.

Note to Applicant: Vertical bicycle lockers are not supported. Reference Section 6.3.19 of the Parking By-law.

1.31 Provision of minimum 2.9 m width for Class A passenger spaces, except for the first passenger space which must be 4.0 m wide.

Not to Applicant: Reference section 7.3.2 of the Parking By-law.

1.32 Design development to locate 1 Class A passenger space at grade with access from the lane.

Note to Applicant: Provide one of the following:

(a) 4.0 m wide x 5.5 m deep perpendicular space (requires a 2.9 m wide standard space to be located within the parkade).

(b) 2.9 m wide x 5.5 m deep perpendicular space (requires a 4.0 m wide space to be located within the parkade).

(c) 2.9 m wide x 6.5 m deep parallel space (support for either a 2.9 m or 4.0 m wide space to be located within the parkade).

1.33 Design development to locate Class A passenger space(s) proposed within the parkade to be in front of a residential security gate.

1.34 Design development to improve the parkade layout and access design and comply with the Parking and Loading Design Supplement to the satisfaction of the Genera Manager of Engineering Services, including the following:

(a) Column encroachments, setbacks and parking space widths to comply with the Parking and Loading Design Supplement.

Note to Applicant: Column encroachments are not permitted into single module stalls. Provide minimum 2.7 m width free of column encroachments, for single stall modules located adjacent one wall.

1.35 Gates/doors are not to swing more than 1’-0” over the property lines or into the Statutory Right of Way (SRW) area.

1.36 The following information is required for drawing submission at the development permit stage to facilitate a complete Transportation review:

(a) A complete tech table is required showing the calculations for the minimum required parking, loading, passenger loading, bicycle spaces and the number of spaces being provided.

(c) All types of parking and loading spaces individually numbered, dimensioned, and labelled on the drawings.

(d) Dimension of column encroachments into parking stalls.

(e) Dimensions for typical parking spaces.

(f) Dimensions of manoeuver aisles and the drive aisles at the parkade entrance and all gates.

(g) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates. These clearances must consider mechanical projections and built obstructions.

(i) Areas of minimum vertical clearances labelled on parking levels.

(j) Design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances. The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.

(k) Indicate the stair-free access route from the Class A bicycle spaces to reach the outside. Note use of the parking ramp and/or dedicated bicycle elevator if required.

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

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

1.37 Provision of a draft final Rainwater Management Plan (RWMP) prior to development permit issuance. As it is acknowledged that not all design component are advanced fully at this stage, placeholders will be accepted in this resubmission with the expectation the final report will include all relevant details.

The submission at development permit must include the following amendments:

(a) Volume Reduction - Calculation of any detention system volume to equal the greater of either the pre-development peak flow storage volume or the amount of the 24 mm rainfall not captured in Tier 1 and Tier 2 practices.

i. Provide a summary chart of all the catchment areas which include the required retention, any direct retention achieved, potential grading and storage capacities for that catchment to provide a full picture of 24 mm retention across the site.

Note to Applicant: Providing the project is a mixed-use development, the peak flow calculations are to use 1:10 year return period and inlet time of 5 minutes.

(b) Water Quality – Provide further information on how the water quality requirement will be achieved on this site to a standard of 80% TSS removal by mass annually. For the DP submission, the following should be included for review for all proprietary devices:

i. Product name and manufacturer/supplier
ii. Total area and % Impervious being treated
iii. Treatment flow rate
iv. Supporting calculations to demonstrate adequate sizing.
v. Include discussion of the specified treatment device's % TSS removal efficiency certification by Washington State Department of Ecology's Technology Assessment Protocol (TAPE) or ISO 14034 ETV certification.
vi. Location on of device in drawing or figure in the report.

Note to Applicant: If the majority of the site (>=60%) is routed to appropriately sized landscape areas prior to draining to a water quality treatment unit, then a "pretreatment" unit certified by Washington State's TAPE program may be proposed since cumulatively, the site will achieve the required 80% TSS removal by mass through a treatment train approach.

(c) Release Rate - Peak flow calculations to use 1:10 year return period. Inlet time = 5 minutes. Travel time to be estimated by applicant. Ensure that the pre-development calculation uses the 2014 IDF curve values and the post-development calculation uses the 2100 IDF curve values.

Note to Applicant: The report text from Appendix 3 indicates that 10-year IDF data was used, however the IDF parameters provided in Appendix 3 appear to be for the pre-development 10-year and post-development 5-year IDF values. Please review and update the calculations as needed so that 10-year IDF parameters are used for pre and post-development.

(d) Use appropriate runoff coefficients for surface types and ensure consistency in % imperviousness estimates for all relevant calculations.

Note to Applicant: Green roof and landscaped areas over parkade were modelled using a runoff coefficient of 0.18 for landscaped areas. We recommend that landscaped areas over roof or parkade be assumed to have a runoff coefficient of 0.30 to reflect the increased runoff from the subdrains. Please review and update the post-development runoff coefficient to reflect this as appropriate.

(e) Provide design specifics and details of all Best Management Practices to support the design claim for meeting target requirements.

i. Coordinate with the landscape architect on the details specific to the landscape portion, such as proposed growing medium depth and grading.

ii. Estimate the storage volume required to meet the release rate in post development and show supporting calculations.

(f) Provide post-development site plan(s) that include the following:

i. building location/footprint;
ii. underground parking extent;
iii. proposed service connections to the municipal sewer system;
iv. location and labels for all proposed rainwater management practices;
v. area measurements for all the different land use surface types within the site limits; and
vi. delineated catchments to demonstrate best management practices (detention tank(s), green infrastructure, etc.) are appropriately sized.

(g) Provide adequate and concise supplementary documentation for any proprietary products that clearly demonstrates how they contribute to and/or meet the rainwater management requirements.

Note to Applicant: The applicant may schedule a meeting with Rainwater Management Review group prior to moving forward with the RWMP to address any concerns or questions related to the conditions or comments prior to resubmission with the development permit application. To schedule the meeting, contact rainwater@vancouver.ca

1.38 Provision of a Rainwater Management Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services registered prior to issuance of the Development Permit.

1.39 Provision of a final signed and sealed RWMP, which includes a written report supporting calculations, computer models and drawings to the satisfaction of Engineering Services prior to the issuance of any building permit.

1.40 Provision of a final signed and sealed standalone Operation & Maintenance (O&M) Manual for all rainwater systems to the satisfaction of Engineering Services. The O&M Manual shall be tailored specifically for the rainwater management practices proposed on-site and submitted as a standalone document prior to the issuance of any building permit.

1.41 Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings is required. The review of third party utility service drawings will not be initiated until the Key Plan is defined and achieves the following objectives:

(a) The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan https://vancouver.ca/files/cov/engineering-design-manual.PDF; and

(b) All third party service lines to the development is to be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant is to provide documented acceptance from the third party utilities prior to submitting to the City.

Note to Applicant: Use of street for temporary power (e.g., temporary pole, pole mounted transformer or ducting) is to be coordinated with the city well in advanced of construction. Requests will be reviewed on a case by case basis with justification provided substantiating need of street space against other alternatives. If street use for temporary power is not approved, alternate means of providing power will need to be proposed. An electrical permit will be required.

1.42 Landscape drawings to include:

(a) Remove proposed decorative pavers from City property. Hardscape treatment on City boulevard to be standard concrete.

(b) Include all standard street tree notes.

The following statement is to be placed on the landscape plan;

"This plan is NOT FOR CONSTRUCTION and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Engineering, Development and Major Projects and/or your Engineering, Building Site Inspector for details."

Housing

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

(a) be suitable for family housing;
(b) include two or more bedrooms;
(c) comply with Council's "High-Density Housing for Families with Children Guidelines"

1.44 A minimum of 20% of the total residential floor area must be Below-Market Rental Housing Units.

1.45 The proposed unit mix, including 54 studios (19%), 126 one-bedroom units (45%), 92 two-bedroom units (33%) and six three-bedroom units (2%) are to be included in the development permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the market rental units, and 35% of the below-market rental dwelling units designed to be suitable for families with children, including at least one three-bedroom below-market rental unit. The applicant is strongly encouraged to provide a higher percentage of three-bedroom units, including provision of both market and below-market rental three-bedroom units.

1.46 The development should be designed in accordance with the *High-Density Housing for Families with Children Guidelines*, including the provision of:

(a) An outdoor amenity area to include areas suitable for a range of children's play activities and urban agriculture, ranging in size from 130 sq. m (1,400 sq. ft.) to 280 sq. m (3,014 sq. ft.) and situation to maximize sunlight access (S. 3.3.2, 3.4.3);

(b) A minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each dwelling unit (S. 4.4.2);

(c) A multi-purpose indoor amenity space at least 37 sq. m (398 sq. ft.) with a wheelchair accessible washroom and kitchenette. Consider positioning this adjacent to the children's play area to enable parental supervision from the amenity room (S. 3.7.3); and

(d) A balcony for each unit with a minimum of 35 sq. ft. for studio and one-bedroom units and a minimum of 54 sq. ft. for two-bedroom and three-bedroom units.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

2.1 Arrangements are to be made for the consolidation of Lots 8 and 9, Block 13, District Lot 185, Plan 92 to create a single parcel.

2.2 Provision of a building setback and surface statutory right of way (SRW) for public pedestrian use over a portion of the site along Thurlow Street to achieve a 4.5 metre offset distance measured from the back of the existing curb for widened sidewalks. The Statutory Right of Way (SRW) will be free of any encumbrance such as vents, structure, stairs, and planter walls at grade (and is to accommodate the underground parking structure within the SRW agreement).

Note to Applicant: This SRW is required to allow for a widened sidewalk for public use. Delete all at grade encumbrances such as the walls and storm water garden from the SRW area.

2.3 Provision of an encroachment agreement to secure ongoing maintenance of proposed plantings on City right-of-way.

Note to Applicant: Refer to proposed shrub planning area on plan L3.01.

Note to Applicant: Plants shall be planted in such a way as to maintain sightlines and not encroach on the sidewalk, street, lane, and/or bike lane according to City of Vancouver standards as follows:

- All plant material within the same continuous planting area which is located on street right of way within 10 m, measured from the corner, of an intersection, pedestrian crossing, entrance to a driveway or other conflict areas, shall not exceed a mature height of 0.6 m, measured from the sidewalk.

- All plant material within the street right of way that is located outside of the areas described in the bullet above shall not exceed a mature height of 1 m, measured from the sidewalk.

- Refer to City of Vancouver Boulevard Gardening Guidelines for more information on boulevard planting.

2.4 Provision of a Services Agreement to detail the on-site 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, for any building or improvements thereon will be issued until the letter of credit, as secured for the Services, is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering in their sole discretion. Except as explicitly provided for in Condition 2.5(a) and 2.5(b), the Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

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

(a) Provision of adequate water service to meet the fire flow demands of the project.

Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by Vector Engineering Services Ltd. Dated March 11, 2021, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 200 mm along Thurlow St or 300 mm along Harwood Street. Should the development require water service connections larger than the existing main, 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. 300 mm is the maximum size permitted.

Note to Applicant: Should the development's Fire Underwriter's Survey Required Fire Flow calculation change as the building design progresses, a resubmission to the City of Vancouver Waterworks Engineer is required for re-evaluation of the Water System.

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

i. Implementation of development at 1066 and 1078 Harwood Street require the following:

No sewer upgrade is required.

Note to Applicant: Development to be serviced to the existing 200 mm SAN and 250 mm STM sewers in Jung Lane.

The post-development 10-year flow rate discharged to the storm sewer shall be no greater than the 10-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for climate change.

(c) Provision of improvements at the intersection of Thurlow Street and Harwood Street including:

i. Design and installation of a new pedestrian traffic signal;
ii. Entire intersection lighting upgrade to current City standards and IESNA recommendations; and
iii. Provision of new curb ramps at the intersection as required to accommodate the new signal.

(d) Provision of street improvements along Thurlow Street adjacent to the site and appropriate transitions including the following:

i. 1.83 m (6 ft.) wide front boulevard with street trees where space permits;
ii. 2.44 m (8 ft.) wide broom finish saw-cut concrete sidewalk; and
iii. Curb ramps

Note to applicant: The City will provide a geometric design for these street improvements.

(e) Provision of street improvements along Harwood Street adjacent to the site and appropriate transitions including the following:

i. Front boulevard with street trees where space permits;
ii. 2.44 m (8 ft.) wide broom finish saw-cut concrete sidewalk;
iii. Curb and gutter, including any required road re-construction to current standards;
iv. Curb ramps.

Note to Applicant: The City will provide a geometric design for these street improvements.

(f) Provision of new pad mounted service cabinet/kiosk.

(g) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations.

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

Note to Applicant: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.

(i) Provision to rebuild laneway along property frontage as per City "Higher Zoned Laneway"

(j) Provision of a new standard concrete lane crossing, new curb returns and curb ramps at the existing lane crossing on Thurlow Street adjacent to the site.

(k) Provision of lane lighting on standalone poles with underground cuts. The ducts must be connected to the existing City street lighting infrastructure. BC Hydro poles, where they exist, may be used to mount lane lights with overhead supply provided the applicant/applicant's consultant obtains written approval from BC Hydro.

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

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

(a) Improvements at the intersection of Thurlow Street and Harwood Street per condition 2.4(c)(i) and 2.4(c)(ii).

Note to Applicant: The benefitting area for these works are the properties south of Burnaby Street and north of Jung Lane fronting Thurlow Street

(b) A new pad mounted service cabinet/kiosk per condition 2.4(f).

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

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

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

2.6 Provision of all third party utility services (e.g., BC Hydro, Telus and Shaw) to be underground. BC Hydro services to the site shall be primary.

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

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

Sustainability

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

Housing

2.8 Enter into a Section 219 Covenant and/or such other agreements as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services determine are necessary to require the applicant to:

(a) Provide a Tenant Relocation Plan to the satisfaction of the General Manager of Planning, Urban Design and Sustainability as per *the Tenant Relocation and Protection Policy* that is effective at the time of submission of the development permit application.

(b) Provide a notarized declaration prior to issuance of the Development Permit that demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.

(c) Provide an Interim Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Demolition Permit. The Report must outline the names of any tenants who have ended their tenancy; the reason for its end (e.g. tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant); the names of tenants still remaining in the building; the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan.

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

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

2.9 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 Section 219 Covenant to secure all residential units as secured rental housing units, 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 secured as below-market rental units ("below-market rental units") subject to the conditions set out below for such units and in accordance with the requirements set out in the "*Criteria for 100% Secured Rental and Below-Market Housing as an Alternative to Inclusionary Social Housing in the Burrard Corridor of the West End Community Plan*", for the longer of 60 years and the life of the building, and the Housing Agreement and Section 219 Covenant will include, but not be limited to the following terms:

(a) A no separate sale covenant;

(b) A no stratification covenant;

(c) A provision that none of such units will be rented for less than one month at a time;

(d) The initial starting monthly rents for the below-market rental units will be comprised of the following:

i. 30% of the below-market rental units will, subject to condition 2.9 (k)(i) and (ii), be rented at rates at or below an amount that is 50% below the CMHC average market rent for zone 2 according to the 'CMHC Rental Market Survey' publication that are current at the time of Occupancy Permit Issuance; and

ii. 70% of the below-market rental units will, subject to Conditions 2.9(k)(i) and (ii), be rented at rates at or below an amount that is 20% below the CMHC average market rent for zone 2 according to the 'CMHC Rental Market Survey' publication that is current at the time of Occupancy Permit Issuance,

except that in the event that average market rent data for zone 2 is unavailable in the 'CMHC Rental Market Survey' publication current at the time of unit initial occupancy or change of tenancy (as described in (b) below), below-market unit rents will be based on other appropriate data available in the Canada Mortgage

and Housing Corporation's Rental Market Report or Information Portal, as approved by the Director of Planning, Urban Design and Sustainability:

(e) On a change in tenancy for a below-market rental unit, the starting rent for such new tenancy of a below-market rental unit will be reset to rent, as determined by the formula in Condition 2.9(d)(i) or (ii), as applicable to such below-market rental unit, that initially applied to such below-market rental unit, that is current at the time of the change in tenancy;

(f) The applicant will verify eligibility of tenants for the below-market rental units, based on the following:

i. For new tenants:

(a) annual household income cannot exceed four times the annual rent for the unit (i.e. at least 25% of household income is spent on rent); and

(b) there must be at least one occupant per bedroom in the unit;

ii. The applicant will verify the ongoing eligibility of existing tenants in the units secured at below-market rates every five (5) years after the initial occupancy:

(a) for such tenants, annual household income cannot exceed five times the annual rent for the unit (i.e. at least 20% of income is spent on rent); and

(b) there must be at least one occupant per bedroom in the unit.

(g) 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 units, and a summary of the results of eligibility testing for these units; and

(h) Such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require in their sole discretion.

Note to Applicant: This project could be eligible to seek a DCL waiver as "for-profit affordable rental housing". However, as the project is not exempt from CACs, should the applicant choose to pursue the DCL waiver, the application may be subject to further pro forma review to determine if land lift is generated. If the revised pro forma results in an increase to the land lift such that a CAC is payable or additional or deeper levels of affordability could be provided, the application may be required to return to Council through a subsequent Public Hearing to amend the rezoning enactment conditions to secure the additional contributions.

The applicant has advised that it may seek a waiver of the Development Cost Levies ("DCL") pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law No.9755 (the "DCL By-law"); if a waiver if sought, the Housing Agreement and Section 219 Covenant, as described in this Condition 2.9, will also include but not be limited to the following terms and conditions:

(i) a rent roll will be provided for review and confirmation by the General Manager of Planning, Urban Design and Sustainability, indicating the agreed initial monthly rents for all of the units, when the Housing Agreement is entered into and again prior to each of the development permit issuance, building permit issuance and occupancy permit issuance;

(j) the average size of each unit type (including all market and below-market rental units) will be at or below the limit set out under Section 3.1A(c) of the Vancouver Development Cost Levy By-law:

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

(k) If the applicant is electing to seek a DCL waiver under:

i. Section 3.1A(d) of the DCL By-law, at the time of Occupancy Permit Issuance, the average initial starting monthly rent per unit type of the below-market rental units will be the lower of the rents set out in Condition 2(d) and the rents in the table below, as set out in section 3.1A (d) of the DCL By-law and section 2.1(a) of the Moderate Income Rental Housing Pilot Program (MIRHPP) Rezoning Policy, which average initial starting rents may not be adjusted prior to the issuance of the Occupancy Permit except if approved by the General Manager of Planning, Urban Design and Sustainability in his or her sole discretion and if permitted under the DCL By-law,

Unit Type	Proposed Average Starting Rents
Studio	$950
1-bed	$1,200
2-bed	$1,600
3-bed	$2,000

or,

ii. Section 3.1A(e) of the DCL By-law, in addition to Condition 2.9(d)(i) and (ii) regarding the starting monthly rents for the below-market rental units,

the average initial starting monthly rents for all rental housing units in the development will be determined in accordance with Section 3.1A(e) of the DCL By-Law and such average initial starting monthly rents will only be permitted to be adjusted prior to the issuance of the first occupancy permit for the development, in accordance with Section 3.1B(c) of the DCL By-law;

If the applicant is electing not to seek a DCL waiver, Conditions 2.9(i),(j), and (k) above will not be required.

Note to Applicant: If the applicant is electing not to seek a DCL waiver after the Housing Agreement has been registered, the applicant may be required to make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to amend the Housing Agreement to remove the clauses noted in the preceding paragraph and to make such other amendments to the Housing Agreement as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require in their sole discretion.

Public Art

2.10 Execute an agreement satisfactory to the Directors of Legal Services and 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 Public Art Program Manager (a checklist will be provided).

Note to Applicant: Please contact Tamara Tosoff, 604-873-7947, to discuss your application.

Environmental Contamination

2.11 If applicable:

(a) Submit a site disclosure statement to Environmental Services (Environmental Protection);

(b) As required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and

(c) If required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements constructed on the site pursuant to this rezoning until separate Certificates of Compliance, satisfactory to the City, for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate

Change Strategy, have been provided to the City.

Agreements

Note to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

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

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

* * * *

1066-1078 Harwood Street
ADDITIONAL INFORMATION

1. URBAN DESIGN PANEL

Date:	May 26, 2021
Address:	1066-1078 Harwood Street, 1332 Thurlow Street and 1065 Harwood Street
Permit No.	RZ-2021-00052 & RZ-2021-00051
Description:	This agenda item contains two separate and almost identical applications, separate by a lane. The rezoning is to develop two sites with two residential towers: The north site, 1065 Harwood Street and 1332 Thurlow Street, is 36 storeys with 288 rental housing units including 57 below market rental units and 231 market units. The second site, 1066-1078 Harwood Street, at 36 storeys with 287 rental units, including 56 below market units and 231 market units. Building heights are 316 ft. and the floor space ratio (FSR) for both towers are 13.1. Both applications are being considered under the Criteria for 100% Secured Rental and Below-Market Rental Housing as an Alternative to Inclusionary Social Housing in the Burrard Corridor.
Application Status:	Rezoning Application
Review:	Second
Architect:	Henriquez Partners Architects
Staff:	Thien Phan and Kevin Spaans

EVALUATION: Support with Recommendations (6/8)

UDP minutes can be accessed here: https://vancouver.ca/files/cov/upd-minutes-05262021.pdf

2. PUBLIC CONSULTATION SUMMARY

List of Engagement Events, Notification, and Responses

	Dates	Results
Events		
Virtual open house (City-led)	May 10 – 31, 2021	113 participants (aware)* • 49 informed • 26 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	May 7, 2021	6,671 notices mailed
Public Responses		
Online questions	May 10 – 31, 2021	11 submittals
Online comment forms • via Shape Your City platform	April to December, 2021	27 submittals
Overall position • support	April to December, 2021	27 submittals • 9 responses

• opposed • mixed		• 13 responses • 5 response
Other input	April to December, 2021	4 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	April to December, 2021	349 participants (aware)* • 130 informed • 34 engaged

Note: All reported numbers above are approximate.

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

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

3. Map of Notification Area



Analysis of All Comments Received

Below is an analysis of all public feedback by topic and ordered by frequency.

Generally, comments of support fell in the following areas:

- **Height, density, and massing:** The height, density and massing is supportable as no view cones are being penetrated.

- **Housing supply:** The addition of secured rental housing to the neighbourhood.

- **Building design:** The architecture is attractive and fits into the West End. The staggered interlocking design is well-considered and the warm brick is appreciated.

Generally, comments of concern fell within the following areas:

- **Height and density:** The building does not suit the surrounding context and will impact the character of the neighbourhood. The building is too tall and density is much higher than surrounding buildings, creating a height precedent.

- **Shadowing:** The height will shadow the surrounding buildings and Thurlow Street.

- **Traffic and parking:** This area is already heavily congested and the proposed development will further contribute to high volumes of traffic and potential safety concerns for pedestrians. There are too many levels of underground parking proposed.

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 rooftop amenity is very inviting.
- The focus on bike parking is supportable.
- Shadowing is not a concern.
- The landscaping design is very attractive.

General comments of concern:

- Concern that the rental rates will not be affordable.
- The development promotes vehicle use with the amount of parking provided.
- The design of the building will contribute to high energy use.
- Concern that the plantings will not flourish due to limited rain and sunlight.
- Two buildings with the same design is not architecturally unique.
- The curved motif design is dated.
- The design does not include sustainable materials nor new technologies.
- The density of the development will cause significant noise disturbance for neighbours.
- The below-market rental units are segregated from the market rental units.
- Construction in this area is causing a substantial impact on the health and wellbeing of surrounding residents.
- The development will erode the community-feel of the neighbourhood.
- Privacy concerns for surrounding neighbours.

Neutral comments/suggestions/recommendations:

- Add retail spaces at grade along Thurlow and Harwood Streets.
- Zone the building as rental in perpetuity.
- Use wood as a building material.
- Reduce the amount of vehicle parking spaces.
- Add car share and electric car charging parking spaces.
- Include units for families.
- Add murals or other public art to increase pedestrian activation.

4. Summary of Tenant Relocation Policy Offer

Tenant Relocation and Protection Requirements	**Tenant Relocation Plan Offer – 2019 TRPP***
Financial Compensation	• 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: o 4 months' rent for tenancies up to 5 years; o 5 months' rent for tenancies over 5 years and up to 10 years; o 6 months' rent for tenancies over 10 years and up to 20 years; o 12 months' rent for tenancies over 20 years and up to 30 years; o 18 months' rent for tenancies over 30 years and up to 40 years; and o 24 months' rent for tenancies over 40 years
Notice to End Tenancies	• 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) (3 options)	• A flat rate of $750 (1-bedroom units) or $1,000 (2-bedroom units) will be provided at a minimum to all eligible tenants. • Tenants with special needs will receive assistance packing and unpacking.
Assistance in Finding Alternative Accommodation	• Applicant has committed to monitor the rental market and provide tenants requesting assistance with three housing options in Vancouver that best meet the tenants' identified priorities.
Additional Support for Low Income Tenants or Tenants Facing Other Barriers to Alternative Housing	• For low income tenants and tenants facing other barriers to housing, as defined in the TRP Policy, the applicant has committed to assisting in securing a permanent, suitable affordable housing option.
First Right of Refusal	• Once completed, the applicant has committed to offering all eligible tenants the right of first refusal to return to either one

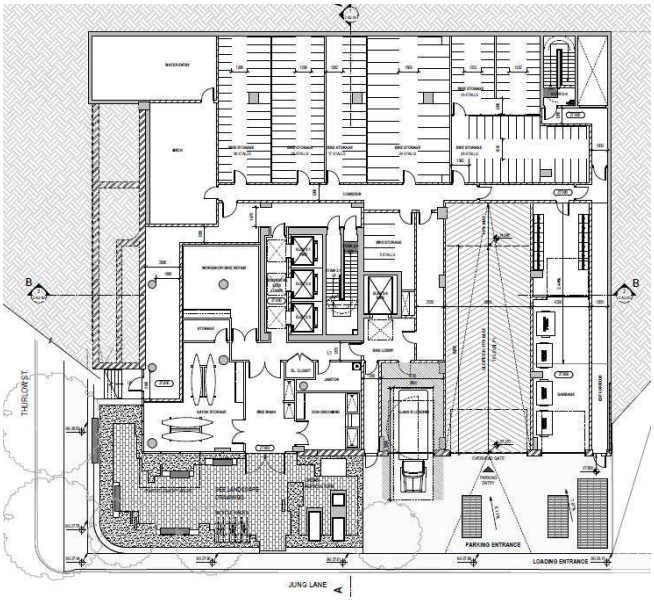
(Where starting rents are anticipated to be higher than what the tenant currently pays, provide a 20% discount off starting rents for any returning tenants)	of the below-market rental units if eligible, or to one of the new market rental units at a 20% discount. Any subsequent rent increases for returning tenants will be in line with the Residential Tenancy Act. • Eligible tenants who vacated under the withdrawn 2017 rezoning application will also be offered this First Right of Refusal Offer.

*This summary outlines the Tenant Relocation Offer for tenants who lived in the building at the date of rezoning application submission (April 6th, 2021) and are eligible under the 2019 TRPP. Tenants who lived in the building at the date of the since withdrawn 2017 rezoning application, and who vacated the building before the current application submission date, have been provided with a Tenant Relocation Offer under the 2015 TRP Policy, if eligible. Staff have received an Interim Tenant Relocation Plan confirming that eligible tenants have been compensated in line with the 2015 TRP Policy.

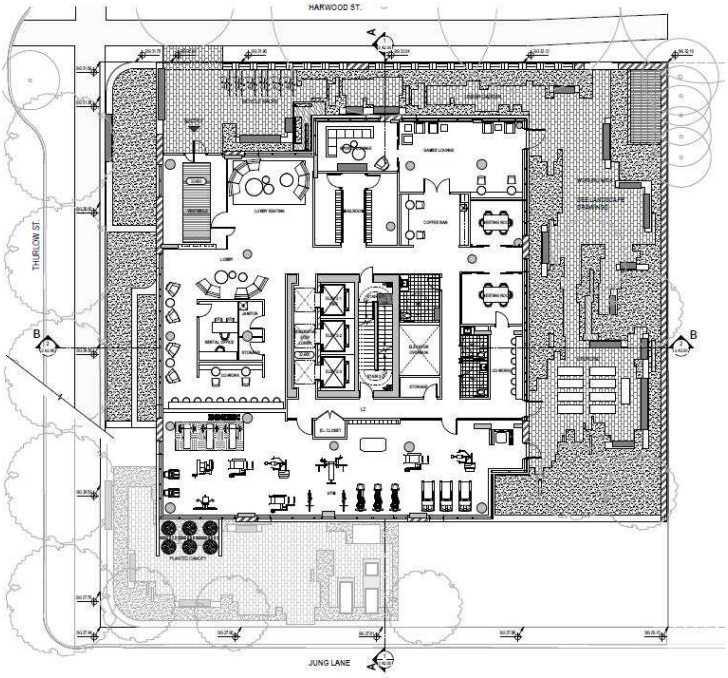
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1066-1078 Harwood Street
FORM OF DEVELOPMENT DRAWINGS

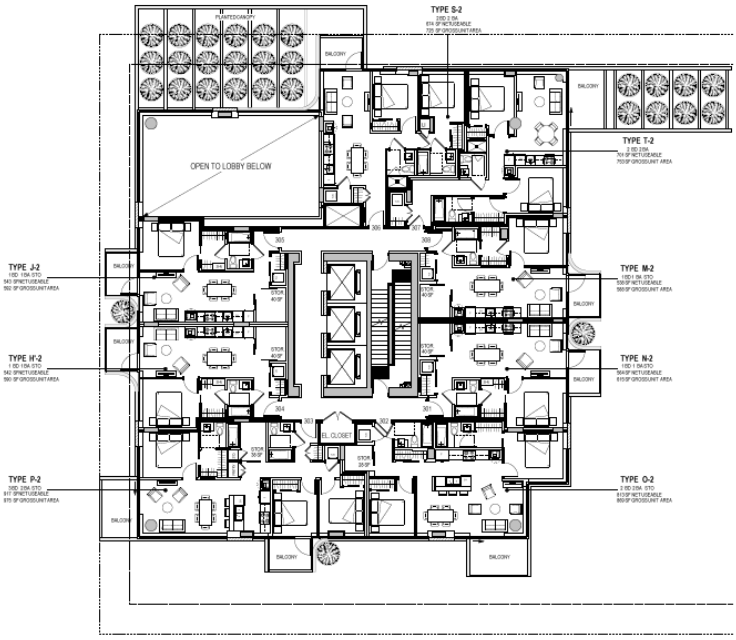
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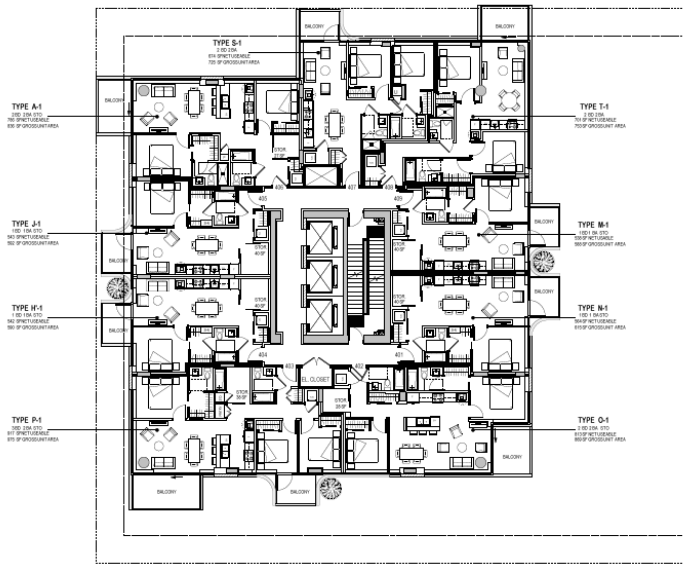
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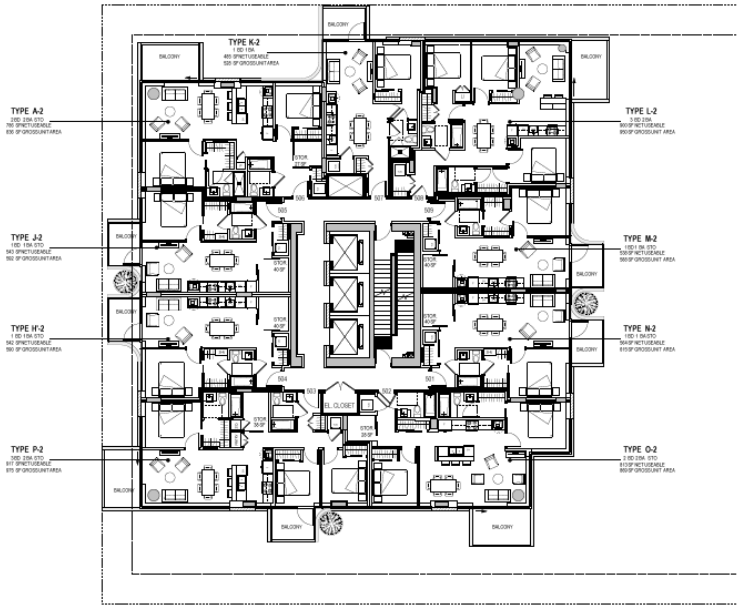
Level 3



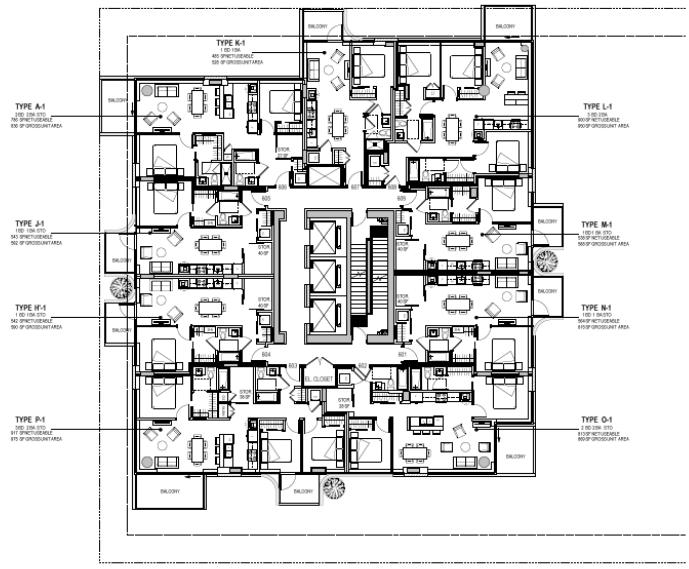
Level 4



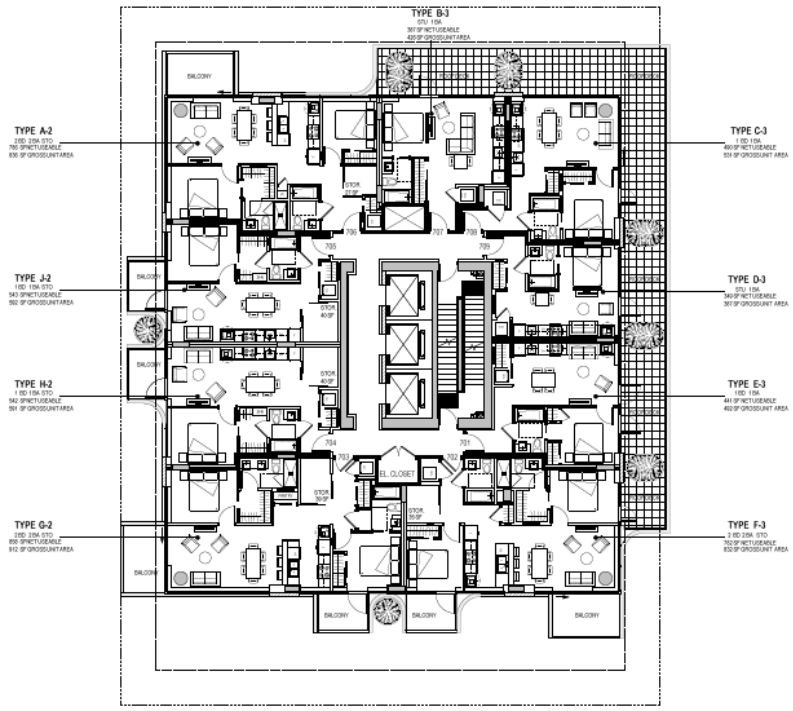
Level 5



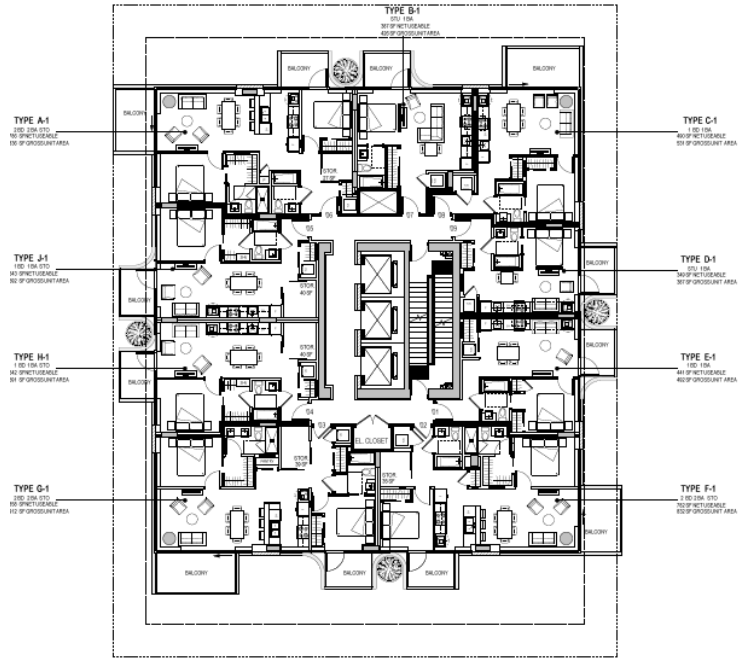
Level 6



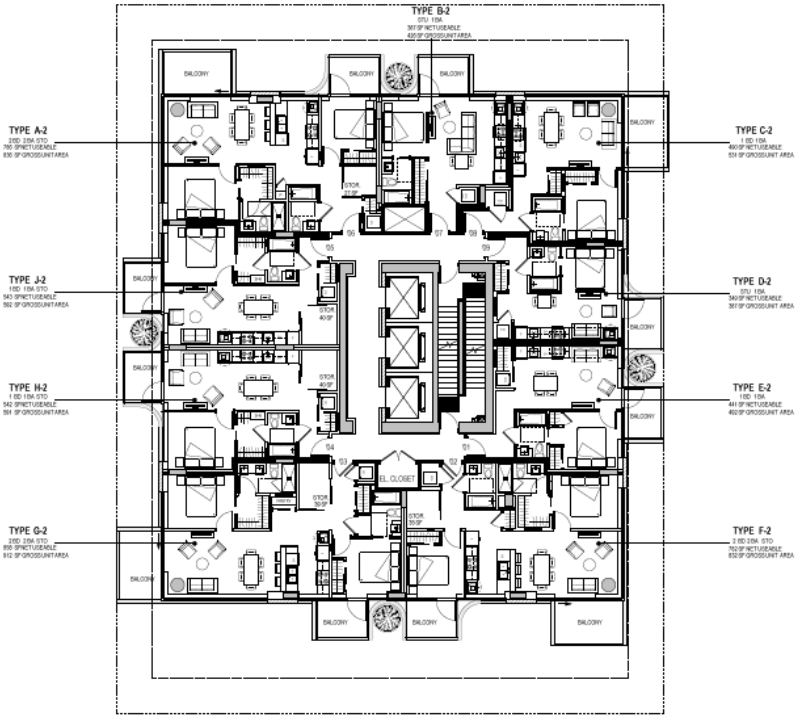
Level 7



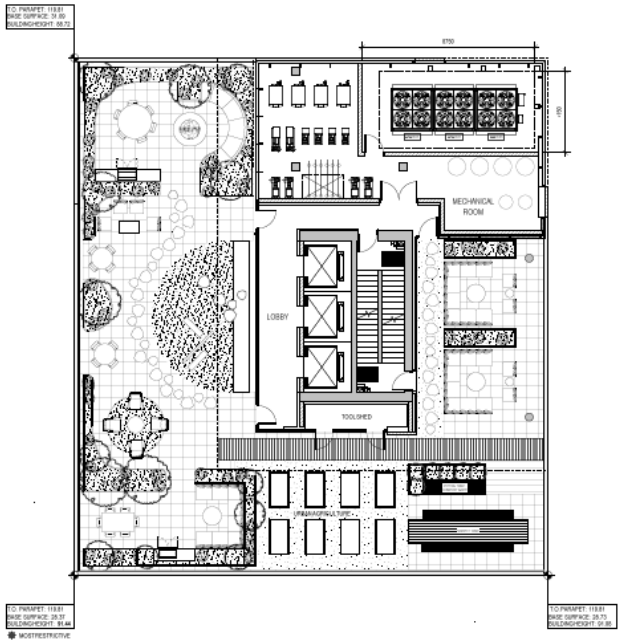
Levels 8-32 – Even Numbers



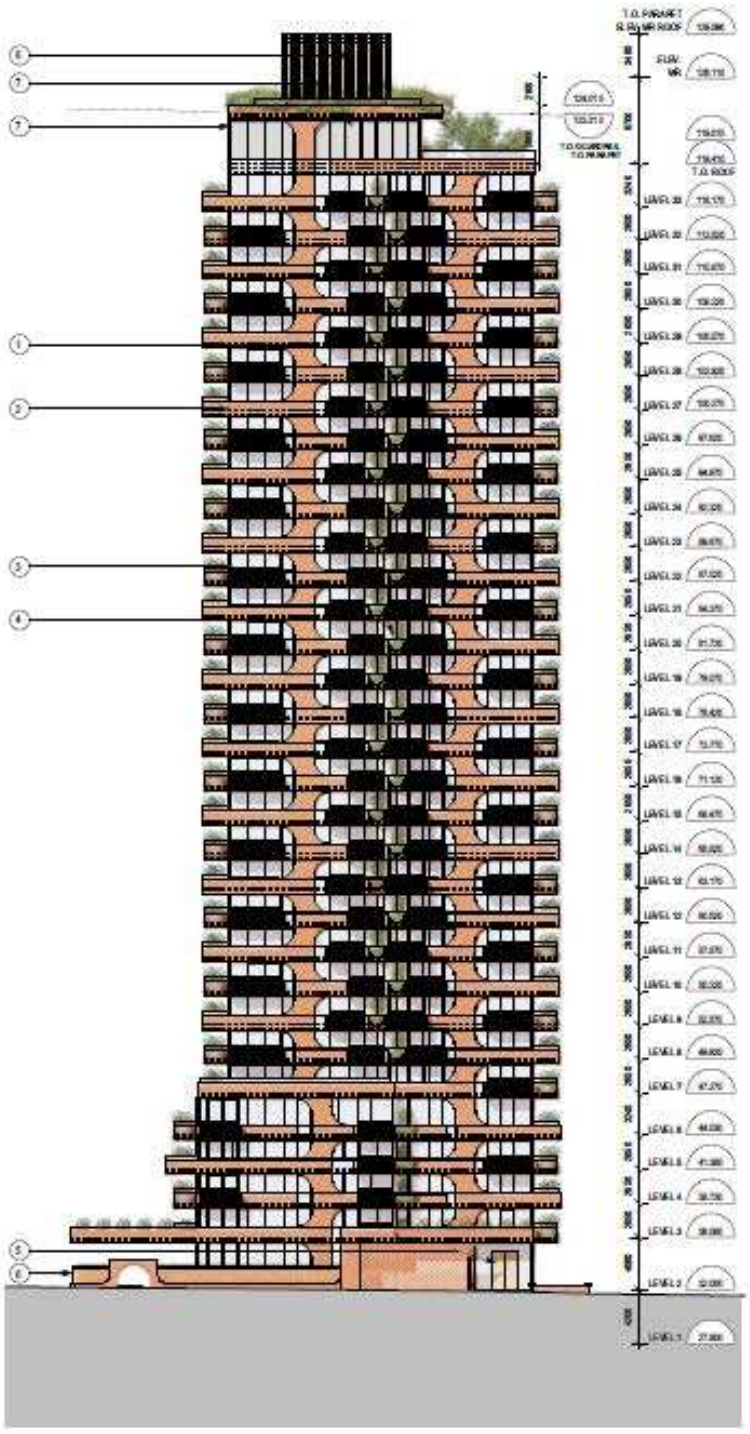
Levels 9-33 Odd Numbers



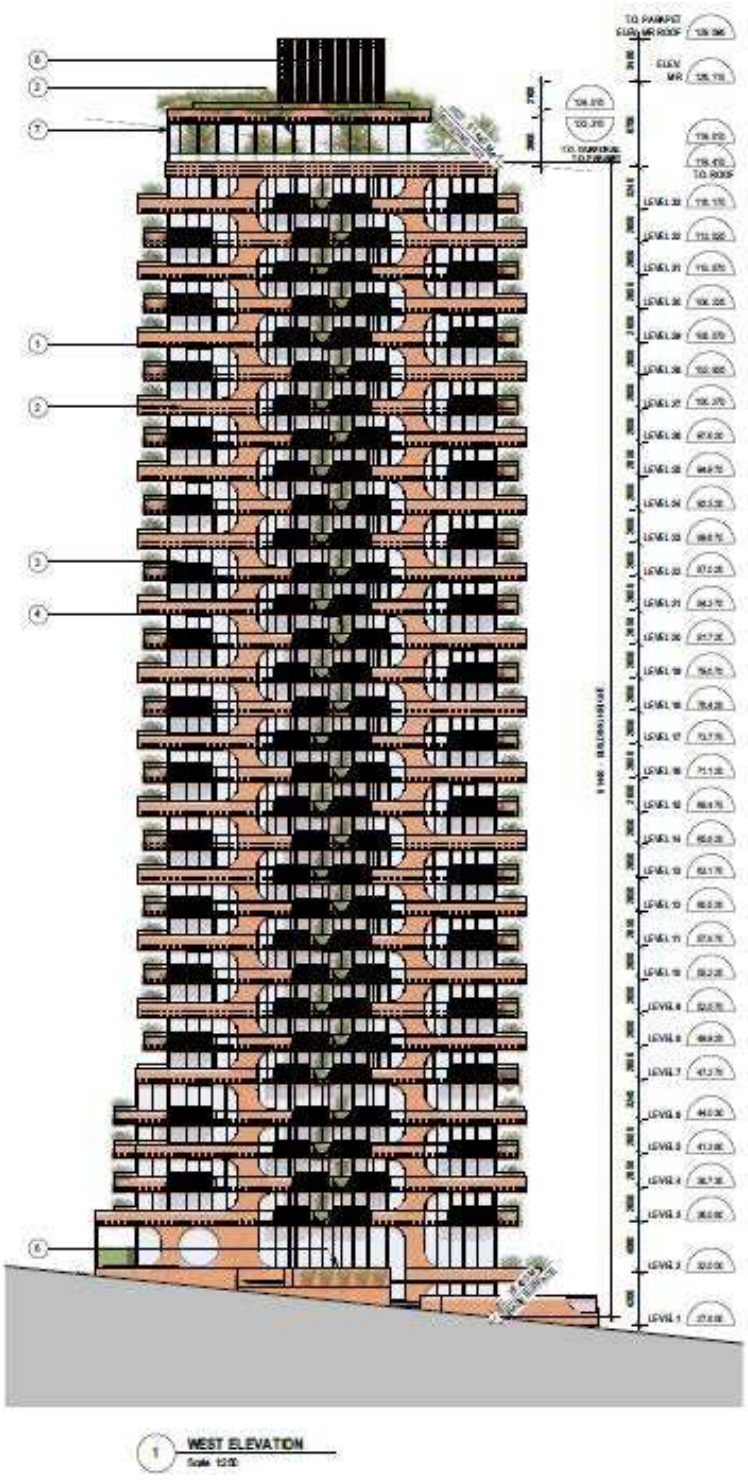
Level 34 – Rooftop Amenity



North Elevation



West Elevation



Fall Equinox Shadow Study: The fall equinox is used as an example of how the proposed development will impact the surrounding area at a time of year that falls between the longest and shortest days, which correspond with the shortest and longest shadows. The city typically evaluates shadow impacts at times when the public realm is most likely to be used. City's general solar access polices seek to minimize shadow impacts on the north sidewalk of Davie Street, Davie Street local shopping area, and public open spaces such as parks and school playgrounds. The blue shadows represent the south tower proposal development.



10:00 AM



12:00 PM



2:00 PM

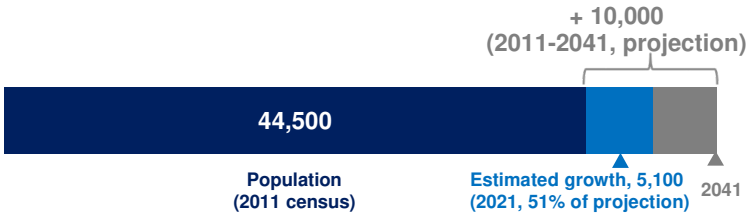


4:00 PM

PUBLIC BENEFITS IMPLEMENTATION DASHBOARD
WEST END COMMUNITY PLAN (2013)
Updated mid-year 2021

POPULATION GROWTH[a]

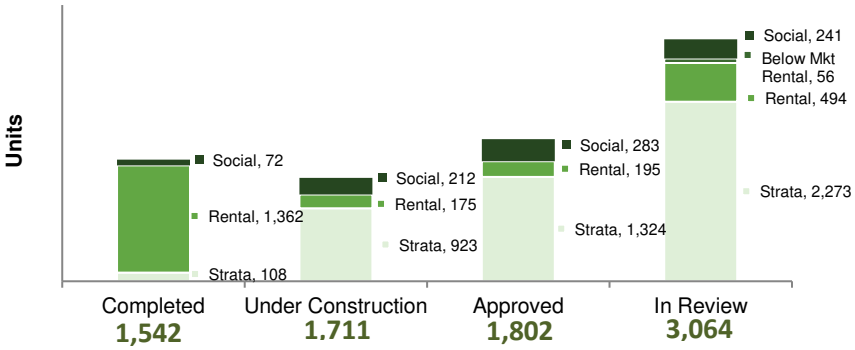
The West End has grown by approximately **5,100** people since the 2011 census. The plan projects a growth of approximately **10,000** people by 2041.



DEVELOPMENT ACTIVITY (UNITS)[b]

Recent rezoning approvals:

- 1616-1698 W. Georgia St
- 1059-1075 Nelson St
- 1444 Alberni St. and 740 Nicola St
- 1068-1090 Burnaby St
- 1500 W. Georgia St



PUBLIC BENEFITS ACHIEVED AND IN PROGRESS SINCE 2013

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

TARGETS See Chapter 17 of the West End Community Plan for more details	Completed	Construction	Planning / Design	Progress
HOUSING • ~ 1,600 additional social housing units • ~ 1,900 additional secured market rental units • Secure social and market rental housing in Corridors • Secure market rental housing in Neighbourhoods (Gross numbers of units reported)	• 72 social housing units • 1,362 secured market rental units	• 212 social housing units • 175 secured market rental units		✓
CHILDCARE • ~ 245 spaces for children 0-4 • ~ 121 spaces for children 5-12	• 10 spaces for children 5-12 (Lord Roberts)	• 7 childcare spaces (1 family childcare unit)		○
TRANSPORTATION / PUBLIC REALM • Upgrade/expand walking and cycling networks • Enhance waiting areas at transit stops • Improve public realm along commercial streets • Improve public realm in Neighbourhoods	• Jim Deva Plaza • Aquatic Centre Ferry Dock • Walking & cycling improvements and green infrastructure (Haro Street; 1.1 km) • 2 new traffic signals • Temporary patios • Bute/Robson, Bute/Davie interim plazas • Beach Avenue – Room to Move interim cycling improvements (2.2 km)		• Georgia Gateway West complete street (planning) • Robson/Alberni public space improvements (planning) • Bute Street Greenway (planning)	→

TARGETS See Chapter 17 of the West End Community Plan for more details	Completed	Construction	Planning / Design	Progress
CULTURE • Preserve and stabilize cultural assets • Retain/create multi-use neighbourhood creative spaces • Public art	• 2 public art installations	• 1 public art installation		→
CIVIC / COMMUNITY • Recreation facilities renewal (West End Community Centre, Ice Rink, Vancouver Aquatic Centre) • Joe Fortes Library renewal • Optimize fire hall services in the community through renewal and/or relocation of existing fire halls			• West End Community Hub Master Plan (planning) (West End Community Hub Master Plan (Renewal & expansion of West End Community Centre, West End Ice Rink, Firehall #6 and Joe Fortes Library)	→
HERITAGE • 10% allocation from cash community amenity contributions in West End	• 10% allocation from cash community amenity contributions			✓
SOCIAL FACILITIES • Gordon Neighbourhood House renewal and expansion • QMUNITY renewal and expansion • Explore opportunities for a dedicated seniors' facility • Explore opportunities for community-based non-profit hub	• Gordon Neighbourhood House interim renovation		• QMUNITY (design – rezoning approved) • 1157 Burrard multi-use cultural NPO space (planning – rezoning application)	→
PARKS • Rebuild the seawall • English Bay Beach Park and Sunset Beach Park upgrades	• Seawall restoration project (2 phases)	• Gilford St closure	• Barclay Heritage Square Calisthenics Park (design) • West End Waterfront & Beach Ave. Master Plan (planning)	→

EXPLANATORY NOTES

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

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

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

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

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

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1066-1078 Harwood Street
PUBLIC BENEFITS SUMMARY

Project Summary:

To rezone the site from RM-5A to CD-1 to allow for a 33-storey residential building with 278 secured-rental units, of which 20% of the residential units are secured as below-market rental units.

Public Benefit Summary:

The proposal would provide 278 secured-rental housing units including approximately 55 below market rental units for the longer of 60 years and the life of the building.

	Current Zoning	Proposed Zoning
Zoning District	RM-5A	CD-1
FSR (site area = 1,606.9 sq. m (17,296 sq. ft.)	2.20	12.55
Buildable Floor Space (sq. ft.)	38,052 sq. ft.	217,157 sq. ft.
Land Use	Residential	Residential

Summary of Development Contributions Expected under Proposed Zoning

City-Wide DCL[1,2]	$3,960,944
Utilities DCL[1]	$2,199,800
Public Art[3]	$429,969
Total	**$6,590,713**

Other benefits (non-quantified): 278 dwelling units will be secured for rental housing with 55 of those units secured at below-market rental rates for the longer of 60 years and the life of the building.

[1] Based on DCL by-laws and rates in effect as of September 30, 2021. Rates 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 details.

[2] If the Applicant requests a DCL waiver, the project would be required to be subject to the maximum average unit sizes "for-profit affordable rental housing" and 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. Based on DCL by-laws and rates in effect as of September 30, 2021, the value of the City-wide DCL waiver on the residential floor area would be approximately $3,960,944.

[3] Based on 2016 rates; rates are subject to adjustments, see Public Art Policy and Procedures for Rezoned Developments for details.

* * * * *

1066-1078 Harwood Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

PROPERTY INFORMATION

Civic Address	PID	Legal Description
1066 Harwood Street	004-345-410	Lot 8 Block 13 District Lot 185 Plan 92
1078 Harwood Street	015-749-053	Lot 9 Block 13 District Lot 185 Plan 92

APPLICANT INFORMATION

Applicant	BOSA4RENT 1066-1078 HARWOOD INC.
Architect	Henriquez Partners Architects

SITE STATISTICS

Site Area	1,606.9 sq. m (17,296 sq. ft.)

DEVELOPMENT STATISTICS

	Under Existing Zoning	Proposed	
Zoning	RM-5A	CD-1	
Uses	Residential	Residential	
Max. Density	2.20 FSR	12.55 FSR	
Floor Area	3,535 sq. m (38,052 sq. ft.)	20,174 sq. m (217,157 sq. ft.)	
Maximum Height	58.0 m (190.3 ft.)	91.44 m (300 ft.)	
Unit Mix	N/A	**Market** Studio 46 One Bedroom 98 Two Bedroom 79 Three Bedroom 0 Total: 223	**Below Market** Studio 8 One Bedroom 28 Two Bedroom 13 Three Bedroom 6 Total: 55
		Total 278 units	
Parking, Loading and Bicycle Spaces	As per Parking By-law	As per Parking By-law	
Natural Assets	8 existing on-site bylaw trees	Approximately 11 new on-site trees to be planted. To be confirmed at the development permit stage.	

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