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1805 Larch St (COMPLETE APPLICATION)  
DP-2020-00385 – CD-1(748)

GJ/PS/AM/AC/JLB

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**DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS**

**Present:**

J. Greer (Chair), Development Services  
J. Olinek, Urban Design & Development Planning  
J. Turecki, Engineering Services

**Also Present:**

G. Jiang, Urban Design & Development Planning  
P. Sheikhabari, Development Services  
A. Maness, UD Landscape & Development Planning  
A. Clarke, Housing Policy and Projects  
J.L. Borsa, Development Services

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**APPLICANT:**

Metric Architecture  
671 B Market Hill  
Vancouver, BC.  
V6Z 4B5

**PROPERTY OWNER:**

1157013 BC Ltd.  
670-1665 Broadway W.  
Vancouver, BC.  
V6J 1X1

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**EXECUTIVE SUMMARY**

● **Proposal:**

To develop this site, considered under the Moderate Income Rental Housing Pilot Program (MIRHPP), with a 6-storey multiple dwelling containing a total of sixty-eight (68) dwelling units (20% of residential floor area allocated to MIRHPP) over two levels of parking having vehicular access from the lane and one partial level of underground storage, subject to Council resolution of the Form of Development.

See Appendix A Standard Conditions

Appendix B Standard Notes and Conditions of Development Permit

Appendix C Plans and Elevations

Appendix D Applicant's Design Rationale

● **Issues:**

1. Perceived Height and Massing of Rooftop Amenity Room
2. On-site Public Amenity Space
3. Architectural Form and Character on Lane Side
4. Incompatible Front Yard Character

● **Urban Design Panel:** Support with Recommendations

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**DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE**

THAT the Board APPROVE Development Application No. DP-2020-00385 submitted, the plans and information forming a part thereof, thereby permitting the development of subject to the following conditions:

**1.0 Prior to the issuance of the development permit, revised drawings and information shall be submitted to the satisfaction of the Director of Planning, clearly indicating:**

- 1.1 design development to the rooftop amenity room to further reduce the perceived building height and massing through the following recommended design measures:
- i. reducing the area of rooftop amenity room, no more than 10% of the roof area on which it is located as viewed from directly above;
  - ii. limiting the dimensions of the amenity room no more than one third of the width of the building as measured on any elevation drawings; and
  - iii. locating the amenity room centrally with a minimum of 15 ft. setback from all edges of the roof and extra setback on the south side.

**Note to Applicant:** This condition is intended to reconcile the Rezoning Condition of Approval #6, which recommends co-locating an indoor amenity room with outdoor amenity space on the rooftop, with Council direction of exploration of building height, massing, and setbacks to be more compatible with neighbourhood character. The recommendations above are to ensure that the rooftop amenity room is modest in size, and its visibility from the public realm and adjacent houses is largely minimized. Refer to Standard Condition A.1.7. for clarification of height calculation. The applicant should provide view analysis from various viewpoints along W 2<sup>nd</sup> Ave, Larch Street, the lane and from the adjacent houses, to demonstrate that the intent of this condition can be met.

- 1.2 design development to provide a secured public amenity area on-site for children's play and community socialization at the northeast corner of the site.

**Note to Applicant:** This condition is to address the Council direction of exploration of the opportunity to provide public amenity space on site for children's play and community socialization. This space should be designed to ensure the access by public and minimize the privacy and noise impact on the adjacent on-site units. The feature of the existing bench and library kiosk is encouraged to be kept and integrated into the overall design of the public amenity space. Also see Landscape Condition A.1.24 and Engineering Condition A.2.16

- 1.3 design development to the architectural form and character on the lane side of the building to achieve a better neighbourhood fit through the following recommended design strategies:
- i. breaking up the continuous balconies into separate elements to create a more fine grain residential scale, to reduce the projecting volumes, and enliven the plane with vivid shadow patterns;

**Note to Applicant:** The continuous canopy on the level 5 should be revised accordingly.

- ii. breaking down the scale of the wall plane by considering incorporating varied setbacks;
- iii. considering introducing varied openings to animate the façade and reflect window characters in this area;
- iv. exploring de-emphasizing the vertical brick bay expression to mitigate the visual height;
- v. wrapping the end volume of the southeast corner with light brick up to level 3 to emphasize a transition to adjacent low-rise houses;
- vi. employing appropriate brick type and brickwork to enhance traditional characters;

**Note to Applicant:** Some surrounding traditional houses use brick for foundations or porch columns, in rough “clinker” form. The details of brickwork, including bond and course, should enhance a traditional appearance and decorative effects over the door, window, and the top of brickwork.

- vii. applying materials to define the volume instead of a “paste-on” appearance;
- viii. incorporating substantial high quality details which should be inspired by the existing neighbourhood characters. Enlarged elevation and section details should be provided for further review. The details may include but not is limited to:
  - a) entry porch/canopy and patio fence/gate for the laneway units;
  - b) decorative courses over the door, window, and the top of brickwork, where appropriate;
  - c) window lintel and sill treatment, where appropriate;
  - d) substantial mullions and deep recessed window surfaces;
  - e) balcony, guardrail, and canopy; and
  - f) parapet and guardrail.
- ix. developing landscape at grade and on roof decks with larger planting area. Compliance with Rezoning Condition 1(c) and 12 is required. See also Landscape Condition A.1.26.

**Note to Applicant:** This condition may require slightly reduction of the patio depth at the laneway units, but not less than 6 ft.

- x. creating a friendlier lane interface by reducing the exposure of the retaining wall and solid portion of the guardrail.

**Note to Applicant:** The proposed improvements of the architectural form and character on street facades address Rezoning Condition of Approval #5 and the Council motion in terms of increasing compatibility with the neighbourhood character. It was unanimous supported by UDP. This condition is to extend the improvements to the lane side with special focus on visual height, massing, setbacks, scale, as well as materials, details, and landscapes. Applicant should also consider these recommended design measures to other facades if applicable.

- 1.4 design development to the ground-oriented units and the front yards to establish a more residential scale and character, to enhance the rhythm of individual entrance and the “garden” streetscape along W 2nd Ave through the following recommended measures:

- i. developing the entry porch with a private open space to accommodate outdoor activities, which in general has an approximate depth of 6 ft., with an approximate area of 54 s.f., to replace the proposed floating wood patio in the front yard;
- ii. locating a substantial straight stair closer to the porch;
- iii. defining individual front yard with landscaping and/or customized fencing;
- iv. providing an entry gate or other entry marker such as an arbor or feature landscape at or close to the front property line; and
- v. developing a rich garden-like landscape in the front yard and coordinating with the landscape on city's property.

**Note to Applicant:** This condition is intended to follow through the Rezoning Condition for Approval #4. UDP also commented that the proposed boardwalk and floating wood patio are not compatible with the surrounding area and alternative solution should be explored.

- 2.0 That the conditions set out in Appendix A be met prior to the issuance of the Development Permit.
- 3.0 That the Notes to Applicant and Conditions of the Development Permit set out in Appendix B be approved by the Board.

• **Technical Analysis:**

Technical Review of: 1805 Larch St		CD-1(748)	DP-2020-00385
PERMITTED / REQUIRED		PROPOSED	
Site Size		117.96 ft X	150 ft
Site Area <sup>1</sup>	Per survey plan	1,644.38 m <sup>2</sup> =	17,700.00 ft <sup>2</sup>
Uses <sup>2</sup>	Dwelling Uses, limited to Multiple Dwelling Retail Uses, limited to Public Bike Share Ancillary Uses customarily ancillary to the permitted uses	Multiple Dwelling: sixty-eight (68) secured market rental dwelling units (20% allocate to MIRHPP)	
Setback		Front (North)	23.56 ft
		Side (West)	12.00 ft
		Side (East) To face of building	10.29 ft
		To face of Deck	3.00 ft
		Rear (South)	10.10 ft
Height <sup>3</sup>	Measured from base surface to top of parapet 67.26 ft	Top of rooftop trellis (Approx.) at 121.31' IG	66.90 ft
		Top of roof at SW corner of roof over Level 5 at 115.73' IG	63.44 ft
		Top of guard at SW corner of roof over Level 5 at 119.74' IG	62.93 ft
		Top of Amenity Roof at 121.76 IG	67.07 ft
FSR <sup>4</sup>	Maximum for all uses 2.53 FSR	Residential	2.53
		Total	2.53 FSR
Floor Area <sup>4</sup>	Maximum 44,781.00 ft <sup>2</sup>	Residential	44,813.74 ft <sup>2</sup>
		Total	44,813.74 ft <sup>2</sup>
Floor Area Exclusion <sup>5</sup>	Exclusions for improved building performance bulletin Section 10.11 - Floor Area Exclusions for Exterior Wall Thickness	<u>Rain Screen</u>	505.00 ft <sup>2</sup>
	Amenity 10% 4,478.10 ft <sup>2</sup>	<u>Thermal insulation</u>	469.95 ft <sup>2</sup>
		Amenity: Room 671 + Trellis	256.5 ft <sup>2</sup>
		Total Amenity	2.07% 927.50 ft <sup>2</sup>
	Open Residential Balconies or Sur 12% 5,373.72 ft <sup>2</sup>	<u>Open balconies or sundecks</u>	5.37% 2,405.11 ft <sup>2</sup>
Dwelling Unit Type <sup>6</sup>	Minimum 35% of the dwelling units must include 2 or more bedrooms	<u>Secured market rental units</u>	
		Studio	33% 18 units
		1-bedroom	31% 17 units
		2-bedroom	35% 19 units
		3-bedroom	0% 0 units
		Total	100% 54 units
		<u>Secured moderate income units</u>	
		Studio	29% 4 units
		1-bedroom	36% 5 units
		2-bedroom	29% 4 units
		3-bedroom	7% 1 units
		Total	100% 14 units
		<u>All units combined</u>	
		Studio	32% 22 units
		1-bedroom	32% 22 units
		2-bedroom	34% 23 units
		3-bedroom	1% 1 units
		Total	100% 68 units
Moderate Income Rental Housing <sup>6</sup>	Minimum 20% of the total dwelling unit area must be Moderate Income Rental Housing (MIRH)	Moderate Income Rental Housing	20.72% 7,231 ft <sup>2</sup>

Continue with Parking, Loading, Bicycle on the next page.

Technical Review of: 1805 Larch St					CD-1(748)					DP-2020-00385									
PERMITTED / REQUIRED										PROPOSED									
Parking <sup>7</sup>	Small Car		25%	8	max	Standard					16								
	Accessible			3	min	Small Car					18								
	Accessible					Accessible					3								
	<b>Secured Rental(TOTAL) 4.5.B1</b>				<b>33</b>	<b>min</b>	<b>Total:</b>				<b>37 (Counts as 40)</b>								
					<b>67</b>	<b>max</b>													
	Visitor			3	min	Visitor Standard					2								
	Visitor			7	max	Visitor Small Car					2								
Loading	Class		A	B	C	Class		A	B	C									
			0	0	0			0	0	0									
Bicycle <sup>8</sup>	Class		H	V	L	O/S	Class		H	V	L	O							
	A		A	A	A	B	A		A	A	A	B							
	75		32	11	5	4	72		38	25	0	6							
<b>Total</b>				<b>107</b>	<b>4</b>	<b>Total</b>				<b>135</b>	<b>6</b>								
Passenger Space <sup>9</sup>	Class		A	B	C	Class		A	B	C									
			1	0	0	Residential		1	0	0									

**Notes:**

**1 Site Area:** Site area is noted per submitted drawings.

**2 Uses:** Multiple Dwelling use is proposed for this site with 20% allocated to MIRHPP.

**3 Note on Height:** Proposed height is within the maximum allowed height under the Draft CD-1 By-law.

The roof level as proposed does not meet the size requirement under Section 10.18 - Height of Building and Relaxation, of the Zoning and Development By-law for it not to be considered a storey. The proposed Roof Level, as proposed is considered Level 6.

Requested existing and proposed grades at corners of the building to confirm which storey is considered the first storey. Will have to refer Section 2 of the Zoning and Development By-law. See condition A.1.11

**4 FSR and Floor Area:** Proposal currently meets the maximum allowed FSR but will have to be reviewed again once all exclusions have been verified on the next submission. See Note #5.

**5 Floor area exclusions:** Supporting documents and details are required to confirm the exclusion for exterior wall rain screen and insulation and to confirm the insulation is not being excluded under both exclusions. See condition A.1.9 and A.1.10 Should include the mechanical at the roof level in floor area calculation. See condition A.1.8 i Include the proposed covered exterior amenity space at proposed Roof Level in the calculation of proposed amenity area. See condition A.1.8 iv

Should include deck located at the Southeast corner of the building at Level 1 in calculation of balcony and sundeck area as per Section 6.4(a) of the by-law. See condition A.1.8 iii

Should include balconies located at Northeast and Northwest corner of the building on Level 1 and covered by level 2 balconies in balcony area calculations. See condition A.1.8 ii

Note. that there are no FSR exclusions available for porches within the CD-1(748) By-law. The current proposed porches have been excluded due to their sizes but note this for the next submission we will be only accepting exclusion of porches facing the streets up to maximum size of: 6'x9'

**6 Dwelling Unit Type and Moderate Income Rental Housing:** Review is based on the latest submission of the dwelling unit net areas dated July 27, 2020. The information provided should be consistent on all submitted drawings and documents on next submission. See condition A.1.13

Dwelling unit mix must match with housing agreement. See condition A.1.12 and A.1.13

**7 Parking:** Maximum 25% of the total parking spaces required for the site can be small car. See condition A.2.18 Proposed parking spaces to be dimensioned to confirm compliance with the minimum size requirements.

**8 Bicycle:** Minimum required oversized parking spaces should be provided and proposed bicycle spaces and the access aisles to be dimensioned to confirm compliance with the Parking By-law. See condition A.1.17A.2.17

**9 Passenger Space:** Minimum required size to be provided. Minimum 13.12' width is required. See condition A.1.18

● **Legal Description**

Lot:1  
 Block:220A  
 District Lot:526  
 Plan: EPP100017

● **History of Application:**

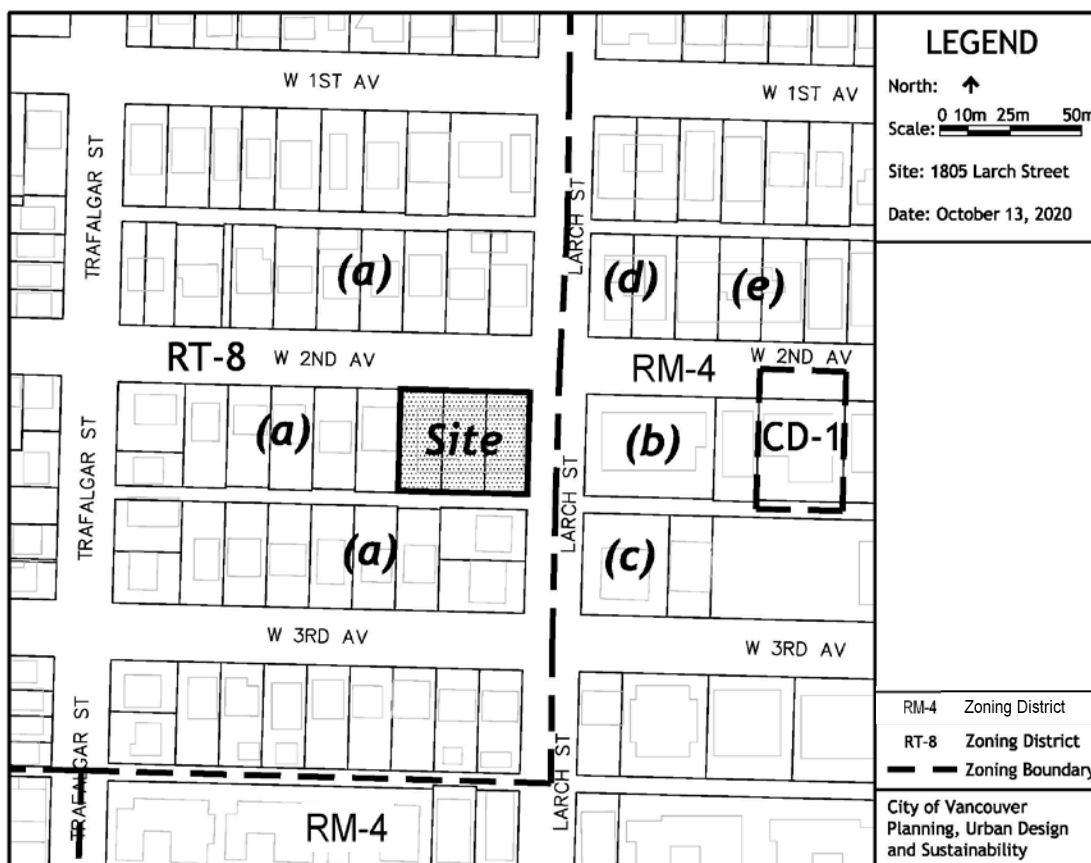
06 16 20 Complete DE submitted  
 07 22 20 Urban Design Panel  
 10 14 20 Development Permit Staff Committee

● **Site:**

The site is located in Kitsilano on the southwest corner of Larch Street at West 2nd Avenue. It is comprised of three tied parcels developed with a two-storey church originally built in 1962. Larch Street is the boundary between the zones of RT-8 and RM-4. The site is within the RT-8 zone, and surrounded by 2-3 storey old houses on the north, west, and south. To the east across Larch St, and south along at W 4th Avenue, sites are generally zoned RM-4 which is characterized by 3 to 6 storey contemporary residential buildings.

● **Context:** Significant adjacent development includes:

- a) 2 – 3-Storey residential houses;
- b) 2490 W 2nd Avenue, 4-storey residential building, (c. 1997);
- c) 2495 W 3rd Avenue, 6-storey residential building, (c. 1973);
- d) 2495 W 2nd Avenue, 4-storey residential building, (c. 1965);
- e) 2455 W 2nd Avenue, 3-storey residential building, (c. 1961).



● **Background:**

The CD-1 By-law for this site and the form of development were approved by Council in principle, subject to approved rezoning conditions and Council motions, following the Public Hearing on December 12, 17, and 18, 2019. The CD-1 permits a residential development with a floor space ratio (FSR) of 2.53 and building height of 20.5 m (67.3 ft.), which would contain 63 secured rental housing units, with 20 per cent of the residential floor area being secured as moderate income rental units.

At the Public Hearing, the public raised strong concern of impacts on the neighbourhood with regard to building height, massing, character, parking, and loss of the church and a children's play area. Council approved the rezoning application and the form of development in principle, subject to the approved rezoning conditions and Council motions that requires exploration of the opportunities to improve the neighbourhood compatibility and provide on-site public amenity space.

A development permit application was submitted on June 16, 2020. The application was reviewed by the Urban Design Panel on July 22, 2020 where it received unanimous support from the panel.

● **Applicable By-laws and Guidelines:**

**CD-1 By-law 748 (enacted July 24, 2020) and overall form of development (approved in principle Dec of 2019)**

This CD-1 By-law establishes the permitted uses, height, and density for the site to be considered in combination with the overall form of development approved in principle by Council.

The approval of rezoning application is also subject to the rezoning conditions and Council motions. The Council motions include two parts, read as:

“staff work with the applicant to further explore the building massing, height, excess parking, setbacks and detailing to be more compatible with the existing neighborhood character, and to explore the opportunity to provide public amenity space on site for children's play and community socialization.”

“include a condition in the Housing Agreement that requires the moderate income rental units to be distributed throughout the building to the greatest extent possible, while taking into consideration the required family unit mix and financial constraints of the project, to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services.”

**Kitsilano RT-7 and RT-8 Guidelines (1994, last amended 2018)**

These guidelines apply to the development under RT-7 and RT-8 Zoning By-laws. Given the site was originally zoned RT-8 and is currently surrounded by low-rise traditional houses on north, west, and south sides, it necessitates the new development providing a respectful response to the existing neighbourhood character. While the CD-1 By-law and form of development in the rezoning application are beyond the parameters set out in the RT-8 Zoning Bylaw, these guidelines offer useful reference to the design considerations with respect to the neighbourhood character and architectural components, including siting with open front yards, simple mass with a simple roof, richness façade, universal porch feature, limited window area with careful configuration, raised street-facing entrance, traditional materials, and robust details.



### **Moderate Income Rental Housing Pilot Program**

This project was considered under the Moderate Income Housing Pilot Program (MIRHPP). On November 29, 2017, Council approved the application process, project requirements and incentives for the MIRHP Program which is intended to deliver moderate income rental housing across the city.

MIRHPP projects are required to secure 100% of the residential floor area as rental housing and at least 20% of the residential floor area that is counted in the calculation of the floor space ratio must be made available to moderate income households earning between \$30,000 and \$80,000/ year.

#### **Below-Market Rents for 20% of Residential Floor Area**

Unit Type	Maximum Average Rents for 20% of Residential Floor
Studio	\$950
1-bed	\$1,200
2-bed	\$1,600
3-bed	\$2,000

Rent escalation in the moderate income units will be capped at the BC Residential Tenancy Act annual allowable increase, regardless of turnover. In addition to security of tenure, affordability and minimum floor space requirements, the pilot program includes unit mix target guidelines. In order to realize projects with these levels of secured affordability, pilot projects can receive incentives including relaxation of minimum unit sizes and configuration requirements, expedited processing, additional floor area, and parking requirement reductions.

### **High-Density Housing for Families with Children Guidelines (1992)**

These guidelines apply to any development that proposes a density that is 75 dwelling units per hectare or higher. The intent of the guidelines is to address the key issues of site, building and unit design which relate to residential livability for families with children. The guidelines provide both quantitative measures and qualitative guidance on designing family-friendly housing touching on outdoor and indoor amenity and play areas, unit size and layout, private open space, and storage space appropriate for families.

#### **• Response to Applicable By-laws and Guidelines:**

##### **CD-1 By-law (enacted July 24, 2020)**

The proposal conforms to all provisions concerning use, height and density of the CD-1 By-law.

##### **Form of Development (Approved in principle Dec of 2019):**

###### Major changes to address Rezoning Conditions and Council motions

The application is for a five storey residential building with a partial six storey containing an amenity room on the rooftop. While the form of development is generally in line with the rezoning application, substantial changes have been made to address the rezoning conditions and Council motions. The major changes between the rezoning application and Development Permit application include:

- Reduction of the overall building height by 3 ft (see figure 1);

- Increase of rear setback by ~7 f-t (from 3 ft to 10 ft) (see figure 1);
- Mitigation of perceived height and massing through articulation at the corner and edges of the volume, and emphasis of a 3-storey expression; (See figure 2)
- More compatible architectural characters, including a rhythm of entry porch, stair, and street access; incorporation of setbacks and projections on the wall plane; punched windows; and use of brick and lap siding; (See figure 2)
- Improvement of amenity spaces by co-locating an indoor amenity room with outdoor amenity space on the roof deck;
- Reduction of excessive parking; and
- Distribution of moderate income rental units throughout the building.

**Figure1: An overlay of the rezoning building profile on the DP proposed elevation**

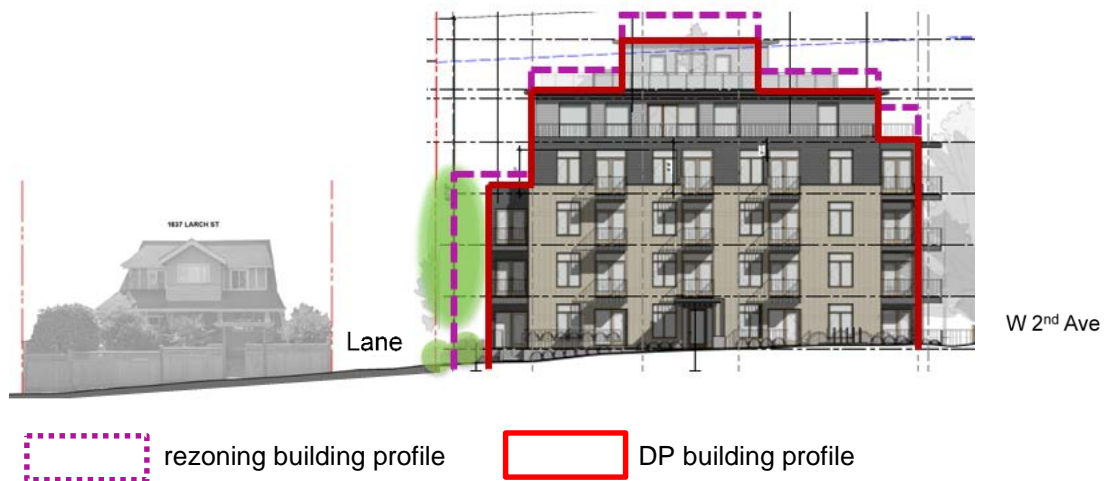


Figure 1 illustrates that the height and massing of DP application have been reduced from rezoning application to be more compatible with the surrounding low-rise buildings, and the setbacks from the lane has been increased to accommodate intense landscape buffer between the development and the existing neighboring houses across the lane.

**Figure 2: Comparison of Architectural Form and Character between Rezoning Application and DP Application**



Figure 2 illustrates that the DP application has made significant changes on the architectural form and character to respond to the neighbourhood character, including softening the volume at the corner and

the edges to mitigate the “boxy” appearance, incorporating the setbacks and inset balconies to articulate the flat plane, using material changes to emphasize a 3-storey expression, breaking up the large scale window walls to punched windows, adding porch features to ground-oriented street-facing units, and employing brick and cementitious lap siding.

Staff evaluate the proposed changes and determine that the majority of the rezoning conditions and Council motions have been addressed. The DP application has made special efforts to reduce the actual and visual height and massing, and respond to the established neighbourhood character. The revised scheme demonstrates a higher level of contextual fit. However, staff identify the following major unsolved issues that require additional design development to further address the concern of neighbourhood fit

#### Issue 1: Perceived Height and Massing of Rooftop Amenity Room

There are concerns about the overall building height due to the newly proposed rooftop amenity room. The rooftop amenity room is recommended by Rezoning Condition for Approval #6. It allows for a decent size of amenity room to include a wheelchair accessible washroom and kitchenette and to accommodate a range of activities and gatherings for adults and children on site. The co-located indoor and outdoor amenity spaces have direct physical and visual connections that will significantly enhance the security and usability for both amenity spaces. The success of amenity spaces has a positive impact on increasing neighbourly connection and a sense of inclusion for the tenants of the building.

The proposed height of amenity room is within the parameter set out in the enacted CD-1 Bylaw (748). The overall building height in CD-1 Bylaw includes the base building height and a height for rooftop amenity room, which is in fact 3 feet lower than that in the rezoning application. However, the added amenity room causes additional massing on the rooftop. In order to reconcile the recommendation of Rezoning Condition for Approval # 6 and Council direction of exploration of building height, massing, and setbacks to be more compatible with neighbourhood character, staff have included recommended Condition 1.1 to reduce the amenity room area, limit the dimensions of the amenity room, and increase the setbacks from the roof edges. By satisfying this condition, the amenity room on the rooftop will be modest in size. Its visibility from the public realm and neighboring houses will be largely minimized. The applicant is also required to provide view analysis from various viewpoints to demonstrate that the intent of this condition can be met.

#### Issue 2: On-site Public Amenity Space

The proposal includes a few benches along the W 2nd Ave for public use, which would not meet the expectation of the Council motion with regard to the exploration of providing public amenity space on site for children's play and community socialization. The loss of an existing children's play area is still a concern of the neighbourhood. In order to increase neighborliness, staff have included recommended Condition 1.2 and Standard Landscape Condition A.1.24 to provide an on-site public amenity space with a children's play area at the northeast corner of the site. The design of the space should ensure the public access, minimum impact on the on-site units, and integration with landscape design. The public access would need to be secured through a Statutory-Right-of-Way Agreement.

#### Issue 3: Architectural Form and Character on Lane Side

The DP application has made improvements on the architectural form and character on street facades to address Rezoning Condition for Approval #5 and Council motion in terms of more compatible with the neighbourhood character. It was unanimous supported by UDP. However, these approaches were not taken on the lane side. The lane side is highly exposed to the low-rise residential area on the south but the design is more challenging as the building reads one storey higher than street sides. Staff also noticed that the architectural form on the lane side was simplified in the DP application, which exaggerated the visual scale of the building and limited the opportunities for refinement of the characters.

Staff recommend taking the similar architectural approach on the street facades to the lane side with special focus on addressing visual height, massing, setbacks, scale, as well as materials, details, and landscapes, to complement a compatible form and character of the overall building. The recommended design measures are sought in recommended Condition 1.3.

#### Issue 4: Incompatible Front Yard Feature

One of the notable neighbourhood characters in Kitsilano is the garden street. The streets are featured with a pattern of street-facing houses and a string of beautiful gardens in the front yard and street boulevard. The application retains the intense existing trees at front and set back the building in line with the adjacent properties. It creates a great opportunity to continue the streetscape character but also encounters design challenges due to complicated grading in the root protection zones.

The proposed boardwalk and floating wood patio are intended to solve the issue, but are not deemed as features compatible with the existing streetscape character. UDP commented on the same concern and recommended further exploration of alternative solution.

Staff have included recommended Condition 1.4 to require further design development to reinforce the streetscape character. One of the main recommended move is to provide an enlarged entrance porch with a private open space to replace the “at-grade” wooden patio, which also helps with root protection and more planted area in the front yard.

#### **MIRHP Program**

This program aims to help fill the gap between new market rental housing and non-market (social) housing, and responds to significant interest and expressed willingness on the part of the private development industry to leverage its capacity to provide new affordable rental housing that meets the needs of residents on the basis of their means and not solely on the basis of the market.

#### Significant change in unit mix from Rezoning to Development Permit Drawings

The development permit drawing submission included a reduced number of three-bedroom units than what was recommended at public hearing (from 6 units, to 1 unit), but met the minimum unit mix requirements. Through discussion with the applicant, the applicant agreed to increase the number of 3-bedroom moderate income units by one to a total of two 3-bedroom moderate income units. Other slight changes were made to the unit mix recommended at rezoning, but overall the intent of the program and policy requirements are met. Note that the development permit drawings do not reflect the final development permit application unit mix. The final unit mix was secured in the Housing Agreement Bylaw No 12729, enacted on July 7th, 2020.

#### Housing Agreement Enacted on July 7th, 2020.

Key aspects of the project secured through the housing agreement includes, but not is limited to, the minimum 20% of residential floor area allocated to moderate income rental units’ residential floor space requirement, moderate income rental housing assigned unit number, and associated moderate income proposed monthly rent. The Housing Agreement Bylaw No. 12729 was enacted on July 7, 2020; this was enacted early in the regulatory process in order to support the applicant’s application to a senior government (CMHC) financing program. The development permit urban design conditions related to livability will require the moderate income unit mix and unit assignment to be adjusted. Any changes to the moderate income unit mix and/or assignment within the building, will require a new housing agreement bylaw.”

### High-Density Housing for Families with Children Guidelines (1992)

The DP application made changes to unit layouts from the rezoning application. A few livability issues are identified, including narrow master bedroom without sufficient circulation space, the sunken unit with limited daylight access, and small balcony for family units. Staff have included a Standard Condition A.1.1. for exploration of improvements to the livability of these units, while taking into consideration of the housing affordability and development viability for the project under Moderate Income Rental Housing Pilot Program (MIRHPP).

The application locates an indoor amenity room contiguous with the outdoor amenity space on the rooftop. It enhances the security and usability for both amenity spaces and increasing the neighbourly connection and a sense of inclusion for the tenants of the building.

#### • Response to Rezoning Conditions and Council motions

Only conditions with significant remaining issues are included below.

Rezoning condition 1 & Council motion:	Design development to significantly mitigate the privacy, noise, and visual impacts to the neighbours across the lane to the south through the following recommended changes:
	a) Providing a minimum of 10 feet rear setback for the full width of the site to allow for a substantial landscape buffer including large trees along the lane;
	<b>Note to Applicant:</b> This condition moves the south massing of the building away from the lane including the southeast wing, laneway units, and the parkade access. It significantly improves the lane interface, livability of laneway units, as well as vehicle movement safety. The revision will result in a reduction in floor area to a maximum density of 2.53 FSR. Note that the condition is not to fill in the rear elevation to the minimum 10 feet setback line. The existing rear setbacks that are larger than 10 feet should be maintained. Minor encroachments into this setback may be considered for exit stairs no taller than one-storey.
	b) Enhancing landscape screening along all south-facing edges of roof decks on the upper levels through the inclusion of including tall hedges; and
	c) Reducing the projecting depth of south-facing balconies and employing translucent material for guardrails.
Applicant Response:	a) We have now set back the South East wing to comply with the 10 feet Rear setback from the Lane. This has the combined benefit of increasing privacy and reducing oversight to neighboring properties and increasing livability for the Laneway units, which now can incorporate more planting;
	b) Enhanced Landscape planting has been provided at the lane grade level, enough to provide substantial tree planting, and the upper level patios will have continuous planting at the southern edge (Level 1).

Staff Assessment:	<p>The upper levels balconies will also have planting at the privacy screens from second to the fourth floor; and</p> <ul style="list-style-type: none"> <li>c) South facing balconies have been reduced to 4'-6" and the picket guards will have a layer of translucent material to allow light but reduce overlook to South neighbors from this side of the building.</li> <li>a) The application meets the intent of the condition and Council motion.</li> <li>b) The application partially meets the intent of the condition and Council motion. Further design development is required to develop landscape on roof deck with larger planting area.</li> <li>c) The application meets the intent of the condition and Council motion.</li> </ul>
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Rezoning Condition 2 & Council motion:	<p>Design development to significantly reduce the actual and perceived height of the building to achieve a better compatibility with the surrounding low density properties through the following recommended strategies:</p>
Applicant Response:	<ul style="list-style-type: none"> <li>a) Reducing the height of the building by approximately 3 feet by providing a typical 10 feet floor-to-floor height. Note: Staff have reviewed a test fit the applicant submitted and support the approach;</li> <li>b) Reducing the apparent parapet height on all sides of the 4th floor by replacing the solid guardrail with a transparent/semi-transparent material such as glass, recessing the guardrail back from the edges of the roof, and providing landscaping to soften the roof edges; and</li> <li>c) Minimizing the massing of appurtenance on the uppermost rooftop.</li> </ul> <ul style="list-style-type: none"> <li>a) The existing landscape of the site is important for such a tree lined street, and is fundamental to the compatibility strategy of the project. The proposed 5 storey residential building is sited on the existing building's footprint to allow for full retention of mature trees, and this coupled with reduction of the overall height by 3 feet has resulted in better compatibility with the RT8 neighborhood to the West;</li> <li>b) The design has benefitted from planning staff advice and further design development since January 24th, 2019 particularly in regards to the "Apparent height". The lowering of the masonry to the third floor and deleting of the parapet in favor of a guardrail has given us a lighter upper story, and combined with the physical decrease height (noted above in 2a) have improved compatibility; and</li> <li>c) The upper floors have been setback significantly, additionally the roof edges have been slimmed down, to lighten the overall massing. The Amenity room has been relocated to the centre of the building with its trellis and guardrail areas of patio to keep any further appurtenance out of sight from the ground level.</li> </ul>
Staff Assessment:	<ul style="list-style-type: none"> <li>a) The application meets the intent of the condition and Council motion.</li> <li>b) The application meets the intent of the condition and Council motion.</li> </ul>

- c) Further design development is required to meet the intent of this condition and Council motion. Refer to Staff Assessment to Rezoning Condition 6.

Rezoning Condition 3: Design development to ensure a high standard of livability for all dwelling units by providing the following:

- a) Adequate daylight, ventilation, and external views for all habitable rooms;

**Note to Applicant:** All habitable rooms should meet the Horizontal Angle of Daylight (HAD) requirement set out in the CD-1 By-law. An inboard bedroom may be considered by demonstrating the ability to maximize internal cross-ventilation, borrowed light and flexibility of use. Detailed unit plans and sections are to be included as part of a Development Permit application. No more than one inboard bedroom is permitted in a moderate income rental unit with three or more bedrooms. Inboard bedrooms are not permitted in market rental units. Also note that the two-bedroom unit at southeast corner of ground floor would not have adequate daylight due to the small unit size and depth below grade. The livability of this corner unit can be improved by revising the unit into a lane-facing one-bedroom unit, removing the sunken patio and providing street access and an at-grade garden to the unit above.

- b) Adequate room sizes to accommodate reasonable furniture layouts; and

**Note to Applicant:** Any changes in the recommended unit count and unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board. Detailed unit plans and furniture layouts are to be included as part of a Development Permit application. Livable units are a goal of the City. Staff will work with you through the Development Permit process to ensure unit layouts are viable.

- c) Usable private open space for all residential units.

**Note to Applicant:** This can be achieved by providing balconies measuring 1.8 m (6 ft.) deep with a minimum area of 4.9 sq. m (54 sq. ft.) [Correction: 4.6 sq. m (50 sq. ft.)]. Reductions to this depth may be considered by demonstrating the ability to accommodate elements such as a table and seating for two people and offer generous common amenity spaces on site. Reductions may also be considered as necessary to maintain the health of any immediately-adjacent trees in conflict with a larger balcony. Refer to the *High Density Housing Guidelines for Families with Children* for more information.

Applicant Response:

- a) The light penetration and aspect of the suites have been improved by providing larger patio doors with clerestory in all main Living rooms, leading out to their respective balconies. The Horizontal Angle of Daylight requirements are fully achieved have been greatly improved (see HAD Diagram DWG A013). Following Consultation, we no longer have any in-board bedrooms. The lane facing unit (Unit 001) has been redesigned to be 1 bedroom and completely facing lane side, so as not to rely on sunken patio, which allows the unit to have street access from its patio.

Staff Assessment:	<ul style="list-style-type: none"> <li>b) All units have adequate space for livability and the plans have been reviewed by our Interior designer and now show fully worked out furniture layouts which are visible on all levels of the Architectural plans.</li> <li>c) All units have access to extensive amenity room and patio space at roof level as well as private balcony or patio spaces. The smaller units on West 2nd Avenue adjacent to the retained trees will have compact balconies based on arborist advice for tree protection. These smaller balconies (6 feet x 4 ft.) can accommodate a table and two chairs, or allow the living room doors to be fully extended for fresh air and ventilation. The other suites have ample 50 to 60 square feet Balconies or larger patios and roof terraces.</li> <li>a) The application partially meets the intent of the condition. The good move is that no inboard bedroom is proposed in this DP application. But the livability issue of southeast corner unit at P1 level hasn't been resolved yet. The grade information on DP application is not consistent with the rezoning application and is below the lane grade deeper than the rezoning application. Further design development is required to meet the intent of the condition.</li> <li>b) The proposed typical one-bedroom unit is not wide enough to accommodate reasonable furniture layout and sufficient circulation within the bedroom space. The one-bedroom units on the 4<sup>th</sup> floor are even narrower. Staff recognize the challenges of the project under MIRHP pilot program, and encourage exploration to the improvements to the livability of these units.</li> <li>c) The application partially meets the intent of the condition. A minimum 54 square feet private open space should be provided for all family units.</li> </ul>
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Rezoning Condition 4 & Council motion:	<p>Design development to strengthen the features of street-facing, ground-oriented units to create a better integration with grade and a more compatible streetscape with the surrounding area, including:</p>
Applicant Response:	<ul style="list-style-type: none"> <li>a) Providing direct access from each unit to the adjacent public sidewalk;</li> <li>b) Providing individual private patios and/or front gardens interfacing with the sidewalk with substantial landscaping and fencing defining the edge; and</li> <li>c) Incorporating entry porches or similar treatment to enhance the expression of each individual unit entrance.</li> <li>a) Street orientated measures including individual stairs and entrance porticos to the Level 1 units have been incorporated as one of the many design developments in the revised proposal. The Level 1 units have been designed to integrate with the neighborhood more fully with help of stairs leading from the entrance doors down to a board walk which lightly steps around the trees roots toward the</li> </ul>



Staff Assessment:	<p>sidewalk, replicating a street pattern of the homes further down the street.</p> <p>b) The Level 1 units have individual patios and the West 2nd homes have little wood decks off set from the walkways.</p> <p>c) Each West 2nd Avenue home has its own porch and portico to signify the entrances to each unit, and the rhythm and feel of these front elevations are reminiscent of a row house typology.</p> <p>a) The application meets the intent of the condition and Council motion;</p> <p>b) Further design development is required to explore alternative to the boardwalk and wood patio to be more compatible with the street scape character;</p> <p>c) The application meets the intent of the condition and Council motion.</p>
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Rezoning Condition 5 & Council motion:	<p>Design development to the architectural form and character to achieve a better contextual fit with the surrounding area through the following recommended strategies:</p> <p>a) Providing high-quality windows with appropriate size, proportion, and operation to maintain a feeling of solidness and geometric order;</p> <p><b>Note to Applicant:</b> Large vertical window with spandrel panels should be avoided. Window operation should be single/double-hung or casement. Horizontal sliders are not acceptable. Substantial mullions and deep recessed window surfaces are recommended.</p> <p>b) Articulating the building facades to better relate to the scale and proportion of the surrounding buildings;</p> <p>Note to Applicant: The proposed massing does not have any variation to the wall planes. This condition is to encourage a more sensitive design approach, which may be achieved by incorporating varied setbacks, colour and material changes, and projections and voids to enhance the overall architectural expression.</p> <p>c) Providing individual entry doors, porches and stairs to each street-facing ground-floor unit; and</p> <p><b>Note to Applicant:</b> Raised porches and entries are desired wherever possible. The doors and porches should have visual prominence from the street and developed with quality design and materials. Sliding doors are not supported as entry doors.</p>
Applicant Response:	<p>a) Street orientated measures including individual stairs and entrance porticos to the Level 1 units have been incorporated as one of the many design developments in the revised proposal. The Level 1 units have been designed to integrate with the neighborhood more fully with help of stairs leading from the entrance doors down to a</p>

	board walk which lightly steps around the trees roots toward the sidewalk, replicating a street pattern of the homes further down the street.
	b) The Level 1 units have individual patios and the West 2nd homes have little wood decks off set from the walkways.
	c) Each West 2nd Avenue home has its own porch and portico to signify the entrances to each unit, and the rhythm and feel of these front elevations are reminiscent of a row house typology.
Staff Assessment:	a) The application partially meets the intent of the condition and Council motion. Recommend introducing varied openings that reflect the size and proportion of traditional window to animate the façade.
	b) The application partially meets the intent of the condition and Council motion. Further design development is required on the lane side (south).
	c) The application meets the intent of the condition and Council.

Rezoning Condition 6:	Design development to provide an amenity room commensurate with the number of rental units.
	<b>Note to Applicant:</b> The intent is to accommodate a range of activities and gatherings for adults and children on site. The amenity room must include an accessible washroom, a kitchenette and a storage room and should be approximately 600 square feet in area. Recommend co-locating the amenity room with the outdoor amenity space on the rooftop, provided the amenity room is centrally located and set back from the edges of the building to minimize overlook and visibility from the street and lane.
Applicant Response:	The Amenity room is 630 square feet with extensive kitchen, accessible washroom facilities and ample outside space for families to play, relax, eat and garden in a 2,200 square feet 360-degree safe space.
Staff Assessment:	Further design development to the rooftop amenity room is required to meet the intent of the condition and Council motion. Recommended measures including reducing the size, limiting the dimensions, and increasing setbacks substantially to minimize the visibility, particularly when viewed from the public realm and the neighbours across the lane.

Council motion:	The moderate income rental units to be distributed throughout the building to the greatest extent possible, while taking into consideration the required family unit mix and financial constraints of the project, to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services
Applicant Response:	See DP application drawings.
Staff Assessment:	From rezoning application to the development permit application drawings, the MIRHP units have been distributed throughout the building from P1 to L4, to the satisfaction of the Housing staff, meeting the intent of the Council motion.

Council motion:	Explore a reduction of excessive parking.
Applicant Response:	See DP application drawings.
Staff Assessment:	The rezoning application indicated provision of 55 parking spaces with only 33 being required. The development permit currently provides 40 parking spaces with 33 required. Staff support the substantially reduced amount of parking as compared to the rezoning, which still meets the requirements of the parking bylaw.

● **Conclusion:**

The application generally meets the intent of the conditions established at rezoning and explores the opportunities to address Council directions at Public Hearing. Staff recommend approval, subject to the conditions noted in this report. Concerns with respect to the perceived height of amenity room, the on-site public amenity space, the character of lane façade and streetscape will require further design development to achieve a better compatibility with the neighbourhood character.

**URBAN DESIGN PANEL**

The Urban Design Panel reviewed this application on July 22, 2020, and provided the following comments:

**EVALUATION:** Support with Recommendations (9-0)

● **Introduction:**

The project we are reviewing today is a DP application following an approved rezoning. This is a 6-storey apartment development in Kitsilano. The council has generally approved height and massing but left a concern about how the architectural form and character can be further developed to fit in the neighbourhood. This issue was also identified at the last UDP. So we bring the revised scheme back to UDP to review whether the issue has been successfully addressed.

The site is located at the boundary of two different zones - RT-8 and RM-4. The yellow dash line indicates the project site. The areas on two sides of Larch St have distinct building form and character.

The area zoned RT-8 is dominantly occupied by 2 to 3 storey old houses built in craftsman style and other traditional styles. The characteristics of the area remain intact in past decades and reinforced by the implementation of RT-8 zoning and design guidelines. The pictures shown on the left are the houses adjacent to the subject site. The area on the other side of Larch St is a multiple family zone and characterized by 3 to 6 storey contemporary buildings. Some buildings have simple form while some have more articulations and details.

At rezoning, the approved apartment building has a larger form than the surrounding low-scale houses. It is designed in a contemporary style, but lacks sympathetic architectural design considerations to achieve a compatible appearance with the neighbourhood. Last UDP recommended further development to the building proportion and character. Council also approved rezoning conditions that require significant improvement to the compatibility of the architectural expression. In the DP application, the applicant has made design changes in 4 aspects to address the issue.

First is the articulation of the corner and edges.

At rezoning, the building looked very boxy. This perception was exaggerated by two contrasting surfaces adjoining at the corner. At the DP, the same material is carried across the corner and the adjoining planes. Balconies and openings are introduced at this corner. These measures would visually de-emphasize the corner expression. Another change is replacing the solid parapets by transparent guardrails and possible landscape. This method would soften the edges of the boxy form and effectively reduce the perceived height.

Secondly, the planes are articulated in the following ways:

- The light brick is lowered to the third floor and the fourth floor is finished with grey cementitious panel. The changes of the texture and colour would increase the visual contrast and emphasize a three-storey expression which is more compatible with the scale of surrounding houses;
- Setbacks are incorporated to the continuous flat plane. The formed void space and the projecting balconies and canopies would create texture with shadow patterns and animate the plane;
- And, the large vertical linear glass is transformed to a pattern of punched windows. This would emphasize a feeling of solidness and geometric order.

The third aspect is adding an individual entrance and porch to each ground-oriented unit facing the streets. This is to continue the pattern of the existing houses. The details include a few traditional elements, such as a single swing entry door with sidelight, a projecting covered porch, an elevated patio, and a wooden stair.

The fourth change is about the material and finishes. The choice of material takes the cue from the old houses, such as traditional running bond brickwork, 6" cementitious lap siding, and wood soffit and trellis.

Advice from the Panel on this application is sought on the following:

- Does the DP proposal successfully address the concern previously voiced by the Council and the Urban Design Panel, with respect to the compatibility with the architectural character of the surrounding area?
- Given the height and massing has been approved by the Council in general, are there any improvements that can be made to the architectural form, character and details to further enhance the neighbourhood fit?

The planning team then took questions from the panel.

- **Applicant's Introductory Comments:**

Applicant started presentation by noting the improvements done since the last UDP meeting:

- improvement on the ground plane
- increase in units since rezoning
- addressing the issues with entry and height
- Improvement to the design between public space and private space.

At ground, there are porches and connections with board walks. Engineering wouldn't allow to provide for play space for the neighbourhood at grade but applicant incorporated the urban swale and landscaping. The driving design element for the ground level landscape are the activation integration of the public realm as well as tree retention as there are many mature trees on the site. On the north side of building, working on a strategy with mature trees, providing ground level access through the understory to the sidewalk. Providing amenities to public realm along 2nd Ave. where applicant is proposing public realm without benches and replacing existing street blocks. These elements allow applicant to maintain the existing trees with minimal impact and provide individual unit entries. The west side of the site features row of planters to screen building from adjacent neighbours. The south lane way has ground level patio access, gated access to the unit and with more planters to further green and screen the development from the neighbours and public realm. One level above the architecture has been setback from the

original design and the green edge provides a buffer for general oversight concerns. The gated patios that face onto Larch St frame the entry of the building and there will be a new sidewalk and street trees installed along this public realm frontage.

With the diverse unit mix strived to create the rooftop design to be an extension of each of the tenant's homes. The layouts has been designed with protectability, flexibility and programming in mind. It will be a wood frame construction so applicant tried to be thoughtful and considerate of how to approach rooftop design.

East zone of the roof is the active zone featuring rubber surfacing for play, seating, storage for casual oversight, sandbox and activity board and opportunity for chalk board on the building space and can be used for fitness and exercise, north shore views and north side of the patios are dining area and the west side is the raised planters for gardening.

### **Panel's Consensus on Key Aspects Needing Improvement:**

Having reviewed the project it was moved by MR.DAVIES and seconded by MR.SHARMA and was the decision of the Urban Design Panel:

THAT the Panel SUPPORT the project with the following recommendations to be reviewed by City Staff:

- Consider alternative to the wood "boardwalk" at the ground level and explore moving the patios closer to the unit entries.
- Further explore improving unit layout functionality and consider enlarging some units.
- Explore enlarging the smaller balconies.
- Further develop landscaping on roof deck with larger planting area.

### **Panel Commentary:**

- Panel generally supports the changes of the architectural expression address the council's concern and recommendations from the first UDP review
- Panel generally acknowledged an improvement in design, massing, and landscape
- Panel noted suite sizes and balcony being too small
- Panel noted concerns with functionality of many unit layouts
- Some panel members noted lack of visual interest versus previous version of the proposal
- Some panel members expressed concerns with the architectural character of the board walk conflicting with the building, and general fit with neighbourhood context specifically with respect to the units and balconies
- Some panel members noted a CPTED issues at parkade
- General support of the form, massing, and height
- Panel supported the tree retention, materiality and landscape
- Panel encourages larger balconies, windows and suites in keeping with the character of rental buildings in Kitsilano specifically on W.2ndAve.
- A panel member suggested providing accessible ready units.
- Panel members noted their appreciation for the high quality cladding materials.
- Some panel members noted their concern with the wood deck's fit and usability, with respect to weathering would limit use and maintenance by owners and residents
- Some panel members noted the wood deck could be a unique element and used as a patio for those units as long as it is properly maintained.
- Some panel members noted patios would be more functional if located closer to the unit entries. They would also be more private and a better fit for the neighbourhood.
- Panel appreciate that the parkade is setback to save some trees
- Some panel members encourage more landscape details such as bigger planters on the roof deck.
- Panel suggests adding more landscape to the lane.
- Panel acknowledges applicant's energy efforts.

- A Panel member encouraged the addition of overhangs to provide solar shading.

**Applicant's Response:** The applicant team thanked the panel for their comments.

## **ENGINEERING SERVICES**

The recommendations of Engineering Services are contained in the prior-to conditions noted in Appendix A attached to this report.

## **CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)**

Recommendations for Crime Prevention through Environmental Design are contained in the prior to conditions noted in Appendix A attached to this report.

## **LANDSCAPE**

The recommendations of Landscape Review are contained in the prior-to conditions noted in Appendix A attached to this report.

## **HOUSING POLICY & PROJECTS / SOCIAL POLICY & PROJECTS / CULTURAL SERVICES**

The recommendations of Housing Policy & Projects are contained in the prior-to conditions noted in Appendix A attached to this report.

## **ENVIRONMENTAL PROTECTION BRANCH**

Environmental Protection Branch conditions are included in Appendix B attached to this report.

## **BUILDING REVIEW BRANCH**

This Development Application submission has not been fully reviewed for compliance with the Building By-law. The applicant is responsible for ensuring that the design of the building meets the Building By-law requirements. The options available to assure Building By-law compliance at an early stage of development should be considered by the applicant in consultation with Building Review Branch staff.

To ensure that the project does not conflict in any substantial manner with the Building By-law, the designer should know and take into account, at the Development Application stage, the Building By-law requirements which may affect the building design and internal layout. These would generally include: spatial separation, fire separation, exiting, access for physically disabled persons, type of construction materials used, fire fighting access and energy utilization requirements.

## **NOTIFICATION**

A development permit information sign was installed and confirmed on the site July 16, 2020. The sign was updated September 25, 2020 informing the public of the decision date by the Development Permit Board.

On September 14, 2020, 930 notification postcards were sent to neighboring property owners advising them of the application and offering additional information on the City's development applications website. The postcard and the development application materials were posted online at [vancouver.ca/devapps](http://vancouver.ca/devapps).

At the time of this report, Twenty-seven (27) emails were received, 26 in opposition and 1 seeking additional information. Concerns include;

1. increased residential amenity and oversized roof deck

Staff response:

The residential amenity room is increased and relocated to the rooftop based on the rezoning condition #6. It is to resolve the issue of inadequate size of amenity room and to enhance the safety and usability of both indoor and outdoor amenity space.

To address public and Council's concern, staff have recommended Condition 1.1 requires reducing the area of the amenity room to a modest but reasonable size and increasing the setbacks from the roof edges to minimize the visibility from public realms and adjacent houses.

The main roof is a green roof as well as programmed for children play area, gathering, and urban agriculture. They are centrally located with generous planted area along the parameter of the roof to mitigate the noise and overlook impact. Landscape Condition A.1.25 requires more planting to balance the amount of soft landscape to hard surfacing.

2. overall height and massing

Staff response:

The overall building height is compliant with CD-1 Bylaw (748) enacted in July 2020. Staff acknowledge that the development under the enacted CD-1 Bylaw will be higher and larger than the surrounding houses under RT-8. The DP application has made special design effort to reduce the actual and perceived height and massing to increase the neighbourhood compatibility.

The building height is reduced by 3 ft from that proposed in rezoning application. The massing is also reduced on the back by pushing the rear massing further away from the lane. The rear setback is increased from 3 ft to 10 ft.

Additional design measures to mitigate the visual height and massing include softening the corner and edge of the volume to mitigate "boxy" appearance and introducing material change to emphasize a 3-storey expression, which has a better response to the neighbourhood building height

Staff have recommended Condition 1.1 as stated in the response #1 to ensure that rooftop amenity room is modest in size, and the visibility is minimized from public realms and adjacent houses

3. lack of public amenity

Staff response:

It is understood that a contribution of a public amenity space at this location would be greatly helpful to increase the neighbourliness. Staff have recommended Conditions 1.2 to provide a public amenity with a children's play area at the northeast corner of the site to enhance neighbourhood socialization. It would need to be secured for public access through a Statutory-Right-of-Way Agreement.

4. aesthetically not compatible with the existing neighborhood character

Staff response:

The Kitsilano neighbourhood in RT-8 zone has established traditional characters. This necessitates the new development providing a respectful response. The DP application has made sympathetic changes to the architectural form and character on street facades. The design measures were unanimous supported by Urban Design Panel.

Staff also realize that the design development on the lane side is not as successful as the street façades. Recommended Condition 1.3 suggests taking the similar architectural approach on the street facades to extend the improvements to the lane side, to complement a compatible form and character of the overall building.

5. change to unit mix, reduction in family units from rezoning

Staff response:

City policy requires that rental housing projects include a minimum of 35% 2 or more bedroom units. Further the Moderate Income Rental Housing Pilot Program (MIRHPP) targets 35% of MIR units as 2 and 3-bedroom. Staff were supportive of a higher family unit mix at public hearing (41.2%), but due to project financial viability, the family unit mix has been reduced to 35.2%. The project therefore meets the City's requirements.

Staff have recommended conditions A.1.38 to ensure compliance with the family unit mix requirements, and increase the proposed number of MIRHPP 3-bedroom units from one to a minimum of two.

6. excess parking and hazardous parkade entry onto narrow lane for pedestrian and vehicle

Staff response:

The rezoning application indicated provision of 55 parking spaces with only 33 being required. The development currently proposes 40 parking spaces with 33 required. Staff support the substantially reduced amount of parking as compared to the rezoning, which still meets the requirements of the parking bylaw.

The parkade entry is set back further away from the edge of the lane (from 3 ft. to 10 ft.). It increases the sight visibility and hence improves the safety of the pedestrian and vehicle.

Parking access aligned perpendicular to the lane is desirable as it provides for ease of maneuvering, two-way flow into and out of the parkade, and open sightlines for drivers, mitigating potential conflicts in the lane.

A transportation review was submitted as part of the rezoning application. The study did not identify any impacts to safety and congestion in the lane as a result of the parking access alignment or development traffic. Engineering conditions of rezoning enactment to improve transportation safety at the site in the lane included asphalt paving in the lane adjacent the site, and standard pedestrian lane crossing.



**DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:**

The Staff Committee has considered the approval sought by this application and concluded that with respect to the Zoning and Development By-law it requires decisions by both the Development Permit Board and the Director of Planning.

With respect to the decision by the Development Permit Board, the application requires the Development Permit Board to exercise discretionary authority as delegated to the Board by Council.

The Staff Committee supports the application with the conditions contained in this report. The application generally meets the intent of the rezoning.



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J. Greer  
Chair, Development Permit Staff Committee



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G. Jiang  
Development Planner



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P. Sheikhabari  
Project Coordinator

Project Facilitator: J.L. Borsa

## DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATIONS

The following is a list of conditions that must also be met prior to issuance of the Development Permit.

### A.1 Standard Conditions

A.1.1 Design development to improve the livability of the dwelling units with specific focus in the following areas:

- i. striving for a more livable bedroom space in the typical one-bedroom unit;

**Note to Applicant:** The proposed typical one-bedroom unit is not wide enough to accommodate reasonable furniture layout and sufficient circulation within the bedroom space. The one-bedroom units on the 4<sup>th</sup> floor are even narrower. The applicant is highly encouraged to explore improvements to the livability of these units, while taking into consideration of the housing affordability and development viability for the project under MIRHP pilot program.

- ii. improving the livability of the southeast corner unit at P1 level;

**Note to Applicant:** The unit at southeast corner at P1 level is below the lane deeper than the proposed at rezoning application. Staff evaluate this situation along with the limited setback and 8 ft. ceiling height and determine that the livability of the unit is compromised in terms of insufficient access to daylight, no private open space, and lack of privacy. The livability may be improved by combining this unit with the unit above to create a three-bedroom unit with the living room and one bedroom on the level 1 and two bedrooms on the level P1.

- iii. providing a minimum of 54 sq. ft. private open space for all family units.

**Note to Applicant:** These conditions are in line with Rezoning Condition for Approval #3. It may involve increases of the room size, rearrangement of unit types, and reconfiguration of the unit layout. Any resultant changes of the unit mix may only be considered under the discretion of the DOP or DPB, provided that it does not go lower than 35% of the dwelling units designed to be suitable for families with children in both the market and moderate income units, and meets the intent of the unit mix guidelines in the MIRHPP. The changes related to MIRHPP unit count and mix may require amendment to the enacted Housing Agreement Bylaw and to be brought back to Council for approval.

A.1.2 design development to the presence of the residential entry and arrival sequence of the residential component, including:

- i. strengthening the visual denotation of the communal residential entry by refining the scale, material and details;

**Note to Applicant:** The design of communal residential entry should be differentiated from the individual unit entry. Provide enlarged plan, elevation for further review.

- ii. Increasing the width of the entrance lobby to accommodate appropriate space for mailbox and circulation. A waiting area with seating should be explored.

**Note to Applicant:** This may be achieved by changing the one-bedroom unit 113 to a studio to enable a minimum 10 ft wide entrance lobby. Also see Housing Condition A.1.38

A.1.3 design development to the north exiting of P1 to avoid below-grade and unsupervised exterior path in the front yard.

**Note to Applicant:** This may be achieved by providing an internal path to the west side of the building. This may impact 3 parking stall at the northwest corner on P2 level.

A.1.4 consideration to provide stair enclosures to create a more pleasant and safer access to the rooftop amenity space.

**Note to Applicant:** the stair enclosures should be designed to minimize the massing and integrated with the overall building design.

A.1.5 provision of the following additional information:

- a) Color swatches for all exterior cladding materials, including soffits;
- b) Specification for brick and cementitious panel;
- c) Building grades on all sections and elevations;
- d) Adjacent house on east elevations; and
- e) Correction of the height of the neighboring house on the sheet of A008.

**A.1.6** identification on the Architectural Drawings of any built features intended to create a bird friendly design. Compliance with Rezoning Condition for Approval #7 is required.

**Note to Applicant:** Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at: <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

A.1.7 compliance with Section 10.18.5 - Height of Building and Relaxation, of the Zoning and Development By-law;

**Note to Applicant:** Note that height is measured to the top of amenity room roof. This condition is directed to the number of proposed storeys. The roof level as proposed on submitted drawings is considered Level 6. Change proposal to comply with noted section in respect to the proposed size for it not to be considered a full storey (6th level), or update all drawings to reflect proposal is a 6-storey building.

A.1.8 provision of updated, fully dimensioned FSR overlays to confirm compliance with Section 6.2 – Floor Area and Density, of the CD-1(748) By-law;

**Note to Applicant:**

- i. include the mechanical at the roof level in floor area calculation and update information on tables;
- ii. include balconies located at Northeast and Northwest corner of the building on Level 1 and covered by level 2 balconies in balcony area calculations;
- iii. include deck located at the Southeast corner of the building at Level 1 in calculation of balcony and sundeck area as per Section 6.4(a) of the by-law;
- iv. include the proposed covered exterior amenity space at proposed Roof Level in the calculation of the amenity area.

A.1.9 compliance with [Exclusions for improved building performance](#) bulletin for the proposed rain screen exclusion;

**Note to Applicant:**

- i. add proposed exterior wall details on the drawings. Ensure details are consistent on drawings and the letter provided by Building Envelope Professional;
- ii. clearly indicate the layers excluded and their thickness under the rain screen exclusion. This is to confirm the insulation has not been excluded under the rain screen exclusion, as it has already been excluded under Section 10.11.1 - Floor Area Exclusions for Exterior Wall Thickness, of the Zoning and Development By-law;
- iii. indicate on drawings [Floor Plans and Sections] where Wall Type A and where Wall type B is proposed.

A.1.10 confirm compliance with Section 10.11 - Floor Area Exclusions for Exterior Wall Thickness, of the Zoning and Development By-law;

**Note to Applicant:** Add details on drawings. Ensure the details are consistent with detail provided by the Building Envelope Professional.

A.1.11 provision of existing and proposed grades at the corners of building on Site Plan and Elevations;

**Note to Applicant:** The proposal will be reviewed in detail to confirm Level 1 as first storey. See diagram provided next to definition of Basement under Section 2 – Definitions, of the Zoning and Development By-law, to determine the first storey.

A.1.12 provision of a summary table indicating the net area of each dwelling unit;

**Note to Applicant:** Net area excludes in-suite storage and balcony, and is measured from the inside of all outer walls [i.e., paint-to-paint]. Ensure information on all drawings and tables are consistent.

A.1.13 compliance with Section 5.1 and 5.2 of the CD-1(748) By-law;

**Note to Applicant:** The unit mix and information provided on drawings and supporting documents and the Housing Agreement to be consistent. For example, unit 205 is noted as a three-bedroom unit on page A006.1, but on the initially submitted drawings, which includes the floor plans and FSR overlays, it is proposed as a two-bedroom unit. The units dedicated to MIRHPP are not consistent on the initially submitted drawings and page A006.1. All units will be checked again on next submission to confirm compliance with the relevant by-laws.

A.1.14 confirm compliance with Section 4.8.1 and 4.8.2 of the Parking By-law;

**Note to Applicant:** Parking spaces to be dimensioned to confirm compliance with the Parking By-law.

A.1.15 compliance with Section 4.13.5 - Security Design, of the Parking By-law;

**Note to Applicant:** Provide a security gate to separate the visitor parking spaces from the parking spaces dedicated to the residents. Also Class A passenger space to be provided in front of the overhead security gate

A.1.16 compliance with Section 4.1.8 – Number of Small Car Spaces, of the Parking By-law;

**Note to Applicant:** Maximum 25% of the total parking spaces required for the site can be small car. Label all proposed small cars.

A.1.17 compliance with Section 6 - Off-Street Bicycle Space Regulations, of the Parking By-law by:

- i. compliance with Section 6.3 and 6.4 of the Parking By-law;

**Note to Applicant:** Class A and B bicycle spaces to be dimensioned to confirm compliance with the Parking By-law.

- ii. compliance with Section 6.3.13A – Minimum Number of Bicycle Lockers, of the current Parking By-law;

**Note to Applicant:** The 20% requirement noted on the drawings is per old Parking By-law. The proposed bicycle lockers should be clearly labeled and meet minimum size requirements. The bicycle lockers in the bike room on P2 are not shown on drawings.

- iv. compliance with Section 6.3.9 – Bicycle Space Size, of the Parking By-law for minimum required oversized Class A bicycle spaces;
- v. compliance with Section 6.3.10 – Bicycle Space Access, of the Parking By-law for minimum required aisle width to access Class A bicycle spaces;

**Note to Applicant:** Add dimensions to confirm compliance.

- v. provision of consistent number of proposed bicycle lockers and horizontal Class A bicycle spaces on drawings and tables;

A.1.18 compliance with Section 7.3.2 – Class A Passenger Spaces, of the Parking By-law;

**Note to Applicant:** Minimum required size to be provided. Minimum 13.12' width is required. Class A passenger space to be provided in front of the overhead security gate.

A.1.19 provision of additional information on drawings as follows:

- i. add all setback dimensions to the outermost face of the building on all floors;

**Note to Applicant:** Add East setback dimension to the face of deck located on the Southeast corner of the building. The proposed deck can be considered a patio if it is no higher than 1'11" [0.58 m] from grade.

- i. add dimensions for proposed balconies on floor plans;
- ii. label location of ramp accessing P1 on Level 1;
- iii. add the following notations on the submitted plans:
  - a) "The design of the parking structure regarding safety and security shall be in accordance with Section 4.13 of the Parking By-law";
  - b) "A minimum of one electrical receptacle shall be provided for each two Class A bicycle spaces";
  - c) "The design of bicycle spaces (including bicycle rooms, compounds, lockers and/or racks) regarding safety and security measures shall be in accordance with the relevant provisions of Section 6 of the Parking By-law"; and
  - d) "Mechanical equipment (ventilators, generators, compactors, and exhaust systems) will be designed and located to minimize noise impacts on the neighbourhood and comply with Noise By-law No. 6555".

- e) "All proposed yards, setbacks and building dimensions are measured to the outside of cladding".
- A.1.20 provision of accurate and consistent information on drawings and supporting documents as follows:
- i. ensure unit areas noted on drawings, overlays, tables and any supporting document is consistent on next submission;
  - ii. the units proposed and labeled as dedicated to available to moderate income households should be consistent on all drawings and supporting documents;
  - iii. see bulk storages on P1 level on page A006 which are proposed as Bike Rooms on P1 on page A099. Check all other rooms to ensure consistency;
  - iv. add location of proposed trellis at highest level on plan;
  - v. add elevation on top of trellis on Elevations;
  - vi. drawings should be consistent with updated survey. Check location of transformer shown on the pole located on Southeast corner of the site noted on page A-HYD and remove it if it is incorrect.
  - vii. access to roof on architectural and landscape drawings to be consistent;
  - viii. drawing scale to be accurate on all pages.
- A.1.21 submission of two original, sealed copy of a survey plans of the site, verified by a British Columbia Land Surveyor, clearly indicating the site area, site depth and width;
- Note to Applicant:** Ensure information on the drawings and survey match.
- A.1.22 provision of a DCL Waiver Request Form to the satisfaction of the Director of Planning, the Director of Housing Policy and Projects, and the General Manager of Planning, Urban Design & Sustainability confirming the proposed Average Maximum Rents and Average Maximum Unit Sizes of this application in relation to the requirements as described in Appendix C of the "Rental Incentive Guidelines" Bulletin.
- Note to Applicant:** The Average Maximum Unit Sizes shall be clearly identified on the Architectural drawings and accompanied by FSR overlays. They are to be measured from the inside of all outer walls; as outlined in Section 10.21.2 of the Zoning and Development By-law, and are considered to be the net area after all permitted exclusions.
- A.1.23 the proposed form of development can and does become approved by City Council.

### Standard Landscape Conditions

- A.1.24 design development to the front yard to provide a children's play area with substantial opportunities for neighbourhood socializing, passive seating and parent supervision, in the northeast corner, on private property;

**Note to Applicant:** This can be achieved by relocating the Rain Garden to a more appropriate low spot area on the site, while integrating the play area into the landscape design. This should still respect and allow the Critical Root zones of the existing retained trees to remain undisturbed.

- A.1.25 design development to the to the roof Amenity Area to enhance and expand programming, articulate with additional opportunities for creative play, additional seating and significantly more planting to balance the amount of soft landscape to hard surfacing;
- A.1.26 design development to the lane interface to ensure that the 10-foot setback is planted with additional plants for a significant landscape buffer, including a diverse selection of trees and shrubs;
- A.1.27 confirmation of the viability of all proposed retained trees by the following:
- i. enable existing boulder wall at the north façade to remain undisturbed and stabilized for root protection by a larger scale (1"=1/2') referenced detail section, confirming methods of stabilization;
  - ii. enable and maintain existing grades around all Critical Root Zones of trees, clearly indicated by existing/proposed spot elevations and notations;
  - iii. provide a Letter of Assurance that arborist recommendations will be adhered to and for arborist supervision, to be signed and dated by arborist, owner and contractor.

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

- A.1.28 confirmation of viability for adequate maintenance into the future by the following:
- i. provision of maintenance access for all planted areas;
  - ii. provision of a permanent automatic high-efficiency irrigation system for all planted areas, confirming the irrigation and maintenance of planting into the future beyond the establishment period;

**Note to Applicant:** This can be provided by notations on the planting plans.

- A.1.29 provision of referenced cross sections (minimum 1/4" inch scale) through common open spaces, semi-private patio areas and the public realm to confirm and clarify design intent;
- A.1.30 provision of referenced larger-scale details in plan and sections (minimum 1/2"=1') for all typical landscape features and construction, including but not limited to public realm seating areas, rain gardens, existing reinforced boulder wall, trellis for vine support confirming low maintenance type, planters on structure with dimensioned depth of soil, fences, screens, etc.

**Note to Applicant:** Depth of growing medium for planting on structures should exceed the CSLA Standard for viability into the future.

- A.1.31 coordination for the provision of new street trees fronting Larch Street with Engineering and the Park Board;

**Note to Applicant:** New street trees to be shown and confirmed on the development permit plans. Contact Engineering (604.871.6131) to confirm tree planting locations and Park Board

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

- A.1.32 provision of confirmed trenching locations for utility connections, avoiding conflict with tree root zones and addition of the following note:

**“Trenching for utility connections to be coordinated with Engineering Department to ensure safe root zones of retained trees. Methods of tree protection for street trees to be approved by Park Board”.**

**Note to Applicant:** Methods of tree protection for street trees (as approved by Park Board) to be shown on plan. Relocation of trenching locations are required if in conflict with tree protection.

- A.1.33 provision on the landscape drawings of landscape features intended to create a 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 built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at: <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.)

- A.1.34 provision of complete information and graphic clarification, including but not limited to:

- i. complete Planting Plans and Plant List, to include and clearly delineate all trees, shrubs and ground covers, symbols and quantities;
- ii. complete plant information, including areas left blank or assumed to be grass;
- iii. additional labels, references, dimensions and notations as needed to clarify design intent on all plans, sections and details;

**Note to Applicant:** Further conditions may follow receipt of complete information.

### **Crime Prevention Through Environmental Design (CPTED)**

- A.1.35 design development to incorporate Crime Prevention Through Environmental Design (CPTED) Principles through the following:

- i. ensure “eyes on the street” is possible near accessible points to the underground carpark, elevator/ entry lobbies, and fire exits;
- ii. include lighting for pedestrians around the building to improve safety;
- iii. provide 24/7 lighting and paint walls white in the carpark (including its entry);
- iv. avoid deep alcoves and concealed spaces especially at the lane side; and
- v. reduce opportunities for graffiti around the building with graffiti deterrent paint, planting, and/or put murals or artworks on blank walls;



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

- A.1.36 design development to improve visibility and security in the underground parking in accordance with the Parking By-law including:
- i. overhead lighting and step lights at exit stairs and doors;
  - ii. 24 hour lights and walls painted white; and
  - iii. visibility at doors, lobbies, stairs and other access routes.

### Housing Policy & Projects

A.1.37 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/or Section 219 Covenant to secure all residential units as secured rental housing units, including at least 20 per cent of the residential floor area that is counted in the calculation of the dwelling unit area per the CD-1 By-law secured as moderate income units subject to the conditions set out below for such units and in accordance with the requirements set out in the Moderate Income Rental Housing Pilot Program, for the longer of 60 years or the life of the building, and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require. The agreement or agreements will include but not be limited to the following terms and conditions:

- (a) a no separate sales covenant;
- (b) a no stratification covenant;
- (c) a provision that none of such units will be rented for less than one month at a time;
- (d) all rental units will be secured as rental for a term of 60 years or the life of the building, whichever is greater;
- (e) that a rent roll be provided indicating the agreed initial monthly rents for each moderate income rental unit, when the Housing Agreement is entered into and again prior to development permit issuance;
- (f) that the average initial starting monthly rents for each moderate income rental housing unit, which comprise at least 20% of the residential floor area that is counted in the calculation of the floor space ratio, will be at or below the following rents, not subject to adjustment, as set out in section 3.1A (d) of the Vancouver Development Cost Levy By-law and section 2a of the Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements And Available Incentives Administration Bulletin:

Unit Type	Proposed Average Starting Rents
Studio	\$950
1-bed	\$1,200
2-bed	\$1,600
3-bed	\$2,000

and that a rent roll indicating the agreed maximum average initial monthly rents for the units secured at moderate income rates will be required prior to Development Permit issuance, and

again prior to issuance of an Occupancy Permit, to the satisfaction of the General Manager of Planning, Urban Design or Sustainability and the Director of Legal Services;

- (g) that rent increases for the moderate income units will be capped at the Residential Tenancy Act maximum annual allowable increase, as published by the Province of British Columbia, regardless of a change in occupancy;
- (h) the applicant will verify eligibility of new tenants for the units secured at moderate income rates, based on the following:
  - i. For new tenants, annual household income cannot exceed 4 times the annual rent for the unit (i.e. at least 25% of household income is spent on rent); and
  - ii. There should be at least one occupant per bedroom in the unit.
- (i) the applicant will verify the ongoing eligibility of existing tenants in the units secured at moderate income rates every five (5) years after initial occupancy:
  - i. For such tenants, annual household income cannot exceed 5 times the annual rent for the unit (i.e. at least 20% of income is spent on rent); and
  - ii. There should be at least one occupant per bedroom in the unit.
- (j) on an annual basis, or at the request of the City, the applicant will report to the City of Vancouver on the operation of the moderate income rental housing units which will ensure that the City can confirm that the units are being operated as agreed, and will include a rent roll for the moderate income units, and a summary of the results of eligibility testing for these units; and
- (k) such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require in their sole discretion.

**Note to Applicant:** Housing Agreement Bylaw No. 12729 was enacted on July 7, 2020, which included a rent roll for the moderate income rental units. However, required changes to the moderate income unit mix and/or assignment will require a new Housing Agreement Bylaw. The following conditions are to be included in a new Housing Agreement Bylaw.

**Note to Applicant:** The Housing Agreement including rent roll must match the final building unit mix and unit assignment, as shown in the drawings and DCL Waiver Request Form.

- A.1.38 the unit mix to be included in the Development Permit drawings, including studio units, one-bedroom units, two-bedroom units, and three-bedroom units, generally complies with the unit mix guidelines in the Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements and Available Incentives, and must include 35 per cent family units (two-bedroom and three-bedroom units) for both the market and below market (moderate income) units. There is to be a minimum of two moderate income rental three-bedroom units shown in the development permit drawings;

**Note to Applicant:** Any changes in the unit mix from the rezoning application may only be considered under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35 per cent of the dwelling units designed to be suitable for families with children and meets the intent of the unit mix guidelines in the Moderate Income Rental Housing Pilot Program (<https://vancouver.ca/files/cov/moderate-income-rental-housing-pilot-program-administrative-bulletin-may-2018.pdf>).

- A.1.39 the Moderate Income Rental Housing Units to be distributed throughout the New Building to the greatest extent possible, while taking into consideration the required family unit mix and financial constraints of the New Building, to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services;
- A.1.40 design development of the common outdoor and indoor amenity areas in accordance with High-Density Housing for Families with Children Guidelines:
- i. indoor amenity to include a kitchen, storage closet and accessible washroom equipped with baby change table adjacent to an outdoor amenity area; and
  - ii. outdoor amenity to include a rooftop outdoor common area for residents including a play area suitable for a range of opportunities for creative and motor-skills developing for children over a range of ages. Include seating area for parents adjacent to children's sand box.
  - iii. a minimum of two hours of sunlight on the outdoor play areas between 10:00 a.m. and 5:00 p.m. on December 21st (S. 3.3.2 (a)).
- A.1.41 Design development to include the necessary supporting infrastructure to support urban agricultural activity by residents (i.e. yard waste composter, a potting bench, tool storage closet or chest, irrigation system/hose).
- A.1.42 Prior to issuance of the Development Permit, the applicant is to install and display a sign on the site throughout construction, that acknowledges that moderate income rental housing is being provided as part of the City of Vancouver's initiatives. Sign design, format and location to be approved by the City.
- A.1.43 In accordance with the Housing Agreement, proof of insurance and a final rent roll must be submitted to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to the issuance of the Occupancy Permit.

## A.2 Standard Engineering Conditions

- A.2.1 Make arrangements to the satisfaction of the GMES & the DLS for release of Easement and Indemnity agreements (347150M and BX315528) prior to building occupancy;

**Note to Applicant:** Arrangements are to be secured prior to issuance of the development permit, 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 at the DP stage

- A.2.2 provision of letter of credit in the amount of \$588,540.00 as per offsite services agreement is required prior to issuance of the DP;
- A.2.3 the owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- A.2.4 provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site.

**Note to Applicant:** Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic

evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

- A.2.5 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;
- A.2.6 clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage. If this cannot be confirmed then an on-site garbage bin staging area is to be provided adjacent the lane;
- A.2.7 provision of a revised draft final Rainwater Management Plan (RWMP) prior to DP issuance (see Note to Applicant.) As it is acknowledged that not all design components are advanced fully at this stage, placeholders will be accepted in this resubmission with the expectation the final report will include all relevant details;
- A.2.8 registration of a Section 219 Rainwater Management Agreement Covenant prior to DP issuance, with reference to the Rainwater Management Plan as outlined in the Conditions of Development;
- A.2.9 provision of a FINAL RWMP prior to the issuance of any building permit for the construction of any building, submitted to the satisfaction of the Director of Planning and City Engineer;

**Note to Applicant:** The resubmission at DP must include the following amendments:

- i. Provide an updated site map detailing how rainwater will be directed or retained in each area, specifically in rain garden areas (on-slab and over native soil). Include the following:
  - a. All routing of rainwater throughout the site
  - b. Area and depth of landscaping to support the claim of absorbent landscaping as a rainwater capture method.
  - c. Summary table of the catchment areas
- A.2.10 submission of a letter confirmation construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or License;

**Note to Applicant:** Applications for provincial Approvals or Licenses can be completed online. The application will be received and accepted into the province's online system, and the provincial authorizations team strives for 140 days to get the approval to the applicant. The approval holder must be able to produce their approval on site so that it may be shown to a government official upon request. Dewatering before this approval is granted is not in compliance with the provincial Water Sustainability Act.

**Note to Applicant:** BC Hydro service to the site shall be primary. All BC Hydro infrastructure (e.g., pad mounted transformer, vista switch and control kiosks) shall be located on the development property. This proposed development is adjacent to existing BC Hydro electrical works, contact BC Hydro for project review and comment to ensure any potential impact or risks from your proposed development or construction will be assessed and addressed. See BULLETIN 2015-002-EL - Clearances from Existing BC Hydro High Voltage Overhead Conductors and Transformers for more information (<https://vancouver.ca/files/cov/2015-002-clearances-from-the-existing-bc-hydro-high-voltage-overhead-conductors-and-transformers.pdf>).

Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings is required. The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan. All third party service lines to the development shall be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant shall acquire written acceptance from the third party utilities prior to submitting to the city. The review of third party utility service drawings will not be initiated until the Key Plan is completed.

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

- A.2.11 removal of all portions of proposed stepped wood decking path that encroach on to W 2nd Ave. (sheet L1.1 A010, A101, A303);
- A.2.12 provision of City building grades to be shown on the site plan. Design elevations are required on both sides of all new entrances;

**Note to Applicant:** Refer to BG plan BG-2018-00011. Ensure that all design elevations are located on property line adjacent to all entrances.

- A.2.13 submission of an updated landscape and site plan to reflect the public realm changes including all of the off-site improvements sought in the rezoning. Where a design or detail is not available, make note of the improvement on the site and/or landscape plans. The landscape plan is to include the following note:

“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.”

- A.2.14 update the landscape plans with the latest City issued geometric design for Larch Street.

**Note to Applicant:** the City will provide a geometric design for the curb and sidewalk alignment on Larch Street, but this design will generally reflect the approved rezoning condition:

- provision of a 1.53 m (5'-0") sod grass front boulevard with street trees and 2.14 m (7'-0") light broom finish saw cut concrete sidewalk on the Larch St frontage.

- A.2.15 update the landscape plans to show and note the following council approved rezoning condition:

- provision of 2.14 m (7'-0") light broom finish saw cut concrete sidewalk on the W 2nd Ave frontage.

- A.2.16 delete all street furniture shown on street right of way including proposed benches, existing bench and pad, library box, and electrical outlet, or relocate to private property. Refer to Landscape Plan L1.1.
- A.2.17 provision of improved access and design of bicycle parking and compliance with the Bicycle Parking Design Supplement.
  - i. provision of automatic door openers for all doors providing access to Class A bicycle storage.
  - ii. relocation of Class B bicycle parking to eliminate encroachments on public property and right-of-ways. Dimension the size of the Class B bicycle spaces on the drawings.

- iii. provision of all required Class A bicycle parking to be provided no lower than the P1 parking level.

**Note to Applicant:** A dedicated bicycle elevator is required for all bicycle spaces located below the first underground level.

A.2.18 provision of improved access and design access and design of the parkade layout and compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services, including the following:

- i. provision of Parabolic mirrors at all 90 degree turns in the parking levels.
- ii. provision of minimum 20' drive aisle width through the residential overhead gates for two-way vehicle flow.
- iii. provision of a minimum 20' drive aisle width for small car parking space number 12.

A.2.19 provision of section drawings showing the overhead security gates and vertical clearance under the overhead security gates. Clearances must consider mechanical projections and built obstructions.

A.2.20 provision of dimensions of additional setbacks for parking spaces due to walls, for example parking spaces 20, 28 and 35.

A.2.21 provision of a plan drawing that indicates the stair-free access route from the Class A bicycle spaces proposed in the underground parking levels to reach the outside.

### **A.3 Standard Licenses & Inspections (Environmental Protection Branch) Conditions:**

A.3.1 a qualified environmental consultant must be available to identify, characterize and appropriately manage any environmental media of suspect quality which may be encountered during any subsurface work;

A.3.2 in the event that contamination of any environmental media is encountered, the following Terms must be met:

- i. a Notice of Commencement of Independent Remediation must be submitted to the Ministry of Environment and a copy provided to the City of Vancouver.
- ii. upon completion of remediation, a Notification of Completion of Independent Remediation must be submitted to the Ministry of Environment and a copy provided to the City of Vancouver.
- iii. a Groundwater Quality Declaration or Waste Discharge Permit Application must be submitted prior to commencing dewatering activities.
- iv. a copy of the completion of remediation report signed by an Approved Professional stating the lands have been remediated to the applicable land use standards must be submitted prior to occupancy permit issuance.

## B.1 Standard Notes to Applicant

- B.1.1 The applicant is advised to note the comments of the Building Review Branch, Vancouver Coastal Health Authority and Fire and Rescue Services Departments contained in the Staff Committee Report dated **November 9, 2020**. Further, confirmation that these comments have been acknowledged and understood, is required to be submitted in writing as part of the “prior-to” response.
- B.1.2 It should be noted that if conditions 1.0 and 2.0 have not been complied with on or before (**6 months after DP Board date**), this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.3 This approval is subject to any change in the Official Development Plan and the Zoning and Development Bylaw or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the bylaw or regulations can be issued.
- B.1.4 Revised drawings will not be accepted unless they fulfill all conditions noted above. Further, written explanation describing point-by-point how conditions have been met, must accompany revised drawings. An appointment should be made with the Project Facilitator when the revised drawings are ready for submission.
- B.1.5 A new development application will be required for any significant changes other than those required by the above-noted conditions.

Note to Applicant: The application must meet the requirements of the CCF Act and Adult Care Regulations prior to approval at Building Permit stage.

## B.2 Conditions of Development Permit:

- B.2.1 All approved off-street vehicle parking, loading and unloading spaces, and bicycle parking spaces shall be provided in accordance with the relevant requirements of the Parking By-law prior to the issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.2 All landscaping and treatment of the open portions of the site shall be completed in accordance with the approved drawings prior to the issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.3 Any phasing of the development, other than that specifically approved, that results in an interruption of continuous construction to completion of the development, will require application to amend the development to determine the interim treatment of the incomplete portions of the site to ensure that the phased development functions are as set out in the approved plans, all to the satisfaction of the Director of Planning.
- B.2.4 The issuance of this permit does not warrant compliance with the relevant provisions of the Provincial Health and Community Care and Assisted Living Acts. The owner is responsible for obtaining any approvals required under the Health Acts. For more information on required approvals and how to obtain these, please contact Vancouver Coastal Health at 604-675-3800 or visit their offices located on the 12<sup>th</sup> floor of 601 West Broadway. Should compliance with the health Acts necessitate changes to this permit and/or approved plans, the owner is responsible for obtaining approval for the changes prior to commencement of any work under this permit. Additional fees may be required to change the plans.

- B.2.5 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that substantial lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- B.2.6 Approved excluded open residential balconies must not be enclosed for the life of the building.
- B.2.7 All services, including telephone, television cables and electricity, shall be completely underground.
- B.2.8 This site may be affected by a Development Cost Levy By-law. Levies will be required to be paid prior to the issuance of Building Permits.
- B.2.9 This Development Permit is valid for a period of 12 months from the date of issuance - unless otherwise validated by a Building Permit.
- B.2.10 Amenity areas (928 sq.ft.)/common residential storage spaces excluded from the computation of floor space ratio, shall not be put to any other use, except as described in the approved application for the exclusion. Access and availability of the use of all amenity facilities located in this project shall be made to all residents, occupants and/or commercial tenants of the building; and Further, the amenity spaces and facilities approved as part of this Development Permit shall be provided and thereafter be permanently maintained for use by residents/users/tenants of this building complex.
- B.2.11 In accordance with Protection of Trees By-law Number 9958, the removal and replacement of site trees is permitted only as indicated on the approved Development Permit drawings. All trees are to be planted prior to issuance of any required occupancy permit, or use or occupancy of the proposed development not requiring an occupancy permit, and thereafter permanently maintained in good condition.
- B.2.12 All approved street trees shall be completed in accordance with the approved drawings within six (6) months of the date of issuance of any required occupancy permit or any use of occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.13 Please note that additional addresses may be required prior to issuance of the Building Permit. Unit numbers to be assigned for example 1st storey (100 series), 2nd storey (200 series) etc. Floor layout plan including addressing and unit numbers to be submitted prior to Building Permit issuance and shown on drawings submitted with Building Permit application.
- B.2.14 If Tree protection is required, no work may be done within the critical root zone of any protected tree unless an ISA Certified Arborist is in attendance to supervise. Work includes demolition, excavation, construction and landscaping. All site work supervised by the arborist shall be documented in a post-construction arborist report and submitted to the Director of Planning in a timely manner.
- B.2.15 Applicant shall ensure outdoor lighting is designed and installed to minimize impacts on ecology and neighbours, in compliance with the Vancouver Building Bylaw and Standards of Maintenance Bylaw.
- B.2.16 This site is affected by a Development Cost Levy By-law and levies will be required to be paid prior to issuance of Building Permits.**