CITY OF VANCOUVER

REFERRAL REPORT

Report Date: March 14, 2023
Contact: Yardley McNeill
Contact No.: 604.873.7582
RTS No.: 15613
VanRIMS No.: 08-2000-20
Meeting Date: March 28, 2023

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 1045 Burnaby 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 Gracorp Properties Ltd., on behalf of 1318743 B.C. Ltd., the registered owner of the lands located at 1045 Burnaby Street [Strata *Lots 1 to 36, District Lot 185 Strata Plan VR. 322, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1.; PIDs 003-853-535, 003-853-543, 002-715-881, 003-295-303, 003-853-551, 003-853-560, 003-853-578, 003-853-586, 003-853-594, 003-853-608, 003-853-616, 003-853-624, 003-853-632, 002-570-840, 003-853-641, 003-853-659, 003-853-667, 003-202-216, 003-853-675, 003-853-683, 003-853-691, 003-853-705, 003-853-713, 003-853-721, 003-853-730, 003-853-748, 003-853-756, 003-853-764, 002-441-411, 003-853-772, 003-853-781, 03-853-799, 003-853-802, 003-853-811, 003-853-829, 003-853-837*], to rezone the lands from RM-5A (Residential) to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 2.2 to 6.19 and permit the development of a 16-storey residential building with a maximum height of 49.0 m (160.8 ft.), containing 133 secured-market rental units and 37 below-market rental units, be approved in principle;

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

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by GBL Architects, received April 28, 2022, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

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

B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.

C. THAT Recommendations A 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 1045 Burnaby Street to a CD-1 (Comprehensive Development) District. The proposal is for a total of 170 secured-rental housing units, of which rental units comprising 20% of the residential floor area counted in the calculation of floor space ratio to be secured at below-market rates (the “BMR units”). The proposal meets the intent of the *West End Community Plan* and *Criteria for 100% Secured Rental Housing and Below-Market Rental Housing*. The application would contribute 170 secured-rental units to advance the City’s Housing Vancouver targets.

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

- Vancouver Plan (2022)
- West End Community Plan (including West End Public Benefit Strategy) (2013)
- Rezoning Policy for the West End (2013, last amended 2017)
- 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)
- West End Tower Form, Siting, and Setbacks Bulletin (2017, last amended 2020)
- Housing Needs Report (2021)
- 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)
- 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)

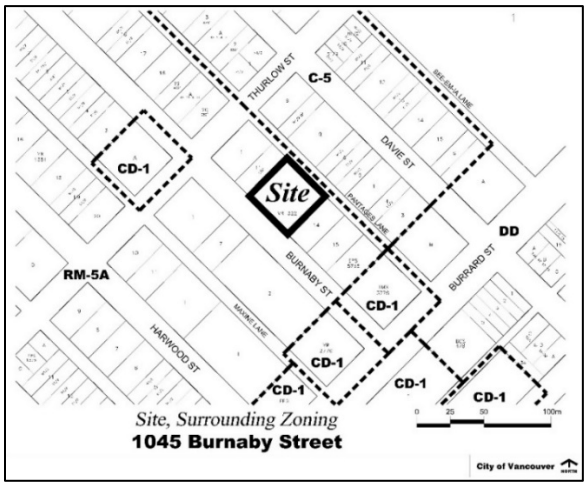
REPORT

Background/Context

1. Site Context

This 1,605.9 sq. m (17,286 sq. ft.) site is located midblock on the north side of Burnaby Street (see Figure 1). The current zoning is RM-5A (Residential) District. The property is occupied by a five-storey residential building containing 36 residential units.

Figure 1: Site and Context



The building was constructed as strata-titled residential units for which the applicant has completed the purchase of all of the strata units in order to dissolve the strata. There are currently two tenancies eligible for tenant protection.

The site is south of Davie Village, an important pedestrian and commercial area. The surrounding zoning consists of C-5, RM-5A, and CD-1 with with low- and mid-rise buildings with taller buildings towards Burrard Street. This area is undergoing significant change with numerous developments under consideration or approved for up to 146.3 m (480 ft.).

Neighbourhood Amenities – The following amenities are within close proximity:

- *Parks:* Sunset Beach (600 m), Nelson (600 m), and May and Lorne Brown (650 m)
- *Cultural/Community Space:* Vancouver Aquatic Centre (450 m), Pacific Cinematheque (550 m), Cineworks (550 m), Scotia Bank Dance Centre (660 m), Robert Lee YMCA (650 m), VIFF Centre (700 m), and Gordon Neighbourhood House (1 km)
- *Childcare:* Little Rae Kids Club (270 m), Little Beach (550 m), Mole Hill (650 m), YMCA (650 m), and Gordon Neighbourhood House (1 km)

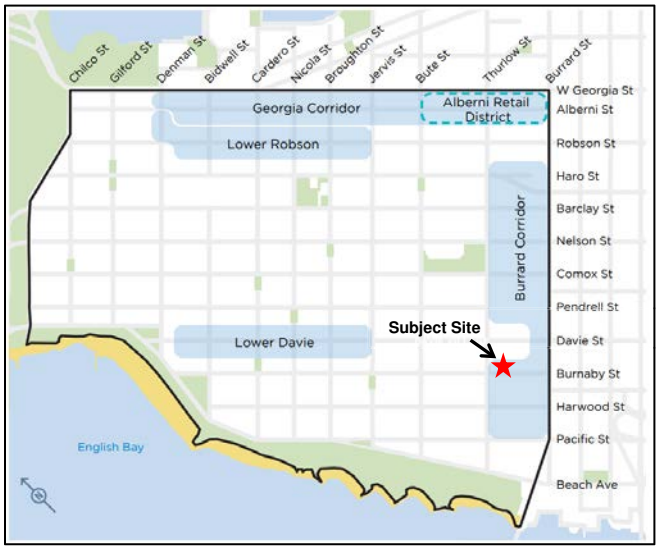
Local School Capacity – This site is located within the catchment area of Roberts Elementary School, Roberts Annex Elementary, and King George Secondary School. According to the Vancouver School Board (VSB)'s *Long Range Facilities Plan*, Roberts Elementary School will be operating above capacity in future years, with a capacity utilization at 107% by 2031. Roberts Annex Elementary School will be operating under capacity at 79% by 2031, and King George Secondary School will be above capacity, at 198% by 2031.

The VSB continues to explore options to reduce pressure on schools in this area, monitor development, and work with City staff to help plan for future growth.

2. Policy Context

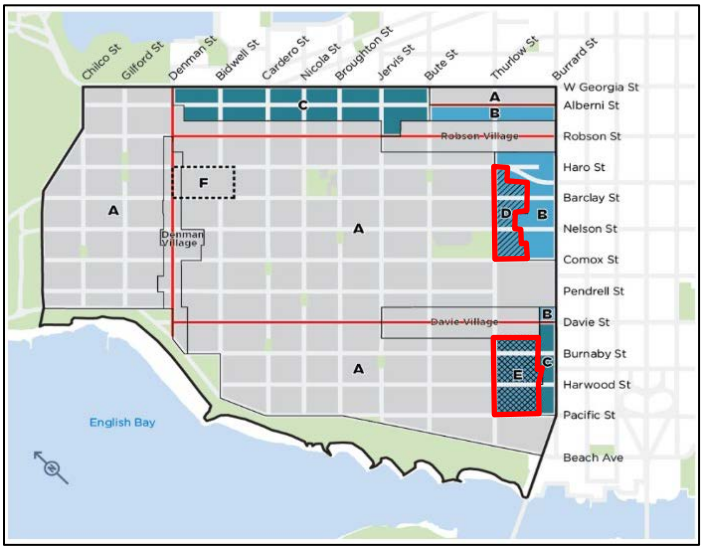
West End Community Plan ("Plan") – The *Plan* provides a framework to guide growth in the West End until 2041. It contains policy directions for land use, built form, housing, public spaces, and amenities. The *Plan* identifies the Burrard and Georgia Corridors as areas suitable for increases in heights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

Figure 2: West End Plan – Corridors



Rezoning Policy for the West End ("Rezoning Policy") – The *Rezoning Policy* requires that new development be focused in specific areas identified for change in the *Plan* and stipulates the conditions by which new development may be considered to achieve public objectives. The subject site is in area E (see Figure 3), for which additional density may be considered for rezoning applications that deliver 25% of the floor area as 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% 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. Instead of social housing with strata housing, applicants can pursue a rezoning for 100% secured-rental housing with a minimum 20% of the floor area at 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.

Vancouver Plan – The *Vancouver Plan* was approved by Council on July 22, 2022 and is a land use strategy to guide long-term growth of the City over the next 30 years. The approved *Plan* will serve as a framework with further implementation planning work to follow over the next two to four years.

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

This zoning amendment would facilitate the delivery of secured rental housing including a component of below market rental units and address the data and findings within the *HNR*.

Strategic Analysis

1. Proposal

The proposal is for a 16-storey secured-rental building with 20% of the residential floor area secured at below-market rents (see Figure 4). This project includes a total of 170 secured-rental units, of which 133 are market rental and 37 are below-market rental. A floor area of 9,945.3 sq. m (107,050 sq. ft.) and building height of 49.0 m (160.8 ft.) generate an FSR of 6.19. Two levels of underground parking is accessed from the rear lane.

Figure 4: Proposed Building



2. Land Use

The proposed residential use 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 G)

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.

Form of Development – The proposal consists of a residential tower above a wider base with side yard setbacks that provide outdoor open space at grade. The *Bulletin* requires a 12.2 m (40 ft.) side yard which facilitates spacing to support residential tower separation to existing or future towers. The base is on levels 2 to 6 with the north side of the tower stepped back at the top two levels to minimize shadowing onto the north sidewalk of Davie Street, as stipulated in the *Plan* and policies. At level 15, an indoor amenity space connects to the adjacent outdoor space.

Height – Under the *Plan,* building heights in Area G of the Burrard Corridor are limited to 91.4 m (300 ft.) or to the underside of the view cone. The *Bulletin* also requires building articulation to

prevent shadowing on parks and public open spaces. Specifically, developments are to ensure sunlight access onto Davie Street between 10 am and 4 pm at the spring and fall equinoxes.

The building height of 49.0 m (160.8 ft.) adheres to the *Plan's* height limit, respects the view cone that crosses the site, and does not shadow Davie Street during hours specified in the *Bulletin* (Appendix G).

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. 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.

Based on height limits, floor plate maximums, and urban design performance, the floor area of 9,945.3 sq. m (107,050 sq. ft.) represents an FSR of 6.19. This density is supported.

Public Realm and Landscape Design – While the provision of open space is constrained by the small site area, staff have required public realm improvements in and around the site. Per Appendix B, sidewalk landscaping along the street facades are to be upgraded to City standards. This includes a mix of hard and soft landscaping and the provision of architectural features. Trees are proposed for the interior of the site, which is flanked by areas of soft landscaping. Weather protection will be required along and over entrances. Further conditions are in Appendix B to achieve an improved public realm interface and landscape design.

Urban Design Panel – The proposal was unanimously supported by the Urban Design Panel on July 20, 2022 (see Appendix C) with recommendations. Suggestions included improving the primary entrance to the building, the layout of the children's play space, and better solar/visual access.

4. Housing

The *Housing Vancouver Strategy* seeks to deliver a range of housing tenures across the housing continuum. This application, if approved, would add 170 rental housing units to the City's inventory of rental housing, which contribute to the Strategy's targets (see Figure 5).

Figure 5: Progress Towards 10 Year Housing Vancouver Targets for Purpose-Built Market and Developer-Owned Below-Market Rental Housing as of March 31, 2022

Housing Type	Category	10-Year Targets	Units Approved Towards Targets
Purpose-Built Market Rental Housing Units	Market Rental	16,000 units	9,272 (58%)
	Developer-Owned Below Market Rental	4,000 units	730 (18%)
	Total	20,000 units	10,002

*Note that tracking progress towards 10-year Housing Vancouver targets began in 2017

*Unit numbers exclude the units in this proposal, pending Council's approval of this application.

Vacancy Rates – Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2021, the purpose-built apartment vacancy rate was 1% in Vancouver. The vacancy rate (based on the Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the English Bay neighbourhood is 1.6%. A vacancy rate of 3% to 5% is considered to represent a balanced market.

Housing Mix – The *Family Room: Housing Mix Policy for Rezoning Projects* policy requires a minimum of 35% family units for rental buildings. This application proposes 37% family units in a mix of two-bedroom and three-bedroom units, thereby exceeding the policy, and set out in the CD-1 By-law. These units must be designed in accordance with the *High Density Housing for Families with Children Guidelines.*

Average Rents and Income Thresholds – Figure 6 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 are to be 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 would be calculated using the Average Market Rents for Zone 2 at the time of Council's approval of the rezoning. On unit turnover, rents for 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 6: 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 7.

Figure 7: 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.

Existing Tenants – The property contains two units of secondary rental housing. Both of the existing residential tenancies are eligible under the *Tenant Relocation and Protection Policy* ("TRPP"). The applicant has provided a Tenant Relocation Plan (TRP) for eligible tenants which meets the requirements of the TRPP, which is summarised in Appendix F of this report. All residential tenancies are protected under the provincial Residential Tenancy Act.

5. Transportation and Parking

The site is well served by public transit with the nearby SkyTrain and Canada Line Stations, and bus service along Davie, Burrard and Pacific Streets. The Burrard, Burnaby, and Pacific bikeways are two blocks away.

The application proposes 52 vehicle parking spaces over two levels, accessed from the lane. One Class B loading space and 307 bicycle spaces are proposed. The application is to comply with the provisions of the Parking By-law at the development permit process. Engineering conditions in Appendix B include street and sidewalk improvements along Burnaby Street, a reconstructed laneway, and upgraded lighting. A Transportation Demand Management Plan has been provided, which seeks a reduction in the number of parking spaces in lieu of sustainable transportation options.

6. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezonings* requires that rezoning applications satisfy the green and resilient building conditions, including detailed strategies to meet energy, emissions and embodied carbon targets. This application complies with the policy.

Natural Assets – The *Urban Forest Strategy* seeks to protect and strengthen Vancouver's urban forest. The Protection of Trees By-law requires permission be sought 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 health natural systems in our urban areas.

There are 12 on-site trees and the landscape plan proposes 20 new on-site trees. The final number of new trees will be determined through the development permit process. Landscape conditions in Appendix B secure additional roof planters and urban agriculture plots and improve the design of the children's play area.

7. Public Input

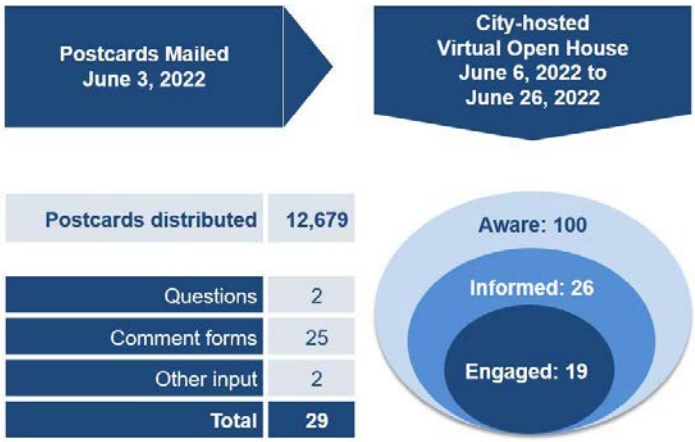
Public Notification – A rezoning information sign was installed on the site on May 27, 2022. Approximately 12,679 notification postcards were distributed within the neighbouring area on or

around June 3, 2022. Notification and application information, and an online comment form, was provided on the City's *Shape Your City Vancouver* (shapeyourcity.ca/) platform.

Virtual Open House – A virtual open house was held from June 6 to June 26, 2022 on the Shape Your City platform. The open house consisted of an open-question online event where questions were submitted and posted with a response over a period of three weeks. A digital model was posted for online viewing.

Public Response and Comments – Public input was via online questions, comment forms, and by email. The website was accessed 100 times and a total of 13 submissions were received.

Figure 8: Overview of Notification and Engagement



Generally, comments of support fell within the following areas:

- **Height, massing, density:** The height, massing and density of this project is appropriate for the location.
- **Housing stock and rental housing:** Increasing rental housing stock through increased density is needed. Support for below-market rental units.
- **Building design:** The building design is attractive and an appropriate neighbourhood fit.

Generally, comments of concern fell within the following areas:

- **Affordability:** The rental units may not be affordable.
- **Livability:** Some of the units are too small.
- **Parking and Traffic:** The proposal has insufficient vehicle spaces. Vehicles from the building will further congest the narrow local streets and make street parking more difficult. There were also concerns that too many vehicle spaces are being provided.

Response to Public Comments

Affordability: A total of 20% of the units are to be at 20% or 30% below the CMHC Average Market Rent, providing deeper affordability options.

Livability: The Zoning and Development By-law stipulates minimum unit sizes of 36 sq. m (398 sq. ft.). Minimum unit sizes are required at the development permit stage to ensure units are livable.

Parking and Traffic: The project will comply with the Parking By-law which sets out a minimum number of parking spaces for this location. The applicant has also proposed a slight reduction in vehicle parking through a Transportation Demand Management Plan, which will reduce reliance on vehicles and reduce traffic volume.

8. Public Benefits

Community Amenity Contributions (CACs) – The site is subject to a negotiated CAC. Real Estate Services staff have reviewed the project and concluded that after factoring the costs of securing all residential units as secured rental housing units, including at least 20% by floor area as below-market rental units as described in the Housing section above, no CAC is required.

Development Cost Levies (DCLs) – The 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 the development permit stage.

The project is eligible for and has requested a Class A City-wide DCL Waiver whereby 100% of the City-wide DCL is waived. Based on the bylaws and rates in effect as of September 30, 2022 and the proposed 9,945.3 sq. m (107,050 sq. ft.) of residential floor area City-wide Utilities DCL of $1,273,898 would be expected from the project; the City-wide DCL Waiver is estimated at $2,143,145.

Public Art Program – The application is subject to a public art contribution estimated at $211,959. The final contribution will be calculated on the floor area at the development permit stage. Applicants may elect to provide on-site artwork or cash-in-lieu (80% of the amount).

Other benefits: The proposal includes 170 secure rental housing units including a minimum of 20% of the residential floor area secured as below-market rental units (approximately 37 units) all secured for the longer of 60 years and the life of the building.

See Appendix H for West End Public Benefits Implementation Tracking and Appendix I for a summary of all of the public benefits expected from this application.

Financial Implications

As noted in the Public Benefits section, this project is expected to provide secured rental housing include below market units, City-wide Utilities DCLs and a public art contribution. The project is expected to qualify for a waiver of City-wide DCLs. See Appendix I for additional details.

CONCLUSION

Staff have reviewed the application to rezone the site at 1045 Burnaby Street from RM-5A to CD-1 to permit a 16-storey secured-market rental building. The application is consistent with the *West End Rental Policy* and the *Plan* and the form of development represents an appropriate urban design response. 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 G, be approved in principle, subject to the applicant fulfilling the Conditions of Approval in Appendix B.

* * * * *

1045 Burnaby 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 (___).

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 6.4 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 this CD-1 and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

   (a) Dwelling Uses, limited to Multiple Dwelling; and

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

Conditions of Use

5.1 A minimum of 20% of the total dwelling unit area must be below-market rental housing units.

5.2 The design and layout of at least 35% of the total number of below-market rental dwelling units, and at least 35% of the total number of other dwelling units must:

(a) be suitable for family housing; and

(b) have 2 or more bedrooms.

Floor Area and Density

6.1 Computation of floor area must assume that the site area is 1,605.9 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 maximum floor space ratio for all uses combined is 6.19.

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

6.4 Computation of floor area and dwelling unit area must exclude:

(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that:

(i) the total area of these exclusions must not exceed 12% of the permitted floor area; and

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

(b) patios and roof decks, if the Director of Planning considers the impact on privacy and outlook;

(c) floors or portions thereof that are used for:

(i) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;

(ii) bicycle storage; and

(iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;

(d) entries, porches and verandahs if the Director of Planning first approves the design;

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

(f) all storage area below base surface for non-dwelling uses.

6.5 The Director of Planning or Development Permit Board may exclude common amenity areas from the computation of floor area, to a maximum of 10% of the total permitted floor area, if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines.

6.6 Where floor area associated with residential storage area is excluded, a minimum of 20% of excluded floor area above base surface must be located within the below-market rental housing units as storage area.

Building Height

7.1 Building height must not exceed 49.0 m.

7.2 Despite section 7.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, if the Director of Planning permits mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portions of the building with the permitted mechanical appurtenances must not exceed 50.02 m.

Horizontal Angle of Daylight

8.1 Each habitable room must have at least 1 window on an exterior wall of a building.

8.2 For the purposes of section 8.1 above, habitable room means any room except a bathroom or a kitchen.

8.3 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or 2 angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

8.4 The plane or planes referred to in section 8.3 above must be measured horizontally from the centre of the bottom of each window.

8.5 An obstruction referred to in section 8.3 above means:

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

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

8.6 The Director of Planning or Development Permit Board may vary the horizontal angle of daylight requirement if the Director of Planning or Development Permit Board considers all applicable Council policies and guidelines and:

(a) the minimum distance of unobstructed view is at least 3.7 m; or

(b) the habitable room is within a unit assigned to below-market rental housing units containing a minimum of 3 bedrooms, where the horizontal angle of daylight requirement is varied for no greater than 1 of the habitable rooms in the unit.

* * * * *

1045 Burnaby 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 contain 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 GBL Architects, received April 28, 2022, 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 design of the children's outdoor play space considering its solar orientation, daylight exposure, layout, visual access and ensuring it is within the sight lines of the amenity area.

1.2 Design development to improve the crown of the building with a more refined resolution to the towers massing at the uppermost stories while maintaining the constraints of any shadowing requirements.

1.3 Design development to improve the architectural expression, visual variety and treatment of the proposal in a consistent rigorous design language addressing the following items:

(a) Provide differentiation for the tower massing elements by considering further use of colour, texture, or material finish to separate massing elements;

(b) Refine the building's overall articulation, achieving a consistent rigorous design language and rendition of elements;

(c) Refine the massing, and setbacks to ensure a sensitive transition to the surrounding neighborhood for appropriate contextual fit consistent with the character of the area;

(d) Refine how the building transitions to and interfaces with the ground plane in its articulation of the recessed planes;

(e) Maintain the level of quality and detailing implied to construct the proposed design aesthetic in its final iteration;

(f) Maintain the use of unique authentic, high quality, durable materials consistent to or superior then that shown in the drawings and images of the application; and

(g) Examine additional strategies for passive techniques to improve green building performance (e.g. fenestration type, solar shading devices and green roof technologies) and identify any significant thermal bridges and their resolution on design drawings.

1.4 Design development to maintain a minimum 24 m (80 ft.) tower separation from any adjacent residential buildings and a minimum 18 m (60 ft.) tower separation from any adjacent office buildings in any existing and future built context above 18 m (60 ft.) height.

1.5 Design development to ensure the built form maximizes sunlight on the north sidewalk of Davie Street while maintaining no shadowing of any parks, or public open space during the spring and fall equinoxes between the hours of 10:00 am and 4:00 pm.

Note to Applicant: The applicant should provide, at the later stages of the permitting process, shadowing diagrams clearly distinguishing from existing shadow in colour and tone the additional shadow generated. Shadows generated by proposed developments must be minimized on the following prioritized hierarchy of spaces: parks, public open spaces, semi-private, and private open space.

1.6 Design development to ensure the articulation, and setbacks maintain a sensitive transition to the surrounding neighborhood for an improved contextual fit maintaining a harmonious relationship in line with best practice principles of urban design.

1.7 Design development to refine the building massing appropriately to ensure mitigation of any negative impacts on sunlight access, livability, acoustic, or other adverse microclimatic conditions.

1.8 Design development to sculpt the elements of the building maintaining view relief to the adjoining residential towers, an account of street views, and no encroachment whatsoever into protected public views.

1.9 Design development to improve the main residential entrance, providing additional details, and ensure the expression of the entrance enhances, wherever possible, provides appropriate articulation, canopy cover, hierarchy, and wayfinding.

Note to Applicant: The entrance should have adequate rain cover, be adequately recessed, and be fully accessible from both sides. Entries at grade may be identified by use of lighting, materiality, colour, texture, projecting canopies, entry recesses or wayfinding cues. Entrances should be enhanced through the use of elements such as low walls, special paving, special planting features, architecturally integrated canopies projecting from the building, and special lighting.

1.10 Design development to the at-grade landscaping and public realm interface with provision of all details necessary to confirm a lively public realm interface including the following:

(a) Provide weather protection at grade that is integrated with the building design, demountable and effectively provides pedestrian comfort at entrances and over other appropriate locations;

(b) Refine the overall outdoor surface treatment to be high quality, visually interesting, and cohesive throughout;

(c) Provide universally accessible connections to all common open space areas throughout the site;

(d) Explore street frontage expression, and the building interface for better activation, materiality, and the celebration of the civic quality of the street ensuring liveliness of the public realm; and

(e) Examine ways to create a more coordinated public realm interface developing the strategies for the street furniture, bollards, benches, pedestrian-scale lighting, bike racks, guard rails, decorative grilles, and planters etc.

1.11 Design development to incorporate the 'orphaned' staircase in the north east corner of the site into the main body of the building with appropriate setbacks as required.

1.12 Design development of all egress, circulation, and access points to be clearly delineated and better address the public realm with architectural features and fenestration patterns that emphasize a scale appropriate for the neighborhood and to strengthen the connection between public and private space.

1.13 Design development to ensure compliance with the Horizontal Angle of Daylight requirements for all dwelling units as referred to in the *'Access to Daylight, Views, and Ventilation in Dwelling Units Bulletin'* with no inboard habitable rooms.

Note to Applicant: Satisfactory access to daylight for all dwelling units should be provided to ensure a livable qualitative environment throughout the proposal.

1.14 Ensure all family dwellings and dwelling units are designed in accordance with the requirements of *the 'High Density Housing for Families with Children Guidelines', best practice standards,* and the applicable policy framework.

1.15 Design development for the livability of dwelling units to ensure generous habitable spaces throughout, minimizing narrow living rooms, and avoiding non optimal sizes or configurations incompatible with furniture placement or appropriate enjoyment of space.

1.16 Design development of all dwelling units to ensure the design of internal layouts, use of separation distances and/or materials/screening is sufficient to mitigate potential privacy and overlook concerns to any neighbours.

1.17 Provide details illustrating on drawings the shared family-oriented outdoor gathering/play space for site residents separate to the provision of outdoor amenity.

1.18 Provide details illustrating flexible features, natural play elements and exploratory structures required for the portion of the outdoor amenity supporting children's play.

1.19 Design development to maintain first floor of dwelling units accessible from the sidewalk at approximately 0.9 m (3 ft.) to allow for delineation of the public and private realm and to accommodate a front patio.

1.20 Maximize in so far as is reasonable amenity access and usability of roof-tops for outdoor enjoyment, urban agriculture, and extensive green roofs, etc.

1.21 Confirm integration of all rooftop mechanical equipment, including elevator override service volumes, photovoltaic panels, window-washing infrastructure, cell tower, antennae elements or any other service equipment within the proposed mechanical enclosure and to ensure service equipment does not protrude into the public view cone beyond the allowable height.

Note to Applicant: The roof should remain uncluttered, as proposed, with all equipment being housed in the appurtenances. Where possible, enclosures should be of non-opaque materials and contribute to the overall architecture of the building.

1.22 Ensure, at the later stages of the permitting process, compliance with all height restrictions, by-law limitations, and view cone policy requirements with no encroachment of any element of the building.

1.23 Ensure at the later stages of the permitting process all SRWs, setbacks, stepbacks, required form of development considerations, and applicable policy requirements governing the subject site are reflected in the articulation of the buildings or the public realm and clearly indicated in the drawings.

1.24 Provide at the later stages of the permitting process compliant statistics, detailed architectural drawings per typical drafting standards indicating fully dimensioned sections, elevations, and plans with diagrammatic layouts (for HAD) for dwelling units, clearly indicating any variances, relaxations or non-policy compliant items with all attendant annotation and information.

1.25 Explore additional strategies to improve green building performance and identify any significant thermal bridges and their resolution on design drawings.

1.26 Identify on the drawings at later stages of the permitting process, any built elements contributing to the building's sustainability performance and explore further strategies to improve green building performance and identify significant thermal bridges and their resolution on design drawings.

1.27 Identify on the architectural and landscape drawings any built features intended to create a bird friendly design.

Note to Applicant: Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at http://former.vancouver.ca/.

1.28 Provide at the later stages of the permitting process a conceptual lighting strategy and outdoor lighting drawings to appropriately frame the building, demonstrate CPTED

performance and ensure appropriate lighting levels while minimizing glare for nearby buildings.

Crime Prevention through Environmental Design (CPTED)

1.29 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.

Note to Applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings.

1.30 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

1.31 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.

1.32 Provision of detailed architectural and landscape cross sections (minimum 1/4" scale) through common open spaces, semi-private patio areas and planters.

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 and patios, and portions of the adjacent buildings or context.

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

Note to Applicant: include a comparison of the percentage vegetative cover for the overall site and a separate calculation of the total roof area.

1.34 Provision of additional large scale details for roof planters, childcare/play area and urban agriculture plots (including tool storage, furniture, work bench and composting equipment).

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

1.36 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.

1.37 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. Hose bibs to be provided for large private patios (sized 100 sq. ft. or larger) to encourage balcony gardening. Any constraints to the installation of hose bibs on private decks to be brought to the attention of staff in the written response.

1.38 Provision of landscape features intended to create bird friendly design.
Note to Applicant: Bird friendly plants should be included on the plant palette, enabling bird habitat conservation and bird habitat promotion. Refer to the Bird Friendly Design Guidelines at http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf http://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf

1.39 Coordination with the Park Board Urban Forest department with regard to any necessary pruning required of the street trees.

Note to Applicant: Street tree pruning and alterations triggered by the proposed building setback are subject to inter-departmental review. In the event that any necessary street tree pruning exceeds acceptable impact thresholds, further comments may be outstanding at the development permit stage.

1.40 Verification that the proposed rooftop landscape elements at the Rezoning stage will be provided at the DP stage and the structure will be designed accordingly.

Sustainability

1.41 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).

Engineering

1.42 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.

1.43 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.

1.44 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.

1.45 Provision of a finalized Transportation Demand Management (TDM) Plan to the satisfaction of the General Manager of Engineering Services. A TDM Plan with a minimum of 6 points is required to achieve the proposed vehicle parking reduction.

Note to Applicant:

(a) The proposed plan achieves 4 points. Consider adding SUP-02, a portion of ACT-01 and/or bicycle wash facilities under OTH-01 (worth 1 point) to achieve additional points.

(b) Provide updated Schedule A worksheets to include any additional measures. Note, '*Required Spaces'* on Worksheet E of Schedule A for residential market

and below market rows appear to include visitor spaces. As well, there appear to be 47 physical residential spaces provided total (not including visitor and without double counting accessible), not 52 as noted.

(c) Provide an updated TDM Plan with complete information on any additional TDM measure(s) proposed and note the following:

(i) ACT-05 – Bicycle Maintenance Facilities:

(a) A total of 2 points achieved.

(ii) SUP-01 – Transportation Marketing Services:

(b) A total of 2 points achieved.

1.46 Subject to the acceptance of an approved TDM Plan, entry into a TDM agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, which identifies the following:

(a) Secures provision of funding towards long-term TDM monitoring fund in the amount of 2 per square metre of gross floor area;

(b) Secures the provision of TDM measures on the site;

(c) Permits the City to access and undertake post occupancy monitoring of the Transportation Demand Management (TDM) measures proposed; and

(d) Agrees to make reasonable adjustments to the TDM measures as requested by the City, based on the TDM monitoring results.

1.47 Design development to improve access and design of bicycle parking by performing the following:

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

(b) Design specifications for stacked bicycle racks including dimensions, vertical and aisle clearances;

Note to Applicant: Provide manufacturer specifications. Racks must be usable for all ages and abilities.

(c) Provision of minimum 0.6 m (2 ft.) width for Class B bicycle spaces.

Note to Applicant: Class B spaces currently appear to be 0.5 m (1.5 ft.).

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

(a) Provision of a landscape and site plan that reflect the improvements to be provided as part of the Services Agreement;

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

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

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

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

(a) General Requirements

(i) Provision of post-development site plan(s) that includes the following:

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

(ii) 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.

(b) Volume Reduction

(i) Prioritize methods of capture by Tier 1 and 2 with Tier 3 only as a last resort.

Note to Applicant: Additional opportunities may include rainwater harvesting, green roof, infiltration practices and/or absorbent landscaping. It is unclear why the total capture from Tier 1 and 2 practices only account for 19% of the Volume Reduction requirement. No rationale was provided for exclusion of non-infiltration based Tier 1 best management practices such as rainwater reuse or green roofs. Appropriate justifications must be stated for each Tier to determine if exemptions may be granted.

(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.

Note to Applicant: Provide supporting Water Quality system sizing calculations with the updated submission.

Note to Applicant: Groundwater inflow to the rainwater detention tank should be of adequate quality or be treated prior to discharge to the City's storm collection system.

(d) Release Rate

(i) Update the peak flow calculations to control the post-development 1:5 year return period to the pre-development flow rate with a minimum inlet time of 10 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.

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

Note to Applicant: Runoff coefficients for landscaping on slab should be increased to reflect the increased runoff potential for these areas compared to landscaping over native soil. Currently the runoff coefficient for post-development landscaped areas on slab is assumed to be lower than the pre-development landscaping over native soil.

(iii) Provide a preliminary stage-storage-discharge table for the proposed detention tank system.

Note to Applicant: The stage-storage-discharge (SSD) table should indicate the proposed storage volume and release rate at key elevations throughout the detention tank including the proposed outlet and emergency overflow elevations. For more information and an example SSD table, please contact rainwater@vancouver.ca.

(iv) Ensure appropriate release rate control design to mitigate against blockage concerns at the proposed flow control orifice.

(v) Provide preliminary locations and inverts for the proposed detention tank, control structure, Water Quality unit and storm sewer connection on the RWM drawings.

Note to Applicant: As of July 5, 2022, the Rainwater Management Bulletin has been updated to clarify the City's review process and detail submission requirements for applicants. In preparing for resubmission at development permit, please review the document and its associated appendix at https://vancouver.ca/home-property-development/private-realm-rainwater-management.aspx

Please contact the City of Vancouver's Rainwater Management Review group at rainwater@vancouver.ca.

1.50 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.

1.51 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.

1.52 Provision of a final signed and sealed standalone rainwater Operations and Maintenance (O&M) Manual to the satisfaction of the General Manager of Engineering Services prior to the issuance of any building permit.

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

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

(a) The abandonment or removal of all existing storm, sanitary, and combined connections to the development site.

Note to Applicant: The abandonment plan is required to be reviewed and accepted by the City Engineer prior to issuance of the Sewer Permit.

1.55 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;

(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.

1.56 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."

1.57 Existing wood poles in lane may conflict with access to loading/passenger spaces. Applicant to confirm proposed design permits free and clear access to current standard.

1.58 A resolution approving the cancellation of Strata Plan (VR322) and the dissolution of the strata corporation as noted in Section 272 of the Strata Property Act is required. The registration of a reference plan and an indefeasible title for the new parcel by the Land Title Office is required prior to the issuance of the development permit.

Housing

1.59 A minimum of 20% of the total dwelling unit area must be Below-Market Rental Housing Units.

1.60 The design and layout of at least 35% of the market rental dwelling units, and at least 35% of the below-market rental dwelling units must:

(a) Be suitable for family housing;

(b) Include two or more bedrooms; and

(c) Comply with Council's "High-Density Housing for Families with Children Guidelines.

1.61 The proposed unit mix, including 69 studios (41%), 38 one-bedroom units (22%), 57 two-bedroom units (34%) and six three-bedroom units (4%) 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. Design development or redistribution of family units is required to provide a minimum of 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 also strongly encouraged to provide a higher percentage of three-bedroom units, including provision of both market and below-market rental three-bedroom units.

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

(a) An outdoor amenity area to include areas suitable for a range of children's play activities and urban agriculture, appropriate in size for the scale of the project and situated to maximize sunlight access (S. 3.3.2, 3.4.3);

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

(c) A multi-purpose indoor amenity space appropriate in size for the scale of the project with a wheelchair accessible washroom and kitchenette. Consider positioning this adjacent to the children's play area to enable parental supervision from the amenity room (S. 3.7.3); and

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

PART 2: CONDITIONS OF BY-LAW ENACTMENT

THAT, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services and the General Manager of Arts, Culture and Community Services (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 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 Aplin & Martin Consultants Ltd. dated March 11, 2022, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 150 mm along Burnaby 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 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(s) at 1045 Burnaby Street does not require any sewer upgrades.

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 existing 250 mm SAN and 375 mm storm sewers on Pantages Lane.

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

(i) 2.44 m (8.0 ft.) wide broom finish saw-cut concrete sidewalk;

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

(d) 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.

(e) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations.
Note to Applicant: A lighting simulation is required prior to DP issuance.

(f) Provision to reconstruct the laneway along the development site's frontage per City "Higher Zoned Lane" pavement structure specifications.

(g) Provision of lane lighting on standalone poles with underground ducts if BC Hydro poles with attached City lane lights are planned to be removed. The ducts must be connected to the existing City street lighting infrastructure.

(h) Provision of new electrical service cabinet/kiosk on Thurlow Street, if existing City street lighting service panel attached to BC Hydro pole has to be relocated due to development site construction requirements. The kiosk shall be fed by BC Hydro underground infrastructure as such right-of-way (ROW) space shall be provided on-site to accommodate BC Hydro pad mounted transformer.

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

2.2 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.

Sustainability

2.3 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

2.4 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and 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 2.4 (k), be rented at rates at or below an amount that is 50% below the CMHC average market rent for zone 2 (English Bay) according to the 'CMHC Rental Market Survey' publication that are current at the time of City Council's approval in principle of this rezoning, as may be increased annually until the first Occupancy Permit for the new building is issued by the annual allowable increase in rent permitted under the provisions of the BC Residential Tenancy Act; and

(ii) 70% of the below-market rental units will, subject to Conditions 2.4 (k), 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 City Council's approval in principle of this rezoning, as may be increased annually until the first Occupancy Permit for the new building is issued by the annual allowable increase in rent permitted under the provisions of the BC Residential Tenancy Act,

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 2.4 (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. There must be at least one occupant per studio 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.

As the applicant has requested to 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"), the Housing Agreement and Section 219 Covenant, as described in this Condition 2.4, will also include 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) Per 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 2.4(d) and a rate that is 10% less than the average rents for studio units, one bedroom units, two bedroom units and units with three or more bedrooms in the City, as published by the Canada Mortgage and Housing Corporation in the Rental Market Survey Data Tables in the previous calendar year.

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.

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.

Public Art

2.6 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.

Environment Contamination

2.7 If applicable:

(a) Submit a site disclosure statement to Environmental Services.

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

(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.

* * * * *

1045 Burnaby Street
URBAN DESIGN PANEL

Date:	July 20, 2022
Address:	1045 Burnaby Street
Permit Number:	RZ-2022-00029
Description:	To develop a 16-storey residential building, including 133 secured market rental units and 37 below market rental units; all over two levels of underground parking, providing 52 vehicle parking spaces and 317 bicycle parking spaces. The floor space ratio (FSR) is 6.19, the floor area is 9,945.3 sq. m (107,050 sq. ft.), and building height is 48.46 m (159 ft.). The application is being considered under 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.
Zoning:	RM-5A – CD-1
Application Status:	Rezoning Application
Architect:	GBL Architects Inc.
Staff:	Lex Dominiak and Carl Stanford

EVALUATION: Support with Recommendations (6/0)

UDP minutes can be accessed here: https://vancouver.ca/files/cov/07222022-udp-minutes.pdf

* * * * *

1045 Burnaby Street
URBAN DESIGN ANALYSIS

The following is a brief summary of staff assessment of the proposed form of development:

Density – The RM-5A designation allows an outright density of 2.20 FSR however the '*RM-5A District Schedule & Guidelines'* allows for higher densities under an amenity share cost schedule. This development proposes an FSR of 6.19 or 9,945.3 sq. m (107,050 sq. ft.). The *West End Community Plan* for the Burrard Corridor, Area G allows a maximum floorplate for Area G of 511 sq. m (5,500 sq. ft.) above the podium. The staff urban design assessment concludes that the proposed floor area (subject to standard exclusions and the design development conditions contained in Appendix B) can be appropriately accommodated on the site.

Height – The RM-5A zoning allows for a maximum height of 58.0 m (190.29 ft.). The *West End Community Plan* for the Burrard Corridor, Area G allows an increased height of 91.4 m (300 ft.) subject to view cone constraints. This development proposes an overall height of 49.0 m (160.8 ft.) or geodetically 86.92 m (285 ft.) at 16 storeys. This height will be subject to a technical review for verification purposes.

The View Protection Guidelines – The proposed building height falls below the City of Vancouver's view cones 3 and 12. The sites maximum height is not impacted by the view cone which has an approximate height limit of 104.1 m (342 ft.) for view cone 3 and 51.3 m (168 ft.) for view cone 12. The primary limit on height operating on the site is the *West End Tower Form, Siting & Setbacks Bulletin* requirement to not shadow Davies Street until after 4pm. Therefore height is limited primarily by preventing shadowing on Davie Streets north sidewalk.

The proposed height in this context was deemed supportable subject to considerations and conditions listed in Appendix B.

Form of Development – The *West End Community Plan* sets out seven principles for form of development considerations. Those pertinent to this application include 'recognizing a transitional role in form and scale', 'developing a responsive form to private views', 'a ground oriented focus in public realm quality', and to 'demonstrate shadowing performance'. *The West End Tower Form, Siting & Setbacks Bulletin* further sets out specific criteria to be met in order to satisfy the West End Plan's principles. As per *The West End Tower Form, Siting & Setbacks Bulletin;* building height and mass must prevent shadowing on parks, public open space and the West End Shopping "Villages" between the hours of 10:00 am and 4:00 pm at the fall and spring equinoxes. In this case they must not shadow Davie Street. The building massing has been revised from earlier versions to ensure no additional shadowing on Davie Street. Shadowing from 10:00 am to 4:00 pm on the March and September Equinoxes indicates no issues and this must be maintained in the later stages of the permitting process.

Tower Floor Plate – The application is being submitted under the rezoning policy titled *Rezoning Policy for the West End and 100% Secured Rental Housing Option with Below-Market Rental*. This policy allows secured rental projects to be considered for tower floor plates which are greater than the 5,500 sq. ft. limit set in *The West End Tower Form, Siting & Setbacks Bulletin,* up to a maximum of 20% or 6,600 sq. ft. This additional area is subject to performance criteria and staff review.

Tower Separation & Setbacks – Under the existing RM-5A zoning, the building setback at grade must have a south front yard of 3.7 m (12 ft.), an east side yard of 2.1 m (6.83 ft.), a west side yard of 2.1 m (6.83 ft.) and a north rear yard of 2.1 m (6.83 ft.). The proposal states that it meets these requirements. *The West End Tower Form, Siting & Setbacks Bulletin* requires a 12.19 m (40 ft.) side yard for the tower to facilitate tower separation. This application proposes 8.69 m (28.5 ft.) and 9.4 m (30.83 ft.), however some latitude is allowed on this requirement subject to urban design assessment. *The West End Community Plan* for the Burrard Corridor, Area G allows a maximum frontage of 39.6 m (130 ft.).

The development is located midblock and comprised of a single legal parcel east of the corner of Thurlow Street and Burnaby Street. Pantages Lane is to the northern edge of the site. The site measures approximately 40 m (131 ft.) by 40 m (131 ft.) on a square shaped site with an approximate site area of 1605.9 sq. m (17,285 sq. ft.). It slopes slightly by 1 m, rising from west to east with a 1.6% cross fall slope from north to south. An existing 37-unit condo building with one level of underground parking is located on the site and it is currently zoned RM-5A. The existing neighbourhood consists of a mix of low, mid and high rise residential buildings along Burnaby Street. To the north and east, Burrard Street and Davie Street provide a variety of offices, shops, restaurants, services, etc. Davie Street is a hub for activity in the West End, lined with a variety of different kinds of food, shops, bars, clubs, and festivals/events. Public transit is easily accessible along Davie Street and Burrard Street, with SkyTrain and Canada Line stations nearby. The St. Paul's Hospital campus is located further east, a short walk from the site.

The proposal seeks to develop the site from RM-5A to CD-1 zoning with a 16-storey, 100% secured rental building with two levels of below-grade parking for a proposed FSR of 6.19 in the Burrard Corridor of the West End Community Plan.

Since receiving staff advice on the original rezoning enquiry on May 18, 2021, the applicant revised the massing in order to eliminate shadowing on the north sidewalk of Davie Street, with more stepping at the tower crown closer the intent of the *West End Community Plan* guidelines. The primary entrance for this rental residential tower is located off Burnaby Street with the service entry and parkade access to the rear off Pantages Lane. The tower massing has a podium base with tower above with side setbacks providing outdoor space at grade for the tenants. These areas are allocated for amenity and private uses including seating areas, urban agriculture, a dog run and private patios.

The podium of the tower continues upwards from levels 2 to 6, with a standard central core and perimeter dwelling units. Studio units have juliet balconies. The building steps in at level 7 on the east side to facilitate future projected tower separation requirements. The north side of the tower is stepped back at the top two levels to minimize additional shadowing on Davie Street, which then creates an opportunity for north facing patios. At level 15, an indoor amenity space was added and connects to the adjacent patio, allowing all residents to enjoy the north facing views from both the indoor and outdoor amenity spaces. The level 16 patios are given to larger penthouse units.

To articulate the massing, the tower is split in two, which helps to create slimmer proportions. The east volume is elongated with balcony frames on the Burnaby Street side, with an inset at level 7 to further separate the volume. A step at level 16 creates a differentiation in height between the split towers. The larger massing then seems to recede in the background, emphasizing the smaller tower proportion. The ground level lobby and amenity are set back to

distinguish the entry and provide separation from the street. The level 7 and ground level recesses, as well as the west side of levels 15 and 16 will be glazed to oppose the more solid clad tower. The character of the building attempts to reflect a contemporary, but monochromatic theme through an articulated massing volume with a punched window expression. The architectural expression has a functional quality which attempts to mitigate the perceived bulk of the building and minimize glazing to maximize energy performance. Material finishes include window wall, spandrel panels, metal panels, and white/charcoal grey cement panels.

Conditions to improve, and refine elements of the form of development (including massing, architectural expression, livability and the quality of the proposal) have been provided in Appendix B.

Public Realm and Landscape Design – Provision of open space is constrained somewhat by the limitations of the site. Sidewalk landscaping to City standards will be provided along the street facades, with a mix of hard and soft landscaping and architectural features. Trees are proposed for the interior of the site, which is flanked by areas of soft landscaping. Weather protection will be required along and over entrances. Further conditions are provided in Appendix B to achieve an improved public realm interface and landscape design.

Urban Design Panel – The proposal was unanimously supported by the Urban Design Panel on July 20, 2022 and received an evaluation of Support with Recommendations. These recommendations included improvement to the primary entrance of the building and improvements to the layout of the child play space with better solar and visual access.

Conclusion – Based on the urban design analysis, staff have concluded that the form and development of the proposal is supportable but are seeking improvements and some refinements to the design to be addressed at the development permit stage. These include improving the execution of its architectural expression (particularly at the uppermost storeys), improving livability, maintaining the high quality materiality implied in the drawings, maintaining shadowing performance, and enhancing the detailing of the building all while ensuring successful execution of the public realm interface at grade.

Architectural drawings are contained in Appendix D and the development statistics are summarized in Appendix G.

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1045 Burnaby Street
PUBLIC CONSULTATION SUMMARY

List of Engagement Events, Notification, and Responses

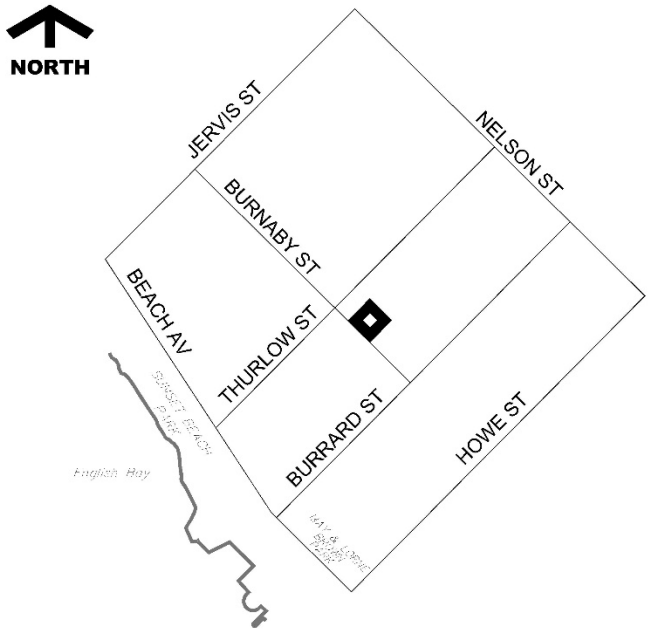
	Date	**Results**
Event		
Virtual open house (City-led)	June 6, 2022 – June 26, 2022	100 participants (aware)* • 26 informed • 19 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	June 3, 2022	12,679 notices mailed
Public Responses		
Online questions	June 6, 2022 – June 26, 2022	2 submittal
Online comment forms • Shape Your City platform	May 2022 – January 2023	25 submittals
Overall position • support • opposed • mixed	May 2022 – January 2023	25 submittals • 16 responses • 7 responses • 2 responses
Other input	May 2022 – January 2023	2 submittal
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	May 2022 – January 2023	482 participants (aware)* • 166 informed • 25 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



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:** The height, massing and density of this project is appropriate for the location.
- **Housing stock and rental housing:** Increasing rental housing stock through increased density is needed. Support for below market rental units.
- **Building design:** The building design is attractive and an appropriate neighbourhood fit.

Generally, comments of concern fell within the following areas:

- **Affordability:** The rental units may not be affordable.
- **Livability:** Some of the units are too small.
- **Parking and Traffic:** The proposed development does not have enough parking spaces. Vehicles from the building will overflow onto local streets and further congest the narrow streets making street parking increasingly difficult. There were also concerns that there are too many parking spaces are being provided.

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

General comments of support:

- The building design is nice. The fact that the building has air conditioning and is pet friendly with a dog run is appreciated.
- Having bike stalls is good.

General comments of concern:

- The process to submit feedback Shape Your City is too complicated and it feels as though the City does not listen to public feedback.
- The construction will be disruptive and create a lot of noise.
- The building will obstruct views.

General neutral comments/recommendations:

- The proposal should be denser to provide more housing stock and to maximise the number of people that can enjoy the amenities and access to healthcare in the area.
- There should be more rental units and below-market rental units.
- The mature trees and vegetation on-site should be preserved.

* * * * *

1045 Burnaby Street
DRAFT TENANT RELOCATION PLAN TERMS

Tenant Relocation and Protection Requirements	Tenant Relocation Plan Offer
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)	• A flat rate of $750 or $1000 will be provided to all eligible tenants depending on the type of unit.
Assistance in Finding Alternate Accommodation (3 options)	• The applicant has distributed tenant needs assessment surveys. These surveys will be used by the applicant in relocation efforts and to identify tenants' needs and preferences. • Applicant has committed to monitor rental market and provide tenants requesting assistance with three options in Vancouver that best meet the tenants' identified priorities.
Additional Support for Low Income Tenants or Tenants Facing Other Barriers to Appropriate Housing	• 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	• The applicant has committed to offering all eligible tenants the right of first refusal at a 20% discount off starting market rents in similar units in the new development once completed, or one of the below-market rental units, subject to eligibility. Any subsequent rent increases for returning tenants will be in line with the Residential Tenancy Act.

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1045 Burnaby Street
FORM OF DEVELOPMENT DRAWINGS

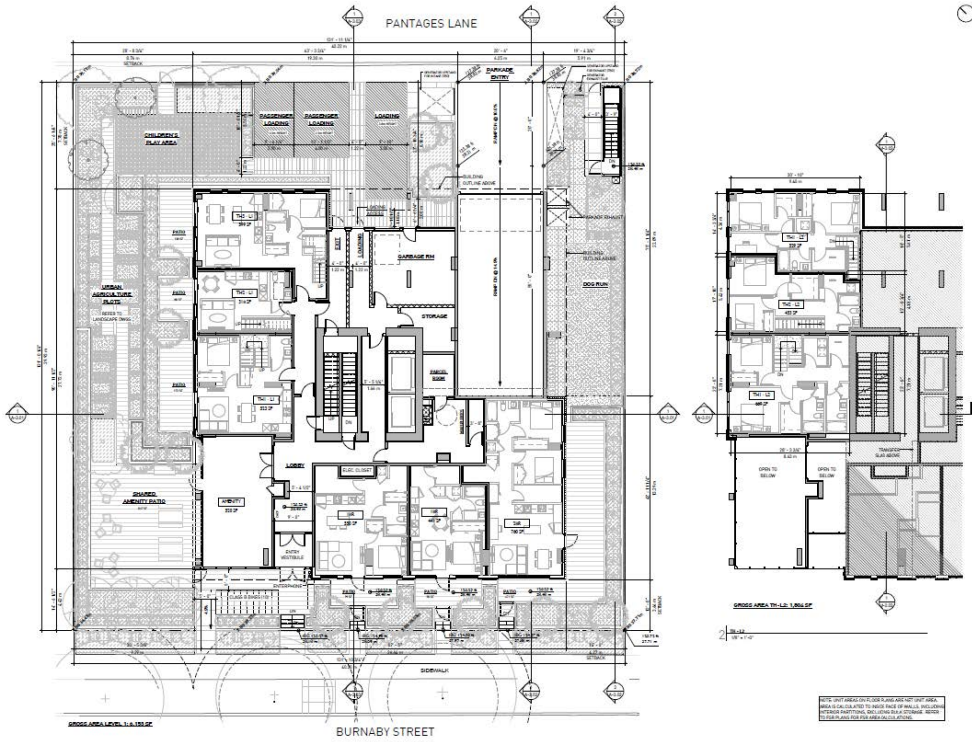
South/West View – Burnaby Street



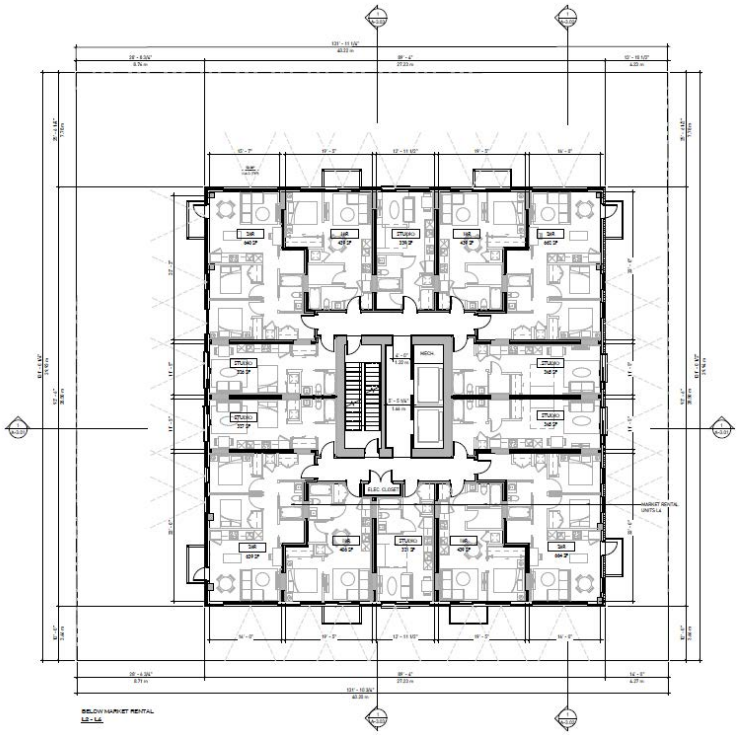
Site Plan and Landscape Plan



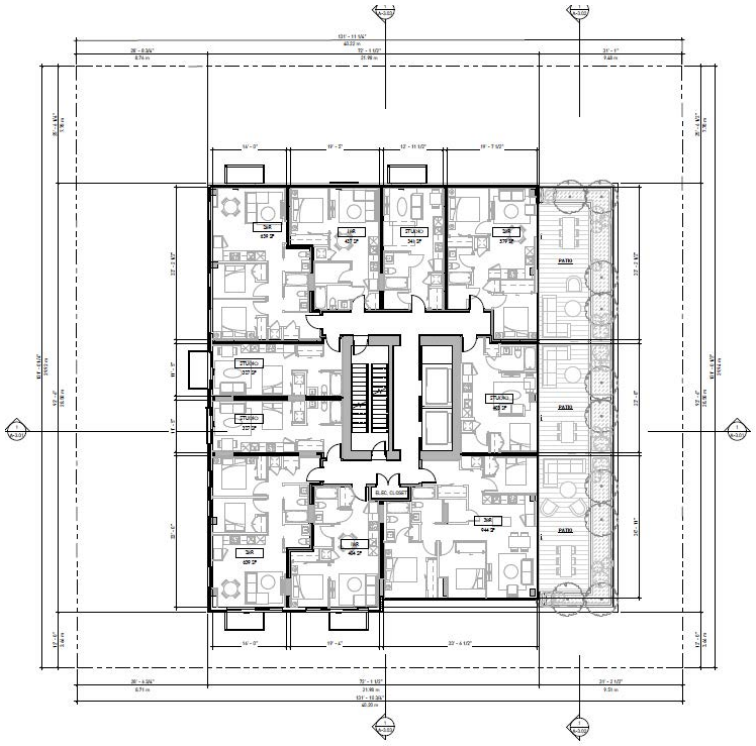
Level 1



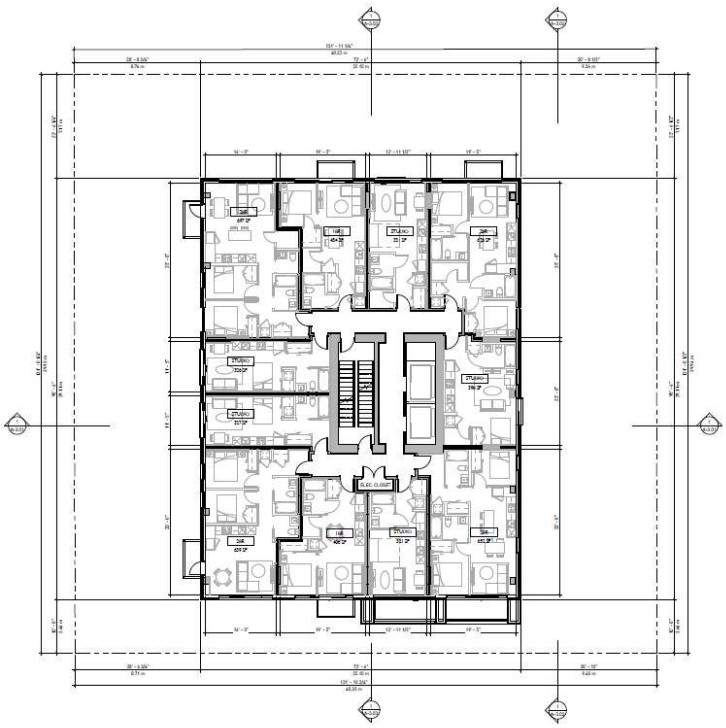
Levels 2 - 4



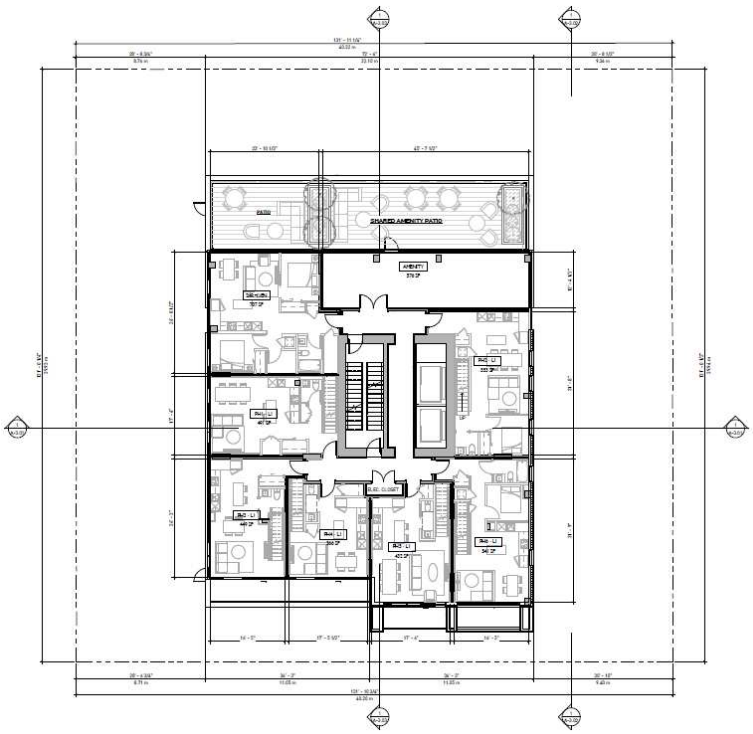
Level 7



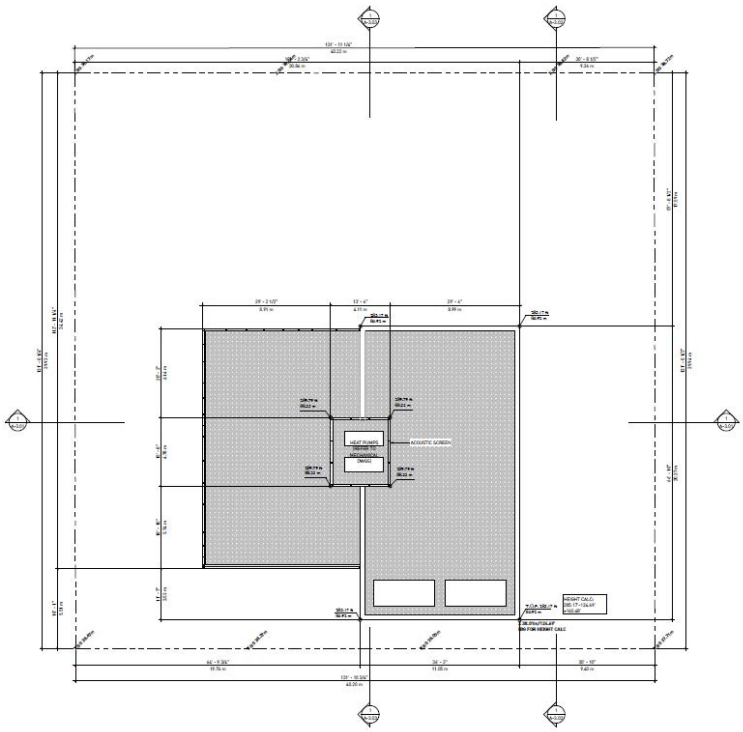
Levels 8 - 14



Level 15



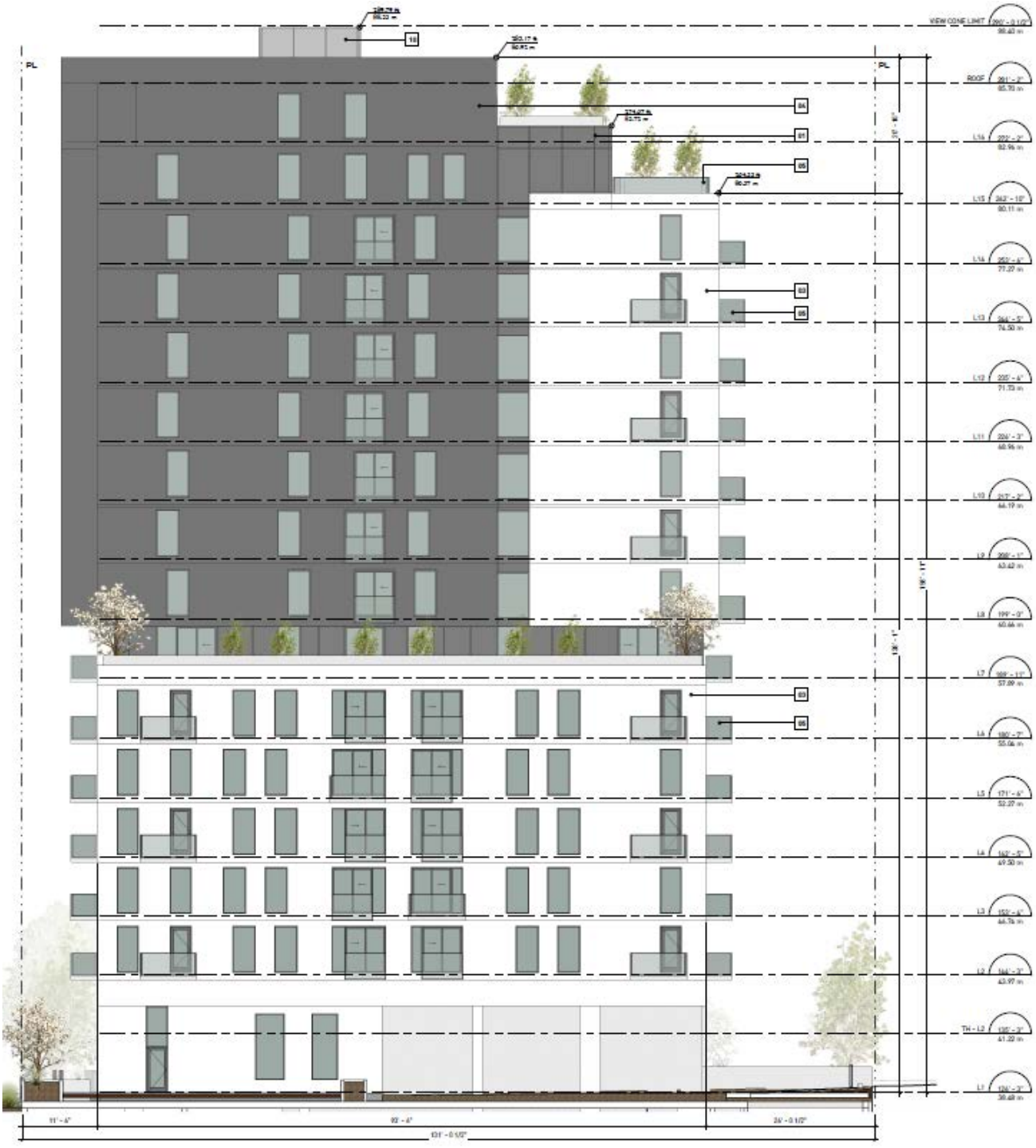
Roof



North Elevation



East Elevation



South Elevation

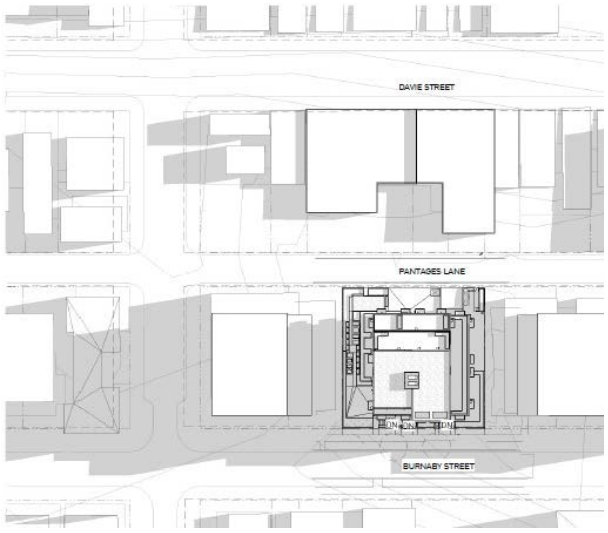


West Elevation

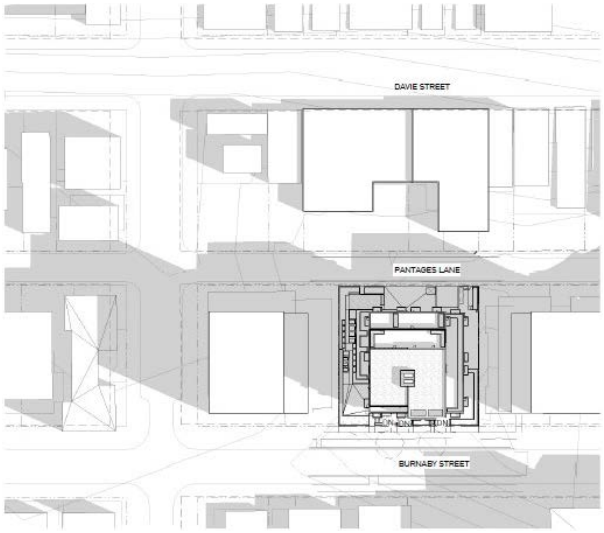


Fall Equinox Shadow Study: The fall equinox is used as an example of how the proposed development will impact the surrounding area at a time of year that falls between the longest and shortest days, which correspond with the shortest and longest shadows. The City typically evaluates shadow impacts at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

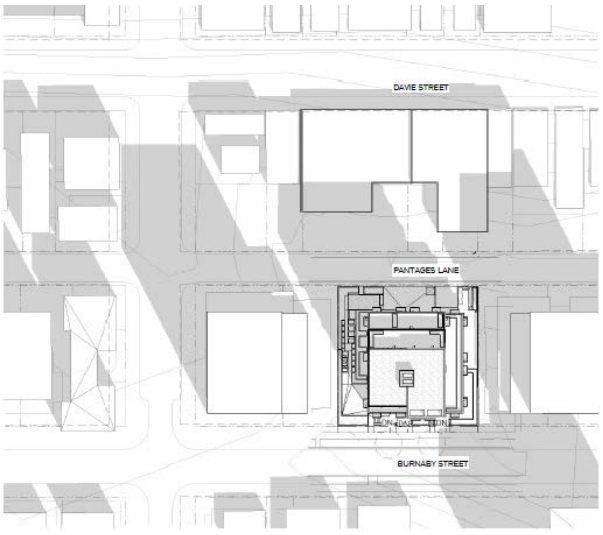
Autumn Equinox



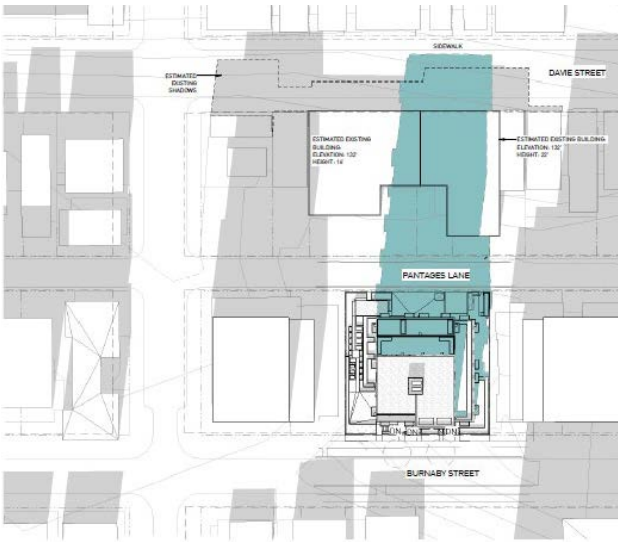
10:00 AM



12:00 PM



2:00 PM



4:00 PM

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

POPULATION GROWTH[a]

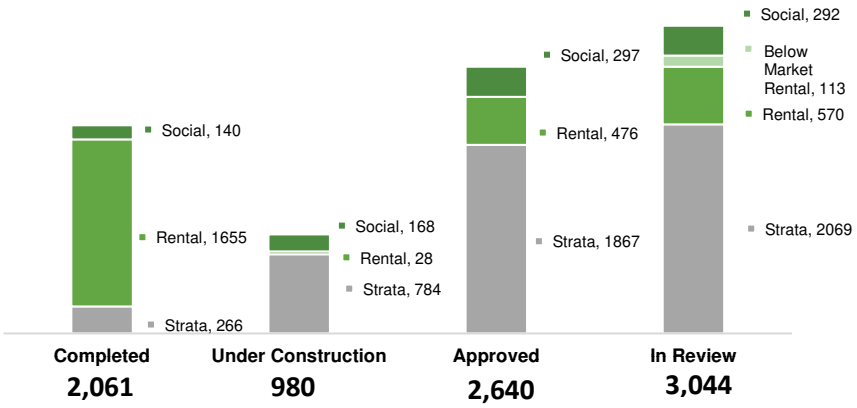
The West End has grown by approximately **5,469** people since the 2011 census. The plan projects a growth of approximately **10,000** people by 2041.



DEVELOPMENT ACTIVITY (UNITS)[b]

Recent rezoning approvals:

- 1157 Burrard St
- 1450 W Georgia St
- 1444 Alberni St. and 740 Nicola St
- 1059-1075 Nelson St
- 1616-1698 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	Completed	Construction	Planning/ Design	Progress
HOUSING[d] • ~ 1,600 additional social housing units • ~ 1,900 additional secured market rental units • Secure social and market rental housing	1,655 secured market rental units 140 social housing units	28 secured market rental units 168 social housing units		✓
CHILDCARE • ~ 245 spaces for children 0-4 • ~ 121 spaces for children 5-12	10 spaces for children 5-12 (Lord Roberts – YMCA Kids Club)			○

TARGETS See Chapter 17 of the West End Community Plan	• **Completed**	**Construction**	**Planning/ Design**	**Progress**
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 and Bute-Robson plazas Installation of Mobi Public Bike Share Pilot curbside patios and parklets on Robson and Davie streets Burnaby Street bike route Aquatic Centre Ferry Dock Haro Street walking, cycling and green rainwater upgrades Gilford mini-part improvements Walking and rolling improvements like new traffic signals, diverters Temporary curbside and patios along three high streets Sidewalk widening and bus bulges Beach Avenue interim walking, rolling and cycling improvements		Bute-Robson permanent plaza (concept design) Bute Street Greenway (concept design) Robson and Alberni Street public space improvements (scoping) Morton Park car-free/Davie Street closure (planning/design) Georgia Gateway West complete street (scoping)	→
CULTURE • Preserve and stabilize cultural assets • Retain/create multi-use creative spaces • Public art	2 public art installations	1 public art installation		→
CIVIC / COMMUNITY • Recreation facilities renewal (West End Community Centre, Ice Rink, Aquatic Centre) • Joe Fortes Library renewal • Optimize fire hall services in the community through renewal and/or relocation of fire halls			West End Community Hub Master Plan - Renewal & expansion	→
HERITAGE • 10% allocation from cash community amenity	10% allocation from cash community amenity contributions			✓
SOCIAL FACILITIES • Gordon Neighbourhood House renewal • QMUNITY renewal and expansion • Explore opportunities for a seniors' facility • Explore opportunities for non-profit hub	Gordon Neighbourhood House interim renovation		1190 Burrard Street QMUNITY 1157 Burrard multi-use cultural NPO space	→
PARKS • Rebuild the seawall • English Bay Beach Park and Sunset Beach	Seawall restoration project (2 phases) Barclay Heritage Square Calisthenics Park		West End Waterfront Plan (concept design)	→

EXPLANATORY NOTES

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 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:** Reports on gross new units. 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 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 via private 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

[d] **Housing - Planning/Design:** Housing units in 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.

* * * * *

1045 Burnaby Street
PUBLIC BENEFITS SUMMARY

Project Summary

Proposal for a 16-storey residential building with 170 secured rental units, of which units corresponding to 20% of the residential floor area are secured as below-market rental units.

Public Benefit Summary

170 rental housing units including approximately 37 below market rental units, all secured for the longer of 60 years and the life of the building.

	Current Zoning	Proposed Zoning
Zoning District	RM-5A	CD-1
Floor Space Ratio (site area = 1,605.9 sq. m (17,286 sq. ft.)	2.2	6.19
Building Height	58.0 m (190.29 ft.)	49.0 m (160.8 ft.)
Buildable Floor Space	3,533 sq. m (38,029 sq. ft.)	9,945.3 sq. m (107,050 sq. ft.)
Land Use	Residential	Residential

Summary of Development Contributions Expected under Proposed zoning

City-wide DCL[1,2]	$0
Utilities DCL[1,2]	$1,273,898
Public Art[3]	$211,959
TOTAL	**$1,485,857**

Other benefits (non-quantified components): 170 dwelling units will be secured for rental housing with approximately 37 of those units secured at below-market rental rates for the longer of 60 years and the life of the building.

[1] Based on by-laws in effect as of September 30, 2022. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage. DCL by-laws are subject to future adjustment by Council including annual inflationary adjustments. A development may qualify for 12 months of instream rate protection. See the City's DCL Bulletin for more details.

[2] The Applicant has requested a DCL waiver for the residential floor area and will be subject to the maximum average unit sizes for "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. The value of the City-wide DCL waiver is approximately $2,143,145.

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

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1045 Burnaby Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Street Address	Parcel Identifiers (PIDs)	Legal Description
1045 Burnaby Street	003-853-535, 003-853-543, 002-715-881, 003-295-303, 003-853-551, 003-853-560, 003-853-578, 003-853-586, 003-853-594, 003-853-608, 003-853-616, 003-853-624, 003-853-632, 002-570-840, 003-853-641, 003-853-659, 003-853-667, 003-202-216, 003-853-675, 003-853-683, 003-853-691, 003-853-705, 003-853-713, 003-853-721, 003-853-730, 003-853-748, 003-853-756, 003-853-764, 002-441-411, 003-853-772, 003-853-781, 003-853-799, 003-853-802, 003-853-811, 003-853-829, 003-853-837	Lots 1 to 36, Strata Lot 36 District Lot 185 Strata Plan VR. 322, Together with an interest in the Common Property In Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1.

Applicant Information

Applicant	Gracorp Properties LP
Architect	GBL Architects Ltd.

Site Statistics

Site Area	1605.9 sq. m

Development Statistics

	Under Existing Zoning	Proposed	
Zoning	RM-5A	CD-1	
Uses	Residential	Residential	
Max. Density	2.2 FSR	6.19	
Floor Area	3,533 sq. m (38.029 sq. ft.)	9,945.3 sq. m (107,050 sq. ft.)	
Max. Height	58.0 m (190.3 ft.)	49.0 m (160.8 ft.)	
Unit Mix	N/A	**Market** Studio 53 One Bedroom 28 Two Bedroom 46 Three Bedroom 6 Total 133	**Below Market** Studio 16 One Bedroom 10 Two Bedroom 11 Three Bedroom 0 Total 37
		170 units total	
Parking, Loading and Bicycle Spaces	As per Parking By-law	As per Parking By-law, confirmed at the development permit stage	
Natural Assets	12 existing on-site by-law trees	Approximately 20 new on-site trees to be planted. To be confirmed at the development permit stage.	

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