REFERRAL REPORT

Report Date: April 23, 2024
Contact: Lex Dominiak
Contact No.: 604.829.4396
RTS No.: 16336
VanRIMS No.: 08-2000-20
Meeting Date: May 7, 2024

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 1026-1108 West 41st 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 by-law, in accordance with the recommendations set out below, for consideration at the Public Hearing.

RECOMMENDATION FOR PUBLIC HEARING

A. THAT the application by Marcon Developments Ltd., on behalf of Amica West 41st Seniors Inc. (Inc. No. BC1394670), the registered owner of the lands located at:

- 1026 West 41st Avenue [*PID 010-629-122; Lot 11 Block 995 District Lot 526 Plan 7421*];
- 1042 West 41st Avenue [*PID 010-629-084; Lot 10 Block 995 District Lot 526 Plan 7421*];
- 1068 West 41st Avenue [*PID 010-629-068; Lot 9 Block 995 District Lot 526 Plan 7421*];
- 1088 West 41st Avenue [*PID 003-586-740; Lot 8 Block 995 District Lot 526 Plan 7421*];
- 1092 West 41st Avenue [*PID 010-629-033; Lot 7 Block 995 District Lot 526 Plan 7421*]; and
- 1108 West 41st Avenue [*PID 010-629-009; Lot 6 Block 995 District Lot 526 Plan 7421*];

to rezone the lands from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.70 to 3.36 and the maximum building height from 11.5 m (38 ft.) to 26.2 m (86 ft.) and to 30.0 m (98 ft.) for the portion with rooftop amenity, to permit the development of a six-storey, 164-unit Community Care Facility – Class B, 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 Shift Architecture, received May 25, 2023, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

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

B. THAT subject to approval of the CD-1 By-law, the Subdivision By-law be amended, generally as set out in Appendix C;

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

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 the properties at 1026-1108 West 41st Avenue to a CD-1 (Comprehensive Development) District to permit the development of a Community Care Facility, intended for seniors.

Staff have assessed the application and conclude that it meets the intent of the *Vancouver Plan* and the *Interim Rezoning Policy for Social Housing, Seniors Housing and Institutional, Cultural*

and Recreational Uses in Former Community Vision Areas. Staff support the application, subject to design development and other conditions. 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)
- Interim Rezoning Policy for Social Housing, Seniors Housing and Institutional, Cultural and Recreational Uses in Former Community Vision Areas (2023)
- Community Care Facility – Class B and Group Residence Guidelines (2008, last amended 2019)
- Green Buildings Policy for Rezonings (2010, last amended 2023)
- Latecomer Policy (2021)
- Community Amenity Contributions Policy for Rezonings (1999, last amended 2023)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183
- Urban Forest Strategy (2014, amended 2018)
- Public Art Policy and Procedures for Rezoned Developments (2014, last amended 2021)

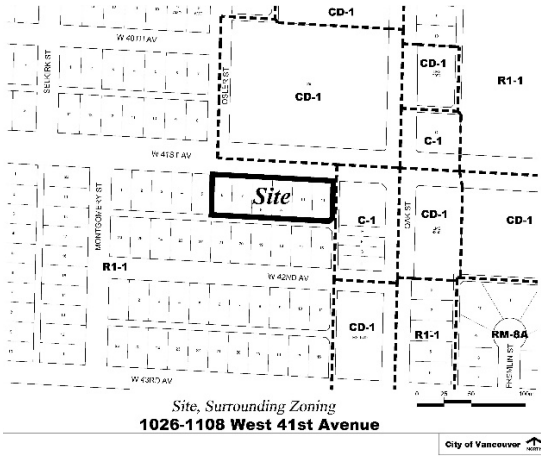
REPORT

Background/Context

1. Site and Context

The subject site is located at the south side of 41st Avenue between Montgomery Street and Oak Street in the Oakridge neighbourhood (see Figure 1). The site is comprised of six parcels, currently developed with six detached houses. The site size is 4,129 sq. m (44,446 sq. ft.), with a frontage of 111.1 m (365 ft.) along West 41st Avenue and an approximate depth of 37.1 m (122 ft.).

Figure 1: Location Map – Site and Context



The site is currently regulated by the R1-1 District Schedule, which allows for a maximum density of 0.7 FSR. The site to the north is zoned CD-1 and is occupied by the 2-3 storey Louis Brier Home and Hospital. Properties to the south and west are currently zoned R1-1 and are generally detached houses. The site to the east is the subject of a rezoning application for a mixed-use development with 25-storey and 17-storey buildings connected by a six-storey podium and a maximum FSR of 7.59. The site is situated one block away from the future Oakridge Transit Centre, which received rezoning approval to construct 17 residential buildings ranging in height between three to 26 storeys, childcare facilities, as well as a public park. The first phase of this development was approved by the Development Permit Board in February 2024.

Properties along 41st Avenue are eligible for rezoning consideration under the *Secured Rental Policy* (SRP) for rental residential developments up to six-storeys, with a height of 16.8 m (55 ft.). Properties to the south, on 42nd Avenue, are eligible under the *SRP* for consideration for rental residential developments up to four-storeys, with a height of approximately 12.4 m (41 ft.).

Neighbourhood Amenities – The following amenities are within close proximity:

- *Parks* – Montgomery Park (200 m), Oak Meadows Park (650 m), planned parks at the Oakridge Transit Centre (500 m) and Oakridge Centre (550 m).

- *Cultural/Community Spaces* – Jewish Community Centre (180 m), planned community facilities at Oakridge Centre (550 m) include a community centre, library and cultural performance space.

Oakridge Municipal Town Centre is located within 550 m. A rapid bus stop is located at 41st Avenue and Oak Street, 170 m from the site. The site of this application is also within 1 km of the Oakridge-41st Avenue Canada Line Station.

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 *Vancouver Plan* serves as a framework with further implementation planning work to follow over the coming years. The site is located within a neighbourhood centre overlapped with a future rapid transit area.

***Interim Rezoning Policy for Social Housing, Seniors Housing and Institutional, Cultural and Recreational Uses in Former Community Vision Areas* (IRP)** – The IRP was adopted in November 2023, consolidating rezoning policies for social housing, seniors housing, and institutional, cultural and recreational uses that were previously contained in Community Visions documents.

***Community Care Facility – Class B and Group Residence Guidelines* (Guidelines)** – The Zoning and Development By-law defines a “Community Care Facility – Class B” as a use providing residential care to seven or more persons not related by blood or marriage, in an operation that is licenced under the *Community Care and Assisted Living Act* of British Columbia. The *Guidelines* specify locational criteria and general design considerations for community care facilities to ensure that these institutional uses address resident needs, located

in neighbourhood centres and higher intensity areas and are sensitively integrated into their surrounding context.

Strategic Analysis

1. Proposal

The application proposes a six-storey, privately owned and operated, 164-unit Community Care Facility – Class B, intended for seniors, offering assisted living and long-term care (Figure 2). The proposal includes a floor area of 13,855 sq. m (149,134 sq. ft.), a building height of 26.2 m (86 ft.) and an FSR of 3.36. Resident drop-off and underground vehicle access are proposed from the lane.

Figure 2: View looking southwest from 41st Avenue

2. Land Use

This application proposes an institutional, Community Care Facility use, intended for seniors, consistent with the intent of the *Interim Rezoning Policy for Social Housing, Seniors Housing and Institutional, Cultural and Recreational Uses in Former Community Vision Areas* (IRP).

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

In assessing urban design performance, staff took into consideration the expectations of the *IRP* and urban design best practices.

Form of Development

This application is consistent with the *IRP* for a six-storey Community Care Facility – Class B. In the absence of built-form guidelines, Staff considered urban design best practices such as contextual fit and transitions to the surroundings, building setbacks and dimensions, interface

and pedestrian experience, and on-site private amenities. The proposal includes a step back above level four to maintain the emerging street wall in the neighbourhood, minimize the scale, and improve the transition to the surrounding context. The building is broken up into two forms to mitigate the apparent length. Staff have included a condition for refinement of the overall design to further reduce the development's perceived length.

Height
The proposed six storeys (26.2 m [86 ft.]) are within the *IRP's* permitted maximum. An additional partial rooftop amenity is proposed (up to a total of 30.0 m [98 ft.]), consistent with Section 10 of the Zoning and Development By-law, with a minor modification to suit this proposal.

Density
The *IRP* anticipates a density that is site-specific and varies with urban design performance based on general urban design best practices. The proposal meets this expectation and proposes a density of 3.36 FSR.

Public Realm and Interface
The provision of front yard setbacks on West 41st Avenue allows landscape planting to animate the street and mitigate traffic noise.

Amenity Space
The development offers on-site common indoor and outdoor amenity spaces for the residents on various floors.

Urban Design Panel
A review by the Urban Design Panel was not required due to the project's consistency with the expectations of the *IRP* and general urban design best practices.

Staff reviewed the site-specific conditions and concluded that the proposal reflects the *Policies* and general urban design best practices and is appropriate for the context. Staff support the application subject to the Urban Design conditions detailed in Appendix B.

4. Tenants

The site contains existing residential uses, including one unit of secondary rental housing and five tenants who were previously owners.

The tenancy of one unit of secondary rental housing is eligible under the City's *Tenant Relocation and Protection Policy* (TRPP). The applicant has provided a Tenant Relocation Plan (TRP) for eligible tenants, which meets the requirements of the City's *TRPP*, which is summarised in Appendix D of this report.

All residential tenancies are protected under the provincial Residential Tenancy Act.

5. Parking and Transportation

The application proposes 42 vehicle parking spaces and nine bicycle spaces accessed from the east lane. Conditions included in Appendix B require the proposal to meet the requirements of the Parking By-law.

Other rezoning conditions of approval include a new lane crossing on 41st Avenue, new speed humps in the lane south of 41st Avenue between Montgomery Street and Oak Street and the lane west of Oak Street between 41st and 42nd Avenue, accessible pedestrian signals at the intersection of Oak Street and 41st Avenue, and upgrades to the roadway and sidewalk lighting. Street improvements to the site's frontage along West 41st Avenue have also been conditioned, as well as the provision of bus stop amenities adjacent to the site. Local servicing requirements will be secured through a services agreement. Engineering conditions are included in Appendix B.

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. The applicant has submitted preliminary modelling strategies to meet anticipated energy and emissions and embodied carbon targets in the Vancouver Building By-law, a summary of the resilient building measures considered for the application, and a commitment to fulfil energy system sub-metering and enhanced commissioning requirements throughout the project.

Natural Assets – The *Urban Forest Strategy* seeks to preserve, protect and strengthen Vancouver's urban forest and tree canopy. The Protection of Trees By-law aims to maintain a healthy urban forest by requiring permission be sought to remove trees that meet certain conditions. The intent is to retain and protect as many healthy, viable trees as possible, while still meeting the challenges of development. This is in keeping with City goals to achieve resilient and healthy natural systems in our urban areas.

The site contains 10 trees on-site, with six City trees and one neighbouring tree also impacted. All on-site trees are proposed to be removed due to poor health and conflicts with the building footprint. The City and impacted neighbouring trees are proposed to be protected. The proposal anticipates substantial replacement trees on all sides of the site, with 47 new trees on-site. The final number of new trees will be determined through the Development Permit process. See Appendix B for landscape conditions.

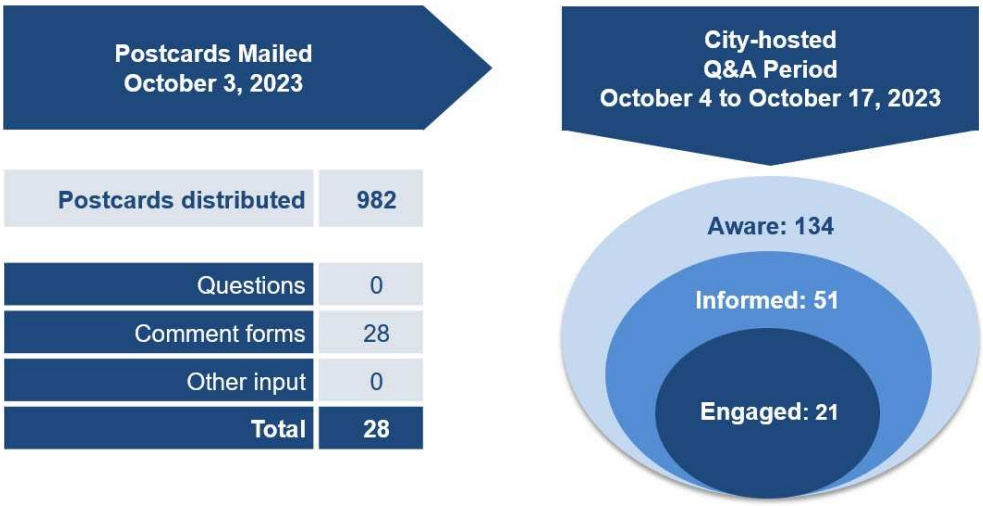
7. Public Input

Public Notification – A rezoning information sign was installed on the site on September 15, 2023. Approximately 982 notification postcards were distributed within the neighbouring area on or about October 3, 2023. Application information and an online comment form was provided on the Shape Your City (shapeyourcity.ca) platform.

Question and Answer Period – A question and answer period/virtual open house was held from October 4, 2024 to October 17, 2024. Questions were submitted by the public and posted with a response over a two week period. A flythrough video was made available for online viewing.

A virtual approach allowed people to access materials online and engage at different levels at a time and location of their choosing. Members of the public could submit questions, which staff actively monitored and responded to publicly. A total of 134 people signed onto the project webpage to view the rezoning proposal.

Figure 3: Overview of Notification and Engagement



Public Response and Comments – Public input is collected via online questions, comment forms, through email, and by phone. A total of 28 submissions were received.

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

Generally, comments of support fell within the following areas:

- **Housing:** The proposed development is supported for meeting a critical need for housing, rental, and care facilities for the senior demographic.
- **Location:** The proposed development is appropriately located in proximity to local amenities and will benefit the community.
- **Neighborhood character:** The development is sensitively designed to fit within the neighbourhood and allows senior residents to age in their community. It provides value to the community and complements existing community centres and services.

Generally, comments of concern fell within the following areas:

- **Height, density, and massing:** The height of the proposal would be too tall in an area that is primarily single-family homes.
- **Traffic and Parking:** The proposed development will negatively impact traffic in the area. More parking should be provided for the development, and the entrance to the parking garage should be coordinated with the proposed development at 5755-5791 Oak Street and 1008 West 41st Avenue.
- **Neighbourhood character:** The development takes away the neighbourhood character, history, and natural environment by incorporating glass high rises. The project would also not provide any value to the community.

Staff Response

Height, building form and massing – The six-story building adheres to the *IRP*'s permitted height maximum. City staff considered urban design best practices such as contextual fit and transitions to the surrounding neighbourhood, building setbacks and dimensions, interface, pedestrian experience, and on-site private amenities. The proposal includes a step back above level four to maintain the emerging street wall in the neighborhood, minimize the scale, and improve the transition to the surrounding context. To mitigate the building's apparent length, it is broken up into two forms. Staff have included a condition to further reduce the development's perceived length.

Traffic and Parking – Engineering staff have reviewed the proposed development for transportation safety issues and included rezoning conditions to deliver improvements to address safety for all road users. This includes street improvements such as lane crossings, speed humps, a 2.5 m (8 ft.) dedication along the West 41st Avenue frontage, upgraded roadway and sidewalk lighting, and accessible pedestrian signals.

8. Public Benefits

Community Amenity Contributions – The application is subject to the institutional CAC Target. The applicant has offered a cash CAC of $385,932 based on the 10,965 sq. m (118,022 sq. ft.) increase in allowable floor area and the institutional target rate applicable to this application. The cash CAC from this rezoning application will be allocated to support the delivery of public benefits in and around the Oakridge, Shaughnessy, and South Cambie areas. Approval and timing of specific projects will be brought forward as part of the Capital Plan and Budget process.

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

The site is subject to the City-wide DCL and Utilities DCL, which will be calculated on the floor area proposed at the development permit stage. Based on rates in effect as of September 30, 2023 and the proposed 13,855 sq. m (149,134 sq. ft.) of institutional floor area subject to commercial rates, DCLs are estimated to be $4,269,706.

DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the City's DCL Bulletin for details on DCL rate protection.

Public Art Program – The application is subject to a public art contribution estimated at $295,285. The final contribution will be calculated based on rate in effect and the floor area at the development permit stage. Applicants may elect to provide on-site artwork or cash-in-lieu (at 80% of the public art budget).

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

FINANCIAL IMPLICATIONS

As noted in the Public Benefits section, this project is expected to provide a cash CAC, a DCL contribution and a public art contribution. See Appendix G for additional details.

CONCLUSION

Staff review of the application has concluded that the proposed land use, form of development, height and density are consistent with the intent of the *Vancouver Plan* and *Interim Rezoning Policy for Social Housing, Seniors Housing and Institutional, Cultural and Recreational Uses in Former Community Vision Areas.* The proposal would supply 164 community care units, which the applicant intends for use by seniors.

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 F.

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1026-1108 West 41st 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) Institutional Uses, limited to Community Care Facility - Class B; and
   (b) Accessory Uses customarily ancillary to the above use.

Floor Area and Density

4.1 Computation of floor area must assume that the site area is 4,129 m^2, being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.

4.2 The maximum floor space ratio for all uses combined is 3.36, except that the floor space ratio of all floors at or above finished grade shall not exceed 3.22.

4.3 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.

4.4 Computation of floor area must exclude:

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

(i) the total area of these exclusions must not exceed 12% of the floor area, 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 of 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 storage area below base surface.

Building Height

5.1 Building height must not exceed 26.2 m.

5.2 Despite section 5.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, if the Director of Planning permits common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portions of the building with the permitted common rooftop amenity space or mechanical appurtenances must not exceed 30.0 m.

Horizontal Angle of Daylight

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

6.2 For the purposes of section 6.1 above, habitable room means any room except a bathroom or a kitchen.

6.3 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.

6.4 The plane or planes referred to in section 6.3 above must be measured horizontally from the centre of the bottom of each window.

6.5 An obstruction referred to in section 6.3 above means:

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

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

6.6 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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1026-1108 West 41st 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 Shift Architecture, received May 25, 2023 and provides that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with the development application.

THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning who shall have particular regard to the following:

Urban Design

1.1. Design development to visually distinguish the two building volumes.

Note to Applicant: This will further reduce the perceived length of the development. Suggested strategies include material and tonal variation, and architectural elements.

1.2. Design development to ensure all yards are free of encroachment, landscaped and visually engaging.

Note to Applicant: Suggested strategies include integrating all loading into the footprint of the building and landscaping the rear yard.

Crime Prevention CPTED

1.3. Provisions for Crime Prevention Through Environmental Design (CPTED) including:
(a) particular regard for mischief in alcoves and vandalism such as graffiti; and
(b) encouraging natural visual surveillance.

Note to Applicant: Below grade exterior spaces such as patios, exit stairs, light wells, and other similar conditions, should be considered with regard to security, access, path lighting and location of windows that encourage natural visual surveillance.

1.4 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 route.

Landscape Design

1.5 Verification that the proposed accessible/non-accessible green roof elements at the Rezoning proposal will be provided at the DP stage, and the structure will be designed accordingly.

1.6 Provision of a detailed Landscape Plan illustrating soft and hard landscaping for the complete site, including rooftops (where applicable).

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.

1.7 Provision of detailed architectural and landscape cross sections (minimum 1/4" inch 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, patios and portions of the adjacent building, such as residential units or amenity rooms.

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

Note to applicant: include a comparison of the percentage vegetative cover as a ratio of the overall site and a separate calculation of the ratio of vegetative coverage to total building roof area.

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

1.10 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.

1.11 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). Any limitations to the installation of hose bibs on private decks to be brought to the attention of staff in the written response.

1.12 Provision of landscape features intended to create bird friendly design.

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

design rationale for the features noted. Refer to:
http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf
http://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf

1.13 Coordination of new proposed street trees with Engineering and the Park Board, confirming quantities, species, sizes and locations, and addition of the following note on the plans:

Final location, quantity, tree species to the satisfaction of the General Manager of Engineering. Contact Engineering Services (Streets Design Branch) at 604-871-6131 to confirm planting location. New tree must be of good standard, minimum 6 cm calliper 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. New street trees to be confirmed prior to issuance of the building permit. Call Park Board at 311 for tree species selection and planting requirements. Park Board to inspect and approve after tree planting completion.

Sustainability

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

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

Social Policy

1.15 Passenger drop-off areas to be located in close proximity to the main entrance off the laneway and should have bench seating for people waiting for that is protected from sun and rain. The covered entry and driveway should be large enough to accommodate emergency vehicles, HandyDart and leisure out trip buses.

1.16 Provision of adequate, accessible storage area for scooters at parking level with ample space to accommodate a 1.5 m turning radius.

1.17 Provision for the entrance on 41st Avenue, although not intended to be drop off and pick-up entrance, to be recognizable and accessible to visitors approaching from 41st Avenue (vehicle passengers, pedestrians etc.). Once inside visitors should be able to easily navigate to a highly visible greeting/reception area.

1.18 Provision of a continuous walking loop through corridors and unrestricted access to indoor/outdoor activity spaces to serve residents on the memory care level(s).

1.19 Provision of common areas should designed at a household scale including small groupings of furniture and access to washrooms that are readily identified.

1.20 Provision of corridors be differentiated and wide enough for people to pass unimpeded to avoid confrontation, i.e., wide enough for two walkers/wheelchairs to pass each other.

1.21 Provision to ensure outdoor pathways at grade and on rooftops should be wide enough

for two users with walkers or in wheelchairs to pass easily. A simple looped path system in secure courtyard areas is desirable with seating and interesting focal points. Provide level walking surface with minimal glare, slip resistant treatment. Edge paving will support way finding and assist residents in staying on the hard surface. Handrails should be incorporated for those who are unsteady on their feet. Residents will have a habit of using handrails or walkers indoors and a continuation of that design element and physical support will allow them to be more confident going outdoors.

1.22 Provision of a 'family room': a private area for any family visiting from a remote location due to a resident's illness or passing. This space should include furnishings that adjust for overnight stays including a television and internet access.

1.23 Provision of an operating plan, which should include, but may not be limited to information on details such as the following:

(a) Anticipated resident profile (target market)

(b) proposed tenure of the units, i.e., rental, strata-title, or mix

(c) Meals service

(d) Other services provided on-site

(e) How the common spaces will be used and programmed

(f) Staffing, in particular, how 24 hour on-site emergency response and evacuation of non-ambulatory residents will be achieved.

Note to Applicant: The operating plan is required at the Development Permit and Building Permit stages of the permitting process.

1.24 The applicant should provide monthly average rents by unit types in the building.

1.25 Provision to meet the Community Care Facility – Class B & Group Residence Guidelines.

Note to Applicant: Additional information and refinement may be required with respect to the design attributes of the facility to incorporate evidence-based design interventions that support social abilities, functionality, and well-being of older adults in long-term care settings.

Engineering

Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:

1.26 Provision of a Construction Management Plan directly to Translink (MRN@translink.ca) with a copy of the correspondence provided to the City of Vancouver a minimum 8 weeks prior to the start of any construction activity.

Note to Applicant: The City of Vancouver and Translink have authority over construction works carried out on a City Street that is designated as part of the Major Road Network (MRN). This development site has been identified as being adjacent the MRN, as defined under the South Coast British Columbia Transportation Authority Act (https://www.translink.ca/plans-and-projects/projects/roads-bridges-and-goods-movement) on one or more frontages. Potential impacts to the road network due to site specific construction activity must be reviewed and approved for all sites proposing street use outside of currently regulated zone limitations.

1.27 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (COV Design Guidelines and Construction Standards and Encroachment By-law [#4243] section 3A) and access around existing and future utilities adjacent to your site prior to building permit issuance.

Note to Applicant: Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services at shoringreview@vancouver.ca for details.

Additional information:

Design guidelines and construction standard: https://vancouver.ca/streets-transportation/street-design-construction-resources.aspx

Steps to getting a shoring and excavation street use permit: https://vancouver.ca/home-property-development/construction-street-use-permits.aspx#shoring-and-excavation

1.28 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.

The owner or representative is advised to contact Engineering Services at StreetUseReview@vancouver.ca to acquire the project's permissible street use after building permit issuance.

Note to Applicant: Prepare a mitigation plan to minimize street use during excavation & construction (i.e., consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 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.

Additional information: https://vancouver.ca/home-property-development/construction-street-use-permits.aspx

1.29 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.

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

1.31 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) Minimum van accessible sized spaces.

Note to Applicant: Reference Section 4.8.1 of the Parking Bylaw.

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

(a) Minimum 10.7 m (35 ft.) of stall length for the parallel Class B loading space(s).

(b) Minimum 14.0 m stall length and 4.0 m width for the first parallel Class B passenger loading space.

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

(a) Complete tech table showing the calculations for the minimum required parking, loading, bicycle spaces and end-of trip facilities, passenger loading and the number of spaces being provided.

Note to applicant: Show required vehicle parking before and after Transportation Demand Management reductions for Level A proximity to transit. The site's TDM Plan notes a base minimum requirement of 44 spaces and architectural plans note 40 spaces (this is the same total required after TDM reductions).

(b) Dimension of any/all column encroachments into parking stalls.

(c) Dimensions for typical parking spaces.

(d) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and to the underside of raised security gates.

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

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

1.34 This development will be required to provide on-site rainwater management in accordance with Building By-law requirements (Book II, Division B, Article 2.4.2.5) in effect in January 2024.

Note to Applicant: The applicant will be required to demonstrate compliance with these requirements at the building permit application stage. See vancouver.ca/rainwater for more information.

1.35 Provision of a Final Hydrogeological Study, to the satisfaction of the General Manager of Engineering Services and the Director of Planning, which addresses the requirements outlined in the Groundwater Management Bulletin, including but not limited to:

(a) An updated Groundwater Management Plan which includes:

(i) Borehole and monitoring well logs from the reference site directly east of the subject site, with dates of each monitoring event.

Note to Applicant: The hydrogeological information provided should indicate if there is/are perched aquifer(s) in the vicinity of the parkade in addition to the “static groundwater table” information.

(ii) Permanent groundwater management, including anticipated groundwater discharge rates for City approval.

(iii) Note to Applicant: The City does not support the long-term discharge of groundwater to our sewer system. Every effort should be made to prevent or limit this discharge, with the details reflected in the Groundwater Management Plan.

Note to Applicant: Groundwater has been extracted from the site of Oakridge Mall (41st and Cambie St.) since 1958. During this time, groundwater levels are estimated to have been lowered by up to 6 metres at Oakridge, with a generally reduced impact the further you are from the site. This artificially low water level is to be roughly maintained by Oakridge, in accordance with their Groundwater Management Strategy, but that may change over time. For additional information, the Groundwater Management Strategy is available through the Land Title Office (https://ltsa.ca/). The City of Vancouver is providing this information for general purposes only, and makes no warranties or representations as to the completeness, accuracy or reliability of this information. Development applicants should retain their own geotechnical and/or hydrogeological expertise in order to determine their best course of conduct, and should not simply rely on this information.

Note to Applicant**:** Provision of immediate notification to the City of any changes that may be material to the City’s review of the study (e.g., if the proposed excavation depth increases). Email the City at groundwater@vancouver.ca.

Note to Applicant: Construction-related discharge to the sewer must be measured and reported to the City. This monitoring must include daily average flow rates and be submitted monthly to groundwater@vancouver.ca. A hold will be placed on the issuance of a Building Permit for excavation. To remove the hold, provide an anticipated start date for excavation and the contact details for the professional services that have been retained to conduct this monitoring to groundwater@vancouver.ca.

1.36 Provision of the 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;

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

1.37 Submission of a Key Plan shall be submitted by the applicant and approved by the City prior to any third-party utility drawing submissions. It is highly recommended that the applicant submits a Key Plan to the City for review as part of the Building Permit application. Third-party utility service drawings will not be reviewed by the City until the Key Plan is defined and achieves the following objectives:

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

(b) All third-party service lines to the development are 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.

1.38 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.

Note to Applicant: BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be located on private property with no reliance on public property for placement of these features.

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

1.39 Provision of landscape and site plan that reflect the improvements to be provided as part of the Services Agreement including:

(a) The following statements are to be placed on the landscape plan:

(i) “This plan is NOT FOR CONSTRUCTION and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive “For Construction” approval and related permits are issued. Please contact Engineering, Development and

Major Projects and/or your Engineering, Building Site Inspector for details."

(ii) "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, installed with approved root barriers and appropriate soil. Installation of Engineered Soil may be required to obtain appropriate soil volumes based on site conditions. Root barriers shall be of rigid construction, 8 feet long and 18 inches in depth. Planting depth of root ball must be below sidewalk grade. Contact Park Board at pbdevelopment.trees@vancouver.ca inspection after tree planting completion."

Note to Applicant: Drawings must indicate that the off-site designs submitted as part of the Development Permit applications are preliminary.

(b) All proposed streetscape materials on City property to be City standard materials;

Note to Applicant: Deviations from the standard streetscape materials must be justified in a report and approved by the City prior to Development Permit application. Encroachment agreements may be required for non-standard streetscape materials on City property.

(c) Removal of special surface treatments on City Right-of-Way along West 41st Avenue.

(d) Provision of street trees where space permits.

(e) Provision of engineered soil under new sidewalks for better growing conditions of the street trees.

(f) Provision of 0.45 m (1.5 ft) of low growing groundcover/ sod grass strip between any planting and sidewalk.

(g) Provision and confirmation of the following are required in order for Engineering to support plant materials on the Right-of-Way:

(i) All planting on street rights of way are to be maintained by the adjacent property owner.

(ii) No permanent irrigation system shall be installed in the street Right-of-Way.

(iii) All plant material within the same continuous planting area that is located on street Right of Way within 10.0 m (32.8 ft), measured from the corner, of an intersection, pedestrian crossing, entrance to a driveway or other conflict areas where sightlines need to be maintained for safety reasons, shall not exceed a mature height of 0.6 m (2 ft) measured from the sidewalk.

(iv) All plant material within the street Right of Way that is located outside of the areas described in the bullet above shall not exceed 1.0 m (3.3 ft) in height, measured from the sidewalk.

(v) Plant shall be planted in such a way as to not encroach on the sidewalk, street, lane, and/or bike lane and shall provide a minimum 0.45 m (1.5 ft) buffer of low groundcover in planting beds adjacent to sidewalks.

Note to Applicant: Where a design detail is not available, make note of the improvement on the plan. Public realm changes include all of the off-site improvements sought for this rezoning. The Streets Design Guidelines are viewable online at https://vancouver.ca/streets-transportation/streetscape-design-guidelines.aspx and are to be used alongside the City construction and design manuals.

1.40 Submission of an updated architectural plan showing City issued Building Grades for the site.

Note to Applicant: Building Grade design is in the preliminary state. Finalized building grades are required prior to DP application.

1.41 Ensure the waste room designs are in compliance with the City of Vancouver's Guidelines in the Garbage and Recycling Storage Amenity Design Supplement, particularly the following:

(a) Number of containers for each stream to meet the capacity of each use type.

(b) The total area of each waste room should equate to at least 2 to 2.5 times the physical footprint of the containers.

(c) If container staging is required during collection days, a staging area should be provided on-site, not on City property, and should be identified on the design drawings.

1.42 Provision of a waste management plan at the development permit application stage. The plan should include the following:

(a) Types of waste streams to be provided.

(b) Number and size of containers to be provided for each stream.

(c) Collection frequency for each stream.

(d) Letter from waste hauler confirming the serviceability of waste rooms(s).

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, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:

2.1 Make arrangements to the satisfaction of the General Manager of Engineering Services, the Director of Legal Services, and the Approving Officer for the consolidation of Lots 6, 7, 8, 9, 10, and 11, all of Block 995 District Lot 526 Plan 7421 to create a single parcel and subdivision of that site to result in the dedication of the 2.5 m offset distance from the north property line for road purposes.

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

2.2 Make arrangements to the satisfaction of the General Manager of Engineering and the Director of Legal Services for release of BB1461318 (Non-Stratification Covenant) prior to occupancy. This agreement was entered into by the previous owner of Lot 7, Plan 7421 in connection with an application to the City for a development permit for a second dwelling unit on 1092 W 41st Avenue.

Note to applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition for zoning enactment. Prior to building occupancy the applicant is to supply a written request to the City, a new title search, and a copy of the documents along with executable discharge documents to affect the release.

2.3 Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the “Services”) such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights-of-way for the Services are provided. No development permit for the site, 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. Except as explicitly provided for in Condition 2.4.(a), 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 Engineering dated April 18, 2023, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 300mm. Should the development require water service connections larger than 300 mm, the developer shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost of the upgrading. The maximum water service connection size is 300mm

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 and to maintain acceptable sewer flow conditions.

Implementation of development(s) at 1026 West 41st require the following in order to maintain acceptable sewer flow conditions.

(i) Local Servicing Upgrade:

- Construct 10m of 375mm storm and 250mm sanitary sewers on W 41st Ave from MH 398425 to min 1m beyond proposed service connections, capping mains to be extended in future.

Note to Applicant: The development is to tie into COM Main ID: 398425 on W 41st Ave.

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

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

Note to Applicant: Development to be serviced on West 41st Avenue. Main extension required to successfully tie into the services at this location.

(c) Provision of speed humps in the lane south of W 41st Avenue between Montgomery Street and Oak Street and speed humps in the lane west of Oak Street between W 41st Avenue and W 42nd Avenue.

(d) Provision of improvements at the intersection of Oak Street and W 41st Avenue including:

(i) Upgrades to the existing traffic signal including accessible pedestrian signals (APS).

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

(e) Provision of bus stop amenities adjacent to the site (stop# 50201) including all associated passenger facilities (shelter, seating, litter can, advertising panels, foundations, drainage, electrical connection, etc.) at a location to be determined by Engineering Services.

Note to Applicant: All removal, relocation or installation of street furniture shall be by the City's street furniture contractor and coordinated with the City of Vancouver Street Furniture Coordinator.

(f) Provision of a $30,000 cash security deposit retained prior to demolition of the existing building, for protection, relocation and/or delivery of bus stop amenities.

(g) Street improvements along W 41st Avenue adjacent to the site and appropriate transitions including the following:

(i) Provision of 2.44 m (8 ft) wide broom finish saw-cut concrete sidewalk.

(ii) Provision of integral concrete curb and slab at the bus stop per City standards.

(iii) Removal of existing walls, stairs and other structures from the property dedication area.

(h) Street improvements along the Lane West of Oak Street, adjacent to the site and appropriate transitions, including the following:

(i) Provision of full depth lane replacement.

Note to Applicant: Lane reconstruction to meet City higher-zoned lane pavement structure. If porous asphalt is used in this laneway, the proposed asphalt pavement structure shall meet the same loading performance as the City standard higher-zoned lane pavement structure.

(i) Street improvements along the Lane South of W 41st Avenue, adjacent to the site and appropriate transitions, including the following:

(i) Provision of full depth asphalt replacement.

Note to Applicant: Lane asphalt to meet City higher-zoned lane standards. If porous asphalt is used in this laneway, the proposed porous asphalt

pavement structure shall meet the same loading performance as the City standard higher-zoned lane pavement structure.

(ii) Installation of two new catch basin at the extension of the West property line.

Note to Applicant: The Streets Design Guidelines are viewable online at https://vancouver.ca/streets-transportation/streetscape-design-guidelines.aspx and are to be used alongside the City construction and design manuals. Confirm if your site is within a Streetscape Design Guideline area and follow the applicable guidelines.

(j) Provision of new standard concrete lane crossing, new curb returns and curb ramps at the existing lane crossing on W 41st Avenue adjacent to the site.

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

(l) Provision of new or replacement duct bank that meets current City standard;

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

Note 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 current COV Engineering Design Manual, Construction Specifications, Standard Detail Drawing, Canadian Electrical Code and the Master Municipal Construction Documents. Submission of the detailed Electrical Design does not occur until the Rezone has been enacted and a City Project Coordinator is assigned to the project.

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

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

(a) Intersection upgrades per condition 2.3.(d)(i).

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

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

Housing

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

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

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

(c) Provide an Interim Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Demolition Permit. The Report must include, but may not be limited to whether each tenant has indicated interest in the Right of First Refusal to return to the new building (if applicable); the names of any tenants who have ended their tenancy; the reason for its end (e.g. tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant) and their total compensation amount(s); the names of tenants still remaining in the building; the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan.

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

(d) Provide a Final Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Occupancy Permit. The Report must include, but may not be limited to, the names of tenants; whether each tenant has taken up the Right of First Refusal in the new building (if applicable) and their starting rent; and for those not returning to the new building, 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.

Community Amenity Contribution – Cash Payment

2.6 Pay to the City the cash Community Amenity Contribution of $385,932, which the applicant has offered to the City and which is to be allocated to support public benefits in and around the Oakridge, Shaughnessy, and South Cambie areas. Payment is to be

made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services.

Public Art

2.7 Enter into 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.

Note to Applicant: Please contact Eric Fredericksen, Head of Public Art (604-871-6002), to discuss your application.

Environmental Contamination

2.8 If applicable:

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

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

(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 siteon 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 untilseparate Certificates of Compliance, satisfactory to the City, for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

Agreements

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

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

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

* * * * *

1026-1108 West 41st Avenue
DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENT TO THE SUBDIVISION BY-LAW NO. 5208

Council amends Schedule A of the Subdivision By-law in accordance with the plan labelled Schedule A and attached to and forming part of this By-law by deleting the following properties from the R1-1 maps forming part of Schedule A of the Subdivision By-law:

(a) Lot 11 Block 995 District Lot 526 Plan 7421; PID: 010-629-122;
(b) Lot 10 Block 995 District Lot 526 Plan 7421; PID: 010-629-084;
(c) Lot 9 Block 995 District Lot 526 Plan 7421; PID: 010-629-068;
(d) Lot 8 Block 995 District Lot 526 Plan 7421; PID: 003-586-740;
(e) Lot 7 Block 995 District Lot 526 Plan 7421; PID: 010-629-033;
(f) Lot 6 Block 995 District Lot 526 Plan 7421; PID: 010-629-009.

* * * * *

1026-1108 West 41st Avenue
SUMMARY OF 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)	• Staff have distributed tenant needs assessment surveys. These surveys will be used in relocation efforts and to identify tenants' needs and preferences. • Applicant has committed to monitor rental market and provide tenants requesting assistance with three options in Vancouver that best meet the tenants' identified priorities.
Additional Support for Low Income Tenants or Tenants Facing Other Barriers to Appropriate Housing	• 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.

* * * * *

1026-1108 WEST 41st AVENUE
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

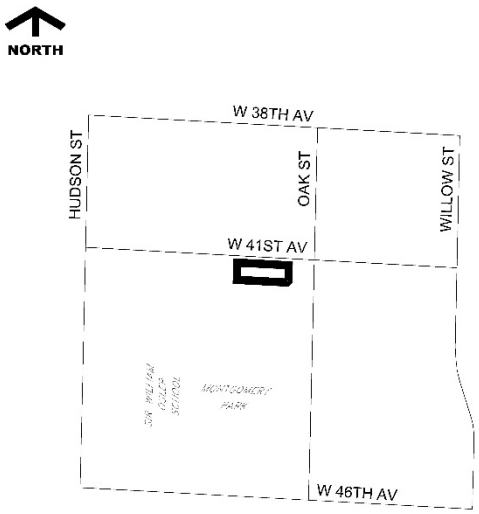
	Date	Results
Events		
Question and Answer Period (City-led)	October 04, 2023 – October 17, 2023	134 participants (aware)* • 51 informed • 21 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	October 2, 2023	982 notices mailed
Public Responses		
Online questions	October 04, 2023 – October 17, 2023	0 submittal
Online comment forms • Shape Your City platform	August 29, 2023 – March 25, 2024	28 submittals
Overall position • support • opposed • mixed	August 29, 2023 – March 25, 2024	28 submittals • 23 responses • 4 responses • 1 responses
Other input	August 29, 2023 – March 25, 2024	0 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	August 29, 2023 – March 25, 2024	605 participants (aware)* • 195 informed • 28 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:

- **Housing:** The proposed development is supported for meeting a critical need for housing, rental, and care facilities for the senior demographic.

- **Location:** The proposed development is appropriately located in proximity to local amenities and will benefit the community.

- **Neighborhood character:** The development is sensitively designed to fit within the neighbourhood and allows senior residents to age in their community. It provides value to the community and complements existing community centres and services.

Generally, comments of concern fell within the following areas:

- **Height, density, and massing:** The height of the proposal would be too tall in an area that is primarily single-family homes.

- **Traffic and Parking:** The proposed development will negatively impact traffic in the area. More parking should be provided for the development, and the entrance to the parking garage should be coordinated with the proposed development at 5755-5791 Oak St and 1008 W 41st Ave.

- **Neighbourhood character:** The development takes away the neighbourhood character, history, and natural environment by incorporating glass high rises. The project would also not provide any value to the community.

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

General comments of support:

- The building design is attractive.
- The proposed development satisfies the Arbutus Ridge/Kerrisdale/Shaughnessy Community Vision.
- The applicant has appropriately engaged and communicated with neighbours of the proposed development.

General comments of concern:

- The proposed development will not be affordable.
- The proposed development is dull and would benefit from additional or finer detailing, and greater variety in the materials and colour palettes.
- That insufficient space has been allocated for the resident and visitor drop-off zone.

Neutral comments/suggestions/recommendations:

- The proposed development should not have to go through Urban Design Panel or Rezoning processes.
- Additional information regarding traffic management should be provided by the applicant.

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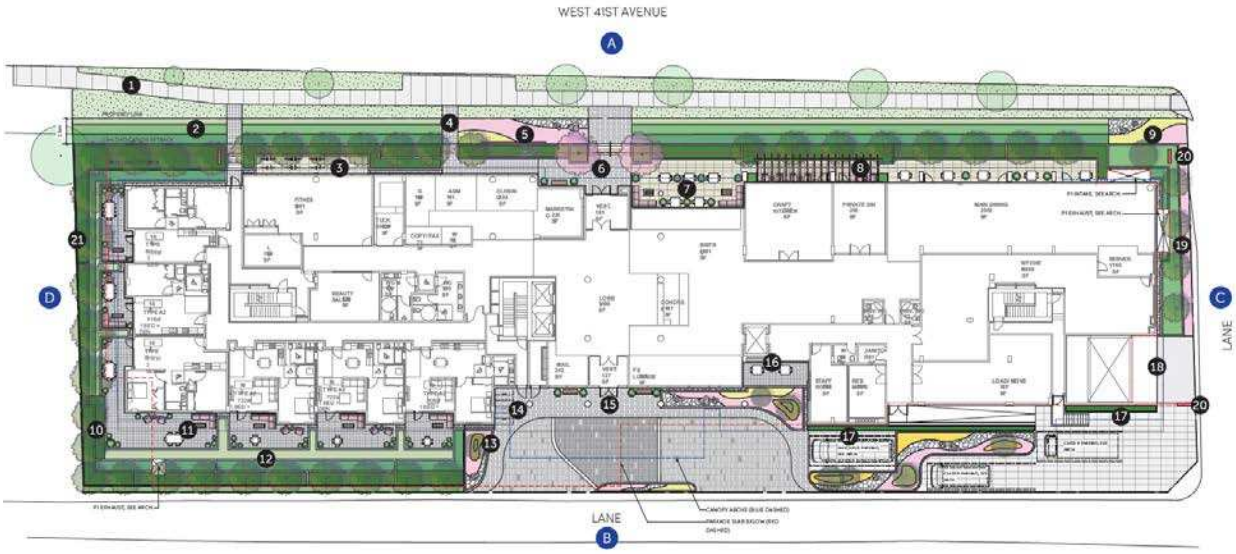
1026-1108 West 41st Avenue
FORM OF DEVELOPMENT DRAWINGS

Site Plan/Landscape Plan



South Elevation (West 41st Avenue)

North Elevation (Lane)

East Elevation

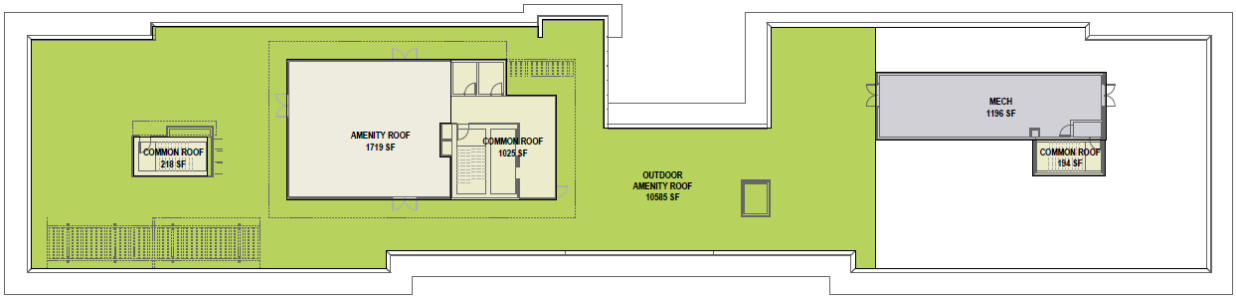
West Elevation

Level 2-4 Floor Plan

Level 5 Floor Plan

Level 6 Floor Plan

Roof Plan



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1026-1108 West 41st Avenue
PUBLIC BENEFITS SUMMARY

Project Summary

Rezone to permit a six-storey, 164-unit Community Care Facility - Class B.

Public Benefit Summary:

The proposal will provide a DCL payment, public art contribution and a cash community amenity contribution.

	Current Zoning	Proposed Zoning
Zoning District	R1-1	CD-1
Floor Space Ratio Site area = 4,129 sq. m (44,446 sq. ft.)	0.7	3.36
Floor Area	2,890 sq. m (31,112 sq. ft.)	13,855 sq. m (149,134 sq. ft.)
Land Use	Residential	Institutional – Community Care Facility – Class B

Summary of Development Contributions Expected under Proposed Zoning

City-wide DCL[1]	$3,251,121
Utilities DCL[1]	$1,018,585
Community Amenity Contribution – cash	$385,932
Public Art [2]	$295,285
TOTAL	**$4,950,923**

[1] Based on by-laws in effect as of September 30, 2023.DCL by-laws are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage. A development may qualify for 12 months of in-stream rate protection. See the City's DCL Bulletin for more details.

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

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1026-1108 West 41st Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

PROPERTY INFORMATION

Address	PID	Legal Description	Registered Owner
1026 West 41st Avenue	*010-629-122*	*Lot 11 Block 995 District Lot 526 Plan 7421*	Amica West 41st Seniors Inc. (Inc. No. BC139670)
1042 West 41st Avenue	*010-629-084*	*Lot 10 Block 995 District Lot 526 Plan 7421*	Amica West 41st Seniors Inc. (Inc. No. BC139670)
1068 West 41st Avenue	*010-629-068*	*Lot 9 Block 995 District Lot 526 Plan 7421;*	Amica West 41st Seniors Inc. (Inc. No. BC139670)
1088 West 41st Avenue	*003-586-740*	*Lot 8 Block 995 District Lot 526 Plan 7421*	Amica West 41st Seniors Inc. (Inc. No. BC139670)
1092 West 41st Avenue	*010-629-033*	*Lot 7 Block 995 District Lot 526 Plan 7421*	Amica West 41st Seniors Inc. (Inc. No. BC139670)
1108 West 41st Avenue	*010-629-009*	*Lot 6 Block 995 District Lot 526 Plan 7421*	Amica West 41st Seniors Inc. (Inc. No. BC139670)

APPLICANT INFORMATION

Applicant	Marcon Developments Ltd.
Architect	Shift Architecture

SITE STATISTICS

Site Area	4,129 sq. m (44,446 sq. ft.)

DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed
Zoning	R1-1	CD-1
Land Use	Residential	Institutional Uses – limited to Community Care Facility - Class B
Density	0.7 FSR	3.36 FSR
Maximum Height	11.5 m (38 ft.)	Roof Parapet: 26.2 m (86 ft.) Elevator/Mechanical: 30.0 m (98 ft.)
Floor Area	2,890 sq. m (31,112 sq. ft.)	13,855 sq. m (149,134 sq. ft.)
Parking and Bicycle Spaces	As per Parking By-law	Vehicle parking spaces: 42 Class A bicycle spaces: 14 Class B bicycle spaces: 6 Loading spaces: 2 Passenger loading spaces: 3
Natural assets	10 on-site trees, 6 City street trees and	Retain 6 City street trees 47 new on-site trees

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