CITY OF VANCOUVER

REFERRAL REPORT

Report Date:	September 10, 2024
Contact:	Bryan Wong
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Meeting Date:	September 24, 2024

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 (50) Text Amendment: 3282-3296 East 1st 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-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

RECOMMENDATION FOR PUBLIC HEARING

A. THAT the application by Cornerstone Architecture, on behalf of The Poor Italian Ristorante Ltd., the registered owner of the lands located at 3282-3296 East 1st Avenue [*PID 010-256-938; Lot A (Explanatory Plan 9638) Block 80 Section 30 Town of Hastings Suburban Lands Plan 8174*] to amend the text of CD-1 (50) (Comprehensive Development) District By-law No. 4379 to increase the maximum floor space ratio (FSR) from 0.4 to 3.5 and the maximum building height from 4.6 m (15 ft.) to 22.9 m (75 ft.), to permit the development of a six-storey mixed-use residential building containing 63 rental units with commercial space on the ground floor, be approved in principle;

FURTHER THAT the draft CD-1 By-law amendment, 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 Alan James Architect and Cornerstone Architecture, received September 6, 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 in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the amended 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 Recommendation 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 amend CD-1 (50) (Comprehensive Development) District By-law for 3282-3296 East 1st Avenue to permit a six-storey mixed-use residential building containing 63 rental units with commercial space on the ground floor.

Staff have assessed the application and conclude that it meets the intent of the *Rupert and Renfrew Interim Rezoning Policy.* Staff recommend that the application be referred to 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)
- Rupert and Renfrew Interim Rezoning Policy (2022, last amended 2024)
- Secured Rental Policy (2012, last amended 2024)
- Housing Needs Report (2022)
- Housing Vancouver Strategy (2017)
- Residential Rental District Schedules Design Guidelines (2022, last amended 2024)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992, last amended 2022)
- Community Amenity Contributions Policy for Rezonings (1999, last amended 2024)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183
- Green Buildings Policy for Rezonings (2010, last amended 2023)
- Urban Forest Strategy (2014, last amended 2018)
- Latecomer Policy (2021)

REPORT

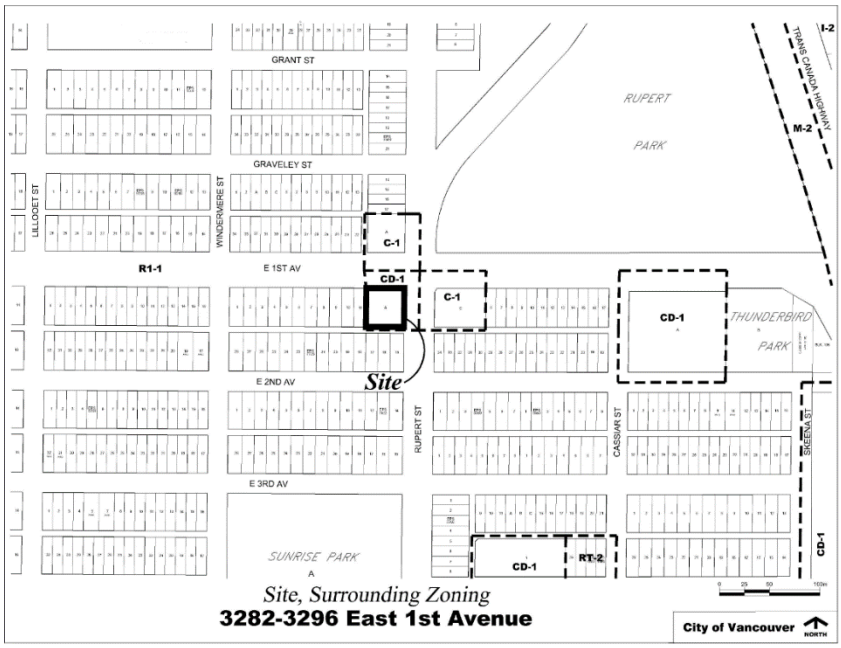
Background/Context

1. Site and Context

The subject site is zoned CD-1(50) and located on the southwest corner of East 1st Avenue and Rupert Street (Figure 1). The property consists of a single lot, with a frontage of 38.1 m (125 ft.) along 1st Avenue and a depth of 39.2 m (129 ft.) along Rupert Street. The total site area is 1,493.2 sq. m (16,073 sq. ft.) and is developed with a one-storey commercial building constructed in 1968. There are no existing residential tenants on site.

The surrounding area contains a mix of uses. The Trans-Canada Highway off-ramp and Rupert Park are located to the northeast of the site. Neighbouring sites across 1st Avenue and Rupert Street are zoned C-1 containing gas stations, a park, and spanning further out to the east and south are R1-1 (Residential) District lots.

Figure 1: Location Map – Site and Context



Neighbourhood Amenities – The following amenities are within close proximity:

- *Parks:* Rupert Park (180 m), Sunrise Park (250 m), Thunderbird Park (550 m), Charles Park (1.2 km), Falaise Park (1.4 km), and Hastings Park (1.5 km).
- *Cultural/Community Spaces:* Frog Hollow Neighbourhood House (1.2 km), PNE Garden Auditorium (1.5 km), Hastings Community Centre (1.6 km), and VIVO Media Arts Centre (1.9 km).

- *Childcare:* Begbie YMCA Kids Club (600 m), Thunderbird Out of School Care (850 m), Frog Hollow NBH House's Satellite Daycare (1.1 km), Service de Garde Le Petit Jardin (1.2 km), and Frog Hollow NBH House's Kids World (1.2 km).

Local School Capacity – The site is within the catchment area of Thunderbird Elementary School and Vancouver Technical Secondary School. According to the Vancouver School Board (VSB)'s *2020 Long Range Facilities Plan*, Thunderbird Elementary and Vancouver Technical Secondary will be operating under capacity in the coming years, with a capacity utilization rate at 55% and 78%, respectively by 2031.

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

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 proposal addresses priorities within the *Housing Vancouver Strategy*

which aligns with the Vancouver Plan.

Rupert and Renfrew Interim Rezoning Policy – The Rupert and Renfrew Interim Rezoning Policy was approved by Council on March 29, 2022 and supports consideration of rezoning applications for rental or social housing and mixed-use projects under the *Secured Rental Policy*.

Secured Rental Policy (SRP) – The SRP encourages the construction of new purpose-built rental housing in Vancouver. Updates to the SRP were approved by Council in December 2021 to streamline the delivery of new rental housing. These included clarifying opportunities for rezoning in low-density areas close to public transit, shopping and other daily needs.

The SRP outlines the following locational eligibility criteria for sites in existing CD-1 areas:

- Where existing rental units do not currently exist, and
- Infill development, where appropriate, on sites where existing tenants are not displaced.

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 creating 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 rental housing and address the data and findings within the HNR.

Housing Vancouver Strategy – Housing Vancouver focuses on the right supply of new homes, including rental, to meet a continuum of housing types. The strategy includes 10-year housing approval targets, which were updated in 2024. The new targets aim for 83,000 net new homes overall, including 35,500 purpose-built rental units. This rezoning will contribute towards targets for purpose-built market rental housing units.

Strategic Analysis

1. Proposal

The rezoning proposal is for a six-storey mixed-use residential building containing 63 rental units, with commercial spaces on the ground floor (Figure 2). The building height is 22.9 m (75 ft.) with a total floor area of 5,226.2 sq. m (56,254 sq. ft.) and a floor space ratio (FSR) of 3.5. Loading and underground parking are accessed from the lane.

2. Land Use

The proposed residential and commercial uses are consistent with the Rupert and Renfrew Interim Rezoning Policy and the SRP.

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

In assessing urban design performance, staff considered the built-form expectations of the *Residential Rental Districts Schedules Design Guidelines* ("Guidelines").

Figure 2: Perspective from Rupert Street and East 1st Avenue Looking Southwest

Form of Development – The proposed form of development is consistent with the Guidelines for a six-storey mixed-used residential building on a corner site (see Figure 2). The proposal generally meets the expectations for overall form, frontage and setbacks. The recommended building depth is intended to ensure adequate provision of natural light and ventilation within dwelling units. While the proposed depth exceeds that, the dwelling units have been oriented to provide natural light and ventilation, this depth is supported by staff.
Height – The Guidelines anticipate a building height of six storeys and 22 m (72 ft.). The proposed six-storey building height is 22.9 m (75 ft.) due to the site's slope that drops 2.5 m (8 ft.) from the southwest to the northeast. The proposed building height is supported by staff.

Density – The Guidelines establish a density of 3.5 FSR including 0.35 FSR for commercial use. The application complies with these objectives with a density of 3.5 FSR, including 0.34 FSR for commercial use.

Public Realm and Interface – The Guidelines envision a strong pedestrian orientation with wide sidewalks, continuous commercial frontage and weather protection for an active public realm. The proposal includes pedestrian-engaging commercial frontage with weather protection. Staff have prepared conditions to enlarge the setback, extending the commercial frontages for 1st Avenue and Rupert Street, and to incorporate weather protection.

Figure 3: Perspective from East 1st Avenue Looking Southeast

Private Amenity Space – The development offers on-site common indoor and outdoor amenities for the residents. Staff have prepared a condition to enhance the quality and functionality of the common amenities.

Urban Design Panel – A review by the Urban Design Panel was not required due to the project's modest scale and consistency with the expectations of the Guidelines.

Staff reviewed the site-specific conditions and have concluded that the proposal reflects the Guidelines' built form, and the height and density is appropriate for the context. Staff support the application subject to the Urban Design conditions detailed 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 63 rental housing units to the City's inventory of rental housing, which would contribute to the targets set out in the strategy (see Figure 4).

Figure 4: Progress Towards 10 Year Housing Vancouver Targets (2024-2033) for Secured Market Rental Housing as of June 30, 2024

Housing Type	Category	10-YEAR TARGETS[1]	Units Approved Towards Targets[2]
Purpose-Built Market Rental Housing Units	Market Rental	30,000	3,087 (10%)
	Developer-Owned Below Market Rental	5,500	353 (6%)
	Total	35,500	3,440 (9%)

[1]New 10-year targets were adopted in 2024, with tracking starting from January 1st, 2024.
[2]Previous targets established in 2017 included 20,000 purpose-built rental, market and below-market combined, with tracking

starting in 2017. As of December 31st, 2023, 87% of the previous targets had been reached.
**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 2023, the purpose-built apartment vacancy rate was 0.8% in Vancouver. The vacancy rate (based on Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the East Hastings area, which this site is located, is 0.4%. A vacancy rate of between 3% and 5% is considered to represent a balanced market.

Housing Mix – The *Family Room: Housing Mix Policy for Rezoning Projects* policy requires a minimum of 35% family units. This application proposes 32% two-bedroom family units, thereby falling short of the policy requirement. These units must be designed in accordance with the *High-Density Housing for Families with Children Guidelines*. A provision is included in the CD-1 By-law, and conditions of approval to meet the minimum unit mix requirements.

Average Rents and Income Thresholds – Average rents for units on the eastside are shown in Figure 5. Rent increases, over time, are subject to the Residential Tenancy Act. Average market rents in newer rental buildings on the eastside are shown in the middle two columns in Figure 5. The market rental housing will provide options which are significantly more affordable than average home ownership costs as illustrated in Figure 5.

Figure 5: Market Rents in Newer Eastside Buildings, Costs of Ownership and Household Income Served

		Newer Rental Buildings Eastside		Monthly Costs of Ownership for Median-Priced Apartment – Eastside (with 20% down payment)		
Unit	**Average Unit Size**	**Average Market Rent[1]**	**Average Household Income Served**	**Monthly Costs of Ownership[2]**	**Average Household Income Served**	**Down-Payment at 20%**
Studio	482 sq. ft.	$1,776	$71,040	$2,200	$88,000	$79,550
1-bed	565 sq. ft.	$2,116	$84,640	$2,885	$115,400	$108,000
2-bed	920 sq. ft.	$2,839	$113,560	$3,809	$152,360	$141,300
3-bed	-	$3,245	$129,800	$5,565	$222,600	$213,000

[1]Data from the October 2023 CMHC Rental Market Survey for apartments in purpose-built rental buildings completed in 2014 or later on the Eastside of Vancouver.
[2]Based on the following assumptions: median of all BC Assessment apartment sales prices in Vancouver Eastside in 2021 by unit type, 20% down-payment, 5% mortgage rate (in-line with Bank of Canada conventional rate), 25-year amortization, $150-$250 monthly strata fees and monthly property taxes at $2.92 per $1,000 of assessed value (2020 assessments and property tax rate).

Security of Tenure – Purpose-built rental housing offers secured rental tenure. All 63 units in the proposal would be secured through a Housing Agreement and a Section 219 Covenant for the longer of 60 years and the life of the building. Covenants will be registered on title to prohibit the stratification and/or separate sale of individual units.

Existing Tenants – The rezoning site does not currently have existing rental residential uses and there are no eligible tenants as defined under the City's *Tenant Relocation and Protection Policy* (TRPP). If any eligible tenants are identified through the City's regulatory approvals process, the applicant must provide a Tenant Relocation Plan that meets the TRPP.

5. Transportation and Parking

The site is well-served by transit, located 1.1 km north of the Rupert Millenium Line Skytrain station with bus service along Rupert Street and R5 Rapid Bus service along Hastings Street. Nearby bikeways include Slocan Street and Adanac Street, which connect to the Central Valley Greenway and Union Street bikeway.

Vehicle and bicycle parking are provided over two levels of underground parking, accessed from the lane. The application proposes 53 vehicle spaces, 84 bicycle spaces, and one loading spaces. Parking and loading are to meet the Parking By-law at the development permit stage. Engineering conditions require public realm improvements along 1st Avenue and Rupert Street including new sidewalks, new street trees, intersection accessible pedestrian signals and lighting, and rear lane repaving and lighting, as set out 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 analysis detailing design and construction strategies to meet the energy and emissions and embodied carbon targets in the Vancouver Building By-law, a summary of the resilient building measures, and a commitment to fulfil energy system sub-metering and enhanced commissioning requirements.

This application has also opted to pursue Passive House certification. Passive House is a world-leading standard for energy efficiency in buildings, and the process of design and certification to this standard significantly advances local construction practices toward zero emissions buildings. The applicant has submitted a letter from a certified Passive House designer that the building, as designed, is capable of achieving Passive House certification.

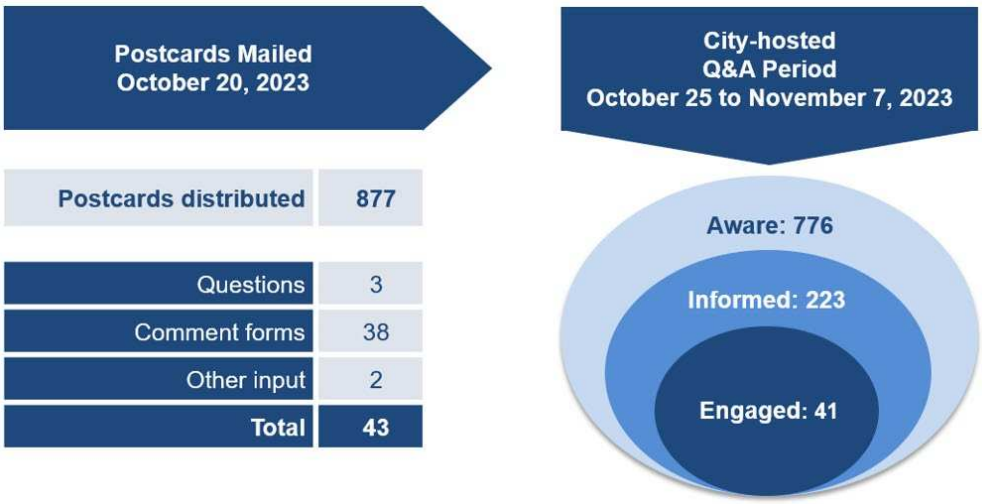
Natural Assets – The *Urban Forest Strategy* seeks to protect and strengthen Vancouver's urban forest and tree canopy. The Protection of Trees By-law requires permission to remove trees that meet certain conditions to protect as many healthy, viable trees while still meeting the challenges of development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

The site does not contain on-site trees, and no off-site street trees are located along 1st Avenue or Rupert Street. A total of six new on-site trees with new off-site trees along 1st Avenue and Rupert Street are proposed. See Appendix B for landscape and off-site tree conditions.

7. Public Input

Public Notification – A site sign was installed on October 6, 2023. Approximately 877 postcards were distributed within the neighbouring area on or about October 20, 2023. Notification, application information, and an online comment form was provided on the City's *Shape Your City* platform.

Figure 6: Overview of Notification and Engagement



Question and Answer Period – A Question and Answer Period was held from October 25 to November 7, 2023 on the *Shape Your City* platform. The Question and Answer Period consisted of an open-question online event where questions were submitted and posted with a response over a period of two weeks. The webpage received a total of 776 visitors during this period (Figure 7).

Public Response and Comments – Input was received via online questions, comment forms, and by email. A total of 43 submissions were received. Below is a summary of feedback and a detailed summary can be found in Appendix C.

Generally, comments of support fell within the following areas:

- *Density:* The density provided by this development is supported here.
- *Rental housing*: The proposal will increase the supply of rental housing.
- *Height, form, and massing*: The height, form, and massing is appropriate.

Generally, comments of concern fell within the following areas:

- *Traffic and parking*: Traffic congestion will increase, and traffic safety will be negatively impacted. There is insufficient vehicle parking. A parking stall should be provided for every rental unit.
- *Height and density:* The height of the proposal would be too tall in an area that only has low- to mid-rise developments. The proposed development would add too much density to the area.

Response to Public Comments

Traffic and parking: Staff have reviewed the proposal for transportation safety issues and have included conditions to deliver improvements that will address safety for all road users. This includes intersection upgrades along 1st Avenue and Rupert Street with accessible pedestrian signals and street lighting, sidewalk and curb ramp improvements, and the installation of parking signage on streets.

On June 26, 2024, the Parking By-law was updated to eliminate minimum parking requirements, city wide, for all land uses. Accessible parking, visitor spaces, bike parking, and loading spaces will continue to be required.

Height and density: Staff considered the height and density expectations of the SRP and associated design guidelines. The proposal meets the policy and guidelines' expectations for a building height of six storeys and a density of 3.5 FSR.

8. Public Benefits

Community Amenity Contributions (CAC) – The application is subject to the *Community Amenity Contributions Policy for Rezonings* with CACs based on a negotiated contribution. The proposal includes 100% of the residential floor area as rental housing to be secured through a Housing Agreement for the longer of 60 years and the life of the building.

Real Estate Services staff reviewed the application and the costs of securing the 63 rental housing units and have determined no CAC is required.

Development Cost Levies (DCL) – 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.

In accordance with the provisions of Section 3.1A(e) of the Vancouver DCL By-law the applicant has requested a 86.24% waiver of the City-wide DCLs attributed to the floor area qualifying as Class B "for-profit affordable rental housing" (market rental). Class B means market rental housing where starting rents across all units do not exceed the maximum averages set out in the DCL By-law for each unit.

Based on rates in effect as of September 30, 2023 and the proposed 4,726.1 sq. m (50,872 sq. ft.) of residential floor area and 500.1 sq. m (5,382 sq. ft.) of commercial floor area, it is estimated that the project will pay DCLs of $1,001,599. The value of the City-wide DCL waiver is estimated to be $956,410. Compliance with DCL waiver requirements will continue to be assessed through the development permit stage up to occupancy permit issuance at which point the applicant will be required to submit a rent roll that sets out the initial monthly rents for each unit.

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

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

Financial Implications

As noted in the Public Benefits section, this 63-unit rental housing project is expected to provide a DCL contribution. See Appendix E for additional details.

CONCLUSION

Staff have reviewed the application to amend the CD-1 (50) (Comprehensive Development) District By-law for 3282-3296 East 1st Avenue to permit a six-storey mixed-use residential building containing 63 rental units with commercial space on the ground floor. Staff conclude that it meets the intent of the Rupert and Renfrew Interim Rezoning Policy and contributes to the achievement of key housing goals outlined in the Housing Vancouver Strategy.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing with the draft amendments to the CD-1 (50) By-law as shown in Appendix A, 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 D.

* * * * *

3282-3296 East 1st Avenue
DRAFT CD-1 (50) BY-LAW AMENDMENTS

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

1. This By-law amends the indicated provisions of By-law No. 4379.

2. Council renumbers section 3 as section 8.

3. Council strikes out section 2 and substitutes the following:

   "2. The area shown outlined in black on the said plan is rezoned CD-1."

4. Council adds new sections 3 through 7 as follows:

   "

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) Cultural and Recreational Uses;

   (b) Dwelling Uses, limited to Mixed-Use Residential Building;

   (c) Institutional Uses;

   (d) Live-Work Use;

   (e) Manufacturing Uses;

   (f) Office Uses;

   (g) Retail Uses;

   (h) Service Uses;

   (i) Utility and Communication Uses; and

   (j) 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.

4.2 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building, other than the following:

(a) display of flowers, plants, fruits and vegetables in combination with a permitted use;

(b) farmers' market;

(c) neighbourhood public house;

(d) public bike share; and

(e) restaurant,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this by-law.

Floor Area and Density

5.1 Computation of floor area must assume that the site area is 1,493.2 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 3.5.

5.3 The total floor area used for commercial uses must not be less than 500.0 m^2.

5.4 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.

5.5 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 and verandahs if the Director of Planning first approves the design;

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

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

5.6 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 22.9 m.

6.2 Despite section 6.1 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 27.8 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.

”

* * * * *

3282-3296 East 1st Avenue
DRAFT 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 FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by Alan James Architect and Cornerstone Architecture, received on September 6, 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 further enhance the pedestrian experience and public realm activation as follows:

(a) Enlarge the front yard setback;

Note to Applicant: The front yard should be 2.4 m (8 ft.).

(b) Extend the ground-level commercial space the full length of both East 1st Avenue and Rupert Street frontages;

Note to Applicant: The *Residential Rental Districts Schedules Design Guidelines* intend for a continuous commercial space at grade and to ensure neighbourliness, especially for a corner site, and proximity to the southern Skytrain Station. Delete the westerly patio; minimize the commercial elevator's frontage.

(c) Improve pedestrian access to the commercial units;

Note to Applicant: Pedestrian access to commercial uses should be level with the adjacent sidewalk. This may require stepping the commercial units to match the street elevation given the sloping topography. Refer to the *Residential Rental Districts Schedules Design Guidelines*, Section 1.1(e)(i).

(d) Provide continuous weather protection on all commercial frontages; and

Note to Applicant: Refer to the *Residential Rental Districts Schedules Design Guidelines*, Section 1.1(f).

(e) Integrate the southeast parking exit stairs into the building footprint.

1.2 Design development to provide more functional and appropriately sized residential indoor and outdoor amenity spaces.

Note to Applicant: Refer to the *High Density Housing for Families with Children Guidelines*, Sections 3.2 to 3.5, and 3.7. Explore co-locating the amenities on the southeast corner of Level 5 to take advantage of the four-storey return wing's rooftop.

Crime Prevention through Environmental Design (CPTED)

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

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

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

(c) Mail theft;

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

(e) Reduced opportunities for graffiti.

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

1.4 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 routes.

Landscape

1.5 Provision of an arborist report and related design to show safe retention of all neighbour trees throughout construction or provide Letter of Consent for the removal of these trees with an associated arborist report.

Note to Applicant: Written consent can be provided at the development permit stage, and with the application of a tree removal permit on the adjacent parcel. In the event that consent cannot be provided, design development will need to occur to safely retain the trees or tree cluster, as necessary.

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

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

1.8 Provision of a “Tree Management Plan”, coordinated with arborist report to show:

(a) Scaled and dimensioned tree protection barriers around the trees on private and public property coordinated with arborist report;

(b) Tree numbering for all on-site and off-site trees; and

(c) Notations of all recommendations from Arborist, i.e. trigger points, grading and pruning specifications, etc.

1.9 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, and 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 trees 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.”

1.10 Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 9.3 sq. m (100 sq. ft.).

Note to Applicant: On the plan, illustrate irrigation connection points and hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed. Hose bibs are requested to encourage patio gardening and hand watering on private patio and amenity decks.

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

1.12 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.

Sustainability

1.13 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.*

Housing

1.5 The proposed unit mix, including 16 studio units (25%), 27 one-bedroom units (43%) and 20 two-bedroom units (32%) is to be revised in the Development Permit drawings to achieve at least 35% family units.

Note to Applicant: Any changes in the unit mix from the rezoning application may 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.

1.6 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 (Section 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 (Section 4.4.2);

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

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

Engineering

1.16 Confirmation of whether the proposed development impacts the Major Road Network (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). In the event it is confirmed the proposed development impacts the MRN, a Construction Management Plan shall be submitted directly to Translink (MRN@translink.ca) with a copy of the correspondence provided to the City of Vancouver.

Note to Applicant: The City of Vancouver and Translink have authority over the MRN as it relates to carrying out construction works on a City Street that is designated as an MRN.

1.17 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 and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60-day lead time for any major crane erection/removal or slab pour that requires additional street use beyond the already identified project street use permissions. https://vancouver.ca/home-property-development/construction-street-use-permits.aspx

1.18 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (City of Vancouver Design Guidelines, Construction Standards and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site prior to building permit issuance if shotcrete will be required for the site.

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.

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

1.19 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.

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

Note to Applicant: A lighting simulation is required as part of the Building Permit application process.

1.21 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) "Tree species, final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil volumes. 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 deep, centre on each street tree adjacent to the sidewalk and any off-street bike facility. Planting depth of root ball must be below sidewalk grade. Contact Park Board at pbdevelopment.trees@vancouver.ca for inspection after tree planting completion";

(c) Delete the ramp, stairs, planter walls, landscaping, and bicycle parking proposed within the statutory right-of-way (SRW) area along Rupert Street;

Note to Applicant: This SRW area is required to allow for a publicly accessible sidewalk. It must be free of all obstructions to pedestrian movement and paved in broom finish saw-cut concrete.

(d) Remove all signage from the application drawings. A separate sign permit will be required to consider/approve the location and type of signage; and

Note to Applicant: Proposed signage is shown encroaching over City property on the north elevation drawings.

(e) 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 City prior to the development permit application. Encroachment agreements may be required for non-standard streetscape materials on City property.

Note to Applicant: Public realm changes shall include all 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.

1.22 Provision of a canopy application may be required should the encroaching structure(s) meet the specifications set out in Section 1.8.8 of the Vancouver Building By-Law.

1.23 Submission to Engineering of an updated architectural plan showing City issued Building Grades for the site.

Note to Applicant: When providing additional property line elevations for proposed entrances, plazas, parking stalls, etc., interpolate a continuous grade between the elevations provided on the City supplied Building Grade plan.

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

(a) Minimum 0.6 m (2 ft.) width for each Class B bicycle space.

Note to Applicant: Refer to Class B bicycle space #1.

1.25 Design development to improve access and design of loading spaces and demonstrate compliance with the *Parking and Loading Design Supplement* to the satisfaction of the General Manager of Engineering Services:

(a) Minimum 3.5 m (11.5 ft.) vertical clearance for access to Class B loading.

Note to Applicant: Architectural plan A4.2 appears to provide approximately 3.1 m (10.2 ft.) of vertical clearance.

Note to Applicant: Council approved amendments to the Parking By-Law and the Transportation Demand Management (TDM) Administrative Bulletin. These requirements will apply to site development permits following this rezoning.

1.26 Design development to improve 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 dimensions for van accessible spaces.

Note to Applicant: Refer to Sections 4.8.1 (c)(ii) and 4.8.4 of the Parking By-law.

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

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

(b) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and to the underside of raise security gates; and

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

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

1.28 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.

1.29 Provision of 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.

1.30 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.

1.31 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. 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.

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, and 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 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for release of an Easement and Indemnity Agreement 486702M (commercial crossing) prior to building occupancy.

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.

2.2 Provision of a building setback and statutory right-of-way (SRW) for public pedestrian use over a portion of the site, adjacent to Rupert Street, to achieve a 4.5 m offset distance from the back of the existing curb to the building face. The SRW will be free of any encumbrance such as structure, stairs, planter walls, and mechanical vents at grade and is to accommodate the underground parking structure within the SRW agreement.

Note to Applicant: A survey plan prepared by a British Columbia Land Surveyor showing the existing dimension from the back of the City curb to the existing property line to determine the final setback and SRW width is required.

2.3 Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. 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) Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by CoreGroup Consultants dated May 26, 2023, no water main upgrades are required to service the development;

Note to Applicant: The main servicing the proposed development is 300 mm. The maximum water service connection size is 300 mm.

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

(b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. Implementation of development(s) at 3282 to 3296 East 1st Avenue does not require any upgrades in order to maintain acceptable sewer flow conditions;

(i) No sewer upgrade is required.

Note to Applicant: Development to be serviced to the existing 200 mm sanitary sewer in East 1st Avenue.

(c) Provision of street improvements along the lane south of East 1st Avenue, adjacent to the site and appropriate transitions, including the following:

(i) Full depth pavement reconstruction of the existing lane along the development site's frontage;

Note to Applicant: Lane reconstruction to meet City higher-zoned lane standards with centre valley cross section.

(ii) Installation of one new catch basin in the lane along the centreline;

(iii) Removal of the two existing catch basins in the lane; and

(iv) New standard concrete lane crossing, with new lane returns and ramps on both sides, at the lane entrance on Rupert Street;

(d) Provision for the construction of, or full funding for future street improvements from the centerline of Rupert Street adjacent to the site including any transition areas to connect existing and new curb alignments, all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include the following:

(i) Broom finish saw-cut concrete sidewalk from the back of the curb to the property line and within the SRW area;

(ii) Front boulevard trees;

(iii) Integral concrete curb and slab at the existing bus stop; and

(iv) Curb ramps;

(e) Provision for the construction of, or full funding for future street improvements from the centerline of the median on East 1st Avenue adjacent to the site including any transition areas to connect existing and new curb alignments, all to the satisfaction of the General Manager of Engineering Services. These improvements will generally include the following:

(i) Concrete curb and gutter;

(ii) Curb ramps along the site frontage and in the median;

(iii) 2.4 m wide broom finish saw-cut concrete sidewalk;

(iv) Minimum 1.2 m wide front boulevard with street trees where space permits; and

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

(f) Provision of improvements at the intersection of Rupert Street and East 1st Avenue including:

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

(ii) Modifications to the western median on East 1st Avenue to prohibit eastbound left turns, provision of curb ramps and any required signal modifications; and

(iii) Entire intersection street lighting upgrade to current City standards and IESNA recommendations;

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.

(g) Provision of bus stop amenities adjacent to the site including all associated passenger facilities (shelter, seating, litter can, advertising panels, foundations, drainage, electrical connection, etc) at a location to the satisfaction of the General Manager of 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 City of Vancouver Street Furniture Coordinator.

(h) Provision of upgraded street lighting (roadway and sidewalk) along site frontages to current City standards and IESNA recommendations;

(i) Provision of new or replacement duct bank adjacent to the site that meets current City standard; and

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 City of Vancouver *Engineering Design Manual*, Construction Specifications, Standard Detail Drawing, Canadian Electrical Code and the Master Municipal Construction Documents.

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

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

(a) Intersection improvements per condition 2.3(f).

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 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant securing all residential units as for-profit affordable housing units, excluding Senior's Supportive or Assisted Housing, for a term equal to the longer of 60 years and life of the building, subject to the following conditions and requirements:

(a) A no separate-sales covenant is required;

(b) A no stratification covenant is required;

(c) None of the units are to be rented for less than one month at a time;

(d) The average starting monthly rents for each unit type will for initial occupancy not exceed the rents outlined by Section 3.1A (e) of the Vancouver Development Cost Levy By-Law; and

(e) A rent roll is to be provided, prior to issuance of an occupancy permit, to the satisfaction of General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services, which reflects the agreed initial monthly rents as of occupancy.

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 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 sites as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the By-law and at no cost to the City.

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

* * * * *

3282-3296 East 1st Avenue
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

	Date	Results
Event		
Question and Answer Period	October 25, 2023 – November 7, 2023	124 participants (aware)* • 63 informed • 30 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and Question and Answer Period	October 20, 2023	877 notices mailed
Public Responses		
Online questions	October 25, 2023 – November 7, 2023	3 submittal
Online comment forms • Shape Your City platform	October 2023 – May 2024	38 submittals
Overall position • support • opposed • mixed	October 2023 – May 2024	38 submittals • 16 responses • 17 responses • 5 responses
Other input	October 2023 – May 2024	2 submittal
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	October 2023 – May 2024	776 participants (aware)* • 223 informed • 41 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

3. Analysis of All Comments Received

Below is an analysis of all public feedback.

Generally, comments of support fell within the following areas:

- **Density:** The density provided by this development is supported here.
- **Rental housing:** The proposal will increase the supply of rental housing.
- **Height, form, and massing:** The height, form, and massing is appropriate.

Generally, comments of concern fell within the following areas:

- **Traffic:** Traffic congestion will increase. Traffic safety will be impacted negatively.
- **Height:** The height of the proposal would be too tall in an area that only has low to mid rise developments.
- **Parking:** There is not enough vehicle parking provided by this development. A parking stall should be provided for every rental unit.
- **Density:** The proposed development would add too much density to the area.

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:

- This project adds housing in an ideal location along transit routes.

- The building fits the neighbourhood.

General comments of concern:

- The building does not fit the character of the neighbourhood.
- Views will be impacted negatively.
- Noise will increase from the development.

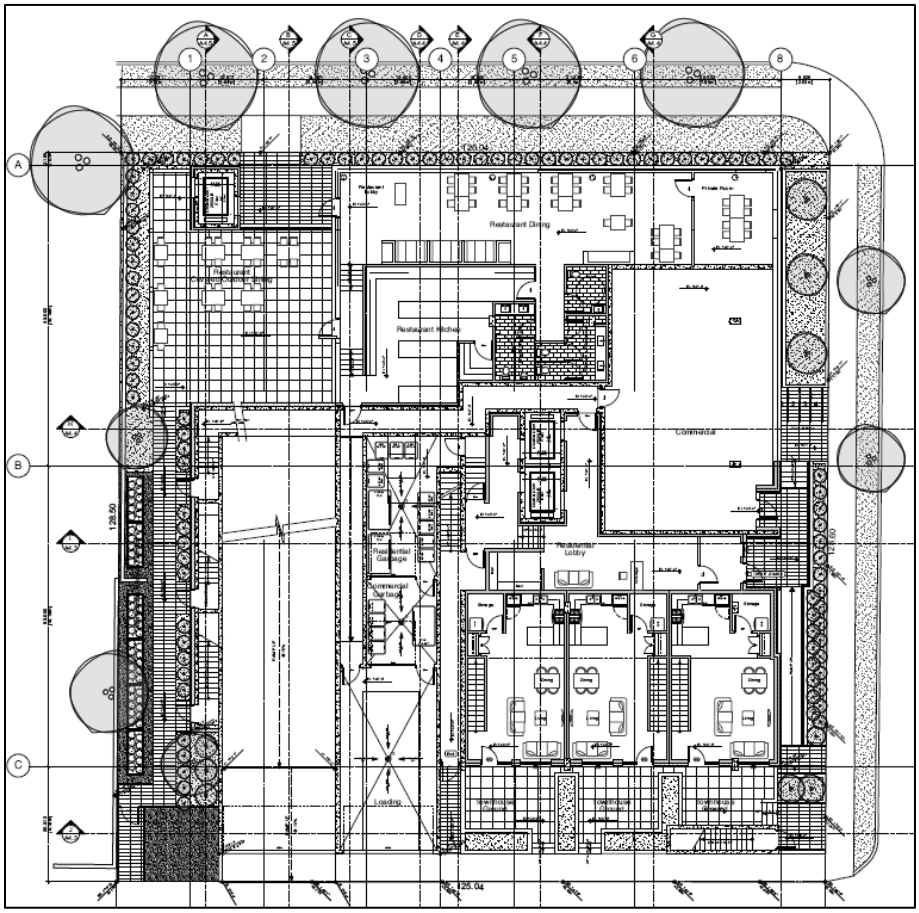
General neutral comments/recommendations:

- Consider traffic management investments.
- Public transit should be improved with an added bus line.
- Families should be prioritized for 2 or 3 bedroom units.
- The indoor amenity should be moved to the rooftop or provision washrooms.
- A rezoning or Urban Design Panel (UDP) should not be required for this type of development.

* * * * *

3282-3296 East 1st Avenue
FORM OF DEVELOPMENT DRAWINGS

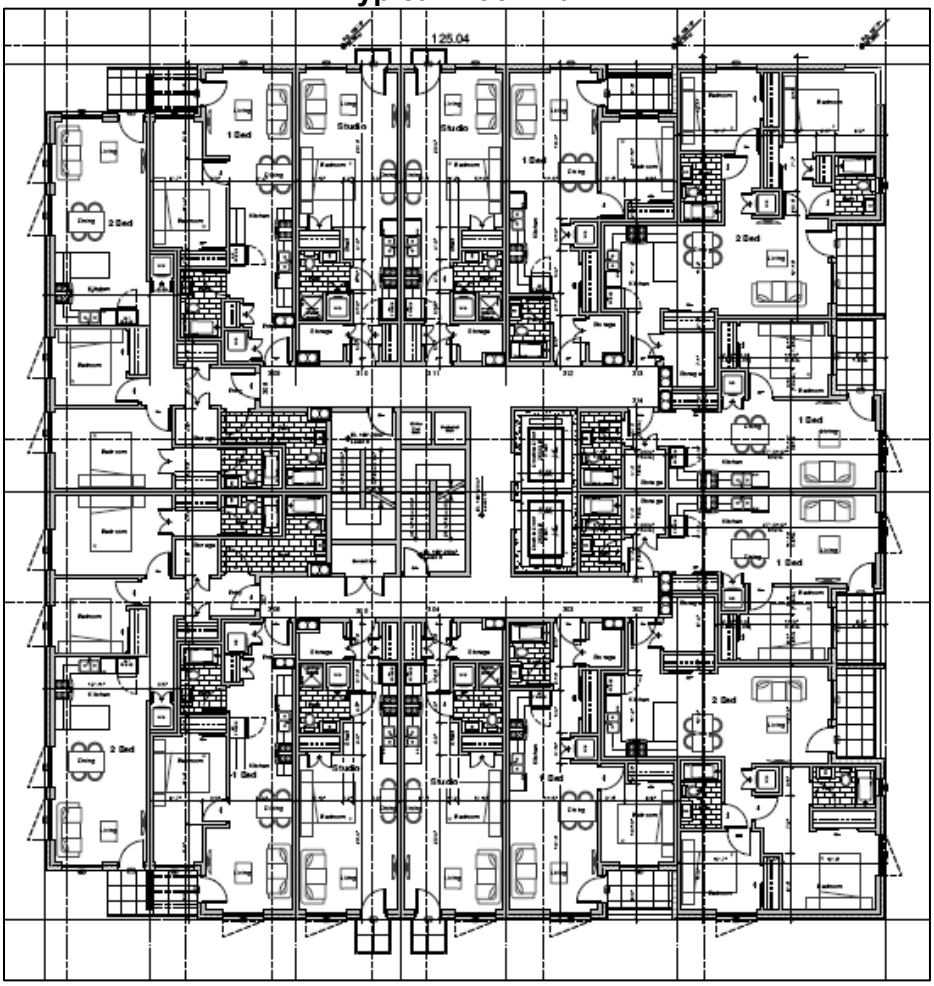
Ground Floor Plan



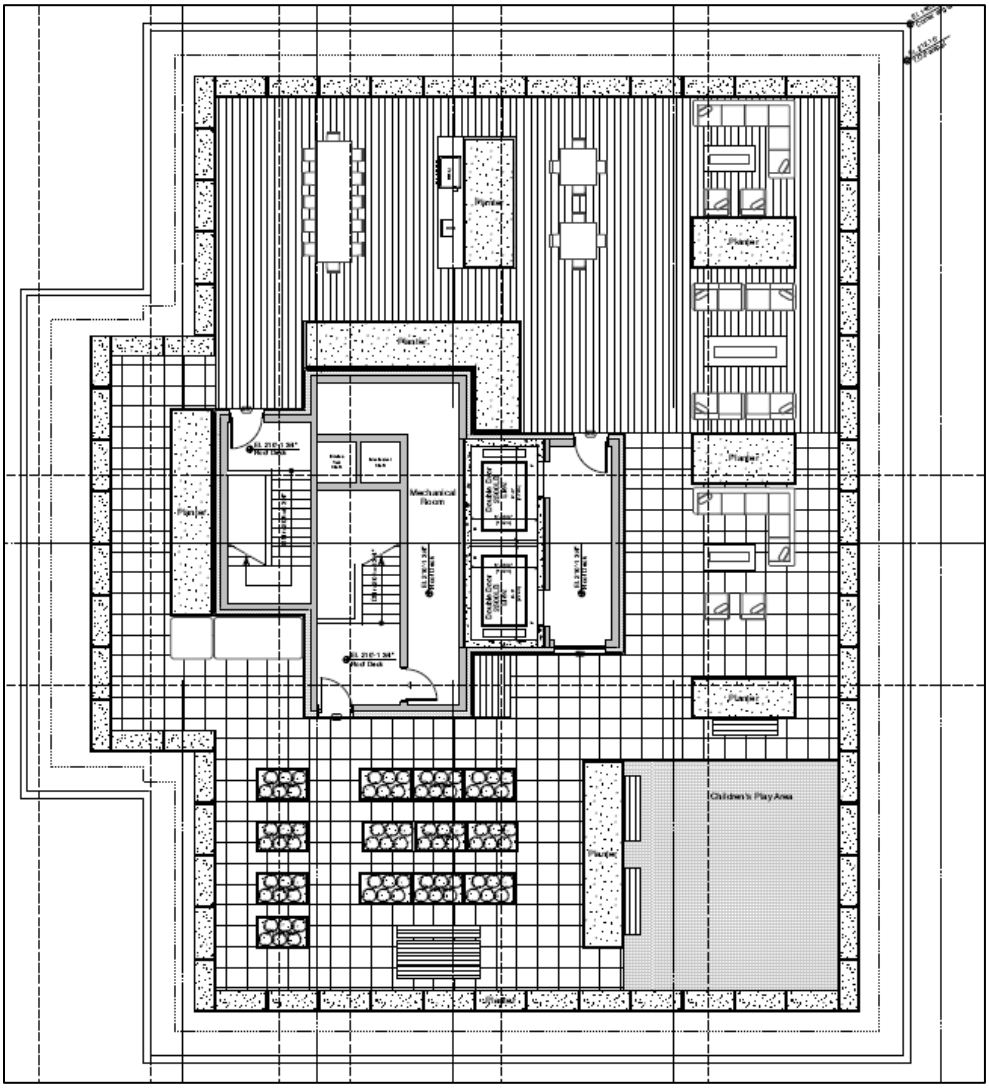
Perspective as Viewed from Rupert Street and Lane Looking Northwest

Perspective as Viewed from Lane Looking Northeast

Typical Floor Plan



Roof Plan



East Elevation

West Elevation

North Elevation

South Elevation

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3282-3296 East 1st Avenue
PUBLIC BENEFITS SUMMARY

Project Summary

Amendment to CD-1 (50) to permit a six-storey mixed-use rental building containing 63 rental housing units with commercial space on the ground floor.

Public Benefit Summary:

The proposal would provide 63 rental housing units, secured through a Housing Agreement for the greater of 60 years and the life of the building, and a DCL payment.

	Current Zoning	Proposed Zoning
Zoning District	CD-1 (50)	Amended CD-1 (50)
FSR (site area of 1,493.2 sq. m / 16,073 sq. ft.)	0.4	3.5
Buildable Floor Space	597.3 sq. m (6,429 sq. ft.)	5,226.2 sq. m (56,254 sq. ft.)
Land Use	Commercial	Mixed-use Residential

Summary of Development Contributions Expected Under Proposed Zoning

City-Wide DCL[1,2]	$269,928
City-Wide Utilities DCL[1]	$731,671
TOTAL	**$1,001,599**

Other benefits (non-quantified): 63 rental housing units secured through a Housing Agreement for the greater of 60 years and the life of the building.

[1] Based on by-laws in effect as of September 30, 2023; 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. A development may qualify for 12 months of in-stream rate protection, see the City's DCL Bulletin for more details.

[2] This application has requested and is expected to be eligible for a Class B (86.24%) waiver of the City-wide DCL applicable to the residential portion of the building. The value of the anticipated DCL waiver is estimated at $956,410. The application is therefore subject to the maximum average starting rents and unit sizes by unit type applicable to "class B for-profit affordable rental housing" as per the By-law. These requirements will be secured by a Housing Agreement, and compliance will be assessed through the development permit stage to occupancy permit issuance.

* * * * *

3282-3296 East 1st Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	3282-3296 East 1st Avenue
Property Identifier (PID)	010-256-938
Legal Description	Lot A (Explanatory Plan 9638) Block 80 Section 30 Town of Hastings Suburban Lands Plan 8174

Applicant Information

Architects	Alan James Architect and Cornerstone Architecture
Registered Owner	The Poor Italian Ristorante Ltd.

Development Statistics

	Permitted Under Existing Zoning	**Proposed**
Zoning	CD-1 (50)	Amend CD-1 (50)
Site Area	1,493.2 sq. m (16,073 sq. ft.)	1,493.2 sq. m (16,073 sq. ft.)
Land Use	Commercial	Mixed-use Residential
Maximum Density	0.4 FSR	3.5 FSR
Floor Area	597.3 sq. m (6,429 sq. ft.)	5,226.2 sq. m (56,254 sq. ft.)
Maximum Height	4.6 m (15 ft.)	22.9 m (75 ft.)
Parking, Loading and Bicycle Spaces	Per Parking By-law	Vehicle Parking 53 Bicycle Parking 84 Loading Spaces 1 To be confirmed at development permit stage
Natural Assets	0 existing on-site By-law trees	6 new on-site trees with additional off-site trees To be confirmed at development permit stage

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