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**CITY OF VANCOUVER  
PLANNING & DEVELOPMENT SERVICES**

**DEVELOPMENT PERMIT STAFF COMMITTEE  
MEETING  
January 13, 2021**

**FOR THE DEVELOPMENT PERMIT BOARD  
February 8, 2021**

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**2106 W 8<sup>th</sup> Avenue (COMPLETE APPLICATION)  
DP-2018-00490 – RM-4**

**KS/JS/OE/JC**

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**DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS**

**Present:**

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

**Also Present:**

K. Spaans, Urban Design & Development Planning  
O. Eriksson, Urban Design & Development Planning  
J. Smallwood, Development Services  
J. Catarino, Development Services  
E. Tsang-Trinaistich, Development Services

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**APPLICANT:**

Daniel Dirscherl  
1684 West 2<sup>nd</sup> Ave  
Vancouver, BC  
V6J 1H4

**PROPERTY OWNER:**

Bastion Properties (Arbutus) Ltd  
500 – 1681 Chestnut Street  
Vancouver, BC  
V6J 4M6

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**EXECUTIVE SUMMARY**

- **Proposal:** To develop this site with a three-storey plus basement multiple dwelling consisting of five dwelling units having no onsite parking. An offsite parking agreement on the rear adjacent site of 2465 Arbutus St (formerly 2103 W Broadway) with separate parking for this site.

See Appendix A Standard Conditions

Appendix B Standard Notes and Conditions of Development Permit

Appendix C Plans and Elevations

Appendix D Applicant's Design Rationale

● **Issues:**

1. Formal relationship with adjacent, related strata tower development at 2103 W Broadway.

- **Urban Design Panel:** Support without Recommendations (7/0)
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**DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE**

THAT the Board APPROVE Development Application No. DP-2018-00490 submitted, the plans and information forming a part thereof, thereby permitting the development of a three-storey plus basement multiple dwelling consisting of five units having no onsite parking and an offsite parking agreement on the rear adjacent site of 2465 Arbutus St (formerly 2103 W Broadway), subject to the following conditions:

- 1.0 Prior to the issuance of the development permit, revised drawings and information shall be submitted to the satisfaction of the Director of Planning.**
- 2.0 That the conditions set out in Appendix A be met prior to the issuance of the Development Permit.**
- 3.0 That the Notes to Applicant and Conditions of the Development Permit set out in Appendix B be approved by the Board.**

• Technical Analysis:

Technical Review For:		2106 W 8th Ave			Zone:	RM-4		
Imperial	Permitted/Required				Proposed			
Site Size <sup>1</sup>					50	x	115	ft.
Site Area <sup>1</sup>	5,918.00			sq.ft.	5,746.92			sq.ft.
Frontage					115 ft.			
Yard/ Setbacks <sup>2</sup>	Front Yard		20 ft.		Front Yard - N		12 ft.	
	Rear Yard		25.1 ft.		Rear Yard - S		12.48 ft.	
	Exterior Side Yard		10 ft.		Exterior Side Yard - E		3.19 ft.	
	Interior Side Yard		6.9 ft.		Interior Side Yard - W		11 ft.	
Height <sup>3</sup>			35.1 ft.		Top-of-wall (IG 124.97)		35 ft.	
Site Coverage	Total:	65%	3,735.50	sq.ft.	Total:	46%	2,625.00	sq.ft.
FSR <sup>4</sup>	Total:			<u>1.45</u>	Total:			<u>1.49</u>
Floor Area <sup>4</sup>					Basement:		961.00	
					Level 1:		2,625.00	
					Level 2:		2,730.00	
					Level 3:		2,223.00	
	Total:		<u>8,333.03</u>	sq.ft.	Combined Total:		<u>8,539.00</u>	sq.ft.
Balcony:					Level 2:		33.00	
					Total:	0%	33.00	sq.ft.
Storage:					Basement:		120.00	
					Level 2:		40.00	
					Level 3:		40.00	
	Total:			sq.ft.	Total:		200.00	sq.ft.
Dwelling Unit Type	Type		%	No.	Type		%	No.
					Studio		0%	0
					One Bedroom		0%	0
	Two Bedroom +		20%	1	Two Bedroom		0%	0
					Three Bedroom		100%	5
					Total:		100%	5
Horizontal Angle of Daylight <sup>5</sup>					Not Satisfied.			
Parking <sup>6</sup>	Dwelling:				Dwelling:			
	Standard:			7	Standard:			10
	Small Car:		25%	2	Small Car:			0
	Disability (>=7 units)			1	Disability:			0
	Total:			7	Total:			<u>10</u>
Loading	Class	A	B	C	Class	A	B	C
	Total	0	0	0	Total	2	0	0
Bicycle <sup>7</sup>		Use	Class A	Class B	Class A			Class B
	Dwelling:		8	0	<u>0</u>			<u>0</u>
		Total:	<u>8</u>	<u>0</u>				
	Locker:		20%	2	Locker:		0%	0
	Horizontal:		50%	4	Horizontal:		0%	0
	Vertical:		30%	2	Vertical:		0%	0

**Review Notes:**

**<sup>1</sup>Note on Site Size and Site Area:** The proposed site area has been based on the provided survey. A minimum site area of 5,918 ft<sup>2</sup> (550 m<sup>2</sup>) may be reduced to 5,380 ft<sup>2</sup> (500 m<sup>2</sup>) by the Director of Planning for Multiple Dwellings as per Section 4(b) - *Regulations* of the RM-4 District Schedule.

**<sup>2</sup>Note Yards/Setbacks:** All yards, including the interior side yard containment angle are non-compliant and seeking discretionary decrease as per Section 4(b) - *Regulations* of the RM-4 District Schedule.

**<sup>3</sup>Note on Height:** The overall building height is compliant with regulations; however, a portion of the building encroaches into the 30° containment angle along the northern property line and is seeking a discretionary height increase as per Section 4(b) - *Regulations* of the RM-4 District Schedule.

**<sup>4</sup>Note on FSR and Floor Area:** The overall floor area may be increased to a maximum of 1.45 FSR as per Section 4(b) - *Regulations* of the RM-4 District Schedule. However, the total proposed floor area exceeds the permitted maximum amount and compliance with floor area requirements has been requested through Standard Development Review Branch condition A.1.5.

**<sup>5</sup>Note on Horizontal Angle of Daylight:** Rooms located below grade are considered habitable and do not meet HAD requirements. Compliance with HAD has been requested through Standard Development Review Branch condition A.1.6.

**<sup>6</sup>Note on Parking:** This application includes no proposed parking to be located within the site. An off-site parking agreement is required to secure minimum seven (7) parking spaces to be located on the rear adjacent site at 2465 Arbutus St. (DP-2018-00488). Confirmation of compliance with parking requirements has been requested through Standard Development Review Branch condition A.1.7.

**<sup>7</sup>Note on Bicycle:** This application includes no proposed parking to be located within the site. An off-site parking agreement is required to secure minimum eight (8) Class A bicycle spaces to be located on the rear adjacent site at 2465 Arbutus St. (DP-2018-00488). Confirmation of compliance with bicycle requirements has been requested through Standard Development Review Branch condition A.1.8.

• **Legal Description**

Lot: 10  
 Block: 324  
 District Lot: 526

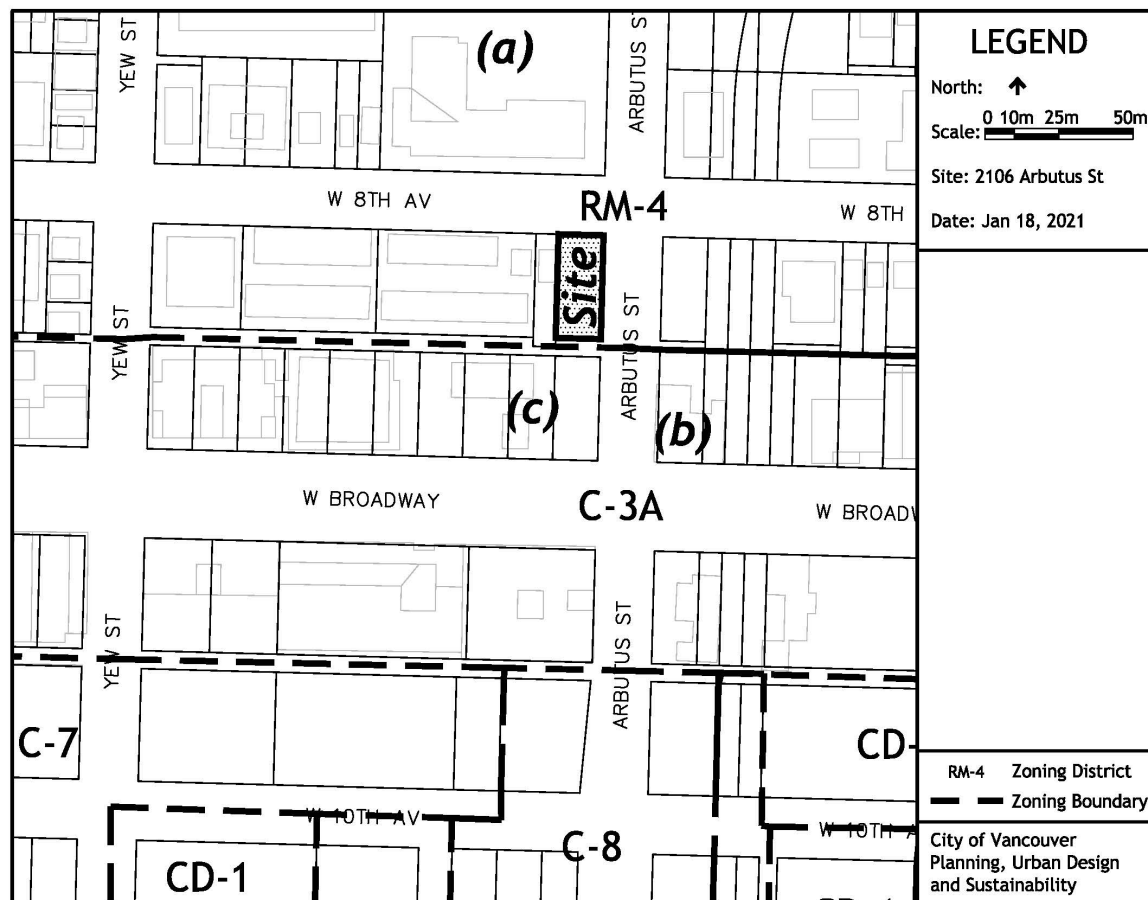
• **History of Application:**

18 06 01 Application Submitted  
 20 09 24 Complete DP re-submitted  
 20 11 25 Urban Design Panel  
 21 01 06 Development Permit Staff Committee

- **Site:** The site is located at the southwest corner of Arbutus Street and W 8<sup>th</sup> Avenue and is currently vacant. There are large trees located at the northeast corner. An east-west lane extends the length of the southern property line, however, it has not been paved the full distance between Yew St and Arbutus St. Subsequently, it has been encroached upon by the residents of 2124 and 2112 W 8<sup>th</sup> Ave, who have adopted it as additional green space. A number of mature trees are located within the lane.

- **Context:** Significant adjacent development includes:

- St. Augustine School;
- Future Arbutus Broadway Subway station and bus exchange;
- 2103 W Broadway Development Permit application site



- **Background:**

The subject site sits at the southern edge of the Kitsilano RM-4 zone, directly to the north of a proposed tower development at 2103 W Broadway (DP-2018-00488), proposed in concert with this application. The urban context represents a broad assortment of zoning districts: sites directly fronting W Broadway, across a shared lane from the subject site, are zoned C-3A; properties south of W Broadway are zoned C-7, C-8, and CD-1; and, a strip M-1 designates the Arbutus Greenway. Those properties zoned C-3A are sub-classified from other locations further east along the corridor as 'Broadway-Arbutus C-3A' sites. A gas station has occupied the property at 2103 W Broadway since the mid-1960s.

The immediate RM-4 context includes a mix of dwelling uses at various scales ranging from pre-1940 single-family character homes to low-rise rental buildings dating to the 1960s. The development site shares the south side W 8<sup>th</sup> Avenue with a converted 1911 home containing rental units, two larger courtyard townhouse developments constructed in 2002 and 2008, and an apartment building dating to 1975. Directly across W 8<sup>th</sup> Avenue is St. Augustine School. The adjacent C-3A context was built out to a mid-scale between the late-1960s and the late-1980s, with the exception of 2080 W Broadway to the southeast which, at eight storeys and constructed in 2012, is both the tallest and the newest building in the vicinity. With the addition of the Arbutus Broadway subway station and transit interchange directly across Arbutus St. there stands to be significant development pressure that may see the context evolve in the near future. Staff have reviewed as it relates both to the prospective development at 2103 W Broadway and the existing character of the RM-4 neighbourhood, understanding that the subject development will act to bridge the new with the existing.

When the Urban Design Panel met to review 2103 W Broadway on November 25, 2020, the subject development was included for context and information, but was not the official subject of the review and vote. Nevertheless, the Panel was asked to consider how the proposed townhouse development formally relates to the larger tower development. The proposal at 2103 W Broadway received the unanimous support of the Panel without recommendations. The application aligns generally with the objectives of *Kitsilano RM-4 Guidelines*, however it does not comply with provisions for density and horizontal angle of daylight as outlined in the *RM-4 District Schedule*. The application further seeks a relaxation to the definition of frontage, and subsequently to side, front, and rear yard setback requirements.

The proposal falls within the boundaries of the ongoing Broadway Community Plan; however, since it is being reviewed as a Development Permit application and not a Rezoning application, staff are permitted to process it under the provisions of adopted zoning.

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

- *RM-4 and RM-4N District Schedule* (last amended 2020)
- *Kitsilano RM-4 Guidelines* (1988, last amended 2020)

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

***RM-4 and RM-4N District Schedule***

Generally, regarding use and building typology, the proposal complies with the provisions of the *District Schedule*. The proposal seeks that the Development Permit Board exercise its authority to provide relaxations to front, rear, and side yard setbacks to achieve the form of development proposed. Staff have determined that affording the relaxations requested would provide for a better relationship between the proposed development, the adjacent prospective development, and the public realm. Staff recommend the support of the Board subject to the conditions outlined in Appendix A, including compliance with the maximum allowable density as outlined in the *District Schedule*.

### ***Kitsilano RM-4 Design Guidelines***

The *Guidelines* establish the urban design framework for high-quality new developments that are compatible with the physical character of the residential neighbourhood, and located and designed to take advantage of views, existing trees and landscaping, and access to daylight while mitigating undue impacts to privacy, prominent private views, and access to daylight.

The proposal, though more modern in its expression than many of the more traditional buildings in the area, is comprised of a high-quality material palette and façades sympathetically articulated to suit the low-to-mid scale residential neighbourhood, while allying the building architecturally with the prospective tower development on the corner.

#### **• Conclusion:**

The proposal represents a modern intervention in a typically traditional-style low-to-mid density residential community, but remains fundamentally compliant with the existing neighbourhood character in terms of articulation, scale, and materiality. Minor modifications are required to ensure that residents of the building enjoy maximal privacy, particularly when occupying rooms oriented toward the Arbutus Street public realm. Further design development is also required to ensure compliance with horizontal angle of daylight requirements as stipulated in the conditions outlined in Appendix A.

Staff recommend approval of this proposal subject to the conditions in Appendix A.

### **URBAN DESIGN PANEL**

The Urban Design Panel reviewed this application as a part of their evaluation of the proposal at 2103 W Broadway (DP-2018-00488) on November 25, 2020, and provided the following comments:

#### **EVALUATION: Support without Recommendations (7-0)**

##### **• Introduction:**

Development Planner, Kevin Spaans, provided an introduction and general overview of the regulatory framework, urban context, and the proposed development, as follows:

The subject site is at the junction of a number of different zones: sites directly fronting W Broadway, including the subject site, are zoned C-3A, with the area directly north zoned RM-4; properties south of W Broadway are zoned C-7, C-8, and CD-1; and, a strip M-1 designates the Arbutus Greenway. Those properties zoned C-3A are sub-classified from other locations further east along the corridor as 'Broadway-Arbutus C-3A' sites. A gas station has occupied the property since the mid-1960s.

Much of the immediate C-3A context was built out to a mid-scale between the late-1960s and the late-1980s, with the exception of 2080 W Broadway to the southeast which, at eight storeys and constructed in 2012, is both the tallest and the newest building in the vicinity. With the addition of the Arbutus Broadway subway station and transit interchange directly across Arbutus St. there stands to be significant development pressure that may see the context evolve in the near future. Staff have reviewed this proposal through the lens of both existing contextuality and potential for future growth, and with the understanding that the application would provide an enhanced corner plaza and public realm in exchange for a discretionary increase in height.

The application is governed by the *C-3A District Schedule* which anticipates a building with a discretionary density of 3.0 FSR and an unlimited but highly conditional height increase. As with all sites zoned C-3A, the primary limit to the form of development is the maximum achievable density. The *Broadway-Arbutus C-3A and 200 Block W 10<sup>th</sup> Avenue (North Side) Guidelines* provides the urban design framework against which applications are reviewed and discretion is provided. The *Guidelines*

outline a series of objectives for development in the area, including: contributing to an attractive, vibrant area which unifies Broadway and Arbutus Street; ensuring compatibility of city-serving retail, office and service uses with the surrounding neighbourhood; encouraging a strong residential component above the street level; ensuring form and design that enhances the public and private realms, including consideration of sunlight access and views; and, provision of an enhanced pedestrian-friendly streetscape. The *Guidelines* also set out a framework for the provision of discretionary height relaxations, paramount of which being the quality of on-site street level public open space. Buildings within the area are generally anticipated to be approximately 21.5m (70ft) in height.

Proposed is an 11-storey strata residential building with a density of 3.0 FSR (proposed 3.0 FSR + 10% heritage bonus). The overall height of the building is approximately 36.8m (120ft) as put forward in the application. The main level is comprised of commercial retail units, a public plaza at the southeast corner, and a residential entrance facing Arbutus St and the lane. An application has also been submitted by the developer for a townhouse development directly to the north of the site, fronting Arbutus St, which relates formally to tower building. While this application is not under review by the Panel, information pertaining to that proposed building is provided for reference, and the Panel is asked to consider the relationship between the two sites when providing their analysis.

The proposal falls within the boundaries of the ongoing Broadway Community Plan but, being that it is being reviewed as a Development Permit application and not a Rezoning application, staff are permitted to process it under the provisions of adopted zoning.

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

**4.3 Height and Massing**

- (a) A minimum 9.1 m height should occur on Broadway as continuous development and matching existing buildings where appropriate;
- (b) On sites with less than 38 m frontage, the criteria for height are based primarily on maximizing sun penetration onto the street and adjacent residential properties. Heights above 9.1 m, up to a maximum of 16.8 m will only be achieved where a minimum of 33% of the site allows a 17 degree sun angle penetration;

Figure 11: Sun Angle and Building Form

- (c) For sites on Broadway with more than 38 m of frontage, height increases up to 21.3 m for up to 50% of site frontage and heights up to 16.8 m up to 67% of the frontage could be achievable where it can be shown that:
  - (i) overshadowing or overlook impacts to adjacent residential areas is minimized through locating massing closer to Broadway and away from the adjacent existing or future residential;
  - (ii) a better scale relationship to adjacent buildings is created;
  - (iii) intrusion on private views from upper storeys of adjacent buildings is minimized through locating and shaping upper massing;
  - (iv) on-site street level public open space is achieved where appropriate;
  - (v) slimmer building form results; and
  - (vi) overall livability of the residential units is improved.



### Architectural Expression, Mass, and Height

1. Please provide feedback on the overall form, massing, and architectural expression of the proposal with due consideration given to the following:
  - a. the intents of the *Design Guidelines*;
  - b. the relationship between the tower, the townhouse development, and the adjacent RM-4 neighbourhood.
2. To inform the provision of a discretionary height relaxation beyond that anticipated by the *District Schedule* and the *Design Guidelines*, please comment on the following:
  - a. the level of compliance with the provisions for discretionary height relaxations in the design guidelines (provided);
  - b. the quality of the public realm, with particular consideration given to the corner public plaza.

- **Applicant's Introductory Comments:**

The project development consultant, Brent Toderian, noted that throughout the design process the applicant team has embarked on serious engagement with the adjacent neighbours to the north who have the most potential to be impacted by the development. These neighbours have expressed a desire for a slimmer and taller building, and with their feedback, the applicant team has conceptualized the 11-storey building proposed.

Project architect, Walter Franci, reiterated that the site is across from the future Arbutus Broadway subway station. As a result, there are substantial enhanced setbacks required: 10ft off of Arbutus St, and 13ft off of W Broadway, plus an additional 5ft from the rear of the site.

Mr. Franci noted that the massing is located as far east as possible to minimize overlook issues and shadowing of the adjacent properties. Shadow studies were completed to demonstrate the impacts to daylighting of the existing residential units, and are provided in the review documents.

Balconies and screening devices contribute to the performance of the building as a sustainable development, with balconies providing enhanced solar shading. To mitigate thermal bridging as much as possible, the balconies are thermally broken from their adjacent slabs. Vertical screens provide for additional privacy at balconies and windows, as well as solar shading.

Materials include limestone and slate for the exterior of the building with some other wood accent features on the soffits. This expression is carried consistently across all façades, so that the whole building reads as a cohesive expression.

The landscape architect, Joseph Fry, then presented the design logic for public and semi-public areas. For residents, there is a large outdoor amenity deck above the podium, and a smaller one further up. At grade, there is a public plaza at the southeast corner with weather protection provided by the overhanging building. The applicant noted that this area is anticipated to be animated with well-used retail spaces such as a café. The plaza is supplemented with a larger sidewalk to accommodate increased pedestrian activity.

Along Arbutus St, there are proposed to be street trees, seating, a planting to create a sense of publicness the continuous through the lobby entrance. Mr. Fry noted that there is intended to be a strong a transparent indoor and outdoor relationship between the plazas and the residential lobby and amenity room.

Overall, there is a desire to see a significant increase in the number of trees on the site, with a potential for approximately 40 additional trees on and off the site.

Mr. Toderian noted that the applicant team is aiming for passive house targets for the building, and are looking to do so with a compact design approach. The window to wall ratio is 46 percent, as currently presented.

Staff and the applicant team then took questions from the Panel.

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

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

THAT the Panel **SUPPORTS** the project.

- **Related Commentary:**

The Panel expressed general support for the approach to massing and the discretionary increase in height. Panelists felt that the proposal demonstrated a strong public realm design, and was confident that issues of shadowing were sufficiently responded to enough to support the relaxations sought. Panelists felt that the location of the café was well-selected and will contribute to the activation of the plaza, however some felt that more could be done to open the commercial retail unit up to the plaza.

Panelists noted that more activation of the public plaza would be welcomed, as well as attempting to link together all the public spaces provided.

Panelists recognized that the applicant is meeting the intent of the *Guidelines* well, and that the design response is well done. The Panel further commended the applicant for their strong public engagement strategy.

The panelists felt that the relationship with the townhouses to the north was successful, and that the partial lane was well designed.

The Panel noted that the transparency of the amenity room at grade, and the detailing of the soffits and street seating are all very strong features.

Some panelists believed that some further design development could be explored to simplify the articulation of the tower, and strengthen the overall approach to the building massing. A panelist felt that the building design may be moderately improved if it was a slimmer, taller form.

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

**ENGINEERING SERVICES**

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

In order to comfortably and safely accommodate the significant pedestrian volumes expected around the perimeter of the site, and future geometric changes around the site, rights of way are sought along Arbutus Street and Broadway.

Separately from this permit, but contextually relevant, is the lane along the rear of the property. For some time, this lane has been used by the adjacent strata buildings at 2124 W 8<sup>th</sup>, and 2168 W 8<sup>th</sup>. Because of the Broadway Subway, associated changes to street use and geometry, and potential changes to land use, it is important that this existing City lane be opened to vehicle traffic. Doing so will allow for accommodation

of loading and service vehicles, eliminate the existing dead end condition, and allow for improved circulation.

As with other projects adjacent unimproved lanes, the construction of the lane is required as a condition of this development permit, however notification and communication with the two stratas with existing encroachments will be undertaken through a separate process lead by the City.

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

The Crime Prevention Through Environmental Design (CPTED) recommendations are contained in the prior-to conditions noted in Appendix A, attached to this report.

### **LANDSCAPE**

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

### **ENVIRONMENTAL PROTECTION BRANCH**

The recommendations of Environmental Protection Branch are contained in the prior-to conditions noted in Appendix A, attached to this report.

### **BUILDING REVIEW BRANCH**

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

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

### **NOTIFICATION**

On October 20, 2020, 2,796 notification postcards were sent to neighbouring property owners advising them of the application, and offering additional information on the city's website. In addition, two site signs were installed on the property, one along West Broadway and one along West 8<sup>th</sup> Avenue. The signs were installed on October 20, 2020 offering information about the development with direction to the City's Development Permit Board website.

A virtual open house was held between Monday, October 26<sup>th</sup>, 2020 and Sunday, November 1<sup>st</sup>, 2020 on the Shape Your City website. Attendees were able to view the application drawings and a three dimensional model of the proposed development. There were one hundred and seventy-eight (178) visits to the website during the open house period.

**As of November 24, 2020**, a total of 46 comments were received from the Virtual Open House and notification. Thirty-Nine (39) respondents expressed support for the project, while two (2) residents were opposed and five (5) were mixed about the proposal, however provided feedback. Although respondents expressed support for the project, they also provided some feedback regarding the proposal.

Comments of support for the project include:

- placing density adjacent to a new transit station was well received and many noted that additional density would be supported at this location given the proximity to the future transit station;
- provides much needed family units and housing options in the City;
- consider the proposed building to be aesthetically pleasing and a contextual fit with the neighbourhood;
- the proposed development will act as a sound buffer to the traffic along Arbutus and W Broadway;
- maintaining the existing lane and trees is a benefit to the community; and
- pleased with the public consultation and co-ordination with the neighbourhood championed by the applicant.

**Concerns identified through the notification and Staff responses are below:**

**Existing Lane use:** Many responses acknowledged the benefits of maintaining the existing lane condition as it provides outdoor space to the existing strata as well as provides a buffer to the proposed development. It was noted that introducing vehicles within the lane will be detrimental to the existing adjacent residential developments to the north.

**Staff Response:** As noted by Engineering Services on page 10 of this Report, through a separate process, the City will pursue opening its lane to improve vehicle circulation within the area to accommodate the ongoing development within the area.

**Oversupply of parking:** It was noted that there is an oversupply of parking provided by the proposal. The proposed location ought to capitalize on the proximity to transit as it will help achieve the City's sustainability and environmental goals.

**Staff Response:** The City has policies which provide for reduced parking requirements for buildings with good access to transit and those which provide Transportation Demand Management measures that support walking, cycling and transit usage. Most developments in the City, outside of downtown, do not have maximum parking allowances and the provision of Transportation Demand Management measures is optional. These policies are intended to allow for a market based provision of parking in new buildings. The project in question is in compliance with the Parking By-law with respect to vehicle parking spaces, passenger pick-up/drop off spaces and bicycle parking.

**Surrounding Transportation Network:** Comments from the public were received noting some concern for the increase in traffic impacting the commute of children to and from school as well as the general flow of vehicles and pedestrians in the area. It was suggested that the City consider closing Arbutus to vehicles between W 8<sup>th</sup> Avenue and W 4<sup>th</sup> Avenue once the subway station and bus loop are constructed to reduce conflicts in the area.

The St. Augustine Community, which includes the elementary school and parish, provided comments of support for the development and have noted that they have been heavily engaged with the Broadway Subway project and its partners. They have raised a number of concerns related to the bus loop and end of the line terminus station. The concerns noted include public safety, security and environmental health, particularly the impacts for children. However, they also provided an 18-point mitigation plan for Staff to consider implementing in regards to transportation and mobility in the neighbourhood given the planned developments in the surrounding area, along the Broadway Corridor and the proximity to the school and parish to improve the co-existence of a public transit hub and school.

**Staff Response:** The Rapid Transit Office has been liaising with the St. Augustine Community in regards to the upcoming changes to the transportation and mobility network occurring in the area. The Office is aware of the proposed mitigation measures and will continue to discuss upgrades and changes as necessary through the Broadway Subway process. Improved sidewalks are included as part of the conditions of approval of this project which will mitigate some of the above concerns. Additional measure are included as part of adjacent proposals.

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

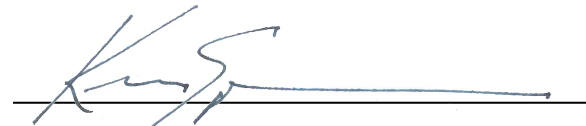
With respect to the decision by the Development Permit Board, the application requires the Development Permit Board to exercise discretionary authority as delegated to the Board by Council.

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.

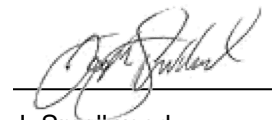
The Staff committee supports this application with the conditions contained within this Report.



J. Greer  
Chair, Development Permit Staff Committee



K. Spaans  
Development Planner



J. Smaliwood  
Project Coordinator

Project Facilitator: J. Catarino

## DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATIONS

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

### A.1 Standard Conditions

#### Urban Design

A.1.1 design development to maximize the privacy of building residents and improve the interface of the building with the public realm on Arbutus St by way of one of the following recommended design strategies:

- i. introducing substantial, tall plantings between the at-grade east-facing private outdoor areas and the sidewalk;
- ii. introducing high-quality fence / guards to between delineate the private and the public realms;
- iii. raising the grade of Level 1 and adjacent east-facing private outdoor areas to vertically separate the private and public realms; and / or,

**Note to Applicant:** the exposed face of any resultant landscape or retaining walls must be clad in high-quality materials or sufficiently screened by plantings.

- iv. a combination of the aforementioned strategies;

**Note to Applicant:** The perception of “eyes on the street” is an important component of neighbourhood character and CPTED, and while the measures noted above are intended to provide for enhanced privacy for residents, particularly with the forthcoming subway station anticipated to increase pedestrian traffic in the area, they shouldn’t subsequently impact the appearance of round-the-clock activity in the area. Refer to Urban Design condition A.1.3, Landscape Review condition A.1.11, and Crime Prevention Through Environmental Design (CPTED) condition A.1.15.

A.1.2 design development as required to comply with provisions for horizontal angle of daylight and building height as stipulated in the *District Schedule*;

**Note to Applicant:** The below-grade recreation space is considered a habitable room based on the *Zoning and Development By-law* and must be provided with windows that comply with horizontal angle of daylight requirements. Light wells oriented toward the public realm are not supported. Redefinition or deletion of these below-grade spaces is strongly recommended. Also refer to Development Review Branch condition A.1.6.

A.1.3 provision of an architectural lighting strategy, with particular consideration given to providing secondary lighting of the public realm, particularly near residential gates, landings, or outdoor areas;

**Note to Applicant:** Refer to CPTED condition A.1.15.

A.1.4 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.

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**Development Review Branch**

- A.1.5 Compliance with Section 4.7 - *Floor Space Ratio* and Section 4(b) –*Regulations* of the RM-4 District Schedule;

**Note to Applicant:** The proposed floor area exceeds the permitted maximum 1.45 FSR. Refer to Standard Development Review Branch condition A.1.9 for additional items that may affect FSR.

- A.1.6 Compliance with Section 4.10 – *Horizontal Angle of Daylight* of the RM-4 District Schedule;

**Note to Applicant:** All habitable rooms other than those specified under Section 4.10.6 shall meet minimum HAD requirements. The “rec rooms” located in the basement level do not comply with regulations.

- A.1.7 Confirmation of compliance with Section 4 of the Parking By-law;

**Note to Applicant:** Though the required parking for this application is proposed on the adjacent site and to be secured through an off-site parking agreement, one (1) disability space is required and is to be shown on the parking plans for the adjacent site.

- A.1.8 Confirmation of compliance with Section 6 of the Parking By-law;

**Note to Applicant:** Minimum eight (8) Class A bicycle spaces are required for this application. It is assumed that bicycle parking for this site will also be secured through an off site parking agreement on the adjacent site, which shows no parking for this site. Ensure that minimum and maximum Class A bicycle space types and sizes are met.

- A.1.9 Submission of an updated drawing package which includes:

- i. Revised Project Statistics which includes:
  - a. The correct required and proposed set back requirements.
  - b. All applicable Sections from the Parking By-law for all Parking, Loading and Bicycle requirements.
  - c. FSR and floor area figures to be coordinated with the provided FSR Overlays.

**Note to Applicant:** The current proposed FSR and Floor Area does not correctly reflect that area proposed on the FSR Overlays.

- ii. Revised Site Plan to include elevations of all landings, loading spaces, top/bottom-of-retaining walls, stairs, etc. and to be coordinated with Landscape Drawings.
- iii. Revised Roof Plan which is coordinated with the Elevation drawings and includes elevations of all top-of-planters, top-of-guard, top-of-roof, top-of-parapet, etc.
- iv. Revised FSR Overlays which:
  - a. Includes the following into the total cross sectional area of all stairs which access private roof decks into the computation of floor area;

**Note to Applicant:** Any roof access, which exceeds 4 ft. (1.2 m) in height, shall be included in FSR. It is recommended to verify that the proposed roof access complies with the Vancouver Building By-law as the current proposal does not appear to comply with

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current requirements. Should a proposal, which has a height under 4 ft. (1.2 m), be supported by the VBBL, then this condition may stand resolved.

- b. Are coordinated and reflect the applicable floor plans;

**Note to Applicant:** The current FSR Overlays do not visually represent the associated floor plans (ie. no walls, stairs, etc.).

- c. Correctly identifies and itemizes all areas excluded from FSR, including, but not limited to amenity, balcony, storage rooms, etc.

**Note to Applicant:** No storage room exclusions have been identified.

**Note to Applicant:** Refer to Standard Development Review Branch condition A.1.5

- v. Site Coverage Drawings.

**Note to Applicant:** Site Coverage shall not exceed maximum 65% or approximately 2,625 ft<sup>2</sup> (244 m<sup>2</sup>) in order to achieve additional FSR as per Section 4(b) –*Regulations* of the RM-4 District Schedule and shall be verified through illustration on the drawings.

- vi. Revised Elevation drawings which:

- a. Identify all elevations for top-of-planters, top-of-guard, top-of-roof, top-of-parapet, etc.
- b. Include proposed grades at all corners of the building.

- vii. Horizontal Angle of Daylight Drawings for the basement level.

**Note to Applicant:** No HAD drawings have been provided for this level. See Standard Development Review Branch condition A.1.6.

A.1.10 Provision of the following notations to be included on the submitted plans:

- i. *“The acoustical measures will be incorporated into the final design and construction, based on the consultant’s recommendations”;*
- ii. *“Adequate and effective acoustical separation will be provided between the residential and non-residential portions of the building”;*
- iii. *“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*
- iv. *“All proposed yards, setbacks and building dimensions are measured to the outside of cladding”.*

## Landscape Review

A.1.11 design development to the landscape treatment as follows:

- i. provision of a revised design that respects the specified SRWs along Arbutus St and ensures adequate privacy for street-facing first floor living space;

**Note to Applicant:** Mitigate privacy impact to street-facing living space. Consider consolidating unit outdoor space to back yard and provide landscape screening (or alternative



solution) to ensure adequate privacy for residents. Also refer to Standard Urban Design condition A.1.1.

- ii. revisions to improve the graphic clarity of the landscape plans to accurately illustrate locations of all proposed plant material; and

**Note to Applicant:** The hatches used to illustrate locations of plant material do not match the information in the legends.

- iii. provision of a minimum of two large specimen trees located on free grade.

**Note to Applicant:** Select a resilient, large-growing species (Quercus sp., Fagus sp., Fraxinus sp. or equivalent).

- A.1.12 provision of an Arborist Letter of Assurance, signed by the owner, which verifies that the arborist has been engaged to supervise work impacting tree retention.

**Note to Applicant:** The letter should specify the phases of the project and items of work that require arborist supervision.

- A.1.13 provision of referenced larger-scale detail sections (minimum 1/2"=1') for all typical landscape features and construction, including but not limited to trellis for vine support confirming low maintenance type, planters on structure with dimensioned depth of soil, fences, screens, furnishings etc.

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

- A.1.14 provision of utility coordination as follows:

- i. provision of confirmed locations for utility connections, avoiding conflict with tree root zones.

**Note to Applicant:** Relocation of trenching locations are required if in conflict with tree protection. Relocation of trenching locations are required if in conflict with tree protection. Ensure new specimen trees are planted away from utility connections to avoid future conflict and to allow for satisfactory growing conditions into the future.

- ii. Provision of the following note on plan:

*"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 per Engineering/Park Board guidelines) to be shown on plan.

### Crime Prevention Through Environmental Design (CPTED)

- A.1.15 provisions for Crime Prevention Through Environmental Design (CPTED) including:

- i. having particular regard for public safety challenges in alcoves and intentional damage; and,

**Note to Applicant:** particular regard must be given to the real and perceived security of the east-west lane at all hours.

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- ii. outdoor public realm, path, and common area lighting;

## A.2 Standard Engineering

### A.2.1 Provision of the following improvements to the satisfaction of the General Manager of Engineering Services:

- i. Street improvements along Arbutus Street adjacent to the site and appropriate transitions including the following. These dimensions are provided as offset distances from the ultimate edge of the SRW area:
  - a. 0.3m wide sod grass back boulevard;
  - b. 3.0m wide broom finish saw-cut concrete sidewalk;
  - c. Front boulevard in the remaining space between the edge of the sidewalk and the back of the curb;
  - d. Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current COV standards and IESNA recommendations.
  - e. Provision of new or replacement duct bank adjacent to the development site that meets current City's standards. Duct banks are to consist of electrical and communication ducts and cables, and connected to existing electrical and communication infrastructure.
  - f. Adjustment to all existing infrastructure to accommodate the proposed street improvements.

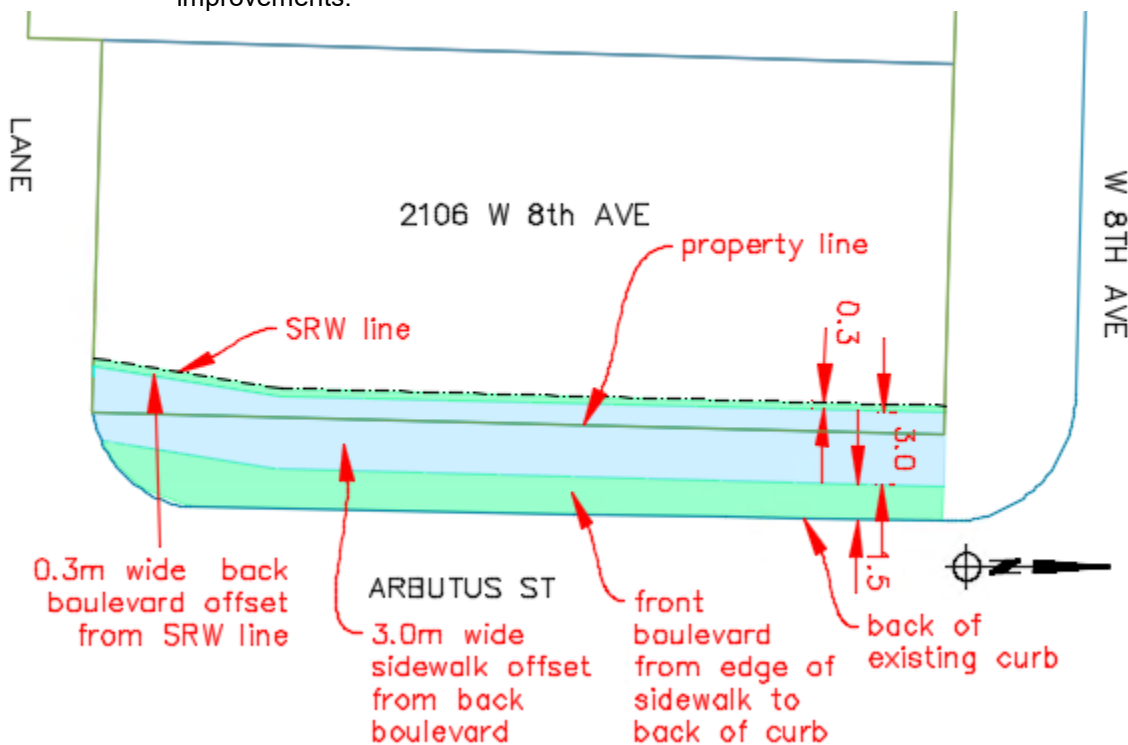


Figure 1 – Explanatory plan indicating the requirements of Condition A.2.1 a, b, and c.

- ii. Delete any shrubs, hedges, trees, fences, stairs, or any other structure or encumbrance proposed within the SRW areas on Arbutus Street, and at the southeast corner of the site in the lane.

**Note to Applicant:** these SRWs are required in order to allow for public use of a widened sidewalk and must be kept clear of all encumbrances.

- iii. Delete the tree and landscaping proposed in front of the PMT in the lane right of way.

- iv. Clarify garbage and recycling storage provisions.
- v. Parking, loading, bicycle, and passenger loading spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.
- vi. Provision of design elevations at all entrances and all four corners of the Class A loading bays to confirm the slope and crossfall.
- vii. Provision of bicycle parking as per Bylaw to be provided on site.

**Note to Applicant:** Off-site provision of bicycle parking at 2103 W Broadway may be accepted subject to provision of convenient access and with the appropriate shared parking agreement.

A.2.2 Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:

- i. Provision of a building setback and surface statutory right of way (SRW) for widened sidewalks and public pedestrian use over a portion of the site measuring 4.8 metres offset from the back of the existing curb. The SRW will be free of any encumbrance such as vents, structure, stairs, planter walls, landscaping, and trees at grade.
- ii. Provision of an additional building setback and triangular shaped surface Statutory Right of Way at the southeast corner of the site measuring 1.2 metres east-west, and 8.0 metres north-south and abutting the SRW noted in point i above.
- iii. Provision of a Shared Access Agreement and a Parking Covenant for parking spaces required at 2106 W 8<sup>th</sup> Avenue to be provided in the underground parking at 2103 W Broadway.
- iv. submission of letter confirming acknowledgement that this application falls within the area with potential impacts due to the Broadway Subway Project construction and that the City of Vancouver's Rapid Transit Office will be contacted for more information;

**Note to Applicant:** The Broadway Subway construction will begin in 2020 with an anticipated completion date by 2025. During construction, street use (above and below grade) along Broadway, 8th and Arbutus will be highly restricted in order to facilitate Broadway Subway construction and maintaining movement along the corridor. Potential below grade/excavation and shoring restrictions, particularly along Broadway. Please contact the City of Vancouver Rapid Transit Office ([rapiddtransitoffice@vancouver.ca](mailto:rapiddtransitoffice@vancouver.ca)) for more information on impacts to access and street use for your project.

- v. Provision of all utility services to be underground from the closest existing suitable service point for this "conditional" development. In addition, submission of a written confirmation from BC Hydro that all required electrical plant is provided for on the development property.

**Note to Applicant:** BC Hydro service to the site shall be primary. A BC Hydro pad mounted transformer will be required for the service and shall be located on the development property.

- vi. This proposed development is adjacent to existing BC Hydro electrical works, contact BC Hydro for project review and comment to ensure any potential impact or risks from your proposed development or construction will be assessed and addressed. See BULLETIN 2015-002-EL - Clearances from Existing BC Hydro High Voltage Overhead Conductors and Transformers for more information (<https://vancouver.ca/files/cov/HV-conductor-oil-filled-transformer-clearance-checklist-bulletin-2015-002-el.pdf>).

The review of third party utility service drawings (e.g., BC Hydro, Telus and Shaw) will not be initiated until all drawings have been received by Utilities Management Branch (UMB).

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

Submission of a letter confirmation construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or License.

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

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

#### **A.3.1 The property owner shall:**

- i. Submit a Site Profile to Environmental Services;
  - ii. 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; and
  - iii. 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.
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**B.1 Standard Notes to Applicant**

- B.1.1 It should be noted that if conditions 1.0 and 2.0 have not been complied with on or before **(August 9, 2021)**, 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.2 Conditions of Development Permit:**

- B.2.1 All approved off-street vehicle parking, loading and unloading spaces, and bicycle parking spaces shall be provided in accordance with the relevant requirements of the Parking By-law prior to the issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.2 All landscaping and treatment of the open portions of the site shall be completed in accordance with the approved drawings prior to the issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.3 Any phasing of the development, other than that specifically approved, that results in an interruption of continuous construction to completion of the development, will require application to amend the development to determine the interim treatment of the incomplete portions of the site to ensure that the phased development functions are as set out in the approved plans, all to the satisfaction of the Director of Planning.
- B.2.4 The issuance of this permit does not warrant compliance with the relevant provisions of the Provincial Health and Community Care and Assisted Living Acts. The owner is responsible for obtaining any approvals required under the Health Acts. For more information on required approvals and how to obtain these, please contact Vancouver Coastal Health at 604-675-3800 or visit their offices located on the 12<sup>th</sup> floor of 601 West Broadway. Should compliance with the health Acts necessitate changes to this permit and/or approved plans, the owner is responsible for obtaining approval for the changes prior to commencement of any work under this permit. Additional fees may be required to change the plans.
- B.2.5 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that substantial lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- B.2.6 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.**
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