CITY OF VANCOUVER

REFERRAL REPORT

Report Date:	May 24, 2022
Contact:	Yardley McNeill
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VanRIMS No.:	08-2000-20
Meeting Date:	June 7, 2022

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 3970-3998 Main Street

RECOMMENDATION TO REFER

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

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

RECOMMENDATION FOR PUBLIC HEARING

A. THAT, the application by Locarno Legacy Corporation, on behalf of The Lydia Project Holdings Ltd., Inc. No. BC1312167, the registered owner of the lands located at 3970-3998 Main Street [*Lots A, 7, and 8, all of Block 1 District Lot 301 Plan 5112; PIDs 011-244-003, 011-243-741 and 011-243-767 respectively*] to rezone the lands from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 3.50 to 3.97 and the building height from 22.0 m (72.2 ft.) to 22.6 m (74.1 ft.) and to a maximum of 25.2 m (82.7 ft.) to accommodate a partial seventh-floor amenity area, to permit the development of a six-storey mixed-use building containing a total of 60 secured market rental housing units and commercial space on the ground floor, be approved in principle;

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

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Yamamoto Architecture, received

September 7, 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, subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the new CD-1, generally as set out in Appendix C, be approved.

D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally set out in Appendix C;

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

E. THAT Recommendations A to D be adopted on the following conditions:

(i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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 bylaw 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 3970-3998 Main Street from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit a density of 3.97 FSR and building height of 25.2 m (82.7 ft.), under the *Secured Rental Policy* (SRP). The proposal is for a six-storey mixed-use building containing 60 secured market rental housing units, with a partial seventh-storey amenity area, and commercial space at-grade.

Staff have assessed the application and conclude that it meets the intent of the SRP. If approved, the application would contribute 60 secured rental housing units towards the City's housing goals as identified in the *Vancouver Housing Strategy.* 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

- Secured Rental Policy (2019)
- Rental Incentive Programs Bulletin (2012, last amended 2022)
- Housing Vancouver Strategy (2017)
- Riley Park/South Cambie Community Vision (2004)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families With Children Guidelines (1992)
- C-2 District Schedule (1996, last amended 2022)
- Green Buildings Policy for Rezonings (2010, last amended 2018)
- Community Amenity Contributions Policy for Rezonings (1999, last amended 2021)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183
- Urban Forest Strategy (2014)

REPORT

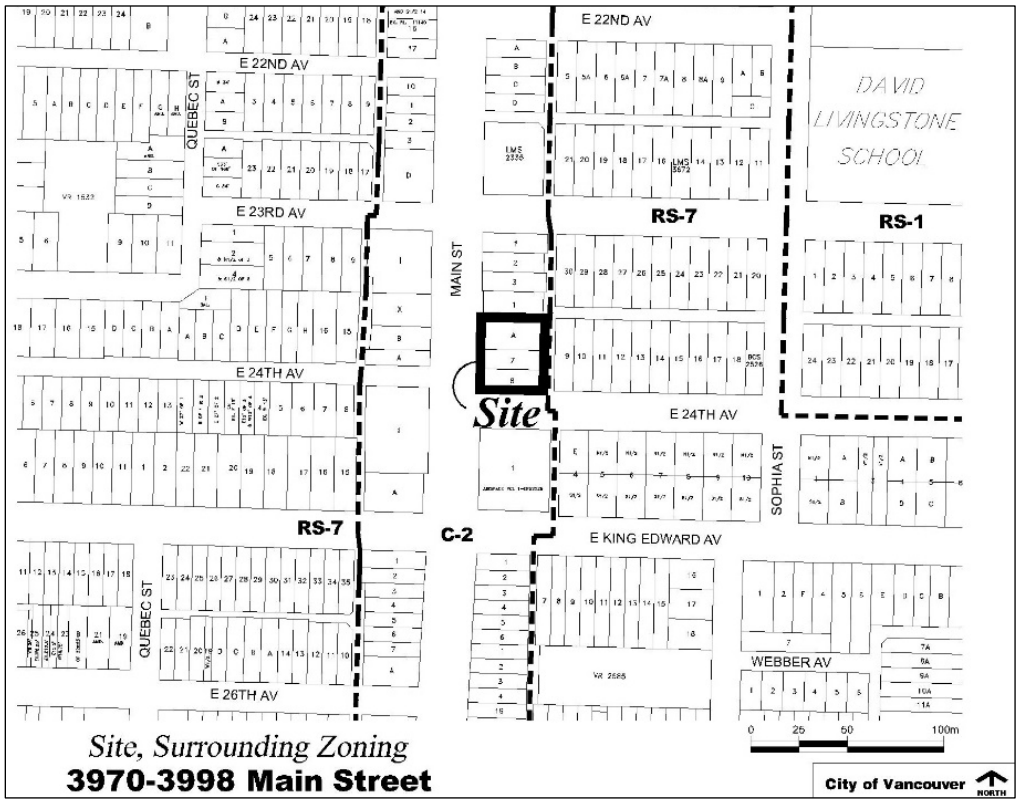
Background/Context

1. Site and Context

The 1,233.8 sq. m (13,281 sq. ft.) subject site in the Riley Park neighbourhood is comprised of three rectangular lots located at the northeast corner of Main Street and East 24th Avenue (see Figure 1). This corner site has a frontage of approximately 37.5 m (123.0 ft.) along Main Street and 32.7 m (107.4 ft.) along East 24th Avenue. The northern lot is built with a mixed-use building constructed in 1947 with two existing residential rental units, one of which is home to a tenant eligible under the *Tenant Relocation and Protection Policy*. The southern lots are built with a two-storey commercial building which previously housed the Mid-Main Community Health Centre. The Mid-Main Community Health Centre has signed a 60-year lease in a newly-constructed building at 2205 Main Street, allowing an expansion to its primary care and dental services in an accessible building close to major transit routes.

The site is located in a local shopping area extending north to 16th Avenue and south to 33rd Avenue. The local shopping area is generally composed of a mixture of older mixed-use and commercial buildings and newer, four-story mixed-use developments. A laneway along the eastern edge of the site creates a boundary to the RS-1 district to the east composed of single-detached houses.

Figure 1: Surrounding Zoning and Context



Local School Capacity – The site is located within the catchment area of David Livingstone Elementary School at 315 East 23rd Avenue, a 350 m walk to the northeast, and Sir Charles Tupper Secondary School at 419 East 24th Avenue, a 400 m walk to the east. David Livingstone Elementary School is in the design/construction phase of the Seismic Mitigation Program (SMP), with scheduled occupancy in Spring 2023. While under construction, the school is temporarily operating out of 5987 Prince Albert Street. According to the Vancouver School Board (VSB)'s 2020 *Long Range Facilities Plan*, David Livingstone Elementary will be operating under capacity in the coming years, with a forecast capacity of 75% by 2029, and Sir Charles Tupper Secondary will also be operating under capacity, with a forecast capacity of 74% by 2029.

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

Neighbourhood Amenities – The following amenities are within walking distance of the site:

- Public Parks – Prince Edward Park is 350 m to the northeast, Grimmett Park is 550 m to the north, and Hillcrest and Riley Parks are 850 m to the southwest.

- Community Spaces – Little Mountain Neighbourhood House is directly across Main Street, Hillcrest Community Centre, including Terry Salman Library, is 1 km to the southeast.

- Child Care Facilities – There are six childcare facilities within 1 km of the site.

2. Policy Context

Secured Rental Policy (SRP) – On November 26, 2019, Council approved amendments to the *Secured Market Rental Housing Policy* (commonly known as Rental 100) and retitled it to *Secured Rental Policy* (SRP). The SRP expands on the *Secured Market Rental Housing Policy*, by consolidating rezoning opportunities for secured rental housing previously contained in the *Affordable Housing Choices Interim Rezoning Polic*y and introducing new green buildings requirements.

On December 14, 2021, Council adopted amendments to the SRP to expedite the delivery of secured rental units. The amendments include changes to the C-2 District Schedule to facilitate six-storey market rental housing proposals through a development permit (DP) without requiring a rezoning. This application was submitted on September 7, 2021, before the amendments to the SRP, and is being considered under the 2019 SRP. Despite the recently adopted SRP amendments, the applicant has elected to continue the rezoning application for the subject site.

Rental Incentive Programs Bulletin – To correspond with Council's approval of the SRP in November 2019, a new *Rental Incentive Programs Bulletin* was issued. This bulletin provides updated information on Development Cost Levy (DCL) waivers and other incentives available to eligible secured rental projects including additional density considerations.

Housing Vancouver Strategy (2017) – Housing Vancouver focuses on the right supply of new homes, including rental, to meet a continuum of housing types. Overall, 72,000 new homes are targeted for the 10-year period from 2018 to 2027, including 20,000 purpose-built rental units. This rezoning will contribute towards the targets for purpose-built market rental units and family units.

Strategic Analysis

1. Proposal

This application proposes a six-storey mixed-use building with 60 secured market rental housing units, commercial uses at-grade, and a partial seventh-storey for indoor amenity space contiguous with outdoor amenity space (see Figure 2). The proposed density is 3.97 FSR, with a total floor area of 4,898.2 sq. m (52,724 sq. ft.) and a height of 25.2 m (82.7 ft.). Vehicle and bicycle parking will be located underground, with access off the lane.

2. Land Use

The site is zoned C-2 (Commercial) District. The intent of the C-2 District Schedule is to provide for a wide range of commercial uses serving both local and city-wide needs, as well as residential uses, along arterial streets. This proposal includes commercial retail units and residential uses, consistent with the intent of the C-2 District and the SRP. A total of 610.1 sq. m (6,567 sq. ft.) of retail space is proposed fronting Main Street and 24th Avenue.

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

Form of Development – The proposal's form of development is consistent with what is expected in a C-2 rental tenure development in height and massing. The residential lobby is located on 24th Avenue near the lane, allowing continuous commercial storefronts along Main

Street. Above the commercial ground level are five levels of residential floors and a partial seventh-storey for residential amenity.

Figure 2: View looking northeast from Main Street at 24th Avenue

Figure 3: Site Context

Height and Density – The proposed building is six storeys in height along Main Street and 24th Avenue, with setbacks at the lane. The indoor amenity space for residents located at the rooftop is set back from roof edges to maintain the appearance of a partial seventh-storey, and is located adjacent to an outdoor roof deck amenity space. The roof deck includes a child's play area, outdoor kitchen with BBQ, and an urban agriculture program.

The SRP at the time of application submission outlined consideration of commensurate achievable density for applications in C-2 zones. The proposed density of 3.97 FSR is an appropriate response to the design guidelines and site context given the depth of the site from Main Street to the lane.

Figure 4: Aerial view looking northwest

Livability – Unit livability is generally acceptable, however improvements to some of the unit layouts will be sought at the development permit stage to improve light access and ventilation.

Conditions to improve livability are included in Appendix B. Staff acknowledge that changes to address these conditions, may result in a reduced number of units and revised floor plans may be required to ensure the proposed development continues to meet the minimum family unit requirement (35%) for rezoning.

Urban Design Panel (UDP) – This application was not reviewed by the Urban Design Panel given the scale of the proposal, the context and general compliance with the SRP. Staff conclude that the design is consistent with the intent of the SRP regarding the form of development. Staff support this application, subject to the conditions outlined in Appendix B.

4. Housing

The *Housing Vancouver Strategy* (Housing Vancouver) and associated *3 Year Action Plan* is the culmination of a year-long process of gathering, synthesizing and testing new ideas and

approaches to addressing housing affordability in Vancouver. This application, if approved, would add 60 rental-housing units, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 5).

Figure 5: Progress Towards 10-Year Housing Vancouver Targets for Purpose-Built Market Rental Housing as of December 31, 2021

Housing Type	10-Year Targets	Units Approved Towards Targets
Purpose-Built Market Rental Housing Units	20,000	8,935 (45%)

** Note that tracking progress towards 10-year Housing Vancouver targets began in 2017.*
*** Unit numbers exclude the units in this proposal, pending Council's approval of this application.*
**** Includes Developer-Owned Below-Market Rental Housing*

Vacancy Rates – Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2021, the purpose-built apartment vacancy rate was 1.2% in Vancouver. The vacancy rate (based on the CHMC Market Rental Survey) for the Mount Pleasant/Renfrew Heights area within which this site is located is 0.9%. A vacancy rate of 3% to 5% represents a balanced market.

Unit Mix – This proposal would deliver a variety of unit types in the form of studio, 1-bedroom, 2-bedroom, and 3-bedroom units. On July 13, 2016, Council adopted the *Family Room: Housing Mix Policy for Rezoning Projects* policy that requires a minimum of 35% family units. This application would deliver 21 two-bedroom units and four three-bedroom units (42% of all units), thereby exceeding the policy. These units must be designed in accordance with the *High Density Housing for Families with Children Guidelines*.

Security of Tenure – Purpose-built rental housing offers permanent rental housing and security of tenure, unlike rented condominiums or basement suites in the secondary rental market. All 60 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. Covenants will be registered on title to prohibit the stratification and/or separate sale of individual units. Conditions related to securing the units are contained in Appendix B.

Existing Tenants – If Council approves this application and the redevelopment of the site proceeds, the two residential units currently on the site would be demolished after existing tenants have been relocated in accordance with the *Tenant Relocation and Protection Policy* (TRP Policy). The applicant has provided a Tenant Relocation Plan (TRP), which is under staff review, noting one existing tenant would qualify, the implementation of which will be secured as a condition of rezoning (summarized in Appendix B). An Interim Tenant Relocation Report will be required prior to Demolition Permit issuance. A Final Tenant Relocation Report will be required prior to the issuance of the Occupancy Permit.

Under the amended TRP Policy, eligible tenants receive a minimum of four months' free rent or more based on length of tenancy, a flat-rate payment towards moving costs, and provision of three alternate accommodation options that best meet the tenants' identified priorities. All tenancies are protected under the BC Residential Tenancy Act, which governs how residential

properties are rented and how tenancies are ended. Any disputes would be resolved through the Residential Tenancy Branch.

Average Rents and Income Thresholds – The average market rents in newer rental buildings on the eastside of Vancouver are shown in Figure 6. Rent increases, over time, are subject to the Residential Tenancy Act. Market rental housing provides options that are significantly more affordable than average home ownership costs as illustrated in Figure 6.

Figure 6: Market Rents in Newer Eastside Buildings, Costs of Ownership and Household Incomes Served

		Newer Rental Buildings Eastside[1]		Monthly Costs of Ownership for Median-Priced Unit Eastside (with 20% down payment)[2]		
Unit Type	**Proposed Average Unit Size (sq. ft.)**	**Average Rent**	**Average Household Income Served**	**Monthly Costs Associated with Purchase**	**Average Household Income Served**	**20% Down Payment Amount**
Studio	397	$1,598	$63,920	$2,200	$88,000	$79,550
1 Bedroom	483	$1,772	$70,880	$2,885	$115,400	$108,000
2 Bedroom	609	$2,402	$96,080	$3,809	$152,360	$141,300
3 Bedroom	736	$3,272	$130,880	$5,565	$222,600	$213,000

1. Data from the October 2021 CMHC Rental Market Survey for buildings completed in 2011 or later on the Eastside of Vancouver

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

5. Parking and Transportation

The application proposes 53 vehicle parking spaces and 128 bicycle spaces, as well as two Class B commercial loading spaces and one residential passenger loading space, all accessed from the lane. The application will meet the Parking By-law, which provides for reductions in the number of parking spaces. Based on the proximity to transit, the development is eligible for a 20% reduction to residential parking and a 10% reduction to commercial parking requirements.

The site is served by the number 3 bus route along Main Street, part of TransLink's Frequent Transit Network (FTN), as well as the number 25 bus route along King Edward Avenue nearby to the south. The site is also 270 m from the Prince Edward local street bikeway to the east, and 300 m from the Ontario local street bikeway to the west.

Engineering conditions related to transportation, public realm and parking are included in Appendix B and seek to improve the pedestrian experience by requiring a new lane crossing along 24th Avenue, improved sidewalks with street trees on Main Street and 24th Avenue, and upgraded street lighting adjacent to the site.

6. Environmental Sustainability and Natural Assets

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

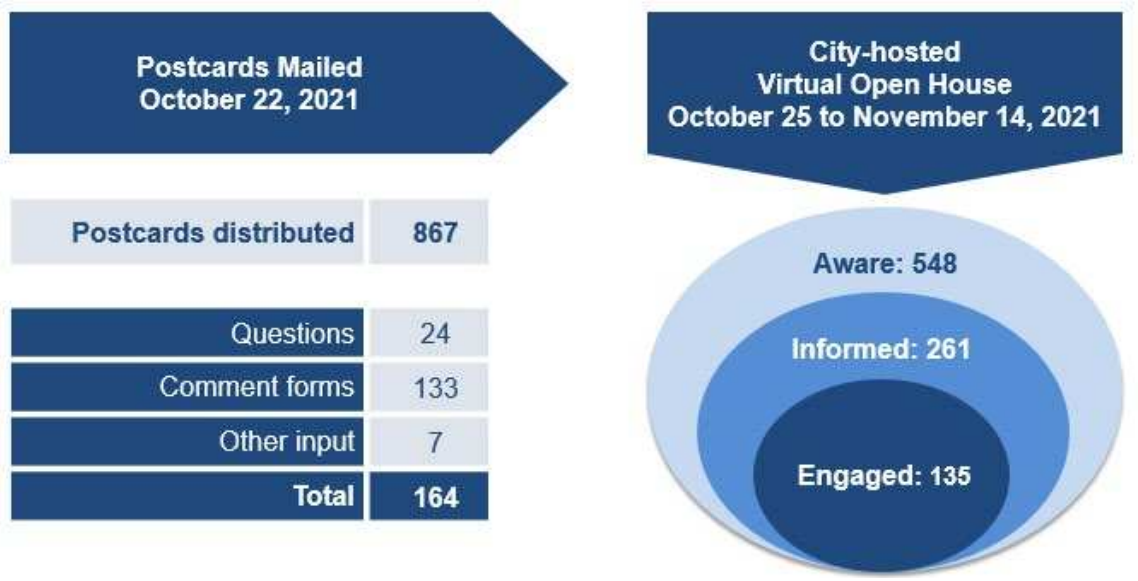
Natural Assets – The *Urban Forest Strategy* seeks to protect and strengthen Vancouver's urban forest and tree canopy. The *Protection of Trees By-law* requires that permission be granted to remove trees that contribute to a healthy urban forest. The intent is to protect as many healthy, viable trees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

There are no existing trees on site. There are two street trees on City lands adjoining the site, and protection of these street trees during construction is required. New street trees are proposed on both the Main Street and East 24th Avenue boulevards, with final numbers and locations determined through the development permit process. See Appendix B for landscape and tree conditions.

7. Public Input

Public Notification – A rezoning information sign was installed on the site on October 10, 2021. Approximately 867 notification postcards were distributed within the neighbouring area on or about October 22, 2021. Notification and application information, and an online comment form, was provided on the City's Shape Your City Vancouver (shapeyourcity.ca) platform.

Figure 7: Overview of Notification and Engagement



Virtual Open House – A virtual open house was held from October 25 to November 14, 2021 on the Shape Your City platform. The open house consisted of an open-question online event

where questions were submitted and posted with a response over a period of three weeks. Digital presentations and digital model were posted for online viewing. In total, 548 people signed onto the project webpage to review the rezoning application including an image of the building.

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

Public Response and Comments – Public input was via online questions, comment forms, by email and phone. A total of 164 submissions were received (see Figure 7). Below is a summary of feedback received from the public by topic and ordered by frequency.

Generally, comments of support fell within the following areas:
- Height, Massing, Density, and Location
- Building Design
- Housing Choices
- Commercial Opportunity
- Community Character

Generally, comments of concern fell within the following areas:
- Height, Massing, Density, and Location
- Building Design
- Parking
- Amenities and Infrastructure
- Culture and Identity

Staff Response – Public feedback has assisted staff with the assessment of the application. Response to key feedback is as follows:

- **Height, Massing, Density, and Location** – The proposal generally aligns with the considerations under the SRP along arterials and within commercial areas, to facilitate new mixed-use residential buildings with secured rental units.

- **Building Design** – The proposed brickwork and simplified building form respond to the existing character of Main Street and are in-line with expectations for new secured rental buildings, including the new Rental Residential (RR) zoning districts introduced in the recently updated SRP.

- **Parking** – The proposed parking, including Transportation Demand Management measures, will meet the expectations of the Parking By-law.

- **Amenities and Infrastructure** – The applicant has not requested the DCL waiver at this time. Monies collected from DCLs help fund infrastructure improvements and community amenities.

- **Culture and Identity** – Staff recognize the role of local businesses in the formation and development of community culture and identity, while balancing the need to replace aging buildings and provide more secured rental housing in these desirable areas.

8. Public Benefits

In response to City policies concerning changes in land use and density, this application addresses public benefits as follows.

Community Amenity Contributions (CAC) – 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 the provision of on-site amenities or a cash contribution towards other public benefits and they take into consideration community needs, area deficiencies and the impact of the proposed development on City services.

The *Community Amenity Contributions Policy for Rezonings* provides for specific exemptions from CACs for routine, lower density secured market rental housing rezoning applications that comply with the City's rental policies. As a C-2-zoned site proposed to rezone to no more than six stories, this application meets the criteria for an exemption.

Rental Housing – The applicant has proposed that all 60 residential units be secured as rental housing for the longer of 60 years and the life of the building. As a condition of by-law enactment, a Housing Agreement and Section 219 Covenant are required to be registered on title to preclude stratification of the building, separate sale of individual units, and rentals for less than one month at a time.

Development Cost Levies (DCLs) – Development Cost Levies (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.

The site is subject to the City-wide DCL and Utilities DCL. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage. Based on the DCL by-laws and rates in effect as of September 30, 2021, and the proposed 4,288 sq. m (46,157 sq. ft.) of residential floor area and 610.1 sq. m (6,567 sq. ft.) of commercial floor area, $1,445,510 of DCLs would be expected from this project.

As currently permitted under section 3.1A of the Vancouver DCL By-law, this project, given its CAC exempt status, may seek to qualify for a waiver of City-wide DCLs on the residential floor area at the development permit application stage for lower density secured market rental. The applicant has not yet requested a DCL waiver for this project.

If the applicant requests a DCL waiver, the development would be subject to the maximum average unit sizes for “for-profit affordable rental housing” and maximum average rents by unit type in accordance with the DCL By-law, as secured by an amendment to or replacement of the Housing Agreement. If the application is eligible for a DCL waiver, the value of the City-wide DCL waiver on the residential floor area would be approximately $841,840.

DCL by-laws are subject to future adjustments by Council, including annual inflationary rate adjustments. A development may qualify for 12 months of in-stream rate protection from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the City’s DCL Bulletin for details.

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

Financial Implications

Based on rates in effect as of September 30, 2021, total DCLs of approximately $1,445,510 would be expected from this development. If the applicant requests a DCL waiver at the development permit stage, the value of the City-wide DCL waiver would be approximately $841,840.

The 60 rental housing 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.

No CAC or public art contribution is applicable.

CONCLUSION

Staff review of the application has concluded that the proposed land use, density, form of development and public benefits is consistent with the intent of the *Secured Rental Policy*. Staff further conclude that the proposed form of development represents an appropriate urban design response to the site and context. If approved, this application would contribute 60 secured market rental residential units towards the City's rental housing stock serving households with a range of incomes.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing together with the draft CD-1 By-law provisions generally shown in Appendix A with a recommendation that these be approved, subject to the Public Hearing along with the conditions of approval listed in Appendix B, including approval in principle of the form of development as shown in plans included as Appendix E.

* * * * *

3970-3998 Main 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 amends the City of Vancouver zoning map. Should the rezoning application be referred to Public Hearing, Schedule A will be included with the draft by-law that is prepared for posting.*]

Designation of CD-1 District

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

Uses

3. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (___) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

   (a) Cultural and Recreational Uses;

   (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this section;

   (c) Institutional Uses;

   (d) Manufacturing Uses;

   (e) Office Uses;

   (f) Retail Uses;

   (g) Service Uses;

   (h) Utility and Communication Uses; and

   (i) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

4.1 The design and layout of at least 35% of the total number of dwelling units must:

(a) be suitable for family housing; and

(b) include two or more bedrooms.

4.2 No portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width may be used for residential purposes except for entrances to the residential portion.

4.3 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building except for:

(a) Farmers' Market;

(b) Neighbourhood Public House;

(c) Public Bike Share;

(d) Restaurant; and

(e) Display of flowers, plants, fruits and vegetables in conjunction with a permitted use.

4.4 The Director of Planning may vary the use conditions of section 4.3 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this By-law.

Floor Area and Density

5.1 Computation of floor area must assume that the site area is 1,233.8 m^2, being the site area at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.

5.2 The floor space ratio for all uses combined must not exceed 3.97.

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

5.4 Computation of floor area must exclude:

(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, 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 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 base surface, except that the exclusion for a parking space must not exceed 7.3 m in length; and

(d) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m^2 for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

5.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:

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

(b) unenclosed outdoor areas underneath the building overhangs at grade, except that such areas must remain unenclosed for the life of the building.

Building Height

6.1 Building height, measured from base surface, must not exceed 22.6 m.

6.2 Despite section 6.1 of this By-law and section 10.18 of the Zoning and Development By-law, if the Director of Planning permits common indoor rooftop amenity space, the height of the portion of the building used for the common indoor amenity space must not exceed 25.2 m.

6.3 Despite the provisions of sections 6.1 and 6.2 of this By-law and section 10.18 of the Zoning and Development By-law, the Director of Planning may permit a greater height than otherwise permitted for roof-top appurtenances such as stairs and elevators for roof-top access, elevator machine rooms, mechanical screens, a vestibule accessing a green roof, trellises or shading structures that are part of a roof-top outdoor amenity space, or similar features, if the Director of Planning first considers:

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

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

Horizontal Angle of Daylight

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

7.2 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.

7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.

7.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if:

(a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and

(b) the minimum distance of unobstructed view is not less than 3.7 m.

7.5 An obstruction referred to in section 7.2 means:

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

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

7.6 A habitable room referred to in section 7.1 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

8. 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

* * * * *

3970-3998 Main Street
CONDITIONS OF APPROVAL

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

PART 1: CONDITIONS OF APPROVAL OF 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 Yamamoto Architecture Inc., received on September 7, 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 improve the livability of dwelling units by:

(a) Provision of increased access to daylight, views, and ventilation for main habitable space (i.e., living rooms) by ensuring the main access to daylight, views and ventilation is towards directly either a street or lane.

Note to Applicant: Refer to Access to Daylight, Views, and Ventilation in Dwelling Units Bulletin and this Report for further details. For Unit B3 & B4 layout, the extra bedroom must be deleted. This may result in commensurate loss of density and design development of floor plan is expected to meet the family unit requirement.

(b) Provision of minimum clear horizontal dimension of 1.8 m for private open space to ensure usable outdoor space.

Note to Applicant: Revision to Unit Plan S1 and S2 are required.

(c) Design consideration of minimum 12 ft. clear dimension for main habitable space (i.e., Living room) and minimum 9 ft. clear dimension for bedrooms.

Note to Applicant: Refer to City of Vancouver Housing Design and Technical Guidelines.

1.2 Provision of 5 ft. rear setback to buffer the neighbouring properties at east property line (see also Landscape condition 1.7).

Note to Applicant: Refer to C-2, C-2B, C-2C, and C-2C1 Guidelines for Residential Rental Tenure Buildings.

1.3 Provision of acoustical report, with noise mitigation strategy.

Note to Applicant: Building design must mitigate environmental noise including road noise. With Main Street being a major vehicular corridor, and the site's adjacency to the public transit, to ensure livability in close proximity to frequent pass-bys, it is strongly encouraged to consider the acoustic impact from each pass-by rather than a 24-hour weighted approach.

1.4 Design consideration to provide a green roof (see also Landscape condition 1.8).

Crime Prevention through Environmental Design (CPTED)

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

(a) Theft in the underground parking and loading areas;
(b) Residential break and enter;
(c) Mail theft; and
(d) Mischief in alcoves and vandalism such as graffiti.

Landscape

1.6 Design development to provide large trees on private property on ground level, preferably on grade, in order to mitigate the absence of site trees, by reducing the parkade as much as possible.

1.7 Design development to buffer neighbouring properties at the east and north property lines, by the following:

(a) Increase amount of landscape setback at east lane and north edge; (see also Urban Design condition 1.2); and

(b) Add trellis with vines over the proposed parkade ramp.

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

(a) Explore opportunities to add intensive or extensive green roofs to all available flat roof surfaces;

(b) Explore opportunities to add additional trees on rooftops for increased canopy cover, to create shade and alleviate urban heat island effect;

(c) Add substantially more landscape around all entry areas, to accent and soften them;

(d) Add vines to any blank wall facades, ensuring the vine support is sturdy and low maintenance (avoid high maintenance modular "green wall" systems);

(e) Add planters with overarching shrubs to common upper level decks, to be visually accessible from below, softening the edges and consisting of woody evergreen plant material for year-round presence; and

(f) Add as many edible plants as possible, which can be used as ornamentals as part of the landscape design, in addition to urban agriculture plots.

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

(a) Provide common maintenance access to all planted common areas; and

(b) Provide a high efficiency irrigation system for all planted areas.

1.10 Design development to locate, integrate and fully screen parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.

1.11 Design development to the Integrated Rainwater Management Strategy to explore opportunities for onsite 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) Increase the amount of planting to the rooftop areas, where possible;

(d) Consider linear infiltration bio-swales along property lines, at lower site areas;

(e) Use permeable paving;

(f) Employ treatment chain systems (gravity fed, wherever possible); and

(g) 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 & 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.

1.12 Provision of plans, plan details and documentation/calculations that support integrated rainwater management, including absorbent landscapes, soil volumes and detention systems, as follows:

(a) Detailed storm water report with calculations describing how the various best management practices contribute to the quality and quantity targets;

(b) A separate soil volume overlay plan with schematic grading indicating intent to direct rainwater to infiltration zones; and

(c) An overlay plan that shows amount and ratio of vegetative cover (green roof), permeable/impermeable hardscaping and notations describing the storage location of rainwater falling on each surface, including roofs.

Note to Applicant: the sustainable summary water balance calculations assume soil volumes are capable of receiving rainwater are only valid if water is directed from hard surfaces to infiltration zones.

1.13 Provision of coordination between Landscape Plan and architectural Site Plan, for most updated information.

1.14 Provision of complete information, such as references on the Roof Deck Plan, confirming all landscape elements.

Additional Standard Landscape Conditions at the time of DP Application:

1.15 Provision of a detailed Landscape Plan illustrating soft and hard landscaping.

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

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

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

1.17 Provision of a "Tree Management Plan".

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

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

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

1.19 Coordination for the removal and replacement of street trees.

Note to Applicant: Any City owned tree removals to be confirmed by Engineering and the Park Board. New street trees to be shown and confirmed on the development permit

plans, including referenced on Plant List. 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 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion*".

1.20 Provision of an outdoor Lighting Plan.

Sustainability

1.21 All new buildings in the development will meet the requirements of the *Green Buildings Policy for 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. The project has more stringent energy and emissions limits as stated in the *Secured Rental Policy*. The applicant is to demonstrate compliance to these requirements at Building Permit stage. 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).

Engineering

1.22 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 & 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.

1.23 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.

1.24 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal 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.

1.25 Confirmation that gates/doors are not to swing more than 0.3 m (1.0 ft.) over the property lines or into the SRW area.

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

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

1.27 Design development to improve access and design of bicycle parking and demonstrate compliance with the Bicycle Parking Design Supplement by performing the following:

(a) Provision of all spaces in room Bike-1 to be lockers for security purposes as it provides access to room Bike-2.

1.28 Design development to improve access and design of loading spaces and demonstrate compliance with the Parking and Loading Design Supplement by performing the following:

(a) Provision of convenient, internal, stair-free loading access to/from all site uses.

1.29 Design development to improve the parkade layout and access design and demonstrate compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services:

(a) Confirmation that the maneuvering aisle is a minimum 6.6 m wide.

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

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

(b) All types of parking and loading spaces individually numbered and labelled;

(c) Dimension of any/all column encroachments into parking stalls;

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

(e) Dimensions for typical parking spaces;

(f) Dimensions of additional setbacks for parking spaces due to columns and walls;

(g) Dimensions of maneuvering aisles and the drive aisles at the parkade entrance and all gates;

(h) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates;

Note to Applicant: These clearances must consider mechanical projections and built obstructions.

(i) Details on the ramp/parkade warning and/or signal systems and locations of lights, signs and detection devices to be shown on the plans;

(j) Areas of minimum vertical clearances labelled on parking levels;

(k) Design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances;

Note to Applicant: The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.

(l) Indication of the stair-free access route from the Class A bicycle spaces to reach the outside;

Note to Applicant: Stair ramps are not generally acceptable.

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

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

1.31 Provision of a draft final Rainwater Management Plan (RWMP) to be submitted to clearly indicate how the onsite system achieves the following:

(a) General Requirements

(i) Ensure best management practice and requirements are adhered to for the design of the proposed rainwater management system which includes drainage by gravity to the receiving system for flow attenuation and overflow purposes.

Note to Applicant: Use of the full water holding capacity is not appropriate since it is unlikely for the soil to be completely dry at the beginning of most storm events on an annual scale. Consider using a more conservative approach to calculating the available storage volume with the soil media of proposed landscaping and update the proposed depth of landscaping such as the green roof accordingly. The estimated range of rainfall storage in soils is 7% to 18% from Volume 2 of the City's Best Management Practice toolkit.

(ii) Update the RWMP and associated designs to include consideration for the area designed as a pedestrian statutory right of way (SRW).

Note to Applicant: The "city sidewalk ROW" as described and shown in the RWMP is actually labelled as a SRW in the Rezoning booklet which is still part of the private property. Furthermore, this does not preclude the Applicant from proposing at-grade or sub-surface best management practices at this location or from meeting the site-wide rainwater

performance requirements with this area included in the plan. Therefore, exclusion of the area from overall rainwater management plan is not permitted. Please revise the design to incorporate accordingly.

(b) Volume Reduction

(i) 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 & Tier 2 practices.

Note to Applicant: Include the area labelled as “City sidewalk ROW” in design.

(c) Water Quality Target

(i) Provide information on how the water quality requirement will be achieved on this site, as water quality treatment is required for the first 24 mm (~70% annual average rainfall) of all rainfall from the site that is not captured in Tier 1 or Tier 2 practices and 48 mm (~90% annual average rainfall) of treatment is required for high traffic areas. For the DP submission, the following should be included for review for all proprietary devices:

- Product Name and Manufacturer/Supplier
- Total area and % Impervious being treated
- Treatment flow rate
- Supporting calculations to demonstrate adequate sizing system based on the contributing drainage area.
- Include discussion of the specified treatment device’s % TSS removal efficiency certification by TAPE or ETV.
- Location of device in drawing or figure in the report.

(d) Release Rate

(i) Update the peak flow calculations to use the 1:10 year return period with a minimum inlet time of 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: Include the area labelled as “City sidewalk ROW” in design and supporting calculations. Include peak flow estimate in post-development conditions for both with and without release rate controls.

(ii) Revise the post development target allowable release rate to utilize the full required detention system volume if the detention tank volume is greater than the pre-development peak flow storage volume.

(iii) Provide further information related to the proposed detention tank system

and water quality unit on the RWM drawings such as the location, geometric properties (footprint, volume, depth), method of flow control (orifice size and control structure configuration), emergency bypass, inverts, stage-storage-discharge characteristics and relevant specifications for these features.

Note to Applicant: As it is acknowledged that not all design components are advanced fully at this stage, placeholders will be accepted in this resubmission with the expectation the final RWMP will include all relevant details.

Please contact the City of Vancouver's Rainwater Management Review group for any questions or concerns related to the conditions or comments prior to resubmission with the DP application. A meeting may be scheduled upon request by contacting rainwater@vancouver.ca.

1.32 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 a Development Permit.

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

1.34 Provision of a final standalone signed and sealed Operations and Maintenance (O&M) Manual for the rainwater management system to be included as an appendix in the RWMP Legal Agreement, to the satisfaction of the General Manager of Engineering Services prior to the issuance of any building permit.

1.35 Developer's Engineer to submit a sewer abandonment plan to the City that details the following:

(a) The abandonment or removal of all existing combined connections to the development site; and

(b) The abandonment or removal of all existing combined sewer mains that are no longer in use due to the development of the site.

(c) The abandonment plan is required to be reviewed and accepted by the City Engineer prior to issuance of the Sewer Permit.

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

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

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

1.37 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."

The landscape should include:

(a) Remove existing retaining wall and other structures from future laneway dedication area.

(b) Remove proposed concrete treatment from laneway dedication area. Surface treatment of City laneway to be standard asphalt only.

(c) The metal planters on slab shown on Page L2.0 would encroach onto city lane. The final design is to have no encroachments.

1.38 City supplied building grades are preliminary and final building grades are required to be issued by the City prior to DP application. Show all City supplied building grades on architectural and landscape drawings. To minimize grade differences, interpolate a continuous building grade between the points provided on the City supplied building grade plan.

Housing

1.39 The proposed unit mix, including 15 including 15 studio units (25%), 20 one-bedroom units (33%), 21 two-bedroom units (35%), and four three-bedroom units (7%), is to be included in the Development Permit drawings.

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

1.40 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 and situated to maximize sunlight access (S. 3.3.2, 3.4.3);

Note to Applicant: Where possible ensure that the outdoor amenity area is designed with space for children's play and urban agriculture.

(b) A minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each dwelling unit, preferably in-suite (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 1.8 by 2.7 m minimum dimensions (S. 4.3.2).

1.41 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-land-water/water/water-licensing-rights/water-licences-approvals.

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 A, 7 and 8; all of Block 1, District Lot 301, Plan 5112 to create a single parcel and subdivision of that site to result in the dedication of the easterly 0.762 m (2.5 ft.) of the site for lane purposes.

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

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

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

2.3 Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No

development permit for the site will be issued until the security for the services are provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. The Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

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

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

(i) Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by Creus Engineering Ltd. dated August 6, 2021, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 150 mm along East 24th Avenue or 300 mm along Main 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. Note the maximum size of water main is 300 mm.

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.

Implementation of development at 3998 Main Street require the following in order to provide service to the sewer:

(i) Construct approximately 15 m of 200 mm SAN on East 24th Avenue from MH fronting lane east of Main Street (MH__FJCSCN) toward Main Street.

The lengths and diameters of these improvements are approximate and subject to detailed design by Developer's Engineer.

Developer's Engineer to submit design brief, calculations and/or model, and design drawings to the City. All submittals including Issued for Construction (IFC) drawings are required to be reviewed and accepted by the City Engineer prior to building permit issuance.

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. This shall be demonstrated by preparation of a

Rainwater Management Plan with all necessary supporting calculations and drawings prior to the issuance of the development permit.

Note to Applicant: Development to be serviced to the proposed 200 mm SAN sewer and the existing 300 mm COMB sewer within East 24th Avenue.

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

(i) Minimum 1.22 m (4.0 ft.) wide front boulevard (measured from the back of the existing curb) with street trees where space permits;

(ii) Minimum 3.05 m (10.0 ft.) wide broom finish saw-cut concrete sidewalk;

(iii) Hard surface treatment in the space remaining within the SRW next to the sidewalk; and

(iv) Curb ramps.

(d) Provision of street improvements along 24th Avenue adjacent to the site and appropriate transitions including the following:

(i) Minimum 1.22 m (4.0 ft.) wide front boulevard (measured from the back of the existing curb) with street trees where space permits;

(ii) Broom finish saw-cut concrete sidewalk between the edge of the front boulevard and the property line;

(iii) Curb bulge, including relocation of the existing fire hydrant and any road reconstruction if/as required to accommodate the curb bulge;

(iv) Curb ramps; and

(v) Removal of the existing unused driveway crossing and reconstruction of the curb and sidewalk to current standards.

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

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

(f) Provision of entire intersection lighting upgrade to current City standards and IESNA recommendations at Main Street and 24th Avenue.

(g) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with

applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work.

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

(h) Provision of a new standard concrete lane crossing, new lane returns and ramps on both sides of the crossing at the lane crossing on 24th Avenue.

(i) Provision of reconstruction of the laneway along the development site's frontage per City centre valley "Higher Zoned Laneway" pavement structure.

(j) Provision of upgraded lane lighting adjacent to the site to current City standards and IESNA recommendations.

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

2.4 Provision of all third party utility services (e.g., BC Hydro, Telus and Shaw) to be underground. BC Hydro service to the site shall be primary. BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be located on private property with no reliance on public property for placement of these features. Submission of a written confirmation from BC Hydro that all these items will be located on the development property.

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

Housing

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

(a) Provide a Tenant Relocation Plan to the satisfaction of the General Manager of Planning, Urban Design and Sustainability as per the *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; and

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

(d) Provide a Final Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Occupancy Permit. The Report must 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.

2.6 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant securing all residential units as secured rental housing units, excluding Seniors Supportive or Assisted Housing, for a term equal to the longer of 60 years and life of the building, subject to the following additional conditions:

(a) A no separate-sales covenant;

(b) A no stratification covenant;

(c) That none of such units will be rented for less than one month at a time; and

(d) That, if a waiver of the Development Cost Levies is sought pursuant to the Development Cost Levy By-law, prior to rezoning enactment all proposed residential units will meet the definition of "for-profit affordable rental housing" in the Development Cost Levy By-law and accordingly, the average size of all residential units will not be greater than specified for for-profit affordable rental housing in the Development Cost Levy By-law, and the average initial rents for all proposed residential units will not exceed rents specified for for-profit affordable rental housing in the Development Cost Levy By-law. A rent roll would be provided indicating the agreed initial monthly rents for each rental unit, when the Housing Agreement is entered into, prior to development permit issuance and prior to DCL calculation during building permit.

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

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

Note to Applicant: If the applicant chooses to seek a waiver of the Development Cost Levies at the development permit stage, 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 include such additional other terms and conditions with respect to the DCL waiver as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require in their sole discretion, including an amendment to the Housing Agreement, if the Housing Agreement has already been registered at the Land Title Office.

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 for certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

Environmental Contamination

2.8 As applicable:

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

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

(c) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 covenant that there will be no occupancy of any buildings or improvements on this site constructed 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 issued to the City.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction

of the Director of Legal Services prior to enactment of the By-law and at no cost to the City.

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

* * * * *

3970-3998 Main Street
PROPOSED CONSEQUENTIAL BY-LAW AMENDMENTS

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

DRAFT AMENDMENTS TO THE SIGN BY-LAW No. 11879

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

"3970-3998 Main Street [CD-1 #] [By-law #] C-2"

DRAFT AMENDMENTS TO THE NOISE CONTROL BY-LAW No. 6555

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

"[CD-1#] [By-law #] 3970-3998 Main Street"

* * * * *

3970-3998 Main Street
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

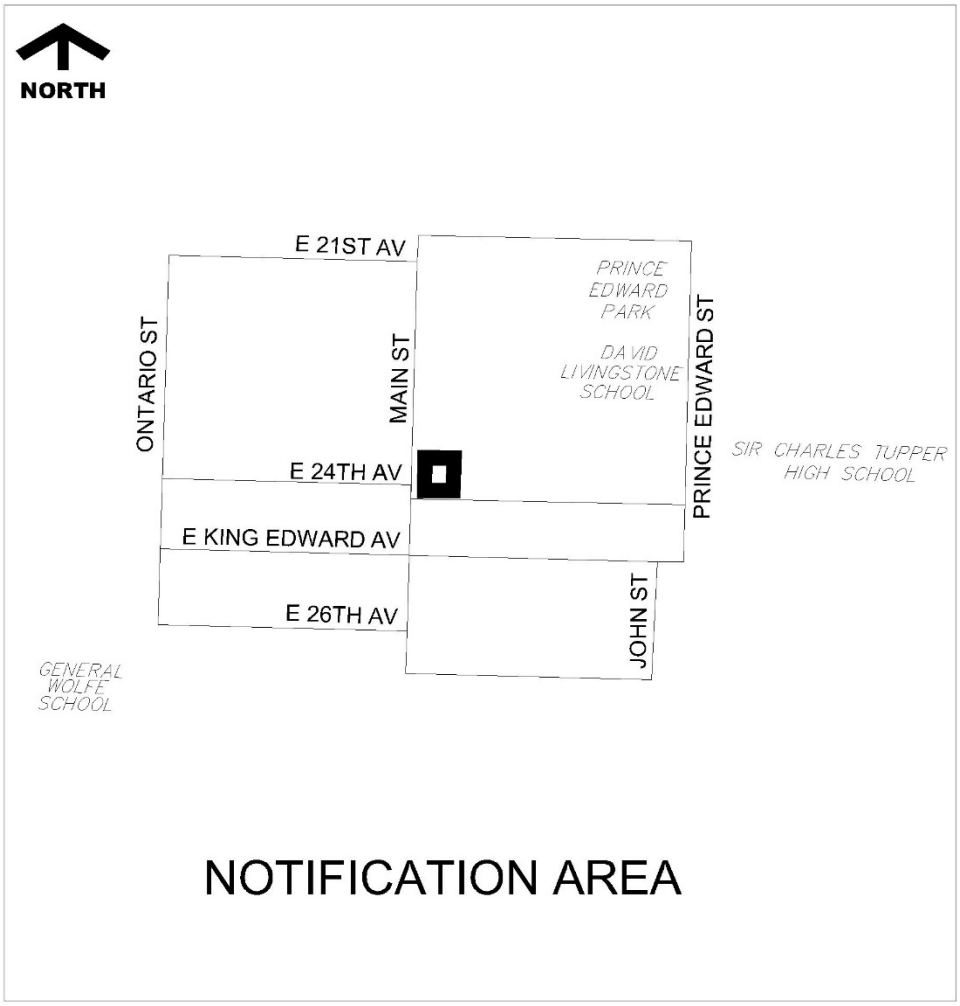
	Dates	Results
Events		
Virtual open house (City-led)	October 25 – November 14, 2021	266 (aware)* • 144 informed • 93 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	October 22, 2021	867 notices mailed
Public Responses		
Online questions	October 25- November 14	24 submittals
Online comment forms • via Shape Your City platform	October, 2021 – April, 2022	133 submittals
Overall position • support • opposed • mixed	October, 2021 – April, 2022	133 submittals • 56 responses • 60 responses • 17 responses
Other input	October, 2021 – April, 2022	7 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	October, 2021 – April, 2022	548 participants (aware)* • 261 informed • 135 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.

- **Map of Notification Area**



2. Analysis of All Comments Received

Below is an analysis of all public feedback by topic.

Generally, comments of support fell within the following areas:

- **Height, Massing, Density, and Location:** The density and building height proposed in this development is appropriate for its location.

- **Building Design:** The visual aesthetic of the building (brick façade, laneway mural, wood tones) fits and contributes to the surrounding area.

- **Housing Choices**: The development will help creating a greater variety of housing options for Vancouver residents.

- **Commercial Opportunity:** This development will help introduce additional opportunities onto its ground floor and provide eyes on the street.

- **Community Character:** The proposal will provide an excellent opportunity to further grow a vibrant Main Street and its character.

Generally, comments of concern fell within the following areas:

- **Height, Massing, Density, and Location:** The proposed development does not match the buildings heights of other buildings in its vicinity. This will cause disruptions of the views enjoyed by surrounding buildings. Respondents have indicated that they will be comfortable with four storeys.

- **Building Design:** The development does not look aesthetically pleasing and the shadows produced by this building will negatively impact neighbouring properties. The ceilings are too high for a six unit development.

- **Parking:** The surrounding neighbourhood is experiencing parking scarcity that will continue to persist due to a lack of spots provided by the developer

- **Amenities and Infrastructure:** Increased development in the area has resulted in local businesses disappearing around the neighbourhood. Developers and the City should find strategies to allow local amenities to prevail.

- **Culture and Identity:** This development will risk Main Street's community identity and ultimately lose its community character and culture. An asset that many respondents have highlighted in their comments was the demolition and displacement of Lucky's Comics.

General comments of support:

- Landscaped patios on the podium provide privacy for homeowners to the east.
- The amount of family units offered is satisfactory.
- Great development that will help revitalize the Cambie Corridor's strategy of encouraging active travel strategies.
- Mural fits in well with the neighbourhood.

General comments of concern:

- Lack of cycling infrastructure in the area will result in the bicycle spaces to be underutilized or not used.
- The integration of this development will cause a strain in public amenities. Additional green spaces and services must be introduced to aide in more residents moving in.
- The added density into the neighbourhood has contributed to greater noise pollution and unsanitary conditions (lack of garbage collection).

Neutral comments/suggestions/recommendations:

- Stronger and more prominent presence of the building at Main and 24th Avenue is needed.
- Development should include lower ceiling sizes at the retail floor to lower the overall height of the building.
- Rooftop amenity space should be larger. Canopy on outdoor space should wrap around the lane to the accessible parking stall.
- Additional rental units are needed in Vancouver and Main Street.
- Affordable units should be situated close to Skytrain stations.
- The current development does not support additional social housing opportunities and only provides market rental units.
- Permit only parking should be encouraged and is appropriate for this area.
- Dedicated delivery parking should be provided to this development and adjoining businesses.
- Parking garage should be accessed from the street and not the alley or the middle of the alley. Children play in the alley and this will make it dangerous for children to play in the alley.
- Electric charging stalls should be considered in this development.
- Car/mobile sharing services should be offered by the neighbourhood.
- Make pedestrian walkways covered.
- Ensure that the rezoning projects on Main Street account for streetscape improvements to complement existing amenities and infrastructure
- Additional amenities should be considered in the development for its residents.
- Heritage conservation should be a priority.
- The developer has a great reputation in creating high quality developments around the city.

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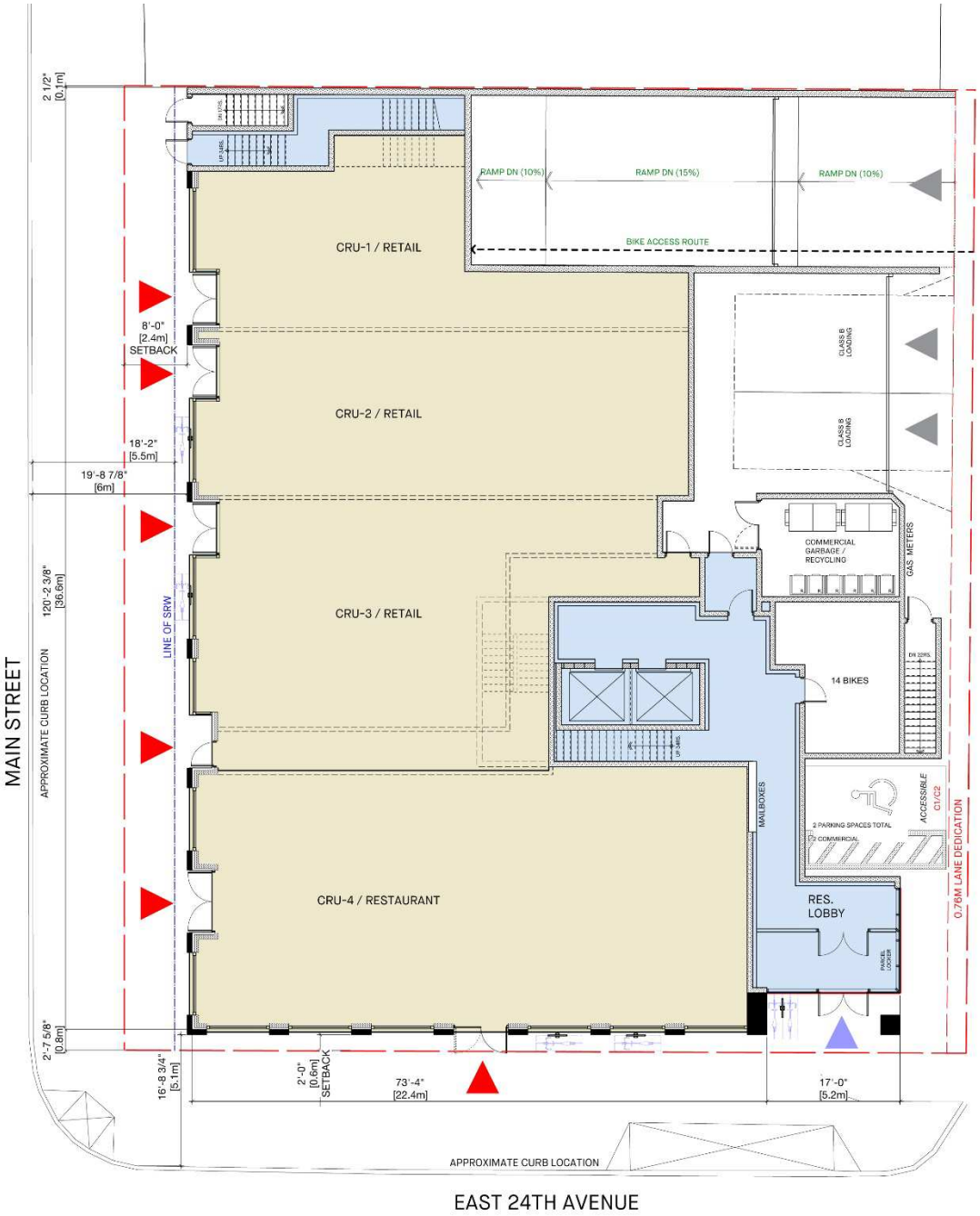
3970-3998 Main Street
FORM OF DEVELOPMENT DRAWINGS

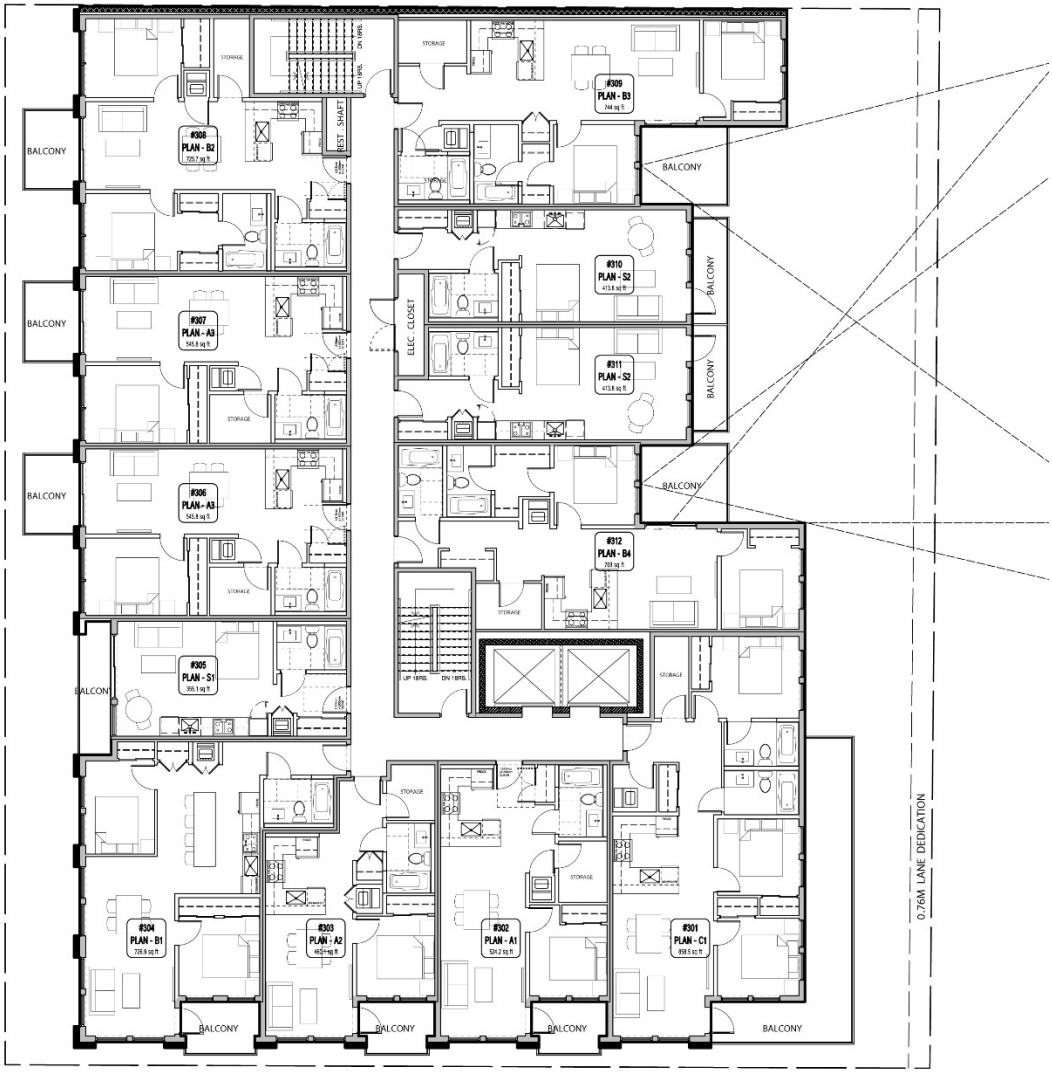
Perspective looking northeast

Perspective looking southeast

Site Plan


MAIN STREET
EAST 24TH AVENUE
APPROXIMATE CURB LOCATION
APPROXIMATE CURB LOCATION
LINE OF SRW
0.76M LANE DEDICATION
2 1/2" [0.1m]
120'-2 3/8" [36.6m]
2'-7 5/8" [0.8m]
8'-0" [2.4m] SETBACK
18'-2" [5.5m]
19'-8 7/8" [6m]
16'-8 3/4" [5.1m]
2'-0" [0.6m] SETBACK
73'-4" [22.4m]
17'-0" [5.2m]
CRU-1 / RETAIL
CRU-2 / RETAIL
CRU-3 / RETAIL
CRU-4 / RESTAURANT
RAMP DN (10%)
RAMP DN (15%)
RAMP DN (10%)
BIKE ACCESS ROUTE
CLASS B LOADING
CLASS B LOADING
COMMERCIAL GARBAGE / RECYCLING
GAS METERS
14 BIKES
MAILBOXES
2 PARKING SPACES TOTAL
2 COMMERCIAL
ACCESSIBLE
C1/C2
RES. LOBBY
PANEL LOCKER

Typical Floor Plan (Levels Three through Five)



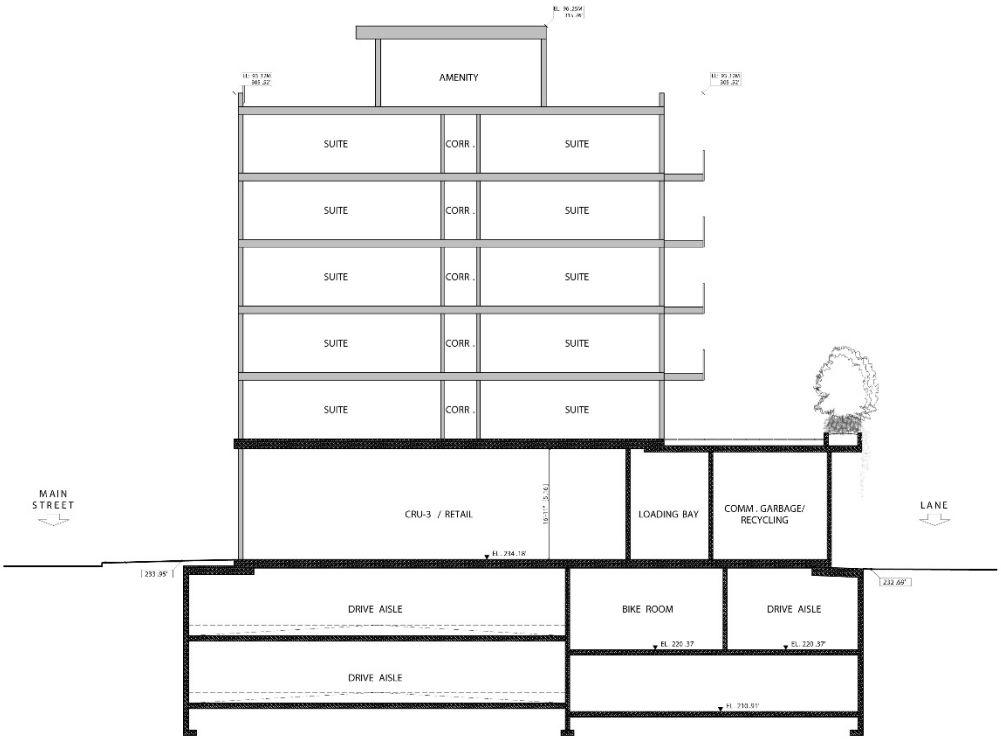
West Elevation

South Elevation

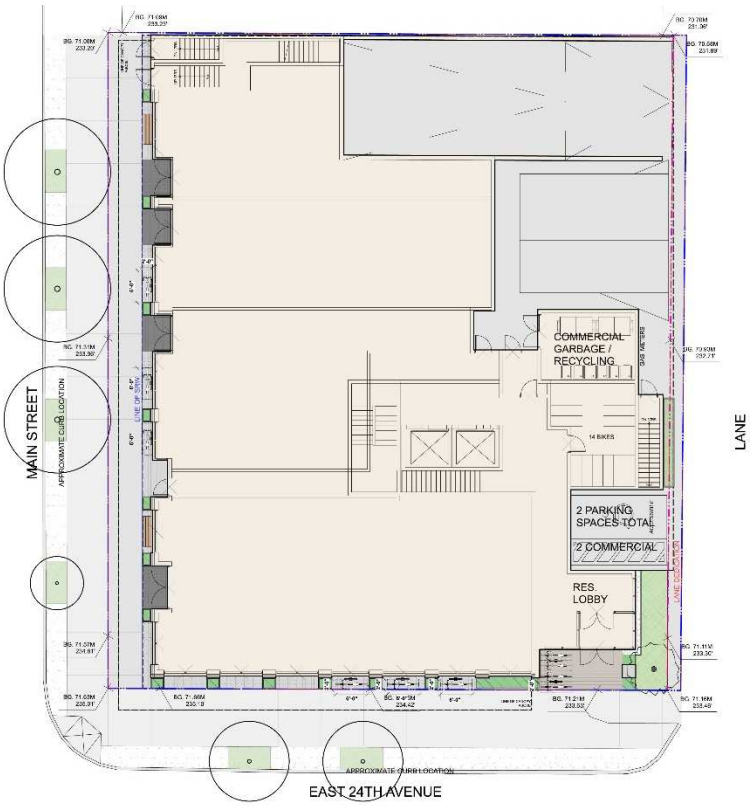
East Elevation

North-South Section

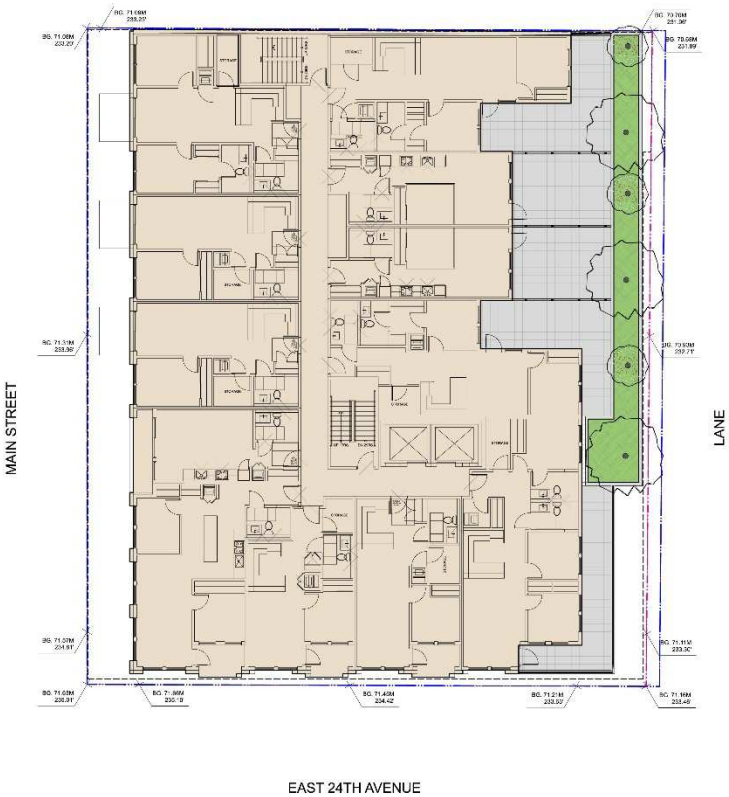
West-East Section



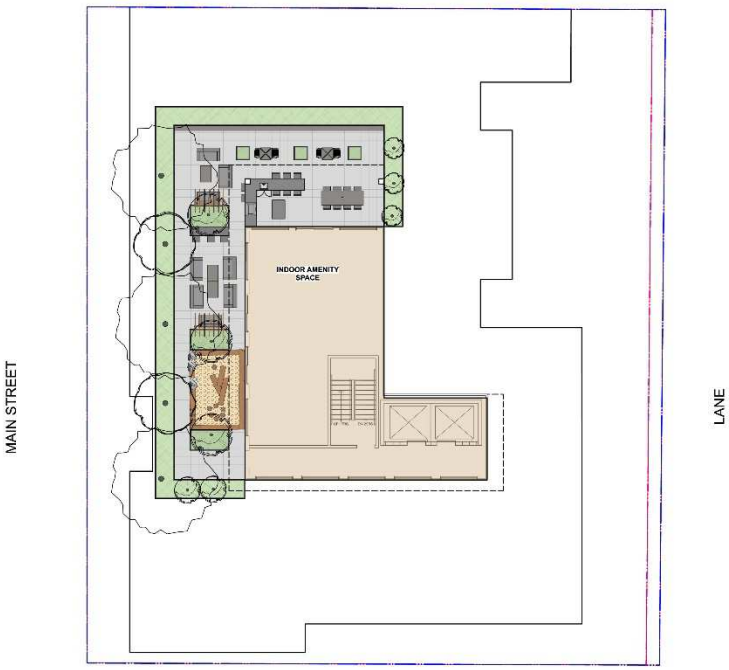
Ground Floor Landscape Plan



Level Two Landscape Plan



Roof Landscape Plan



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3970-3998 Main Street
PUBLIC BENEFITS SUMMARY

Project Summary:

Six-storey, mixed-use building, with partial seventh-storey for amenity space, containing 60 secured market rental units and commercial uses at-grade.

Public Benefit Summary:

The proposal would provide 60 secured market rental housing units through a Housing Agreement for the life of the building and 60 years, whichever is longer. The project would also contribute a DCL payment for the commercial and residential floor area.

	Current Zoning	Proposed Zoning
Zoning District	C-2	CD-1
FSR (site area = 1,233.8 sq. m (13,280.5 sq. ft.))	3.50	3.97
Buildable Floor Space (sq. ft.)	46,481	52,724
Land Use	Mixed-use	Mixed-use

Summary of Development Contributions Expected Under Proposed Zoning

City-wide DCL[1,2]	$942,934
Utilities DCL[1]	$502,576
TOTAL	**$1,445,510**

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

[1] Based on rates in effect as at 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] The applicant has not requested a DCL waiver at this stage. However, as the proposal is exempt from CACs, the applicant will have the option to meet the requirements for a DCL waiver under the DCL By-law at the development permit stage and apply for a DCL waiver. The estimated value of a City-wide DCL waiver would be approximately $841,840.

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3970-3998 Main Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
3970 Main Street	011-244-003	Lot A Block 1 District Lot 301 Plan 5112
3998 Main Street	011-243-741	Lot 7 Block 1 District Lot 301 Plan 5112
	011-243-767	Lot 8 Block 1 District Lot 301 Plan 5112

Applicant Information

Registered Owner	The Lydia Project Holdings Ltd., Inc. No. BC1312167
Applicant/Developer	Locarno Legacy Corporation
Architect	Yamamoto Architecture Inc.

Development Statistics

	Permitted Under Existing Zoning	Proposed
Zoning	C-2	CD-1
Site Area	1,233.8 sq. m (13,281 sq. ft.)	1,233.8 sq. m (13,281 sq. ft.)
Land Use	Mixed-use	Mixed-use
Maximum FSR	3.5	3.97
Maximum Height	22.0 m (72.2 ft.)	25.2 m (82.7 ft.)
Floor Area	4,318.3 sq. m (46,481 sq. ft.)	4,898.2 sq. m (52,724 sq. ft.)
Unit Mix	N/A	**Market Rental** Studio 15 1-Bed 20 2-Bed 21 3-Bed 4
		Total 60 units
Parking and Bicycle Spaces	As per Parking By-law	As per Parking By-law
Natural Assets	No existing on-site bylaw trees	New street trees included in engineering conditions. Numbers and locations to be confirmed

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