CITY OF VANCOUVER

REFERRAL REPORT

Report Date:	July 11, 2023
Contact:	Yardley McNeill
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Meeting Date:	July 25, 2023

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 351 West 16th Avenue

RECOMMENDATION TO REFER

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

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

RECOMMENDATION FOR PUBLIC HEARING

A. THAT the application by Haeccity Studio Architecture, on behalf of Panagiotis and Despina Kefalas, the registered owners of the lands located at: 351 West 16th Avenue [*PID 014-568-489; Lot 13 Block F District Lot 526 Plan 1530*], to rezone the lands from from RT-5 (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.75 to 1.45 and the building height from 10.7 m (35 ft.) to 11.5 m (38 ft.), to permit a four-storey and a three-storey residential building with 13 secured 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 Haeccity Studio Architecture, received May 27 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 Agreements described in Part 2 of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-laws 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 resolution 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 351 West 16th Avenue to CD-1 (Comprehensive Development) District. The proposal is to permit a four-storey residential building and a three-storey residential building with 13 secured market rental units under the *Broadway Plan*.

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

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)
- Broadway Plan (2022)
- Policy on Consideration of Rezoning Applications and Heritage Revitalization Agreements during Broadway Planning Process (Broadway Interim Rezoning Policy) (2018)
- Secured Rental Policy (2012, last amended 2023)
- Housing Needs Report (2022)
- Housing Vancouver Strategy (2017)
- Tenant Relocation and Protection Policy (2019, amended 2023)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992, last amended 2022)
- Latecomer Policy (2021)
- Vancouver Development Cost Levy By-law No. 9755

- Vancouver Utilities Development Cost Levy By-law No. 12183
- Green Buildings Policy for Rezonings (2010, amended 2022)
- Urban Forest Strategy (2016)

REPORT

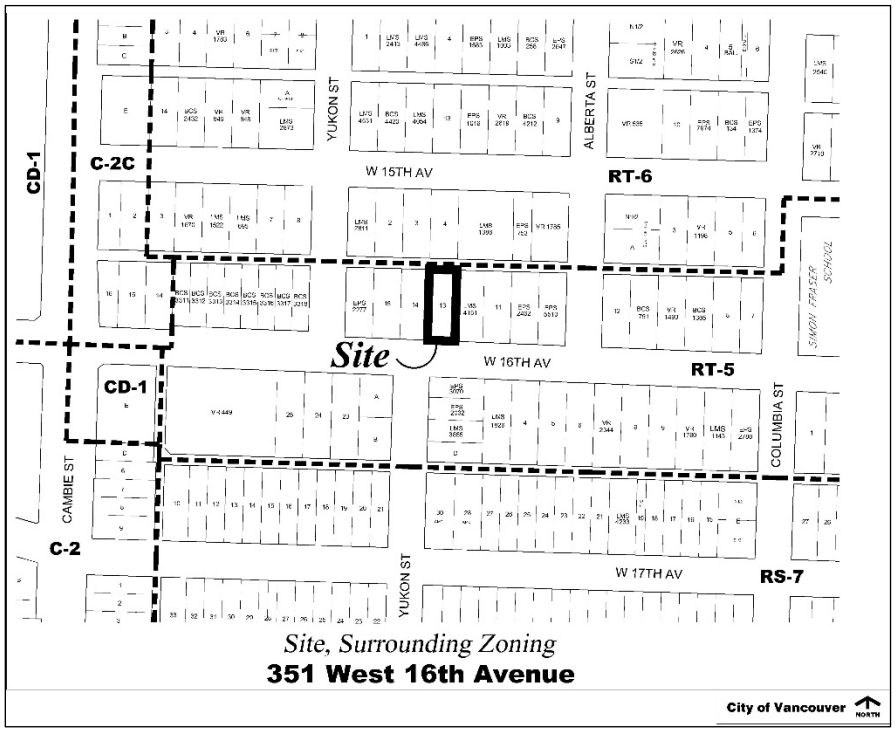
Background/Context

1. Site and Context

The subject site (see Figure 1) is located midblock on West 16th Avenue between Yukon and Alberta Streets. The site area is approximately 597.6 sq. m (6,432 sq. ft.), with a frontage of 15.2 m (50 ft.) along 16th Avenue and a depth of 39.3 m (129 ft.).

This property and the surrounding area are zoned for residential uses under the RT-5 (Residential) District. The site is developed with a previously converted single family residential dwelling with four rental units, however the *Tenant Relocation and Protection Policy* does not apply to secondary rental, where there is no lot consolidation. Surrounding properties are developed with two-storey residential buildings.

Figure 1: Surrounding Zoning and Context



Neighbourhood Amenities – The following amenities exist in the area:

- **Public Parks** – Lilian To (100 m), Mount Pleasant (400 m), Heather (800 m), Douglas (1 km), and Grimmett (1 km).
- **Community Spaces** – Heritage Hall (900 m) and Douglas Park Community Centre (1.2 km).
- **Childcare Facilities** – Our House (350 m), Les Petits Artistes Montessori Centre (550 m), Cambie Montessori (550 m) and Acorn-Eight Oaks (750 m).

Local School Capacity – The site is located within the catchment area of Fraser Elementary School and Hamber Secondary School. According to the Vancouver School Board (VSB)'s 2020 Long Range Facilities Plan, Fraser Elementary is currently operating at 190% of capacity and by 2031 is forecast to be operating at 176% capacity. Hamber Secondary is operating under capacity with an expected capacity of 79**%** by 2031.

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

2. Policy Context

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. The site is located within the *Broadway Plan*, which is generally in alignment with the *Vancouver Plan*.

Broadway Plan – The *Broadway Plan (*the *"Plan")*, approved by Council on June 22, 2022, is a comprehensive community plan for the area from Vine Street to Clark Drive and 1st Avenue to 16th Avenue. The 30-year plan focuses on opportunities to integrate new housing, jobs, and amenities around the new Broadway Subway. This application was submitted before the *Plan* was approved, but is being considered under the *Broadway Plan*.

Policy on Consideration of Rezoning Applications and Heritage Revitalization Agreements during Broadway Planning Process ("*Broadway Interim Rezoning Policy*") – In 2018, Council endorsed the *Broadway Interim Rezoning Policy*, allowing specific in-stream rezoning proposals to proceed while the planning process for the *Broadway Plan* was underway. This application applied and qualified under this provision, in conjunction with the *Secured Rental Policy*.

Secured Rental Policy – On November 26, 2019, Council approved amendments to the *Secured Market Rental Housing Policy* (commonly known as *Rental 100*) and retitled it to *Secured Rental Policy* (SRP). Further amendments to the SRP to facilitate the delivery of secured rental units were adopted by Council on December 14, 2021.The changes allow RS and RT-zoned sites on arterials that are adjacent to large commercial areas, to rezone to a new rental tenure district schedule.

This application met the enquiry and application deadlines to be considered under the 2019 SRP, but as the site is now located in a community plan area, it does not comply with the current SRP.

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 units and address the data and findings within the HNR.

Strategic Analysis

1. Proposal

The proposal is for two residential buildings in a courtyard form, with 13 secured market rental housing units on a single lot. The proposed heights are 11.5 m (38 ft.) for the four-storey building and 11.3 m (37 ft.) for the three-storey building. Vehicle and bicycle parking are at grade with access off the rear lane.

The proposal was originally considered under the *SRP*. The application satisfied the criteria of the *Broadway Plan Interim Rezoning Policy,* and was permitted to apply. The application is not fully compliant with the *Broadway Plan*, however given the scale of the application, staff consider the proposal compatible with the plan's intent for the area.

2. Land Use

The proposed secured market rental housing is consistent with the residential objectives of the *Broadway Plan*, the *Secured Rental Policy*, and the *Housing Vancouver Strategy*.

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

Figure 2. Proposal looking Northwest from 16 Avenue

Form of Development – The proposal was submitted under the 2019 *SRP* and the form of development follows the RM-4 zoning regulations required by the *SRP*. The proposed form of development also meets the intent of the *Broadway Plan*, which instructs developments to generally follow the RR-1 district schedule for single lots, or RR-2 for mid-block lots with a frontage of at least 30.1 m (99 ft.). This single lot site has a frontage of 15.2 m (50 ft.), and has been reviewed against the RR-1 district schedule.

The proposal includes two principal buildings flanking a central courtyard, which serves as shared amenity space between the structures. The ground level units are accessed from the central courtyard with a path from the east side of the property. The front building along 16th Avenue is four storeys and the rear building along the lane is three storeys with amenity spaces at the roof top level.

Density and Height – The RR-1 and RM-4 district schedules both allow a maximum FSR of 1.45 and maximum height of four storeys. The proposed development has an FSR of 1.45, and has buildings of four and three storeys, with a maximum building height of 11.5 m from street level.

The subject site does not meet the minimum site area or frontage requirement of the RR-2 or RR-1 district schedules to achieve the full 1.45 FSR, however the design follows the setback requirements and is compatible with the surrounding neighbourhood.

Interface with properties directly to the east and west – The proposal provides an east side yard setback of 2.1 m (6 ft. 11 in) and west side yard setback of 1.2 m (4 ft.) from the property lines. The RR-1 district schedule requires a side yard setback of 1.2 m (4 ft.) and the proposal provides only narrow windows on the eastern and western sides to minimize the overlook towards the adjacent property yards. The units have large windows placed along the north and south sides of both buildings that bring natural light to the unit interiors.

Although the proposed siting of building forms are considered neighbourly, staff also recommend improvements to address privacy and overlook concerns in conditions in Appendix B.

Amenity areas – The proposal provides an adequate amount of outdoor amenity space at ground level and on the rooftop, to provide community interaction between the unit residents.

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

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

4. Housing

The *Housing Vancouver Strategy* seeks to deliver a range of housing tenures across the housing continuum. This application, if approved, would add 13 rental housing units to the City's inventory of rental housing, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 3).

Figure 3: Progress Towards 10-Year Housing Vancouver Targets for Secured Market Rental Housing as of March 31, 2023.

Housing Type	10-Year Targets[1]	Units Approved Towards Targets[2]
Purpose-Built Market Rental Housing Units	20,000	13,550 (67%)

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

Vacancy Rates – Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2022, the purpose-built apartment vacancy rate was 0.9% in Vancouver. The vacancy rate (based on the CHMC Market Rental Survey) for the Mount Pleasant/Renfrew Heights area, which this site is located, is 0.5%. A vacancy rate of between 3 to 5% is considered to represent a balanced market.

Housing Mix – The *Broadway Plan* family unit mix policy requires a minimum of 35% family units, including 25% 2-bedroom units, and 10% 3-bedroom units. This application would deliver 38% family units in a mix of two-bedroom and three-bedroom units, thereby exceeding the policy. These units must be designed in accordance with the *High Density Housing for Families with Children Guidelines*. The application as proposed is consistent with the policy and a provision is included in the CD-1 By-law to meet the minimum unit mix requirements.

Average Rents and Income Thresholds – Average market rents in newer rental buildings on the Westside are shown in the middle two columns in Figure 4. The market rental housing will provide options which are significantly more affordable than average home ownership costs as illustrated in Figure 4.

Figure 4: Market Rents in Newer Westside Buildings, Costs of Ownership and Household Income Served

		Newer Rental Buildings Westside		Monthly Costs of Ownership for Median-Priced Apartment – Westside (with 20% down payment)		
Unit	**Average Unit Size**	**Average Market Rent[1]**	**Annual Income Required to Afford Average Market Rent [2]**	**Monthly Costs of Ownership[3]**	**Annual Income Required to Afford Monthly Costs[2]**	**Down Payment at 20%**
Studio	450 sq. ft.	$1,938	$77,520	$2,837	$113,480	$106,000
1-bed	558 sq. ft.	$2,209	$88,360	$3,473	$138,920	$132,000
2-bed	695 sq. ft.	$3,411	$136,440	$5,193	$207,720	$198,400
3-bed	1,062 sq. ft.	$4,426	$177,040	$7,982	$319,280	$311,890

[1] Data from the October 2022 CMHC Rental Market Survey for apartments in purpose-built rental buildings completed in the year 2013 or later on the Westside of Vancouver.

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

Security of Tenure – Purpose-built rental housing offers secure rental tenure. All 13 units will be secured as market rental through a Housing Agreement and/or a Section 219 Covenant

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

Existing Tenants – The *Tenant Relocation and Protection Policy* (TRPP) applies to secondary rental projects involving consolidation of two or more lots. The *TRPP* does not apply to this rezoning site, which is one lot with a previously converted single family residential dwelling containing four dwelling units. There are four tenants residing on site.

5. Transportation and Parking

The site is well served by public transit. It is 200 m from Cambie Street, which is part of TransLink's Frequent Transit Network (FTN), with regular bus service, and is 850 m from the Broadway/City Hall Canada Line station. It is has good access to designated bikeways as it is adjacent to Yukon Street and 300 m from 14th Avenue.

The proposal includes surface parking accessed from the lane. Parking is required to meet the Parking By-law and is eligible for reductions through transportation demand management.

Engineering conditions related to transportation, public realm and parking are included in Appendix B and include upgraded street lighting adjacent to the site, new street trees and new parking signage.

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 stated within the policy.

Natural Assets – The *Urban Forest Strategy* seeks to protect and strengthen Vancouver's urban forest and tree canopy. The Protection of Trees By-law requires permission to remove trees that meet certain conditions to protect as many healthy, viable trees while still meeting the challenges of development and housing priorities.

There are two existing trees on site and both are proposed to be removed. Staff have added conditions to explore an alternative building foundation design to enable retention of a tree, plus the provision of more and larger trees on site. There are two street trees on City lands adjoining the site and two trees on neighbouring private property. The protection of City and neighbouring trees during construction is required.

See Appendix B for landscape and tree condition.

7. Public Input

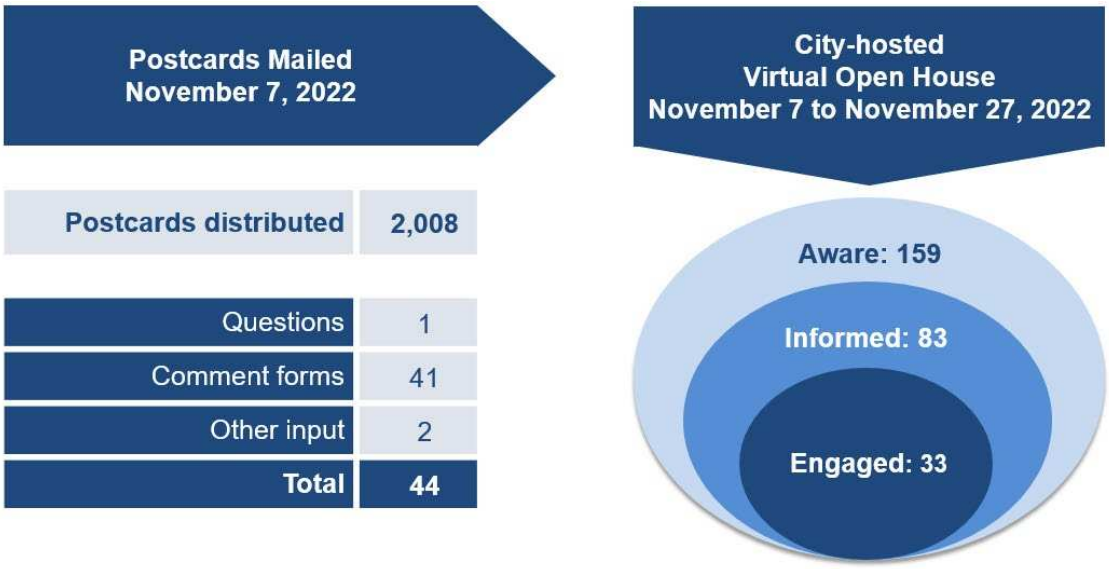
Public Notification – A rezoning information sign was installed on the site on September 21, 2022. Approximately 2008 notification postcards were distributed within the neighbouring area on or about November 7, 2022. Notification and application information, and an online comment form, was provided on the City's *Shape Your City Vancouver* (shapeyourcity.ca/) platform.

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

A virtual approach allowed people to access materials online and engage at different levels at a time and location of their choosing. An extended virtual open house period allowed people to ask questions regarding the proposal, which staff actively monitored and responded to publicly. The website was accessed 159 times (Figure 5).

Public Response and Comments – Public input was via online questions, comment forms, by email and phone. A total of 44 submissions were received.

Figure 5: Overview of Notification and Engagement



Below is a summary of feedback received from the public by topic.

Generally, comments of support fell within the following areas:

- **Density and Location:** The density and location of this development is appropriate.
- **Housing Stock:** The proposed rezoning will help create additional rental stock.

Generally, comments of concern fell within the following areas:

- **Density and location:** The proposed rezoning is too dense and does not align with the architectural style seen around the neighbourhood.
- **Congestion:** The added units will further cause traffic congestion through increased vehicular traffic. Motorists use 15th Avenue to bypass traffic onto Cambie Street.
- **Parking:** This development does not provide enough parking space and will create parking bottlenecks within the neighbourhood.

Response to Public Comments – The density is appropriate for the site given the site size. The *Plan* anticipates higher densities for this area through lot consolidation.

Engineering staff have confirmed that traffic changes associated with this project would be consistent with development occurring over time in the area. However, provisions to improve lighting and parking signage have been included in Appendix B. Parking is required to meet the Parking By-law.

8. Public Benefits

Community Amenity Contributions (CAC) – The *Community Amenity Contributions Policy for Rezonings* provides an exemption from CACs for routine, lower density secured market rental housing rezoning applications that comply with the City's rental policies. This application meets the criteria for an exemption as a RT zoned site proposed to rezone to less than five storeys.

Development Cost Levies (DCLs) – This site is currently subject to both City-wide and Utilities DCL. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage.

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

Based on rates in effect as of September 30, 2022 and a floor area of 866.5 sq. m (9,326 sq. ft.), it is estimated that the project will pay $148,721 of DCLs.

Public Art Program – No public art contribution is applicable to this rezoning as the proposed floor area is below the minimum threshold.

Other Benefits – The 13 secured market rental housing units in this proposed development will contribute to the City's secured rental housing stock.

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

Financial Implications

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

CONCLUSION

Staff conclude that the proposed land use, density, housing affordability, and public benefits are consistent with the intent of the *Broadway Plan*. The proposal would add 13 new secured market rental units towards the City's housing needs.

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

* * * * *

351 West 16th Avenue
PROPOSED CD-1 BY-LAW PROVISIONS

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

Zoning District Plan Amendment

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

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

Designation of CD-1 District

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

Uses

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

   (a) Dwelling Uses, limited to Apartment and Townhouse; and

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

Conditions of Use

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

   (a) be suitable for family housing; and

   (b) have 2 or more bedrooms.

Floor Area and Density

5.1 Computation of floor area must assume that the site area is 597.6 m^2, being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.

5.2 The maximum floor space ratio for all uses combined is 1.45.

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

5.4 Computation of floor area must exclude:

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

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

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

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

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

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

(ii) bicycle storage, and

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

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

(e) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 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.

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

Building Height

6.1 Building height must not exceed 11.5 m.

Horizontal Angle of Daylight

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

7.2 For the purposes of section 7.1 above, habitable room means any room except a bathroom or a kitchen.

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

7.4 The plane or planes referred to in section 7.3 above must be measured horizontally from the centre of the bottom of each window.

7.5 An obstruction referred to in section 7.3 above means:

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

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

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

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

(b) the minimum distance of unobstructed view is at least 3.7 m.

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351 West 16th Avenue
CONDITIONS OF APPROVAL

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

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by Haeccity Studio Architecture, received May 27 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 provide landscaping along the lane and planters around the LPT/PMT, where possible.

Note to Applicant: Refer to landscape condition 1.7.

1.2 Design development to improve privacy between the units by:

(a) Providing privacy screens between unit balconies for upper levels of north building.

(b) Providing translucent glazing or opaque railing design for upper level balconies along with perimeter planting and/or planter hedges in units 9, 10, 12 & 13.

1.3 Design development to address privacy and overlook to residential neighbours located due west and east of the subject property by providing translucent glazing or opaque railing design for upper level balconies along with perimeter planting and/or planter hedges for units 5, 6 & 11.

Note to Applicant: Also refer to landscape condition 1.9.

1.4 Provision of 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.

Crime Prevention through Environmental Design (CPTED)

1.5 Identify on the drawings at the time of the development permit application, CPTED strategies including but not limited to:

(a) Having particular regard for mischief in alcoves and vandalism such as graffiti;

(b) Consideration of mail theft in the design and location of mailboxes;

(c) Consideration of residential break and enter; and

(d) Provision of outdoor common area and path lighting.

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

Landscape

1.6 Design development to provide a supportable tree retention strategy, avoiding the loss of viable trees, by including the following:

(a) Retention of as many viable mature site trees as possible, exploring an alternate foundation design in the southeast corner of the south building to enable at least Tree #3 to be protected;

(b) Addition of substantially more trees, especially in public realm interface areas; and

(c) Provision of larger scale and size trees, to be minimum 3 meters tall or 2.5 inch calliper.

1.7 Design development to improve the lane interface to allow a friendlier lane orientation, by adding substantially more plant material facing the lane and providing plant buffering around PMT (see also Urban Design Condition 1.1).

1.8 Design development to provide substantial planting beds for privacy buffering between unit patios on the ground level of both buildings.

1.9 Design development to improve privacy and overlook to residential east and west neighbours by addition of more substantial planting beds and hedges, especially buffering Units 5, 6 and 11.

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

(a) Consider providing intensive and/or extensive green roofs on all available flat roofs;

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

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

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

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

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

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

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

1.12 Provision of coordination between Landscape Plan and Architectural Site Plan, for most updated information.

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

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

Note to applicant: The plans should be at 1/8 inch: 1 foot 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.

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

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

1.16 Provision of a Tree Management Plan as part of the Landscape Plans, in coordination with arborist report Tree Management Plan;

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

1.17 Provision of an arborist “letter of undertaking” to include signatures by the owner, contractor and arborist;

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

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

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

1.19 Provision of an outdoor Lighting Plan.

Sustainability

1.20 All new buildings in the development will meet the requirements of the Green Buildings Policy for Rezonings (amended May 17, 2022) located here https://guidelines.vancouver.ca/policy-green-buildings-for-rezonings.pdf.

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

Engineering

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

1.22 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.

Note to Applicant: 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 at StreetUseReview@vancouver.ca for details.

1.23 Submission of an updated landscape and site plan to reflect the public realm changes including all of the off-site improvements sought for this rezoning. Where a design or detail is not available, make note of the improvement on the landscape plans. The landscape plan is to include the following:

(a) The following statement is to be added on the site and landscape plans; “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 Services and/or your Engineering, Building Site Inspector for details”;

(b) Provision of street trees where space permits. Final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. Tree species to the approval of the City Arborist. Street tree planting to include appropriate soil volumes and approved root barriers of rigid construction, 8 feet long and 18 inches deep, centre on each street tree adjacent to the sidewalk and any off street bike facility; and

(c) Standard City of Vancouver surface treatments for any proposed sidewalks and hardscape boulevards on City of Vancouver dedicated property. Follow Cambie Corridor streetscape guidelines for any proposed works on City of Vancouver boulevards.

1.24 Provision of a finalized Transportation Demand Management (TDM) Plan to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: A TDM Plan with a minimum of 13 points is required to achieve the proposed vehicle parking reduction. The proposed plan achieves 4 points. Refer to Schedule B of the TDM policy for detailed requirements for each measure. Provide TDM Plan as a separate package with complete information on TDM measures proposed, including the following clarifications:

(a) ACT-02 – Improved Access to Class A bicycle Parking:

(i) A concept design for excellent design of lighting, finishes, grades, convenience;

(ii) Updated TDM Plan/Architectural plans to identify the number and location of Class A bicycle parking provided at and/or above-grade, as well as show and note the access route to reach Class A bicycle parking from the outside.

Notes to Applicant:

- 0 points can be awarded for bicycle ramp fully separated from vehicle parking ramp as no portion of bicycle parking is proposed below grade.

- 4 points can only be awarded for 100% of Class A parking at-grade if there is stair-free access to the bicycle parking for ease of use and convenience.

- 2 points may be awarded for concept design for excellent design of lighting, finishes, grades, convenience. Update TDM Plan to show details of concept design for excellent design of lighting, finishes, grades, convenience.

(b) ACT-05 – Bicycle Maintenance Facilities:

(i) Updated TDM Plan/Architectural plans to note and dimension the location of facilities on site;

(ii) Bicycle maintenance facilities to be located with convenient access to/from Class A bicycle spaces;

(iii) An operational plan detailing the following:

- a description of the amenities to be provided;

- a means of providing access to all residents, commercial tenants, and the public (if applicable); and

- a plan for maintaining these amenities.

(iv) Any additional information regarding this measure (e.g. tool receipts, instructions for using an online sign-up portal, or marketing/ instructional materials) that demonstrates how the property owner will operate, administer, and maintain this common facility.

Note to Applicant: 2 points appear achievable. Update TDM Plan to show location and details of facilities.

1.25 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 $280 per parking space waived;

(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.

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

(a) Provision of a minimum 1.2 metre (4 feet) wide stair-free access route between the bicycle parking spaces and the outside; and

(b) Provision of a 1.5 metre access aisle in front of oversized bicycle spaces.

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

(a) Provision of 6.6 metre (21 feet 8 inch) maneuvering aisle width at the lane, or provide 9 feet stall widths;

Note to Applicant: explore setting back the parking spaces at the property line at the lane to achieve the required 6.6 metre (21 feet 8 inch) maneuvering aisle width.

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

(a) All types of parking and loading spaces individually numbered, individually dimensioned, and labelled;

(b) Dimension columns and any/all column encroachments into parking stalls;

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

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

(d) Design elevations at all corners of the parking spaces at grade, disability spaces, and at all entrances;

Note to Applicant: The cross slope and slope of the parking spaces at all breakpoints to be shown on the submitted drawings.

(e) Indication of the stair-free access route from the Class A bicycle spaces to reach the outside, show and label the stair-free access route on the drawings.

1.29 Provision of a complete Rainwater Management Plan (RWMP):

Note to Applicant: Subset of the submission list items and additional notes are provided below based on the RWMP submission dated March 9, 2022. Ensure all information expected in a complete RWMP as described in the appendix of the Rainwater Management Bulletin are included in the updated version.

(a) Provide 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 take off for all different land use surface types within

the site limits; and delineated catchments to demonstrate BMPs are appropriately sized.

(b) If the development is associated with a CD-1 rezoning or proposes an engineered infiltration BMP, provide a geotechnical report/infiltration study that includes the following: an evaluation of the potential for and risks of onsite rainwater infiltration, such as slope stability and soil contamination; results of infiltration testing at likely locations for infiltration practices and a proposed design infiltration rate; soil stratigraphy; and depth to bedrock and seasonally high groundwater at likely locations for infiltration practices.

Note to Applicant: Ensure best management practice and requirements are adhered to for the design of the proposed infiltration facility:

(i) Minimum horizontal setback of 5 m from any edge of building foundation and 3 m offset from water mains. Relevant dimensions should be indicated on plans and drawings.

(ii) Specify the proposed design infiltration rate for drawdown time calculations.

(iii) Preferred estimated drawdown for the entire rainwater storage volume in less than or equal to 48 hours using the design infiltration rate.

(iv) Infiltration facility must be able to accommodate the expected loading imposed at grade.

(v) Minimum 0.60m vertical separation from the proposed bottom of the facility and seasonally high groundwater table.

(vi) Shall not be proposed at locations where there are known contamination concerns.

Note to Applicant: See Bulletin 2019-008-PL Siting Requirements for On-Site Infiltration Systems for further information.

Note to Applicant: Design infiltration rate missing from included geotechnical study.

Note to Applicant: Routing of additional hardscape areas into landscaping over native soil is proposed within 5 metres of the building structure and the Impervious:Pervious (I:P) ratio for these areas appears to be significantly greater than 1:1. Please clarify how any potential adverse effects on the structure from this additional infiltration volume will be addressed or reduce the hardscape area directed to landscaping with infiltration within 5 meters of the structure (applies to landscaping over native soil only).

(c) Provide a summary of all the catchment areas in a tabular form that include the required capture and treatment, any direct capture and treatment achieved from adjacent surfaces, and storage capacities of the proposed rainwater practices. All

area catchments must be shown in the proposed site plan drawing or figure in the document.

Note to Applicant: Distinguish between the areas for landscape in-situ and on-slab, including the routed area, and runoff coefficient for each.

Note to Applicant: Provide a servicing plan that includes all routing of rainwater to the landscape features.

(d) Provide calculation-sizing summaries of all rainwater BMPs proposed. The calculation-sizing summaries shall demonstrate how each BMP achieves the volume reduction, water quality, and release rate requirements. Note that excess storage provided for rainwater practices will not contribute towards the volume reduction requirement.

Note to Applicant: As per the Rainwater Management Bulletin, a minimum absorbent landscaping soil depth of 450mm is required to meet water quality requirements for infiltration or filtration through landscaping.

Note to Applicant: 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. Supporting calculations and specifications are necessary to demonstrate adequate design for the landscape, such as:

(i) Impervious Area to Pervious Area (I/P) ratio below maximum of 30:1; and

(ii) Appropriate growing/filter medium with minimum depth of 450 mm for effective filtration of pollutants. For further information on appropriate growing medium specifications can be found in City of Vancouver's Construction Specifications (2019) Clause 2.10 of Section 32 91 21 - Bioretention Soil (Park Turf Mix) for designs with high I/P ratio.

(e) Ensure all designs are in conformance with Book II (Plumbing Systems) of the Vancouver's Building By-law. Note that conformance with the Building By-law is not reviewed by Engineering Services and acceptance of any RWMP does not indicate or imply compliance with the Building By-law.

(f) Provide a written response clearly indicating how each of the Prior-To-Letter conditions relevant to Rainwater Management below are addressed in the updated submission.

(g) Provide a completed Rainwater Management Project Summary Form as a PDF in a separate file to the RWMP. For a fillable copy of the form, refer to the rainwater management webpage.

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

1.30 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.

1.31 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.

1.32 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.

1.33 Developer's Engineer to submit a sewer abandonment plan to the City that details the abandonment or removal of all existing storm, sanitary, and combined connections to the development site.

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

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

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

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

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

1.35 Provision of City building grades is required. Design elevations are also required at all new entrances.

1.36 Provision of written confirmation that clarifies garbage pick up operations and that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage.

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

Housing

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

(a) Be suitable for family housing; and

(b) Include two or more bedrooms.

1.38 The proposed unit mix, including 2 studio units (15%), 6 one-bedroom units (46%), and 3 two-bedroom units (23%), 2 three-bedroom units (15%) is to be included in the development permit drawings.

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

1.39 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 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 or patio 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, 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 Rezoning Site (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights-of-way for the Services are provided. No development permit for the Rezoning Site, or any portion thereof, or for any building or improvements thereon will be issued until the letter of credit, as security for the Services, is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. The Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

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

(a) Provision of adequate water service to meet the fire flow demands of the project. Based on the confirmed Fire Underwriter's Survey Required Fire Flows submitted by Vector Engineering Services Ltd. dated March 07, 2022, no water main upgrades are required to service the development.

Note to Applicant: The proposed development can be serviced by the 150 mm main along West 16th Avenue. Should the development require water service connections larger than 150 mm, the developer shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost of the upgrading.

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

(b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. Implementation of development(s) at 351 West 16th Avenue require the following in order to maintain sanitary and storm water sewer flow conditions:

(i) No sewer upgrades are required.

Note to Applicant: Development to be serviced to the existing 200 mm SAN and 250 mm STM on the lane north of 16th Avenue.

(ii) The post-development 10-year flow rate discharged to the storm sewer shall be no greater than the 5-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.

(c) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and Illuminating Engineering Society of North America (IESNA) recommendations.

(d) Provision of lane lighting on standalone poles with underground ducts;

Note to Applicant: The ducts should be connected to the existing City of Vancouver street lighting infrastructure. BC Hydro poles, where they exist, may be used to mount lane lights with overhead supply provided the applicant/applicant's consultant obtains written approval from BC Hydro.

Notes to Applicant: The detailed Electrical Design will be required prior to the start of any associated electrical work to the satisfaction of the General Manager

of Engineering Services, and, in conformance with Standard Specification of the City of Vancouver for Street Lighting (draft), Canadian Electrical Code (the latest edition) and the Master Municipal Construction Documents (the latest edition).

(e) Provision of street trees adjacent the site where space permits.

(f) 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.

2.3 Provision of written confirmation that all required electrical plants will be provided within private property.

Note to Applicant: BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be located on private property with no reliance on public property for placement of these features. For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at umb@vancouver.ca.

Housing

2.4 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant to secure all residential units as secured market rental housing units, excluding Seniors Supportive or Assisted Housing, pursuant to the City's Secured Rental Policy, for a term equal to the longer of 60 years and the life of the building, subject to a no-separate-sales covenant and a no-stratification covenant, and that no such units will be rented for less than one month at a time, and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require.

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

Sustainability

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

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

Environmental Contamination

2.6 As applicable:

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

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

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

Agreements

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

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

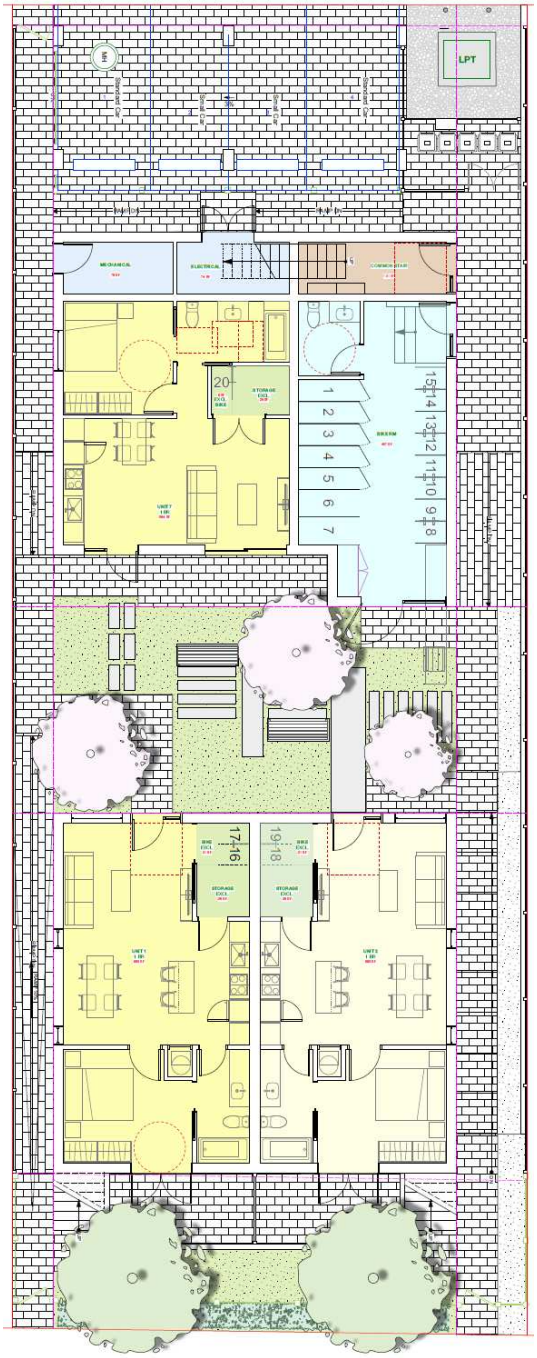
The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined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

* * * * *

351 West 16th Avenue
FORM OF DEVELOPMENT DRAWINGS

Ground Floor/Site Plan

Laneway



W 16th Ave

2nd Floor Plan

Laneway

W 16th Ave

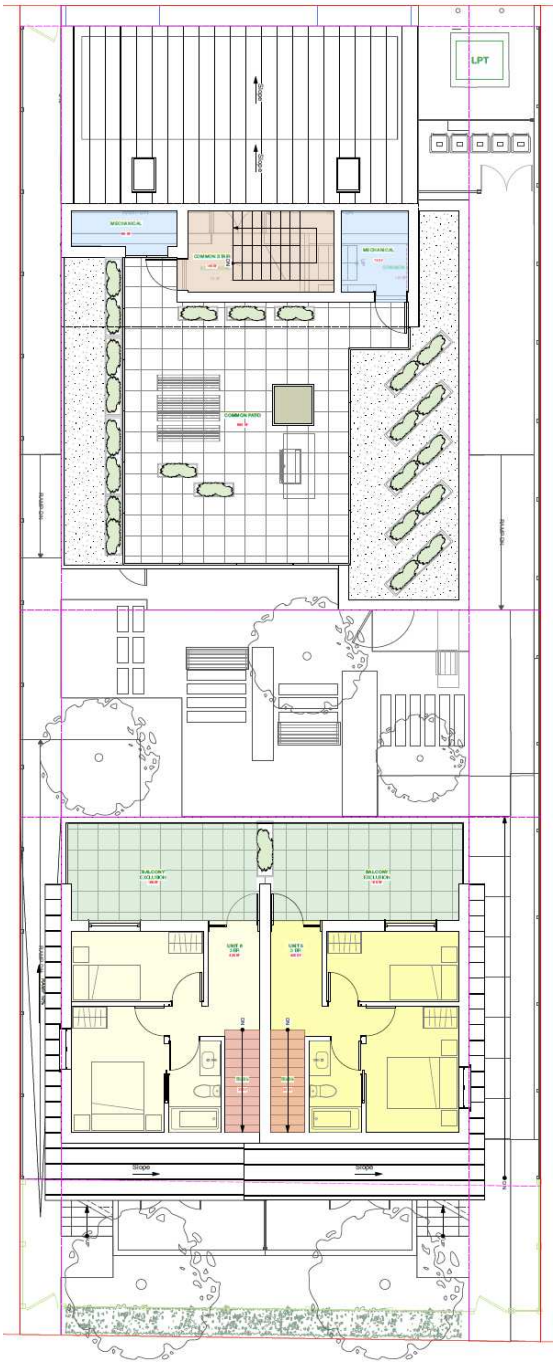
3rd Floor Plan

Laneway

W 16th Ave

4th Floor Plan

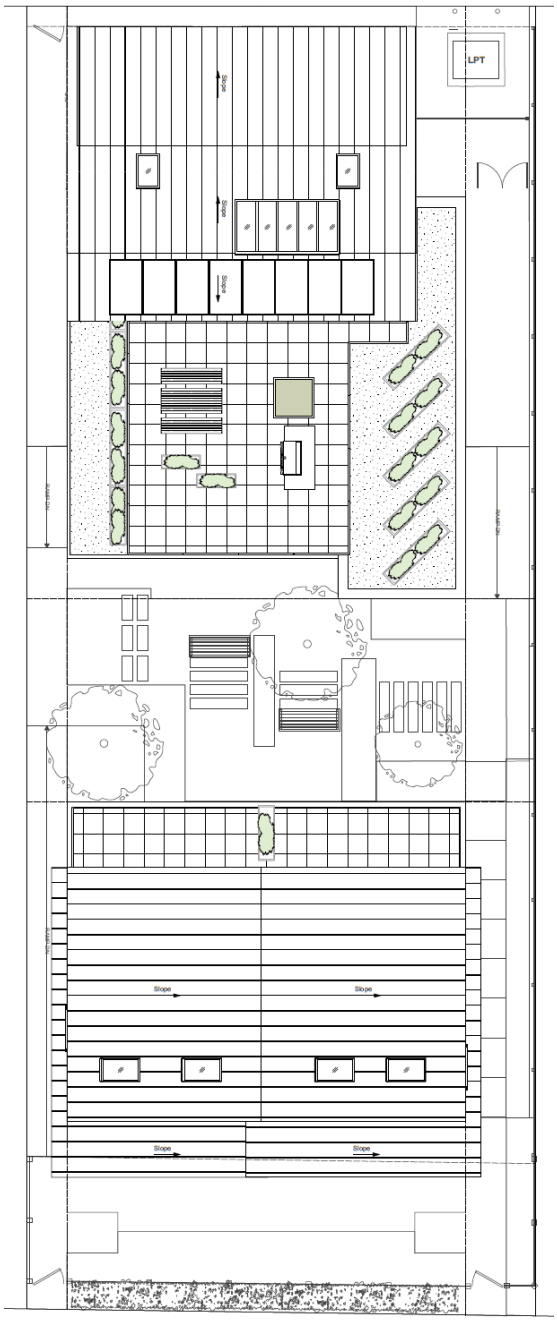
Laneway



W 16th Ave

Roof Plan

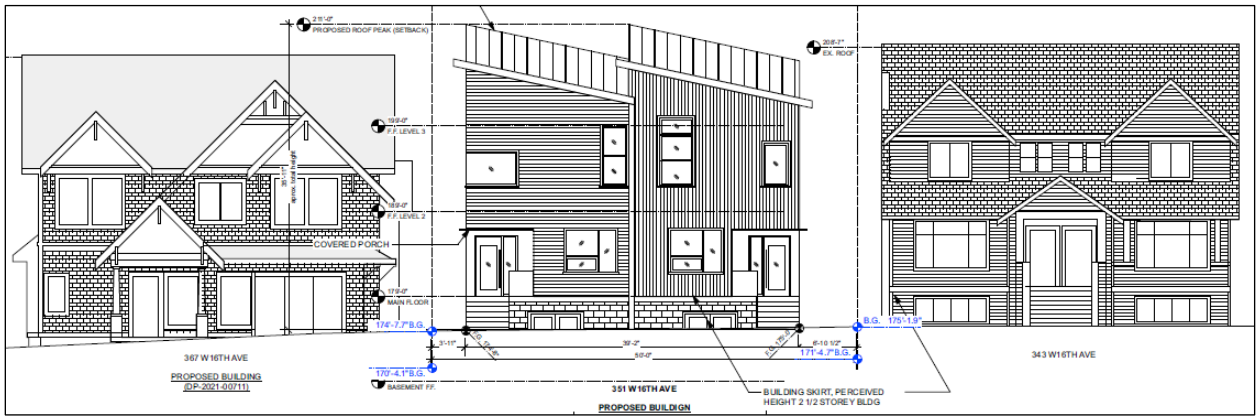
Laneway



W 16th Ave

Proposal from 16th Avenue

South Elevation from 16th Avenue



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351 West 16th Avenue
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

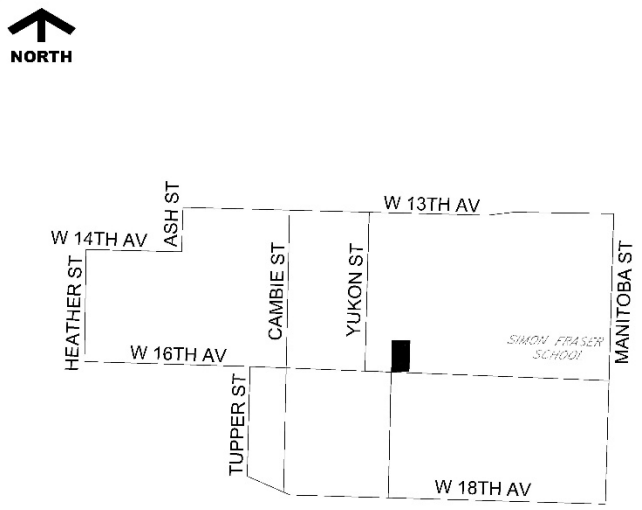
	Date	Results
Event		
Virtual open house (City-led)	November 7, 2022 – November 27, 2022	159 participants (aware)* • 83 informed • 33 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	November 7, 2022	2,008 notices mailed
Public Responses		
Online questions	November 7, 2022 – November 27, 2022	1 submittal
Online comment forms • Shape Your City platform	September, 2022 – January, 2023	41 submittals
Overall position • support • opposed • mixed	September, 2022 – January, 2023	41 submittals • 17 responses • 19 responses • 5 responses
Other input	September, 2022 – January, 2023	2 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	September, 2022 – January, 2023	372 participants (aware)* • 161 informed • 42 engaged

Note: All reported numbers above are approximate.

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

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

2. Map of Notification Area



NOTIFICATION AREA

3. Analysis of All Comments Received

Below is an analysis of all public feedback by topic.

Generally, comments of support fell within the following areas:

- **Density and Location:** The density and location of this development is appropriate.
- **Housing Stock:** The proposed rezoning will help create additional rental stock.

Generally, comments of concern fell within the following areas:

- **Density and location:** The proposed rezoning is too dense and does not align with the architectural style seen around the neighbourhood.
- **Congestion:** The added units will further cause traffic congestion through increased vehicular traffic. Motorists use 15th Avenue to bypass traffic onto Cambie Street.
- **Parking:** This development does not provide ample parking space and will create parking bottlenecks within the neighbourhood.

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 is aesthetically pleasing with different coloured windows/door frames.
- In support of the amount of parking spaces provided for this project.

- There is general support for this application.

General comments of concern:

- The building is too high in relation to the surrounding homes in the neighbourhood.
- There will be a loss of privacy to neighbouring homes.
- The development has many units on a small parcel.
- Less units should be built in favour of more liveable units with more square footage.
- There are concerns regarding current tenant relocation and whether they are able to find affordable units.
- Increased traffic in the alley will cause safety concerns.
- Increased crime will occur as a result of more residents living in the area.
- The rooftop deck of the proposed development will result in loud social gatherings – creating noise and disruptions to neighbour.

Neutral comments/suggestions/recommendations:

- This rezoning does not provide enough density.
- Exterior finishing should be high quality and durable to complement the neighbourhood's architectural style.
- More 3+ bedroom rental options for families should be considered.
- Electric bike charging stations should be considered on site.
- Parking permits for the neighbourhood should be re-evaluated as some residents are not eligible.
- Underground parking should be considered.
- Accessible parking spaces and car share spaces should be considered.
- A pedestrian/cyclist controlled flashing crosswalk should be installed at the crosswalk between 16th Avenue and Yukon Street.
- Applications that cause an incremental increase in density should go straight to development permit and not require a rezoning.

* * * * *

351 West 16th Avenue
PUBLIC BENEFITS SUMMARY

Project Summary:

Two low density (three and four storey) residential buildings with 13 secured market rental units.

Public Benefit Summary:

The project will provide a DCL payment and 13 secured market rental housing units.

	Current Zoning	Proposed Zoning
Zoning District	RT-5	CD-1
FSR (site area = 597.6 sq. m (6,432) sq. ft.))	0.75	1.45
Buildable Floor Space	448.2 sq. m (4,824 sq. ft.)	866.5 sq. m (9,326 sq. ft.)
Land Use	Residential	Residential

Summary of development contributions expected under proposed zoning

City-wide DCL[1, 2]	$93,264
Utilities DCL[1]	$55,457
TOTAL	**$148,721**

Other benefits (not-quantified components): All residential units to be rental housing (non-stratified) all secured 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 in-stream rate protection. See the City's DCL Bulletin for more details.

[2] This application is eligible for a waiver of the City-wide DCL, however the applicant has elected not to seek the waiver. As per Section 3.1B of the Vancouver Development Cost Levy By-law, the applicant's decision regarding the waiver for projects requiring rezoning should be made at the rezoning application stage and the relevant requirements should be secured in the conditions of enactment. Should the applicant wish to request a DCL waiver at a later stage, the application would be expected to return to Council for a subsequent public hearing to amend the rezoning conditions.

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351 West 16th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
351 West 16th Avenue	014-568-489	Lot 13 Block F District Lot 526 Plan 1530

Applicant Information

Architect	Haeccity Studio Architecture
Registered Owner	Panagiotis and Despina Kefalas

Development Statistics

	Permitted Under Existing Zoning	Proposed
Zoning	RT-5	CD-1
Site Area	597.6 sq. m (6,432) sq. ft.	597.6 sq. m (6,432) sq. ft.
Land Use	Residential	Residential
Maximum FSR	0.75	1.45
Maximum Height	10.7 m (35 ft.)	11.5 m (38 ft.)
Floor Area	448.2 sq. m (4,824 sq. ft.)	866.5 sq. m (9,326.sq. ft.)
Unit Mix	N/A	2 studio units 6 one-bed units 3 two-bed units 2 three-bed units
		13 total units
Parking and Bicycle Spaces	As per Parking By-law	As per Parking By-law
Natural Assets	Two site trees, two trees on neighbouring private property and two street trees	To be confirmed at development permit stage

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