

---

**2010 Balaclava Street  
DP-2021-00652 – CD-1**

**BC/AEM/CP/TL/JS**

---

**DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS**

**Present**

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

**Also Present**

B. Clark, Urban Design  
A. Maness, Landscape Planning  
C. Profili, Development Services  
T. Lam, Housing Policy & Projects  
A. Mauboules, Housing Policy & Projects  
J. Smallwood, Development Services

---

**APPLICANT**

B Side Developments Ltd.  
2168 – 1424 Commercial Drive  
Vancouver BC  
V5L 3X9

**PROPERTY OWNER**

Retna Investments Ltd.  
1736 Beach Grove Crescent  
Delta BC  
V4L 1P3

---

**EXECUTIVE SUMMARY**

• **Proposal**

To develop this site, considered under the *Moderate Income Rental Housing Pilot Program (MIRHPP)*, with a 6-storey multiple dwelling building containing thirty-five (35) dwelling units (20% of allocated to *MIRHPP*), all over one level of underground parking having vehicular access from the lane, subject to Council resolution of enactment to the CD-1 By-law 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	Landscape Drawings
	Appendix E	Context Plan, Streetscape and Renderings
	Appendix F	Applicant's Design Rationale and Response to Rezoning Conditions Letter
	Appendix G	"Test Fit" Drawings
	Appendix H	Kitsilano Character Images
	Appendix I	Urban Design Panel Minutes

• **Issues**

1. Architectural and Landscape Response to Kitsilano context (design excellence)
2. South and east residential interfaces
3. Tree Retention & Landscaping

• **Urban Design Panel: SUPPORT with Recommendations**

**DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE**

THAT the Board APPROVE Development Application No. **DP-2021-00652** submitted, the plans and information forming a part thereof, thereby permitting development of the site with a 6-storey multiple dwelling building consisting of 35 rental units under the *Moderate Income Rental Housing Pilot Program (MIRHPP)*, all over one level of underground parking, having vehicular access from the lane, subject to the following conditions and subject to Council enactment of the CD-1 By-law and approval of the form of development:

**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 achieve a high level of architectural and landscape expression and more integrated relationship with the immediate context aligning with the Council Motion approved at Public Hearing on March 4, 2021;

**Note to Applicant:** The Council Motion requires the applicant to better achieve the Urban Design Panel's recommendation to achieve architectural and landscape design excellence as well as to better transition to the adjacent development. The full Council Motion is included in the report body under Background. While it is understood that a 6-storey building is considered a new typology in this neighbourhood, Council's motion seeks a visual response that reflects the historic character of the area. Increased use of colour, pattern, texture and detailing can add visual interest to the building's cubic form. Natural, intrinsically valuable materials, such as brick and wood, better evoke 'Kitsilano character'. This approach may require design reconsideration and can be achieved through the following strategies:

Architecture:

- i. incorporating high quality, textured traditional residential materials such as horizontal siding, brick masonry and wood soffits;
- ii. using a softer colour palette with distinct colour and materials to reinforce the tripartite design (base, middle, top), with visually lighter top floors;
- iii. using architectural detailing and trims to create rich visual interest with light and shadow effects;
- iv. providing high-quality windows with substantial mullions and deep, recessed glazing to add shadow and texture to the façades, and consider using more traditional window openers such as single or double-hung instead of awning-type;
- v. emphasizing the residential entrance with a prominent canopy which relates to the neighbourhood, augmented with feature landscaping both at grade and at the second floor;
- vi. incorporating architectural and landscape treatments to provide visual interest to large blank walls, including the east elevation;

- vii. providing a vertical picket typology for the balcony and decks, rather than glass.

Landscape:

- i. create a strong landscaped edge around the building with a plant palette based on the immediate neighbourhood context;
- ii. develop street-oriented landscape features at the northeast, northwest and southwest corners of the site;
- iii. define individual front yards of the ground-oriented units along the streets with special landscaping, entry gates or arbors, and decorative fencing;
- iv. develop residential entry porches as high quality, visually prominent features which provide pedestrian interest; and,
- v. coordinate on-site landscaping with back boulevard planting on city property as possible;

**Note to Applicant:** Landscape layering from the property line back to the building face is needed to soften the six-storey building and better blend the project into the neighbourhood. See also, Standard Landscape conditions A.1.24, A.1.25 and A.1.26.

- 1.2 compliance with the Council Motion for a landscape buffer and visual screening to the south lane, and a better interface with adjacent residential properties through:
  - i. provision of a large specimen tree and a row of columnar trees along the south property line, with special attention paid to achieving adequate soil depth for successful tree growth;
  - ii. design development to relocate the parkade exit stairs within the building envelope as possible;
  - iii. maximizing landscape planting along the south property line where trees cannot be located;
  - iv. coordinating new and existing landscaping along the east property line, including placement of proposed metal trellises;
  - v. consideration of use of a sloping roof over the parking ramp due to visual prominence from views from above from the east;
  - vi. coordinating design of the east façade with the adjacent buildings, including locations of proposed windows to mitigate overlook, with consideration of translucent glazing where required;

**Note to Applicant:** Staff recognize that the incorporation of the garbage and recycling area into the building (as per rezoning condition 1.4(a)) has greatly improved the interface to the south. While the proposed garden can serve as a good amenity to the residents, a stronger response to the Council Motion for visual screening is expected. In order to satisfy this condition, altering the slab located above the proposed underground bicycle parking room to accommodate a large volume of soil depth for tree growth will be necessary.

Enclosing the exit stairs is a superior solution to CPTED perspective, and frees up the area around the building for tree planting and landscaping to soften the cubic form of the building.

- 1.3 compliance with Rezoning conditions for Approval 1.12 through design development to retain the mature conifers on the City boulevard on W 4<sup>th</sup> Ave, through the following:
- i. align the north face of the underground parkade wall with the building face above, set back a minimum of 4.5 m (15 ft.) inside the property line at the northeast of the site;
  - ii. provide detailed plan and section drawings with the tree canopies shown to scale for review, to ensure projecting balconies do not conflict with the trees, or they may need to be reconfigured or relocated;

**Note to Applicant:** The retention of these city-owned trees is considered a critical element for this development proposal. The application currently shows a 4.5 m (15 ft.) setback of the underground parkade, taken from the tree trunks rather than from the property line. This condition is coordinated with Standard Landscape condition A.1.23.

- 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

2010 Balaclava Street		DP-2021-00652	CD-1
	PERMITTED / REQUIRED	PROPOSED	
Site Area <sup>1</sup>		71.0 ft. x 104.22 ft. 7,400.0 ft <sup>2</sup>	
Use	(a) Dwelling Uses	Dwelling Uses	
Dwelling Units	(min) 20% <i>MIRHPP</i> (min) 35% of 2+ bedrooms for both <i>MIRHPP</i> & Secured Market Rental	Total Units = 35 <i>MIRHPP</i> Units = 8/35 (22.9%) % of 2+ bed <i>MIRHPP</i> = 3/8 (37.5%) % of 2+ bed Sec Rental = 10/27 (37.0%)	
		<i>MIRHPP</i>	Market Rental
		Studio 2	6
		1 bed 3	11
Floor Areas <sup>2</sup>	FSR: <i>MIRHPP</i> (min) 20% Market Rental (max) 80%	2 bed 3	10
		---	---
		Subtotal 8	27
		Total # Dwelling Units	35
FSR Exclusions <sup>2</sup>	FSR Site Total (max) 2.95 FSR 21,830 ft <sup>2</sup>	FSR: <i>MIRHPP</i> : 4,571 ft <sup>2</sup> Market Rental: 17,223 ft <sup>2</sup>	
		FSR Site Total 2.95 FSR 21,794 ft <sup>2</sup>	
		Dwelling Unit Areas (excl circulation & in-suite storage): <i>MIRHPP</i> (min) 20% Market Rental (max) 80%	
		Dwelling Unit Areas (excl storage & circ): <i>MIRHPP</i> : 22.3% / 3,788 ft <sup>2</sup> Market Rental: 77.7% / 13,158 ft <sup>2</sup> ---	
		Total D.U. Area = 16,946 ft <sup>2</sup>	
Height	Level 6 – Top of Roof Parapet	<i>MIRHPP</i> In-suite Storage Ratio: (20% of 1041.0 ft. <sup>2</sup> ) min. 208 ft. <sup>2</sup>	
		In-suite Storage Ratio: 232 ft <sup>2</sup>	
		<u>Maximum</u>	
		Balconies (open) (max 12%) 2,620 ft <sup>2</sup>	
		Residential Amenity (max 10%) 2,183 ft <sup>2</sup>	
Height	Wall Exclusion (Rainscreen) per Sect 10.11	Balconies 1,734 ft <sup>2</sup>	
		Amenity 495 ft <sup>2</sup>	
		Rainscreen 185 ft <sup>2</sup>	
Height	Level 6 – Top of Roof Parapet	<u>Maximum</u> 63.3 ft.	
		61.71 ft.	

See Notes & Parking Technical Table on following page

	PERMITTED / REQUIRED			PROPOSED		
Parking <sup>3</sup>	<u>MIRHPP &amp; Market Rental:</u> (min) (max)					
	standard	see ttl	-	std	7	sp.
	small	-	25% of 15 = 4	sm	4	sp.
	accessible	2	-	acc	2x2=4	sp.
	<b>Parking Total</b>	<b>16</b>	<b>34</b>	Σ Counted	<b>15</b>	<b>sp.</b>
	(Note: Calcs not incl Transit proximity reduction)			Σ Physical	<b>13</b>	<b>sp.</b>
	Visitor	(min) 2	(max) 4		0	sp.
Loading	<u>MIRHPP &amp; MkRent:</u>	<u>A</u>	<u>B</u>	<u>A</u>	<u>B</u>	<u>C</u>
	<b>Total:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Bicycle	<u>MIRHPP &amp; Market Rental:</u>	<u>A</u>	<u>B</u>	<u>A</u>	<u>B</u>	
	<b>Total:</b>	<b>53</b>	<b>0</b>	<b>53</b>	<b>0</b>	
	<b>Class A - Types</b>					
	<u>V+S</u>	<u>H</u>	<u>L</u>	<u>O</u>	<u>V+S</u>	<u>H</u>
	max 32	n/a	min 5	min 3	0	42
Passenger	<u>MIRHPP &amp; MkRent:</u>	<u>A</u>	<u>B</u>	<u>A</u>	<u>B</u>	<u>C</u>
	<b>Total:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## NOTES

<sup>1</sup> **Note on Site Size and Site Area:** Site area is based on the provided site survey and consistent with draft CD-1.

<sup>2</sup> **Note on FSR and Floor Area:** As per Section 5 – *Conditions of Use* & Section 6 – *Floor Area and Density* of the CD-1 By-law.

Dwelling Unit Areas of *MIRHPP* Ratio per CD-1 clause 5.1, requiring minimum of 20% of the total dwelling unit area must be Moderate Income Rental Housing Units. Area based on proposed dwelling unit floor area of all units, calculated using the inside dimension of perimeter walls of each dwelling unit. Interior partition walls, within a dwelling unit, are included in the measurement. Any in-suite bulk storage EXCLUDED FROM FSR CALCULATIONS is NOT included in the measurement of the dwelling unit floor area.

In-suite Storage Ratio per CD-1 clause 6.6, requiring a minimum of 20% of any storage floor area excluded from FSR to be located within the *MIRHPP* units as storage space. Calculated Area for the ratio based on based on proposed in-suite storage area of all dwelling units (area from subtotal “Dwelling Unit Areas” not “FSR”).

Staff supports a decrease of the dwelling unit area down to a minimum dwelling unit floor area of not less than 29.7 m<sup>2</sup> (320 ft<sup>2</sup>), per Section 11.10 of the Additional Regulations for Specific Uses, of the Zoning and Development By-law, which requires a housing agreement to secure such dwelling units as rental. See Standard Development Review Branch condition A.1.19.iii.

<sup>3</sup> **Note on Parking:** Required parking for *MIRHPP* and Market Rental housing has been based on Section 4.5B – *Secured Market Rental Housing* and Section 4.1.16 – *Visitor Spaces* of the Parking By-law. Proposed total figure includes the double-counting of 2 required disability parking spaces. The proposed development is deficient by 3 parking spaces and has been identified in Standard Development Review Branch condition A.1.17. Parking By-law. Parking shortfall may be addressed with TDM measures, to be assessed and addressed to the satisfaction of the General Manager of Engineering Services.

• **Legal Description**

Lots: 21 & 22  
Block: 29  
District Lot: 192  
Plan: 4561

• **History of Application**

2021-07-14 Complete DP submitted  
2021-11-24 Urban Design Panel  
2022-04-13 Development Permit Staff Committee

• **Site**

This 687.4 m<sup>2</sup> (7,400 ft<sup>2</sup>) subject site is comprised of two lots at the southeast corner of W 4<sup>th</sup> Ave. and Balaclava St. in the Kitsilano neighbourhood (see *Figure 1*). The property has a 21.6 m (70.8 ft.) frontage along W 4<sup>th</sup> Ave. and 31.7 m (104 ft.) along Balaclava St. It is occupied by three duplexes constructed in 1943. The six existing units house 13 tenants who qualify for Tenant Relocation under the City's *Tenant Relocation and Protection Policy*. The site does not include any historic features but has existing mature trees at the northeast corner and a smaller tree at the north-west.

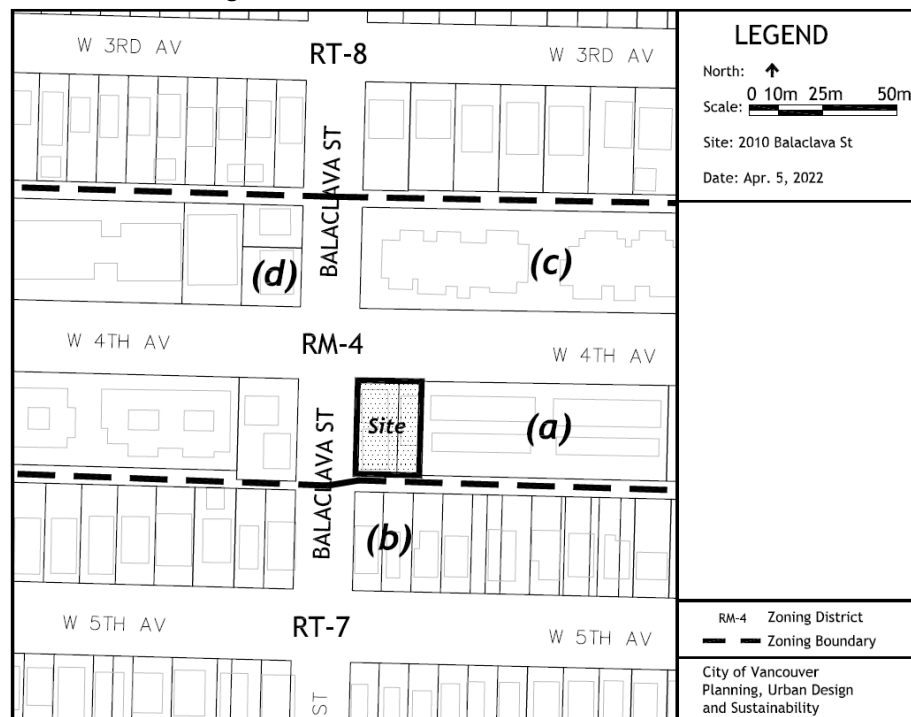
The site is zoned RM-4 (Residential) District which permits a maximum density of 1.45 FSR and building heights up to 10.7 m (35.1 ft.) in the form of four-storey apartments. Surrounding properties to the north, east and west are also zoned RM-4 and developed with three and four storey residential buildings. The area to the south is zoned RT-7 with a maximum development potential for multiple dwelling use of 10.7 m (35.1 ft.) in height and 0.6 FSR.

• **Context**

Significant adjacent development includes:

- 3038 W 4<sup>th</sup> Ave., Santa Barbara Apartment Buildings (RM-4 to east)
- 3095 W 5<sup>th</sup> Ave. (RT-7 to south)
- 3083 W 4<sup>th</sup> Ave. (RM-4 to north)
- 1991 Balaclava St. (RM-4 to northwest)

**Figure 1: Site and surrounding context**



- **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, at the Regular Council Meeting on March 4, 2021 following a Public Hearing on February 9, 2021, with 4 public hearing dates to accommodate significant public input. Council approved the rezoning subject to compliance with the Conditions of Development, with amendments to pursue “architectural and landscape excellence to the new typology provides an appropriate response to its current context” and add more generous landscape screening and buffers to improve the transition to nearby residential properties.

The CD-1 By-law permits a residential development with a floor space ratio (FSR) of 2.95 and building height of 19.3 m (63.3 ft.), to contain 35 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 tree retention, building height, massing, response to the character of the Kitsilano neighbourhood, and landscaping. Council approved the rezoning application and the form of development in principle, subject to the approved rezoning conditions. Furthermore, Council added motions to improve neighbourhood compatibility and tree retention, as shown in the segment of meeting minutes below:

AMENDMENT MOVED by Councillor Dominato  
SECONDED by Councillor De Genova

THAT the following be added to the end of A:

FURTHER THAT the above approvals be subject to the Conditions of the Approval of the Form of Development in Appendix B , Part 1 be amended to include:

- implement the Urban Design Panel’s suggestion to pursue architectural and landscape excellence to ensure the new typology provides an appropriate response to its current context; and
- explore changes to massing and bulk of the building, and make improvements for the transition to the south and the lanes along the single family zone by using landscape screening and buffers through the Development Permit Process.

CARRIED UNANIMOUSLY (Vote No. 07030)  
(Councillors Boyle, Hardwick and Swanson abstained from the vote)

At 4:28 pm, the Mayor relinquished the Chair to Deputy Mayor Wiebe. Following his comments, the Mayor resumed the role of Chair.

Following closing comments, with the amendment having carried, the motion as amended was put and CARRIED with Councillor Hardwick opposed (Vote No. 07031).

Prior to Public Hearing, this project was reviewed and unanimously supported by the Urban Design Panel on May 13, 2020. Design issues identified by the Panel formed the basis for many of the rezoning approval design conditions.

This Development Permit Application follows a Rezoning Application, which was approved by Council on March 4, 2021, under the *Moderate-Income Rental Housing Pilot Program* (hereafter abbreviated as *MIRHPP*). The proposal is for a 6-storey residential building, which program consists of:

- Indoor/outdoor amenity at grade (matching Council approved Rezoning)
- 35 secured rental-housing dwelling units, of which 20% is reserved for Moderate-Income Rental Housing Units. There are 8 moderate-income units and 27 market units.

The moderate-income units' rent-rates are targeted to meet the affordability needs of households earning between \$30,000 and \$80,000 per year. Rent increases are to be capped at the Residential Tenancy Act's (RTA) annual allowable rental increase regardless of a change in tenancy.

A development permit application was submitted on July 14, 2021. The application was reviewed by the Urban Design Panel on November 24, 2021, where it received support with recommendations (5:2) from the panel.

Staff explicitly asked the Urban Design Panel to evaluate Council's motion regarding architectural excellence to justify a six-storey typology in the area. Although the Urban Design Panel supported the project 5:2, they directed the applicant to continue to work with staff to improve the form of development to fit better with the neighbourhood.

- **Applicable By-laws and Guidelines**

***CD-1 (Pending) By-law and overall form of development (approved in principle March 4, 2021)***

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.

As per Staff Referral Report (<https://council.vancouver.ca/20210119/documents/rr6.pdf>).

***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. As the site is immediately north of a traditional single-family area zoned RT-7 with low-rise character houses, these guidelines are helpful in ensuring new developments provide a meaningful response to 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-7 Zoning By-law, these guidelines describe how to attain compatibility with the neighbourhood.

The *RT-7 and RT-8 Guidelines* note Kitsilano exhibits a wide variety of architectural styles, with open front yards, simple massing and rooflines, richly textured and detailed façades, porch features, punched windows, raised street-facing entrance, traditional materials, and robust detailing. They also note extensive green landscaping provides a "cohesive framework improving the chances of compatible fit between buildings".

***Kitsilano RM-4 Guidelines (1988, last amended 1992)***

These guidelines apply to the development under the RM-4 Zoning By-law and are applicable to properties along W 4<sup>th</sup> Ave near the site. The overall goal is high quality development, with a cohesive response compatible with the existing character of the neighbourhoods along W 4<sup>th</sup> Ave. The guidelines outline ways for new projects to contribute positively to streetscape character, with special attention to

building massing, roof forms, window type, finishing materials and landscaping (no unarticulated or blank walls). Important character elements include:

- high quality exterior wall finishes;
- sympathetic exterior materials and detailing;
- strong, well-defined entrance(s) with street presence; and
- individual unit accesses at grade;

The *Kitsilano RM-4 Guidelines* also encourage retention of significant trees, and state, “new landscaping should complement and enhance landscaping on adjacent properties”.

#### ***Moderate Income Rental Housing Pilot Program (2017, last amended 2019)***

This project was considered under the *Moderate Income Housing Pilot Program (MIRHPP)*. On November 29, 2017, Council approved the *MIRHPP* to deliver moderate-income rental housing across the city. Between January 1, 2018 and July 1, 2019, the City accepted rezoning proposals for new buildings where 100% of the residential floor area is secured as rental housing, and at least 20% of that floor area is permanently secured as moderate-income rental housing. The moderate-income units’ rent-rates are targeted to meet the affordability needs of moderate-income households earning between \$30,000 and \$80,000 per year. On November 26, 2019, Council approved an extension of the timeline of the *MIRHPP* for new rezoning proposals to be considered until January 1, 2021. Following the pilot, staff will report back to Council with recommendations regarding the construction of moderate-income rental housing.

In terms of form, the *MIRHPP* projects can be up to six-storeys in RM zones. Other than height, no other specific urban design parameters are provided. In such cases, staff analyze proposals based on the following factors: the base zoning’s urban design performance objectives; current built form context; future possible zoning considerations; housing objectives and overall impact to the surrounding public and private properties.

#### ***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. They aim to address issues of site, building and unit design to residential livability for families with children. Applicants are encouraged to consider creative approaches when responding to these guidelines. Providing common outdoor open spaces and indoor amenity spaces is one of the key recommendations.

Outdoor spaces should be designed to accommodate children’s play. Additionally, the guidelines call for each unit to have some access to its own private outdoor space, in the form of a patio, balcony and/or deck. At the same, privacy especially for the children should be factored when designing these outdoor play areas. For unit-layout, family units require a minimum of two bedrooms, and each bedroom should be sized to contain at least a single-bed, a desk and a dresser or closet. Storage should also be provided for each unit.

#### ***Family Room: Housing Mix Policy for Rezoning Projects (2016)***

This policy aims to ensure rezoning for secured rental housing to have 35% of its total units as family-oriented units, to support housing for families in Vancouver. Family units have two or more bedrooms.

### ***Urban Agriculture Guidelines for the Private Realm***

The City of Vancouver *Food Policy* identifies environmental and social benefits associated with urban agriculture, and seeks to encourage opportunities to grow food in the city. The guidelines encourage edible landscaping and shared gardening opportunities for residents in new developments.

### ***Housing Vancouver Strategy and Action Plan (2017)***

The *Housing Vancouver Strategy (HVS)* and associated 3 Year Action Plan was the culmination of a year-long process of gathering, synthesizing and testing new ideas and approaches to addressing housing affordability in Vancouver. The *HVS* aims to improve housing affordability by creating the right types of homes to meet the needs of the people who live and work in Vancouver. It targets 72,000 new homes in Vancouver over the next 10 years. Of the 72,000 new homes target, 20,000 are targeted for purpose-built rental housing, of which 4,000 are targeted for developer-owned below-market rental, such as those delivered under the *MIRHPP*.

### ***Tenant Relocation and Protection (TRP) Policy (2015, last amended 2019)***

The *TRP Policy* is intended to protect tenants by mitigating the impacts of displacement resulting from redevelopment activity, while recognizing that some renewal is necessary to maintain the health of the overall rental stock. A Tenant Relocation Plan is required when tenants are displaced as a result of redevelopment or major renovation activity. At the time of the rezoning application all six units on site were tenanted, of which five qualify for tenant relocation under the policy.

### ***Rental Housing Stock Official Development Plan (RHS ODP)***

The *RHS ODP* requires one-for-one replacement of existing rental housing units on redevelopments of three or more units in certain RM, FM, and CD-1 zoning districts. The one-for-one rental replacement requirements under the *RHS ODP* apply to this site.

- **Response to Applicable By-laws and Guidelines**

***CD-1 (Pending) By-law***

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

Note all conditions of the Rezoning are included for discussion in this section. Only conditions with relevant or remaining issues are included below. The Applicant's response to rezoning conditions letter is attached as Appendix F.

***Form of Development***

Major changes to address Rezoning Conditions and Council motions

The application is for a six-storey residential rental building. While the form of development is generally in line with the rezoning application, a variety of changes have been made to address the rezoning conditions and Council motions.

The most important changes include:

- Reduction of the overall building height by approximately 0.9 m (3 ft.) (see *Figure 2*);
- Relocation of the garbage and recycling along the lane underground;
- Mitigation of perceived height and massing through development of a tripartite expression, with a brick base; (See *Figure 3*)
- Individual unit entries and porches along Balaclava St. and W 4<sup>th</sup> Ave with projecting canopies to create a play of light and shadow; (See *Figure 3*)
- Improved soil volume by redesigning the parkade roof slab along the west and north; and,
- Improved co-located indoor and outdoor amenity spaces with a children's play area on the west near the building entry;

***Figure 2: An overlay of the rezoning building profile on the Development Permit proposed elevation***





Figure 2 illustrates that the height and massing of Development Permit Application have been reduced by about three feet from the rezoning application to be more compatible with the surrounding low-rise buildings. Although the setbacks have not changed, material changes have been proposed to emphasize the building base, adding porch features to ground-oriented street-facing units, and using a combination of brick and cementitious siding. In addition, the parkade section was chamfered to provide more generous soil volume to support tree planting and landscaping along the west and north property lines.

Figure 3 compares the Rezoning Application and the Development Permit Application proposals, to illustrate refinements to improve the architectural form in response to the neighbourhood character.

**Figure 3: Comparison of Architectural Form and Character between Rezoning Application and Development Permit Application**





Development Permit Application

Staff evaluated the proposed changes and determined many of the rezoning conditions and Council motions have been partly addressed and require further design resolution for a better neighbourhood fit. The Development Permit Application incorporates changes to reduce the actual and perceived visual height, and generally demonstrates a higher level of contextual fit. However, staff have identified the following major unresolved issues requiring additional design development to better address neighbourhood fit. Staff also requested the applicant to prepare a test fit demonstrating the impacts recommended conditions would have on the proposed design.

#### Issue 1: Perceived Height and Bulk

There are concerns about the overall building height as nearby buildings range from two to four storeys in height.

The proposed height is within the parameters set out in the CD-1 By-law. The overall height in the CD-1 By-law includes the base building height and a height for the sixth floor, which is approximately 3 feet lower than proposed in the rezoning application. Staff consider this an appropriate response to satisfy rezoning condition 1.1(a) and 1.1(c) and furthermore, it satisfies the first part of the council Motion to “explore changes to massing and bulk of the building, and make improvements for the transition to the south...”. The parapet height at 5<sup>th</sup> floor has literally been reduced and therefore its apparent height has been reduced. As such, the original condition for soften the edge with landscaping is waived by staff.

#### Issue 2: Architectural Character

The Development Permit Application has made some improvements on the architectural character to address Rezoning Condition for Approval #1.2 and the Council motion regarding compatibility with the neighbourhood character. The proposal was supported by the Urban Design Panel, but with recommendations to “pursue architectural and landscape excellence to ensure the new typology provides an appropriate response to its current context”.

However, staff recommend that these approaches require further design development, particularly on the east and south, which interface with residential neighbours. The lane side is highly exposed to the low-rise residential area to the south where the transition in scale is most significant.

Staff recommend continuing the architectural approach on all façades with special attention to the east and south. Mitigating design measures to address visual height, scale, materials, details and landscaping are described in Recommended Conditions 1.1, 1.2, 1.3 and Standard Landscape conditions A.1.26 and A.1.28.

### Issue 3: Incompatible Front Yard Treatment and Landscaping

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 existing trees at the northeast corner of the site but no other landscaping due to the size of the building footprint and the underground parkade. On-site vegetation proposed to be removed includes a magnolia at the northwest corner, a star magnolia at the northeast, and several large shrubs near the streets and the lane.

Staff included Recommended Condition 1.1 to require further design development to reinforce the streetscape character and improve landscaping. Recommendations include creating a streetscape rhythm with a pattern of individual entries with entrance porches, and more extensive layered planting in the yards along the streets and lane, with special landscape feature areas at corners of the site. Tree planting around the building is also recommended, with a large-scale showy specimen tree at the southwest corner.

The proposed landscaping shown in the Development Permit Application requires additional planting to provide screening for the six-storey building. Urban Design Panel also recommended developing a more unique, less rigid, “gardenesque” edge treatment to better relate to the neighbourhood. Recommended Conditions 1.1, 1.2, 1.3 and Standard Landscape conditions A.1.24, A.1.25, A.1.26, A.1.27 and A.1.28 include provisions to maximize landscape buffering around the building.

### ***Moderate Income Rental Housing Pilot Program (2017, last amended 2019)***

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. The Housing Agreement is not yet enacted. 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 unit mix proposed is 40% 1 bed, 37% 2 bed, 23% studio units. The *MIRHPP* unit breakdown includes 37% 2 bed, and 23% studios. Out of the total thirty-five units proposed, eight are dedicated *MIRHPP* units, seven on Level 02 and one on Level 03.

The mix complies with City policy, although it is desirable to locate *MIRHPP* units throughout the building.

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

Staff have included Standard Housing Policy and Projects condition A.1.9 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 ground floor near the main entry. It enhances the security and usability for both amenity spaces and increases the neighbourly connection and a sense of inclusion for the tenants of the building. In addition, all units have their own private outdoor space in the form of patio, deck or balcony. Both the moderate-income rental units and the market rental units have a minimum of 35% family-sized units.

The indoor amenity space meets minimum requirements; however, the play area in the outdoor amenity space is less than recommended by guidelines (130 m<sup>2</sup> -280 m<sup>2</sup>). Additionally, family-sized units also meet the required amount. Standard Housing Policy and Projects condition A.1.9 recommends improving the residential areas' usability and livability. This may be addressed by enlarging the overall children's play area. In response to the *High-Density Housing for Families with Children Guidelines*, all bedrooms should accommodate a closet and a desk.

As proposed, the Children's Play area does not meet the guidelines in terms of size. Staff have recommended to explore incorporating additional space on the south of the building, which should meet the provisions outlined in Standard Housing Policy and Projects condition A.1.13.ii and iii.

### ***Housing Vancouver Strategy and Action Plan (2017)***

This project is proceeding under the *MIRHPP*. The *MIRHPP* is a new approach to help provide an important supply of homes for households who are not eligible for social housing but cannot afford market rental housing. The addition of new moderate-income rental units and market rental units to the city's inventory contributes towards the Housing Vancouver target as shown in *Figure 4*.

***Figure 4: Progress towards 10 Year Housing Vancouver Targets for Purpose-Built Market and Developer Owned Below-Market Rental Housing as of December 31, 2021***

Housing Type	CATEGORY	10-YEAR TARGETS	Units Approved Towards Targets
Purpose-Built Market Rental Housing Units	Market Rental	16,000	8275 (52%)
	Developer-Owned Below Market Rental	4,000	660 (17%)
	Total	20,000	8,935

\*Note that tracking progress towards 10-year Housing Vancouver targets began in 2017  
 \*Unit numbers exclude the units in this proposal, pending Council's approval of this application.

Under the *MIRHPP*, all of the housing units in the project must be secured as rental with a minimum of 20% of residential floor area as moderate-income units. This application would deliver eight units to be rented at rates that meet the affordability requirements of moderate-income households under the *MIRHPP*.

The applicant has requested and is eligible for a DCL waiver. The average proposed starting rents across the moderate-income rental units, which comprise at least 20% of the residential floor area that is counted in the calculation of the floor space ratio, are required to meet the maximum average rents as outlined in the DCL By-law and the *Rental Incentive Programs Bulletin*.

Per Housing Policy and Projects condition A.1.16, all 35 units in the project will be secured as rental through a Housing Agreement and a Section 219 Covenant for the longer of 60 years and the life of the building. The agreement is to be enacted by Council and registered on title to secure starting rents for the moderate-income units and will prohibit the stratification and separate sale of individual units. The

agreement will also limit the rates at which rents for the moderate income units may be increased, even on a change in tenant. Annual reporting on the operation of the moderate-income units will be required and will contain information including rents and verification of tenant eligibility. Property owners will also be responsible for verifying that households continue to qualify every five years after they move in and when a household member moves in or out. The addition of new moderate-income units and market rental units contributes towards Housing Vancouver targets.

• **Response to Rezoning Conditions:**

Not all conditions of the Rezoning are included for discussion in this section. Only conditions with relevant or remaining issues are included below. The Applicant's response to rezoning conditions letter is attached as Appendix F.

<b>Rezoning Condition 1.1 &amp; Council Motion #2</b> ("Explore changes to massing and bulk of the building...");	Design development of the proposed height to reduce the scale of the building and improve neighbourhood compatibility as follows: <ol style="list-style-type: none"> <li>Reduce overall building height to 19.3 m (63.3 ft.) by providing a typical 3 m (10 ft.) floor-to-floor height;</li> <li>Reduce apparent building height by use of a tripartite design, establishing a base, middle and top with different materials, textures and colour, and a visually lighter top floor; and,</li> <li>Reduce the apparent parapet height at the 5th floor by setting the guardrail back from the edge of the roof, reducing the amount of solid guardrail and substituting a translucent material such as glass, and providing landscaping to soften the roof edges.</li> </ol>
<b>Applicant Response:</b>	<ol style="list-style-type: none"> <li>Building Height has been reduced to 18.81 m (61.71 ft.);</li> <li>The building has a distinct 1st floor base, with a 4-storey middle and a set-back at the top of level 06c; and,</li> <li>The requested change to the parapet condition, use of glass guards and landscaping (planters) at the edge of the rooftop decks have been provided.</li> </ol>
<b>Staff Assessment:</b>	<ol style="list-style-type: none"> <li>The application meets the intent of the condition and Council motion to "explore changes to massing and bulk of the building".</li> <li>The application partially meets the intent of the condition and Council motion. Recommended Conditions 1.1 and 1.2 outline a variety of provisions to enrich the architectural expressing of the building, which will in turn further reduce the apparent visual bulk of the building.</li> <li>The application generally meets the intent of the condition, since the overall parapet height has been reduced by 3 feet with the overall lowering of the entire building height. As such, staff are waiving the requirement for soft landscaping along the 5<sup>th</sup> storey parapet.</li> </ol>

<b>Rezoning Condition 1.2 &amp; Council Motion #1</b> ("Implement the Urban Design Panel's suggestion to	Design development to the architectural form, massing and character to better blend with the Kitsilano context, with the following suggested directions:
---	--

pursue architectural and landscape excellence to ensure the new typology provides an appropriate response to its current context”):

- a. Incorporate higher quality, textured building materials, including traditional residential materials such as masonry and wood, with colour variation for visual interest;

**Note to Applicant:** The *Kitsilano RM-4 Design Guidelines* state, "...new development should incorporate sympathetic exterior materials and detailing". Increased use of colour, pattern, texture and detailing can be used to add visual interest to the building's simple cubic form. Feature masonry in key locations would also help relate to the context. Wood soffits are desirable to promote a residential character. Consider using a variety of natural earth tones to blend with the neighbourhood.

- b. Articulate the building facades to better relate to the scale and proportion of the surrounding buildings;

**Note to Applicant:** More variation in the wall planes by creating projections and voids would greatly enhance architectural expression with shadow and texture to improve neighbourhood compatibility.

- c. Provide high-quality windows with substantial mullions and deep, recessed glazing to add shadow and texture to the facades;
- d. Emphasize the residential entrance with a more prominent canopy integrated with the proposed pergola, augmented with feature landscaping both at grade and at the second floor;

**Note to Applicant:** Landscape elements such as pergolas, arbors, trellises, flower boxes and decorative gates are features often seen in Kitsilano, defining site edges and entries, providing screening, and opportunities for vine and other planting. The entry canopy design should relate to the neighbourhood context, while establishing a unique identity for the project. A robust landscape structure with planting would help give scale to the building. Introduction of warmer wood-like materials at the lower levels of the building is desirable. (Refer also to Landscape Conditions).

- e. Provide direct access from each ground-floor unit to the adjacent public sidewalk, with porch entry canopies or similar features to highlight each unit door as possible; and

**Note to Applicant:** Visually prominent porches and individual unit entries are desirable wherever possible. Doors and porches should incorporate high quality design and materials. Sliding doors are not supported as entry doors.

- f. Provide individual private patios that are 1.8 m (6 ft.) with a 1.2 m (4 ft.) landscape buffer interfacing with the sidewalk with substantial landscaping and high quality low fencing to define the edge.

**Applicant Response:**

- a. As originally intended but not explicitly indicated on the re-zoning drawings, the exterior cladding material is a high-quality textured cladding system (CERACLAD).

A 3-storey tall section of the building adjacent to the neighboring residential context has been clad in masonry (brick), providing both material and scale transition related to the context.

Balcony guards are glass, with solid portions designed to provide privacy and visual screening for miscellaneous exterior furnishings. These solid portions of the balcony guards have been individually colored to provide visual interest and articulate the individual residential units. A palette of rich compatible earth tone colors was selected.

- b. Masonry (brick) cladding has been introduced to articulate the façade and relate to material and scale of neighboring context. Solid/void (window pattern) rhythms have been accentuated to breakdown the overall scale of the building into smaller scale elements. Mirroring of the balcony glass/solid panel patterns further reinforces residential identity and scale.

NOTE that building technology (CLT floor slabs) and energy performance (form factor) are both strong constraints that preclude deviation from the simple planar exterior wall conditions. We have made efforts to meet the intent of the condition with additional cladding materials, variation in the pattern of balconies, and strong articulation of window patterns to visually reduce the impression of a solid 'box' massing.

- c. High-quality windows with substantial mullions and deep, recessed glazing to add shadow and texture to the facades have not been provided due to energy performance requirements, which are more significant for this building because of its small floorplate dimensions.
- d. A more prominent residential canopy integrated with the proposed pergola, augmented with feature landscaping both at grade and at the second floor has been provided.
- e. Direct access from each ground-floor unit to the public sidewalk, with porch entry canopies or similar features to highlight each unit door have been provided.
- f. Individual private patios have been provided.

**Staff Assessment:**

- a. The application partly meets the intent of the condition and Council motion. While the proposed CERACLAD cladding system has a textured pattern, staff are seeking a higher profile of textured cladding that produce sharp and perceptible shadow lines commonly seen in Kitsilano, such as finely-spaced lap-siding. Further design development of cladding materials, colours, and textures to animate the façades is recommended in Conditions 1.1 and 1.2.
- b. The application partially meets the intent of the condition and Council motion. Further design development of cladding materials, colours and textures to animate the façades is

recommended in Conditions 1.1 and 1.2. It is noted simple cubic forms are considered optimal for energy efficiency.

- c. The application partly meets the intent of the condition and Council motion. Recommended Condition 1.1.iv seeks further development to employ more traditional window openers such as double- or single-hung, which have a more layered appearance, instead of suggested awning openers.
- d. The application partially meets the intent of the condition and Council motion. Recommended Condition 1.1 and Standard Urban Design condition A.1.3 outline design development of the entry canopy to relate to its Kitsilano context, along with the provision of details.
- e. The application partly meets the intent of the condition and Council motion. Design development of the landscaping along the street to further formalize the entryways are recommended in Standard Landscape condition A.1.24.
- f. The application partly meets the intent of the condition and Council motion. Recommended Condition 1.1 and Standard Landscape condition A.1.24 and A.1.25 outline design development strategies, with landscape details to be provided.

**Rezoning Condition 1.3**  
(Streetscape and Public Realm):

Design development to improve the streetscape and the building's connection to the public realm as follows:

- a. Reconfigure the parkade to minimize its footprint, to provide more opportunity for large-scale tree planting off the slab;
- b. Set the north parkade wall, adjacent to the existing mature City trees at the northeast corner, back a minimum of 4.6 m (15 ft.) to align with the building face and increase the size of the root protection zone;
- c. Eliminate proposed retaining walls within the setback areas, and substitute layered shrub and tree planting in a naturalistic pattern around the site edges with some on the street-side face of the perimeter fencing;
- d. Develop a landscape feature at the northwest corner coordinated with the outdoor amenity area and any existing street furniture (Refer also to Engineering Services Condition 1.43);
- e. Improve the pedestrian experience by providing street furniture and benches inside the property line at key locations around the site.

**Note to Applicant:** The *Kitsilano RT-7 and RT- 8 Design Guidelines* note Kitsilano exhibits a wide variety of architectural styles, with extensive green landscaping providing a "cohesive framework improving the chances of a compatible fit between buildings". The *Kitsilano RM-4 Design Guidelines* state, "new landscaping should complement and enhance landscaping on adjacent properties". Large scale shade trees are needed to fit into the immediate context, and to soften the bulk of the building. The parkade should be reduced in size, pulled in from the property lines, and lowered to not project above grade. Ancillary below grade

	<p>spaces should be reduced to the minimum size needed in order to increase the area of undisturbed soil outside the parkade wall. The parkade section should slope down to the lowest possible ceiling height at the building perimeter and maximize soil volume for tree planting. Re-use of existing mature site vegetation, such as the existing magnolia at the northwest corner, and other elements found on site, such as boulders, is encouraged. (Refer to Landscape Conditions 1.9, 1.10, 1.13, and 1.14.)</p>
<p><b>Applicant Response:</b></p>	<ul style="list-style-type: none"> <li>a. This has been provided. The parkade has been reconfigured, with zones of low overhead clearance at the perimeter to allow sufficient soil depth for larger scale tree plantings.</li> <li>b. This has been provided (as per revised re-zoning package prior to public hearing), and reviewed with arborist</li> <li>c. This has been provided.</li> <li>d. This has been provided as per new landscape design with this application.</li> <li>e. This has been provided.</li> </ul>
<p><b>Staff Assessment:</b></p>	<ul style="list-style-type: none"> <li>a. The application partially meets the intent of the condition and Council motion. Design development is recommended to further explore means to plant off slab. See also, Standard Landscape condition A.1.24.</li> <li>b. The application partially meets the intent of the condition and Council motion. See Recommended Condition 1.1 and Standard Landscape condition A.1.23.</li> <li>c. The application partially meets the intent of the condition and Council motion. Details to be provided. See Standard Landscape condition A.1.24, with details to be provided.</li> <li>d. The application partially meets the intent of the condition and Council motion. Further design development is recommended to meet the intent of the Condition and Council motion #2, to install substantial landscaping with layered planting and trees inside the property line. See Standard Landscape condition A.1.25 with details to be provided.</li> <li>e. The application partially meets the intent of the condition and Council motion.</li> </ul>

<p><b>Rezoning Condition 1.4 &amp; Council Motion #2</b> (... and make improvements for the transition to the south and the lanes along the single family zone by using landscape and buffers through the Development Permit Process):</p>	<p>Design development to improve the south residential interface with the neighbouring properties across the lane, as follows:</p> <ul style="list-style-type: none"> <li>a. Relocate the garbage and recycling out of the south setback area, possibly below grade or within the building envelope;</li> <li>b. Develop the south setback area as a secondary outdoor amenity, with opportunities for urban agriculture and possibly a children's play area;</li> </ul>
--	--

	<p><b>Note to Applicant:</b> Lush, layered planting with flowering trees and shrubs, such as magnolia and dogwood, and with ornamentals, such as palm trees, is recommended to establish a more neighbourly interface. The south parkade exit stair could be reconfigured to strengthen the indoor-outdoor connection. Explore opportunities for landscape screening between the PMT and the ramp. (Refer also to Landscape Condition 1.9.)</p> <p>c. Develop the southwest corner as a landscape feature, with a large-scale feature tree to soften views of the building from the south and west;</p> <p>d. Consider installing a row of upright deciduous trees inside the property line along the lane to screen views from the south;</p> <p>e. Coordinate balcony locations and type with tree planting (i.e. shift south-facing balconies to the west facade, provide inset balconies at the corners, or substitute Juliet balconies); and,</p> <p><b>Note to Applicant:</b> This also applies to the northeast corner balconies, to be coordinated with the existing conifers on the City boulevard.</p> <p>f. Consider incorporating glazed corners at the fifth floor, to visually reduce massing.</p> <p><b>Applicant Response:</b></p> <p>a. As per revised re-zoning package issued prior to public hearing, this has been addressed, with garbage room inside building.</p> <p>b. As per revised re-zoning package issued prior to public hearing, the southwest corner has been re- designed to provide raised-planter urban agriculture.</p> <p>c. As per revised re-zoning package issued prior to public hearing, the southwest corner has been re- designed to provide raised-planter urban agriculture, and includes a larger tree.</p> <p>d. Because of the multiple building exits, facilities and amenity features required on this lane-facing property edge, such row of deciduous trees cannot be accommodated. However, a maximal amount of landscape screening has been provided.</p> <p>e. Constraints of internal unit layouts preclude moving the balconies on the southwest corner to the west (Balaclava St.) façade. We are open to the use of a Juliette balcony, provided the director of planning can waive the requirement for an exterior balcony for those units.</p> <p>f. This was considered. The visual impact on massing was not significant, and was incompatible with the composition of façade elements.</p> <p><b>Staff Assessment:</b></p> <p>a. The application meets the intent of the condition.</p> <p>b. The application partially meets the intent of the condition and Council motion. The outdoor amenity space has been provided and</p>
--	---

is considered a significant improvement to the visually exposed garbage storage area proposed in the rezoning application.

- c. The application does not meet the intent of the condition and Council motion. Recommended Condition 1.2.i seeks significant design development for tree planting that will provide significant visual screening to the south.
- d. The application does not meet the intent of the condition and Council motion. Recommended Condition 1.2.i seeks significant design development for tree planting that will provide significant visual screening to the south.
- e. The application does not meet the intent of the condition and Council motion. Since the approval of the rezoning application, the Covid-19 pandemic has revealed to Staff the critical importance of balconies for apartment-type livability. Staff will therefore not be seeking the diminishment of balconies for this project, nor their replacement by Juliette balconies. Instead, visual screening between the south-facing balconies and the private properties located due south provided by trees will be relied upon.
- f. The application meets the intent of the condition and Council motion.

**Rezoning Condition 1.4**  
(East Residential Interface):

Design development to improve the east residential interface, as follows:

- a. Enclose the parkade ramp to mitigate the impact of vehicular noise and exhaust fumes on the residential neighbour;
- b. Coordinate the proposed fencing type, location and planting with the existing conditions at the adjacent Santa Barbara Apartment Buildings site to maximize the green landscape buffer along the east property line and soften the six- storey façade; and

**Note to Applicant:** An existing laurel hedge in a raised planter of varying widths currently provides screening along the property line. The best location of a new fence should be established in dialogue with the neighbour at the Development Permit stage. (Refer also to Landscape Condition 1.13).

- c. Coordinate architectural treatments of the east façade with the adjacent buildings, courtyard, and landscaping, including:
  - i. locations of proposed windows with existing windows of adjacent buildings to mitigate overlook, with consideration of translucent glazing where required;
  - ii. special treatments of blank wall surfaces; and,
  - iii. consideration of green roof at the first floor over the parkade ramp (Refer to Landscape Condition 1.13).

**Applicant Response:**

- a. This has been provided.
- b. This has been accommodated.
- c.

**Staff Assessment:**

This has been accommodated and overlook and privacy is not a concern for the affected windows. This has been provided as per new landscape design with this application.

The blank wall of the parkade ramp will be screened with climbing vegetation.

Structural, building envelope and building maintenance issues make the provision of green roofs for this project impractical. Where possible, planters have been provided on roof decks.

- a. The application generally meets the intent of the condition and Council motion. Standard condition A.1.4 outlines design development to ensure an appropriate interface with the residential neighbour to the east, including coordination of landscaping and fencing.
- b. The application partially meets the intent of the condition and Council motion. Further design development outlined in Standard Condition A.1.4, particularly as some hedging near the parkade ramp is proposed to be removed as part of the development application.
- c. The application partially meets the intent of the condition and Council motion. Further design development is recommended to meet the intent of the Condition and Council motion #2, to install substantial landscaping with layered planting and trees inside the property line.
  - i. The application does not yet meet the intent of the condition and Council motion; Standard Condition A.1.4 outlines additional design development to coordinate the east façade with the adjacent residential property.
  - ii. The application generally meets the intent of the condition and Council motion; Standard Condition A.1.4 outlines design development to provide suitable screening, with details to be provided.
  - iii. The application does not yet meet the intent of the condition and Council motion; Resolution of overlook of the parkade roof from the neighbouring property is required, with consideration of a sloping shed roof or trellis if a green roof is not possible. Further design development is outlined in Recommended Condition A.1.4, with details to be provided.

**Rezoning Condition 1.9 & Council Motions #1 and #2 (Landscaping and Perimeter Treatment):**

Design development to present a softer, greener and more street-friendly edge to the neighbourhood along the site perimeter, especially at the south and east:

- a. Soften the parkade ramp by deleting raised planters and the raised wall at the southeast corner, and adding flush planting beds with more substantial planting; and
- b. Improve lane interface by relocating the garbage and recycling area and replacing with street-facing planter beds.

**Applicant Response:**

- a. This has been provided.

**Staff Assessment:**

- b. This has been provided.
- a. The application generally meets the intent of the condition and Council motion; Recommended Condition 1.2 outlines further design development with details to be provided.
- b. The application generally meets the intent of the condition and Council motion. Further design development is recommended in conditions 1.2, and Standard Landscape conditions A.1.24, A.1.25, A.1.26, A.1.27 and A.1.28 to address compatibility with adjacent residential properties,
- c. The application generally meets the intent of the condition and Council motions. Further design development is needed as outlined in recommended conditions 1.2, and Standard Landscape conditions A.1.24, A.1.25, A.1.26, A.1.27 and A.1.28, with details to be provided.

In summary, although this application has made many refinements and improvements, it is still considered far from satisfying the conditions of Rezoning and the Council motions. Staff do not expect the design to appear diminished in form and massing like a Craftsman house, but instead are seeking the rich visual interest that the Craftsman tradition emulated, through the use of more traditional materials that produce a rich play of light and shadow at a finer scale. High quality, natural materials such as brick and wood are especially visible near the lower levels of the building. Large fields of flat surfaces, such as cementitious panels should be avoided. Using a variety of lighter natural earth tones can help to blend the new typology with the neighbourhood.

• **“Test Fit” Drawings for Reference**

Staff subsequently requested and received a set of test-fit sketches demonstrating a commitment from the applicant to better comply with the rezoning conditions and council motions. It is partially based on these sketches that staff are not recommending refusal, but rather approval with conditions. The “Test Fit” drawings are attached as Appendix G. These drawings indicate the general direction the applicant intends to follow to more fully respond to Conditions of Rezoning and Council motions. They are for reference only and have not been reviewed in coordination of the conditions of this report. They incorporate changes in response to preliminary feedback from staff regarding the Development Permit application drawings. The “Test Fit” Drawings were posted on the Shape Your City website with the Development Permit proposal drawings for public viewing, comments and feedback.

**Figure 5: Example of “Test Fit” Drawing**



- **Conclusion**

The application partially meets the intent of conditions established at rezoning and explores means to address Council motions made at Public Hearing. Based on the general direction shown in the “test fit” drawings, which have given Staff a level of confidence that rezoning conditions and Council Motions will be satisfied, staff are recommending approval subject to the conditions noted in this report. Concerns with respect to the perceived height of the building, retention of existing mature City trees on the boulevard, architectural character and landscape treatment require further design development to achieve a better level of compatibility with the neighbourhood.

Staff recommend approval of this proposal subject to the outlined Recommended Conditions and those attached in Appendix A.

## **URBAN DESIGN PANEL**

Urban Design Panel meeting minutes are included in Appendix I attached to this report.

Staff explicitly asked the Urban Design Panel to evaluate Council’s motion regarding architectural excellence to justify a six-storey typology in the area. Although the Urban Design Panel supported the project 5:2, they directed the applicant to continue to work with staff to improve the form of development to fit better with the neighbourhood.

## **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)**

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

## LANDSCAPE SERVICES

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

## HOUSING POLICY & PROJECTS

The recommendations of Affordable Housing staff are contained in the prior-to conditions noted in Appendix A attached to this report.

## SUSTAINABILITY GROUP

The *Green Buildings Policy* for Rezoning requires that rezoning applications satisfy either the near zero emission buildings or low emissions green buildings conditions within the policy.

## ENVIRONMENTAL PROTECTION BRANCH

The recommendations of Environmental Protection Branch are contained in the prior-to conditions noted 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, and fire fighting access and energy utilization requirements.

Further comments regarding Building By-law requirements are contained in Appendix B attached to this report.

## NOTIFICATION

On December 13, 2021, 835 notification postcards were sent to neighbouring property owners advising of the application. The postcards directed residents to information on the city's website. In addition, two site signs were installed on the property, one along Balaclava St. and the second along W 4<sup>th</sup> Ave. The signs were installed on December 10, 2021 offering information about the development with direction to the City's Development Permit Application website. On March 4, 2022, revised site signs were installed followed by the updating the city's website with 'Test Fit' drawings and additional notification postcards sent out on March 17, 2022 to neighbouring property owners to advise that the application would be seeking approval from the Development Permit Board on May 2, 2022.

At the time of this report, ninety-nine (99) responses have been received from our postcard/site sign notification; sixty (60) of which were in Support of the application, thirty-five (35) of which were in Opposition, and four (4) provided feedback that did not identify if they were in Support or Opposition; this being considered as Neutral.

Comments from notification include the project fails to meet Council initiated Amendments regarding the form of development, as stated below, as well as Appendix B Conditions regarding Form of Development in the Staff Referral Report (<https://council.vancouver.ca/20210119/documents/rr6.pdf>):

*“FURTHER THAT the above approvals be subject to the Conditions of the Approval of the Form of Development in Appendix B (of Staff Referral Report), Part 1 be amended to include:*

- *implement the Urban Design Panel’s suggestion to pursue architectural and landscape excellence to ensure the new typology provides an appropriate response to its Kitsilano context; and*
- *explore changes to massing and bulk of the building, and make improvements for the transition to the south and the lanes along single family zone by using landscape screening and buffers through the Development Permit Process.”*

Support for the proposal cited the following:

- Provision of rental housing;
- Increased density is positive and a solution to the housing crisis;
- Proximity to transit.

Concerns expressed by respondents included the following:

- Building height, density, design and neighbourhood context;
- Tree protection;
- Traffic and safety.

Note: Each comment form or online response can include a number of comments which may reference points in support, potential concerns and questions or neutral/general statements. Therefore, staff focus on qualitative theming of comments and overall percentages are not provided. Some duplication of responses may result where respondents chose to provide feedback to a rezoning application more than once using a number of mediums (open house comment sheet, online feedback, form letter, petition, etc.).

Issues identified in notification responses include:

### **Building Height and Massing:**

The Form of Development fails to meet the above noted amendments, resulting in overlook impacts and loss of privacy for the neighbours to the east and south with negative impacts to overall neighbourhood character.

### **Staff Response:**

Building height was reduced by approximately three feet from the Rezoning Application. The overall building height is compliant with the draft CD-1 By-law. Staff acknowledge the development under the draft CD-1 By-law will be higher and larger than the nearby houses and apartments located respectively in the RT-7 and RM-4 zoning districts. However, the Development Permit Application incorporates a variety of changes to reduce the actual and perceived height and massing to increase the neighbourhood

compatibility, such as introducing colour and material treatments to create a two-storey base for the building on the north, west, and south.

Staff recommend conditions 1.1 and 1.2, which outline additional design refinements to soften the building massing, to be further addressed by Standard Landscape conditions A.1.24 and A.1.28.

Massing is generally the same as proposed at Rezoning, however balconies were shifted away from the northwest and southwest corners to lighten the massing, a tripartite expression has been developed, and the underground parkade section was altered to provide more soil volume for tree planting and landscaping around the building.

Staff recommend standard condition A.1.4 to further study including shifting of windows and use of alternative glazing to address overlook of the apartment courtyard to the east, and more generous landscaping including tree planting wherever possible. Staff also note the lane and east residential interfaces require a higher degree of design resolution to meet Council motions #1 and 2.

**Form of Development is incompatible with the neighbourhood:**

A number of respondents noted that the building design is “boxy”, too big and unsuitable to Kitsilano and should be modified to respect the neighbourhood, nearby character buildings and extensive mature landscaping.

***Staff Response:***

The Kitsilano neighbourhood in RT-7 zone has established traditional character, requiring a respectful design response from new development. Although the Development Permit Application made some sympathetic changes to the architectural form and character especially on the street facades, additional design development is needed to improve the neighbourhood fit. Urban Design Panel also acknowledged the design measures but recommended to work with staff on further changes.

Further design development is sought to better respond to the Kitsilano neighbourhood, by adding visual interest and relief to the building façades, by incorporating higher quality, traditional residential materials with texture, use of a more subdued colour palette, and enriched architectural detailing and textured materials, as per recommended conditions 1.1 and 1.2. Design development of the site to create ‘gardenesque’ landscaping around the building is outlined in Standard Landscape conditions A.1.24 and A.1.25. The recommended changes are intended to address Council initiated Amendments regarding Form and Development and response to context.

**Tree Retention:**

Concerns were expressed regarding the impact of construction on the significant group of conifers located at the northeast corner of the site, adjacent to the Santa Barbara Apartment Buildings.

***Staff Response:***

The mature conifers on the City boulevard are an important community asset to be preserved. These trees provide habitat for birds and other animals, and will help soften the massing transition from the adjacent apartment buildings to the proposed building. Rezoning Conditions 1.2 and 1.12 have been partly addressed. Staff recommend conditions 1.3 and Standard Landscape condition A.1.23 to reiterate how to reduce impacts on the critical root zone and water table by holding the parkade wall back 4.5 m (15 ft.) inside the property line, and aligning with the building face above.

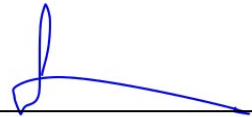
**DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:**

The Staff Committee has considered the approval sought by this application and concluded that with respect to the Zoning and Development By-law and Official Development Plan 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 to the Board by Council.

With respect to the Parking By-law, the Staff Committee has considered the approval sought by this application and concluded that it does not seek a relaxation of the By-law provisions.

The proposal still requires significant design development to ensure that Council's motion is suitably responded to. Staff Committee is satisfied that the design development conditions address the intent of Council's motion and support the application with the conditions contained in the report.



J. Greer

Chair, Development Permit Staff Committee



B. Clark

Development Planner



C. Profili

Project Coordinator

Project Facilitator: J. Smallwood

## 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 the pending CD-1 By-law can and does become enacted by City Council;

**Note to Applicant:** Due to the 2022 Municipal election, no Council meetings will be held from September 9 to October 15, 2022.

A.1.2 the proposed form of development can and does become approved by City Council;

**Note to Applicant:** Due to the 2022 Municipal election, no Council meetings will be held from September 9 to October 15, 2022.

### Urban Design Conditions

A.1.3 design development to strengthen the residential entry and arrival sequence by refining the scale, materials and details;

**Note to Applicant:** The design of main building entry should be differentiated from the individual unit entries along W 4<sup>th</sup> Ave. and Balaclava St. Provide enlarged plan, elevation and details for further review.

A.1.4 design development to improve the east residential interface by coordinating with the adjacent Santa Barbara Apartment Buildings courtyard, and landscaping as follows:

- i. incorporate special architectural and landscape treatments to provide visual interest to large blank walls, with materials such as brick, colour and texture, and vertical accent planting along the property line as possible;
- ii. coordinate architectural treatments of the east façade with the adjacent buildings, courtyard, and landscaping, including locations of proposed windows to mitigate overlook, with consideration of translucent glazing where required;
- iii. relocate the east parkade exit stairs within the building envelope;
- iv. consider use of a sloping shed roof over the parking ramp due to visual prominence from views from above from the east;
- v. clearly show the location of the proposed metal trellis on the architectural and landscape drawings to illustrate this feature is of visual benefit to the neighbourhood, or relocate to locations where blank walls are visually prominent and need softening;
- vi. develop parkade entry feature and resolve relationship between the overhanging building face, parkade roof and ground floor wall at southeast corner of the building;

**Note to Applicant:** Coordinate new landscaping with existing planting along the east property line. An existing mature laurel hedge in a raised planter of varying widths and a solid wood fence currently provide screening along the property line, which may obscure the proposed metal trellis along the base of the building from view. Appropriate treatment of new planting and fencing along the property line should be established in dialogue with the neighbour and provided for review. Coordinate the architectural and landscape drawings, including the roof over the parkade ramp. See also, Standard Landscape condition A.1.28.

A.1.5 provision of enlarged elevations and section details which demonstrate a design approach to provide improved level of detail and visual interest as discussed in Recommended Condition 1.1, including:

- i. main building entry canopy;
- ii. entry porch/canopy and patio fencing/gates for ground floor units;
- iii. decorative brickwork over doors, windows, and at the top of walls as appropriate;
- iv. window lintel and sill treatment, as appropriate;
- v. substantial mullions and deep recessed window surfaces;
- vi. balcony, guardrail and parapets;

A.1.6 provision of the following additional information:

- i. colour samples for all exterior cladding materials, including soffits;
- ii. specification for brick, cementitious panel and siding;
- iii. building grades on all sections and elevations;

A.1.7 identification on the architectural and landscape drawings of any built features intended to create a bird-friendly design;

**Note to Applicant:** Refer to the *Bird Friendly Design Guidelines* for examples of built features that may be applicable, and provide a design rationale for the features noted: <https://vancouver.ca/files/cov/appendix-a-bird-friendly-design-guidelines-rts-10847.pdf>.

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

A.1.8 design development to consider and incorporate Crime Prevention Through Environmental Design (CPTED) strategies, as follows:

- i. maximize natural surveillance (“eyes on the street”) throughout the pedestrian realm and the underground parking, with special attention to ensure clear sightlines at pedestrian and vehicular entries and access routes, fire exits, elevator lobbies and stairs;
  - a. ensure a high level of visibility and security in the underground parking garage in accordance with the Vancouver Parking By-law, by provision of 24-hour lighting including step lights at exit stairs and doors, and painting parkade walls and columns white;
  - b. provide glazing for visibility into publicly accessible areas such as elevator lobbies, access routes, exit stairs, and storage rooms;
  - c. provide non-glare, decorative pedestrian-scale lighting at common areas and paths around the building, to facilitate wayfinding, security, accessibility, and ambiance;
  - d. provide details of light fixture types, locations, and illumination levels on the landscape or site plans, and integrate into the site and building design;

- e. avoid creation of unsecured alcoves and other hidden areas around the building and in the parkade;
- ii. locate and design residential mailbox areas to deter mail theft; and,
- iii. reduce opportunities for graffiti by limiting access to blank walls with landscaping, and use of rough finished materials or graffiti coat paint;

## Housing Policy and Projects Conditions

A.1.9 design development to improve the usability and livability in general and through the following specific design strategies:

- i. maximize space for children's play area;

**Note to Applicant:** Refer to *High-Density Housing for Families Guidelines* regarding minimum sizes for play area. In outdoor amenity area(s), include spaces suitable for a range of children's play activities and urban agriculture, ranging in size from 130 m<sup>2</sup> (1,399 ft<sup>2</sup>) to 280 m<sup>2</sup> (3,014 ft<sup>2</sup>) and situated to maximize sunlight access. The size of the children's play area should be increased, possibly by incorporating a secondary space at the south. Play areas should be designed to minimize noise and privacy impacts on adjacent units.

- ii. ensuring all bedrooms are sized to accommodate at least a closet and a desk;

**Note to Applicant:** Ensuring bedrooms can accommodate a desk and closet/dresser are responses to the *High-Density Housing for Families with Children Guidelines*. Livable units are a goal of the City and detailed unit plans and furniture layouts are to be included as part of the Development permit drawings.

A.1.10 adherence to the unit mix, including studio units, one-bedroom units, two-bedroom units, and three-bedroom units which should generally comply with the unit mix guidelines in the *Moderate Income Rental Housing Pilot Program (MIRHPP)*, for both the market and moderate income units, and must include a minimum of 35% family units;

**Note to Applicant:** The unit count and mix from the rezoning application may only be varied at the discretion of the Director of Planning or Development Permit Board.

A.1.11 distribution of Moderate Income Rental Housing Units 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;

**Note to Applicant:** The location and distribution of Moderate Income Rental Housing Units should be indicated on the Development Permit Drawings. *MIRHPP* units are to be distributed throughout the building and not to be located primarily on one level. See also, Development Review Branch condition A.1.19.ii.

A.1.12 compliance with the *High-Density Housing for Families with Children Guidelines*, including the provision of outdoor common amenity and indoor common amenity room with a kitchenette and accessible washroom, bulk storage for each unit, and private open space for each unit;

A.1.13 design development of the common outdoor and indoor amenity areas in compliance with the *High-Density Housing for Families with Children Guidelines*, including the following:

- i. indoor amenity to include a kitchen, storage closet and accessible washroom equipped with baby change table;

**Note to Applicant:** Ensure labelling and fixtures are identified on the plans.

- ii. common outdoor amenity areas with a children's play area;

**Note to Applicant:** Play equipment is not required for the children's play area, but a soft surface play area and creative landscape/play features, such as balancing logs and boulders, sandbox, creative motor-skills development features, etc., which provide a myriad of creative play opportunities for a range of ages, are encouraged.

- iii. seating with direct line of sight to the play area; and

- iv. a minimum of 2.3 m<sup>2</sup> (24.7 ft<sup>2</sup>) of bulk storage for each dwelling unit;

A.1.14 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) as per the *Urban Agriculture Guidelines for the Private Realm*;

A.1.15 make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant to secure all residential units as secured rental housing units, excluding Seniors Supportive or Assisted Housing, 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 a term equal to 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:

- i. A no separate sales covenant;
- ii. A no stratification covenant;
- iii. A provision that none of such units will be rented for less than one month at a time;
- iv. All rental units will be secured as rental for a term of 60 years or the life of the building, whichever is greater;
- v. 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

- vi. 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, prior to Building 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;
- vii. That the average size of each unit type is at or below the limit as contemplated by the Vancouver Development Cost Levy By-law:

Unit Type	Maximum Average Unit Size
Studio	42 m <sup>2</sup> (450 ft <sup>2</sup> )
1-bed	56 m <sup>2</sup> (600 ft <sup>2</sup> )
2-bed	77 m <sup>2</sup> (830 ft <sup>2</sup> )
3-bed	97 m <sup>2</sup> (1,044 ft <sup>2</sup> )

- viii. 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;
- ix. The applicant will verify eligibility of new tenants for the units secured at moderate income rates, based on the following:
  - a. 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
  - b. There should be at least one occupant per bedroom in the unit.
- x. 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:
  - a. 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
  - b. There should be at least one occupant per bedroom in the unit.
- xi. 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
- xii. 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.

A.1.16 enter into a Section 219 Covenant and/or such other agreements as the General Manager of Arts, Culture and Community Services and the Director of Legal Services determine are necessary to require the applicant to:

- i. provide a a Tenant Relocation Plan to the satisfaction of the General Manager of Arts, Culture and Community Services as per the Tenant Relocation and Protection Policy that is effective at the time of submission of the Development Permit Application.
- ii. provide a notarized declaration that demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.
- iii. provide an Interim Tenant Relocation Report to the satisfaction of the General Manager of Arts, Culture and Community Services prior to issuance of the Demolition Permit. The Report must outline the names of any tenants who have ended their tenancy; the reason for its end (e.g. tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant); the names of tenants still remaining in the building; the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan.

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

- iv. provide a Final Tenant Relocation Report to the satisfaction of the General Manager of Arts, Culture and Community Services prior to issuance of the Occupancy Permit. The Report must outline the names of tenants; indicate the outcome of their search for alternate accommodations; summarize the total monetary value given to each tenant (moving costs, rents, any other compensation); and include a summary of all communication provided to the tenants.

#### **Development Review Branch Conditions**

A.1.17 confirmation of compliance with Section 4 of the Parking By-law, through the following:

- i. provision of off-street visitor parking spaces, in accordance with Section 4.1.16 – *Visitor Parking for Dwelling Uses* of the Parking By-law;

**Note to Applicant:** Minimum 2 visitor stalls are required based on the current proposed and are to be clearly identified on the plans.

- ii. notation to be added to the P1 floor plan confirming:
  - a. *“All parking spaces are in compliance with Section 4.14 – Electric Vehicle Charging Infrastructure Requirements of the Parking By-law”, and providing all parking spaces (excluding visitor spaces) with an energized outlet capable of providing Level 2 charging or higher to the parking space; and*
  - b. *“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”.*

A.1.18 confirmation of compliance with Section 6 of the Parking By-law, through the following:

- i. ensure updated statistics tables are consistent with drawings;

**Note to Applicant:** Provided totals within statistics tables are inconsistent with actual proposed on drawings for total Class-A bicycle stalls and lockers. Current drawings show 52 stalls, however minimum 53 stalls area required. See also, Development Review Branch condition A.1.19.i and refer to Engineering Services condition A.2.5 regarding separate and specific space type requirements for bicycle lockers and oversize stalls.

- ii. notation of the following to be added to P1 floor plan confirming compliance with Section 6.3 – *Class A Bicycle Spaces* of the Parking By-law:
  - a. “*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*”.
  - b. “*A minimum of one electrical receptacle shall be provided for each two Class A bicycle spaces*”.

A.1.19 provision of and clarification of the following:

- i. ensure updated and consistent tables;

**Note to Applicant:** Sheet A0.02 Project Stats values appear to be correct and more recent revision “Issued for DP correction” but sheet A0.03 Net Unit Areas, appears to be an older revision date and contains various inconsistencies. All stat tables are to be consistent with the drawings. See also, Development Review Branch condition A.1.18.i.

- ii. clearly label each *MIRHPP* dwelling unit on the drawing plans, including FSR and Net Unit Breakdown Sheets;

**Note to Applicant:** See also, Housing Policy and Project condition A.1.11.

- iii. confirmation of compliance with Section 11.10.2 – *Dwelling Units* of the Zoning and Development By-law for minimum dwelling unit sizes;

**Note to Applicant:** Director of Planning support for relaxation to minimum 29.7 m<sup>2</sup> (230 ft<sup>2</sup>) unit sizes is contingent on confirmation of final design and statistics, a Secured Market Rental Housing Agreement, and Standard Housing Policy condition A.1.16. Note that dwelling unit area is measured from inside face to inside face of walls and cannot include any storage rooms that are excluded from FSR as part of the dwelling unit area.

- iv. confirmation of compliance with Section 10.11.3 – *Floor Area Exclusions for Exterior Wall Thickness* of the Zoning and Development By-law and the *Floor Area Exclusions for Improved Building Performance (Thermal Insulation and Rain Screen)* Bulletin for the claimed Rain Screen FSR Exclusion added to the drawing set;

**Note to Applicant:** Ensure that the submission requirements outlined in the above bulletin have been provided, including a copy of a the separately submitted confirmation letter and cladding wall assembly detail from a Building Envelope consultant to be added to a sheet within the drawing set.

- v. confirmation of compliance with the *Bulk Storage and In-Suite Storage – Multiple Family Residential Developments* Bulletin;

**Note to Applicant:** Ensure that storage rooms that are being excluded from FSR do not exceed 3.7m<sup>2</sup> (40 ft<sup>2</sup>). Some storage units appear to exceed this amount.

Additionally, the area which occupies and accesses laundry within a storage room is not excludable from FSR.

A.1.20 provision of the following notations added to the drawings:

- i. *“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”; and*
- ii. *“The acoustical measures will be incorporated into the final design and construction, based on the consultant’s recommendations”;*

A.1.21 compliance with Section 10.8.2 - *Demolition of a Building*, of the Zoning and Development By-law which states that:

“Except as set out in Section 10.8.3, where development necessitates the demolition of existing residential rental accommodation, no development permit shall be issued for the demolition unless and until a development permit for the new development has been issued. The development permit for the new development shall not be issued unless and until all building permits for the new development and a building permit for the demolition are issuable”.

**Note to Applicant:** Provide written confirmation that the above statement is understood and is to be complied with.

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, Average Maximum Unit Sizes, and Proposed Construction Costs of this application in relation to the requirements as described in Appendix C of the “Rental Incentive Guidelines” Bulletin.

**Note to Applicant:** The 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.

## **Landscape Conditions**

A.1.23 design development to ensure the safe retention of City owned trees at the northeast corner, as follows:

- i. ensure there is arborist supervision by the provision of a signed and dated Letter of Assurance by arborist, owner and the contractor, for any excavation in the vicinity of retained trees;
- ii. ensure there is no disturbance to soil or grades inside the root zones of retained trees;
- iii. ensure there is Park Board supervision for any canopy pruning by contacting the Park Board personnel at [pbdevelopment.trees@vancouver.ca](mailto:pbdevelopment.trees@vancouver.ca);
- iv. a minimum clearance of 1.2 m (4 ft.) is required between the tree canopy and the building face during construction;
- v. ensure the size of the tree canopies are accurately shown on the site plan, landscape and architectural drawings;

**Note to Applicant:** See also, Recommended Condition 1.3.

- A.1.24 design development to create a more unique, 'gardenesque' landscape design in keeping with Kitsilano, as follows:
- i. provide more tree planting inside the property line, especially along the lane;
  - ii. revise the parkade design to increase opportunities for large scale tree planting off slab;
  - iii. develop a plant palette based on the neighbourhood context;
    - a. incorporate large scale shade trees wherever possible;
    - b. incorporate showy blooming trees such as magnolia in combination with other species and larger blooming shrubs;
    - c. explore relocated the existing mature vegetation on site, such as the magnolia near the northwest corner;
  - iv. increase shrub planting to create horizontal and vertical layering (i.e. more than one row of shrubs, some areas to be more heavily planted, incorporate plants with varied heights, and install foundation planting along the building base);
  - v. provide details for perimeter fencing and entry arbors with residential character, incorporating wood and other high quality natural elements;
  - vi. articulate perimeter fencing to permit installation of some planting along the street and lane;
- A.1.25 design development to create distinct features around the site perimeter, as follows:
- i. develop the southwest, northwest, and northeast corners of the site as street-facing landscape features, and provide details and sections for review;
  - ii. incorporate a large growing, showy specimen-size tree at the southwest corner;
  - iii. develop a pedestrian node with seating at the northwest corner, coordinated with the design of the outdoor amenity area and the building entry;
  - iv. provide detailed landscape design for the northeast corner around the mature conifers, including the transitions to the residential patio and the outdoor amenity space to the west;
- Note to Applicant:** The change in grade should be incorporated as part of the design. See also, Recommended Conditions 1.2 and 1.3.
- A.1.26 design development to improve the lane interface by the provision of additional planting beds to achieve a friendlier south edge and a generous garden space, softening the transition to the residential area to the south;
- Note to Applicant:** This should include some upright tree planting inside the property line to screen views of the building from the south.
- A.1.27 design development to explore opportunities for retention or relocation of the small Magnolia Tree at the northwest corner, and any other suitable existing planting on-site;
- A.1.28 design development to provide a more substantial landscape buffering at the east property line, to mitigate impacts on adjacent neighbouring site, by the following:

- i. provide vertical accent planting by the provision of low-maintenance cable trellis and vines;
- ii. explore provision of a green roof over parkade roof;

**Note to Applicant:** See also, Recommended Condition 1.2.

A.1.29 provision of complete details and section, including landscape features mentioned in conditions above and confirming depth of planting soils exceed the CSLA standard, including depth dimensions;

A.1.30 coordination for the provision of new street trees with Engineering and the Park Board and confirmation by adding street trees species, sizes and quantities on the plans and Plant List;

**Note to Applicant:** New street trees to be shown and confirmed on the development permit plans, including on the Plant List, complete with quantities, sizes and species. 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".*

See also, Engineering Services condition A.2.3.

A.1.31 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 the Tree Management Plan, confirming no conflicts with tree barriers. Relocation of trenching locations are required if in conflict with tree protection.

A.1.32 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.2 Standard Engineering Conditions**

A.2.1 arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the consolidation of Lots 21 and 22, Block 29, District Lot 192, Plan 4561 to create a single parcel;

A.2.2 provision of City Building grades to be shown on the site plan and landscape plans;

**Note to Applicant:** The building grades currently shown are from an obsolete building grade plan from 2014, rather than the current building grade plan from 2021 (BG-2021-00113).

- A.2.3 provision of Design Elevations required at all new entrances and on both sides of the ramps and drive aisles at all breakpoints, loading bays and disability spaces;

**Note to Applicant:** Ensure that all design elevations are located on the property line adjacent to all entrances. The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.

- A.2.4 submission of an updated landscape and site plan to reflect the public realm changes including all of the off-site improvements sought for in the rezoning and the following:

- i. The following statement is to be added on the landscape plan:

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

- ii. Delete the new street tree proposed in the sod lawn front boulevard on W 4<sup>th</sup> Ave; and
- iii. Replace the proposed sod lawn front boulevard on W 4<sup>th</sup> Ave. with City standard hardscape.

**Note to Applicant:** The potential installation of a bus stop is being explored on W 4<sup>th</sup> Ave. in front of this site. Any new street trees will interfere with transit operations at this potential stop. Hardscape to current City standards is required within the front boulevard, not sod lawn, in order to accommodate passengers alighting from buses at this potential stop.

**Note to Applicant:** Where a design or detail is not available, make note of the improvement on the site and/or landscape plans. See also, Landscape condition A.1.30.

- A.2.5 provision of improved access and design of bicycle parking and compliance with the *Bicycle Parking Design Supplement*, including the provision of oversize Class A bicycle spaces in Class A bicycle rooms.

**Note to Applicant:** Oversized Class A bicycle lockers are not accepted. Consider providing vertical Class A bicycle spaces to accommodate these changes. See also, Development Review Branch condition A.1.18.

- A.2.6 provision of improved 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 provision of the following:

- i. provision of markings showing “CAUTION LOW CLEARANCE” for at least every other stall with projections of the stalls; and

**Note to Applicant:** Ensure that minimum vertical clearances are provided throughout the parkade.

- ii. modification of grades on the ramp and in parking areas to ensure the following:

- a. ramp slopes must not exceed 10% of the first 6.1 m (20 ft.) from the property line/back of sidewalk; and
- b. ramp slopes must not exceed 12.5% after the first 6.1 m (20 ft.) from the property line/back of sidewalk;

**Note to Applicant:** Slopes up to 15% may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4 m (13.1 ft.) in length.

A.2.7 provision of a Letter of Credit as per original Rezoning Condition 2.4 for Service Agreement works;

A.2.8 provision a draft final Rainwater Management Plan (RWMP) to be submitted to clearly indicated how the onsite system achieves the following:

i. General Requirements:

- a. Provide further information related to the proposed detention tank system and water quality unit on the RWM drawings such as the location, geometric properties (footprint, volume, depth), inverts, method of flow control (orifice size and control structure configuration), emergency bypass, storm sewer connection location and relevant specifications for these features;

**Note to Applicant:** The notes on RWMP Drawing 06 refer to the flow regulator and Water Quality unit details on mechanical drawings. Please either provide the relevant mechanical drawings for these details or if these are not available yet, provide relevant details on the RWMP drawing instead.

Provide a cross-section of the proposed detention tank, Water Quantity unit, control structure and outlet.

- b. Provide a preliminary stage-storage-discharge table for the proposed detention tank system;
- c. Pumping systems for rainwater management purposes should be avoided unless used for harvesting purposes. If absolutely necessary, the design should allow for overflow to be directed to the storm sewer connection by gravity during storm events;

**Note to Applicant:** Based on the proposed detention tank depth shown on the architectural drawings, it is unclear if the current tank location will drain by gravity to the sewer system.

Review and acceptance of the proposed plumbing, and mechanical designs relevant to the RWM system will be performed by the Plumbing Inspections Department at the plumbing permit application stage. The Applicant must ensure all designs are in conformance with the Vancouver Building By-law (VBBL) Book II, Plumbing Systems. Conformance with the VBBL is not reviewed by Engineering.

- d. Update the RWMP report text for clarity;

**Note to Applicant:** The RWMP report indicates that Operation & Maintenance Manual will be finalized prior to Occupancy, however the final Operation & Maintenance Manual should be available for review and acceptance at the Building Permit stage.

The RWMP report indicates that 90.5% of the property is impervious area, however it should be clarified that landscaping over slab is considered pervious for the purposes of this summary, which will reduce the site imperviousness.

- e. Update the labelling of the “rain water harvesting tank” on the architectural drawings, as this feature appears to be designed as a detention tank;
- f. Indicate the location of the proposed Water Quality unit and control structure on the architectural drawings to confirm that space is allocated for these features; and
- g. Confirm that access to various components of the rainwater management system for maintenance purposes is considered the overall design. Placement of rainwater management system components that would require occupancy of the public ROW to perform routine maintenance tasks should be avoided.

ii. Release Rate:

- a. Ensure consistency in the pre-development site areas indicated on RWMP Drawing 06;

**Note to Applicant:** The 5-yr Pre-development Conditions table on this drawing indicates a 268 m<sup>2</sup> lawn area, while the existing site plan on the drawing indicates a landscaped area of 244.4 m<sup>2</sup>.

- b. Use appropriate runoff coefficients for different surface types and ensure consistency in % imperviousness estimates for all relevant calculations;

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

Justify why proposed landscape over native soil has a lower runoff coefficient than existing lawn over native soil or update these runoff coefficients as needed.

- c. Ensure consistent methods in determining time of concentration between pre and post-development conditions;

**Note to Applicant:** The pre-development time of concentration was calculated and determined to be 7.1 minutes, while the post-development time of concentration was assumed to be 10 minutes.

If travel time calculations are included in the updated report, indicate the method used to calculate travel time.

- d. Revise the Rational Method storage calculations to use the accepted equation as follows for determining the required storage volume to meet the release rate control requirement;

$$V = Q_p D - Q_0 \left( \frac{D + T_c}{2} \right), \quad (A.4)$$

where  $D$  is the duration of rainfall,  $Q_p$  is the peak runoff rate for  $D$  duration, and  $Q_0$  is the maximum allowable discharge. To determine the volume, an iterative process of changing the rainfall duration is required.

- e. Update the peak flow calculations to use the 1:10 year return period with a minimum inlet time of 5 minutes. Travel time to be estimated by applicant. Ensure that the pre-development calculation uses the 2014 IDF curve values and the post-development calculation uses the 2100 IDF curve values.

**Note to Applicant:** There was a conflict in previous rezoning conditions between the Rainwater Management and Sewer Design peak flow control event and the 10-year event governs for this area.

The proposed storage volume to meet Volume Reduction requirements appears to be sufficient to meet this criteria and therefore detention tank design changes may not be required except as per the below flow control note.

Revise the post development target release rate to utilize the full required detention system volume in the 10-year design event for this sewershed area since the Volume Reduction capture is greater than the amount necessary to meet pre development peak flow.

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

Contact the City of Vancouver's Rainwater Management Review group for any questions or concerns related to the conditions or comments prior to resubmission with the DP application. A meeting may be scheduled upon request by contacting [rainwater@vancouver.ca](mailto:rainwater@vancouver.ca).

- A.2.9 Registration of a Rainwater Management Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services prior to the issuance of the Development Permit.

**Note to Applicant:** The legal agreement restricts the issuance of a building permit until the final Rainwater Management Plan (RWMP) and Operations & Maintenance (O&M) Manual have been accepted by the City. The approved documents shall be attached to the Agreement as schedules and be registered on the property's title. The rainwater management system shall be inspected as necessary during and after construction. A Registered Professional is to inform the City by letter bearing their professional seal whether the system has been so constructed as per the accepted rainwater management plan and if not, sealed final design drawings showing the details of the modified system must be provided.

- A.2.10 Provision of written confirmation that all required electrical plants will be provided within private property.

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

- A.2.11 Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings is required. The review of third party utility service drawings will not be initiated until the Key Plan is defined and achieves the following objectives:

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

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

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

For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at [umb@vancouver.ca](mailto:umb@vancouver.ca).

## **B.1 Standard Notes to Applicant**

- B.1.1 it should be noted that if conditions 1.0 and 2.0 have not been addressed by, on or before **November 2, 2022**, this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.2 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.1.3 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.1.4 a new development application will be required for any significant changes other than those required by the above-noted conditions.
- B.1.5 provision of a final RWMP, which includes a written report, supporting calculations, computer models and drawings to the satisfaction of the General Manager of Engineering Services and the City Engineer **prior to the issuance of any building permit.**
- B.1.6 provision of a final standalone Operations and Maintenance (O&M) Manual to the satisfaction of the General Manager of Engineering Services and the City Engineer **prior to the issuance of any building permit.**
- B.1.7 provision of all third party utility services (e.g., BC Hydro, Telus and Shaw) to be underground. BC Hydro service to the site shall be primary.
- B.1.8 construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or License. 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. Provide a letter confirming acknowledgement of the condition.
- For more information: <https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights/water-licences-approvals>.
- B.1.9 submit a Site Disclosure Statement to Environmental Services.
- B.1.10 as required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter and Section 85.1(2)(g) of the Land Title Act, if applicable;
- B.1.11 if required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated therefrom on terms and conditions satisfactory to the Manager of Environmental Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this development, until a Certificate of Compliance for each of the on-site contamination and the dedicated lands, if any, have been issued by the Ministry of Environment and provided to the City.

**Note to Applicant:** A Site Disclosure Statement has been received and does not indicate any Schedule 2 uses have occurred on the site. Based on current information, a remediation agreement will not be required.

**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 12th 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 all new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning*s (amended May 2, 2018), including all requirements for either Low Emissions or Near Zero Emissions Buildings. These requirements are summarized at <http://guidelines.vancouver.ca/G015.pdf>.
- B.2.7 the applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of the permit process. For more detail on what must be submitted at the building permit stage for Low Emissions Green Buildings, refer to section B.2) of the most recent bulletin titled *Green Buildings Policy for Rezoning*s – *Process and Requirements* (amended June 14, 2019 or later).
- B.2.8 **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.**
- B.2.9 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.

- B.2.10 all work on the site must be conducted in compliance with British Columbia's Environmental Management Act and Contaminated Sites Regulation.
- B.2.11 in the event that contamination of any environmental media is encountered, a Groundwater Quality Declaration or Waste Discharge Permit Application must be submitted prior to commencing dewatering activities.