
4188 Yew Street (COMPLETE APPLICATION)
DP-2018-00665– CD-1 (642)

GJ/VK/SR

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

J. Greer (Chair), Development Services
C. Chant, Engineering Services
D. Naundorf, Housing Policy and Projects
T. Simmer, Facilities Planning

Also Present:

G. Jiang, Urban Design & Development Planning
V. Kopy, Development Services
S. Robin, Development Services

APPLICANT:

Larco Investments Ltd.
#300-100 Park Royal
West Vancouver, BC
V7T 1A2

PROPERTY OWNER:

Arbutus Village Holdings Ltd.
#300-100 Park Royal
West Vancouver, BC
V7T 1A2

EXECUTIVE SUMMARY

- **Proposal:** To add two storeys to the previously approved mixed-use building (Block A). This building was approved under Development Permit DE418990. The subject proposal includes 17,691 square feet of additional residential floor area; the total unit count for the entire building has increased from 215 units to 236 units. There are changes to the configuration of the social housing and market housing units to allow for an additional 25 social housing units.

See Appendix A Standard Conditions

Appendix B Standard Notes and Conditions of Development Permit

Appendix C Plans and Elevations

● **Issues:**

1. Performance of outdoor amenity space at courtyard.
2. Provide a social housing air space parcel designed to be as autonomous and contiguous as possible, as required in the conditions of the rezoning and in accordance with the requirements of Housing Policy & Projects and Facilities Planning and Development.

● **Urban Design Panel: SUPPORT**

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE Development Application No. DP-2018-00665 submitted, the plans and information forming a part thereof, thereby permitting the development of two additional storeys on the previously approved mixed-use building (Block A), including 17,691 square feet of additional residential floor area, subject to Council approval of the form of development, and the following conditions.

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

- 1.1 Arrangements to the satisfaction of the Director of Real Estate services, the Director of Planning and the Director of Legal services, in consultation with the Director of Facilities Planning and Development and the General Manager of Arts, Culture and Community Services, to provide a social housing air space parcel:
- i) Containing 125 social housing units that meet the minimum floor areas defined in *the City of Vancouver's Housing Design and Technical Guidelines*;
 - ii) That includes the following breakdown of unit type:
 - 18 studio units,
 - 60 one-bedroom units,
 - 35 two-bedroom units,
 - 12 three-bedroom units, and,
 - 10 accessible units will be provided in the above mix;
 - iii) Designed to be as autonomous and contiguous as possible.

Notes to Applicant:

- Ensure delivery of a single, contiguous and autonomous air space parcel, with design considerations maximizing efficiency and minimizing the cost of operations (as per the 2018 rezoning conditions and the previously registered Transfer Agreement).
- Use the already proposed layout for Levels 6 and 7 or modify these layout to improve the overall family unit mix.
- Add additional floor area with at least six more family units on lower levels by reassigning a portion of the market housing space (which would also bring the social housing air space parcel slightly closer to the 20% floor area of the total).
- All units and supporting facilities shall conform to *the City of Vancouver's Housing Design and Technical Guidelines*.
- Increase proportionally the underground amenities within the dedicated and secured air space parcel, e.g. parking, bicycle room, garbage & recycling etc. to support 125 social housing units.
- Increase proportionally the above ground amenities within the dedicated and secured air space parcel, except some outdoor space which may be shared, e.g. amenity room, outdoor space, urban agriculture, laundry room, storage etc. to support 125 social housing units.
- Provide written mechanical and electrical concepts.
- Variations to the minimum floor area and family housing unit mix may be considered in light of structural and architectural constraints of social housing units being delivered in a building already under construction, provided such variations

are to the satisfaction of the General Manager of Arts Culture and Community Services and the Director of Facilities Planning and Development

- 1.2 clarification of which units are to be allocated to the Moderate Income Rental Housing Pilot Program with the unit mix in accordance with the administration bulletin “Moderate Income Rental Housing Pilot Program; application process, project requirements and available incentives” and a rent roll indicating the agreed maximum average initial monthly rents for the units secured at moderate income rates.

Note to Applicant: The rent roll will be required prior to Development Permit issuance, and again prior to issuance of an Occupancy Permit, to the satisfaction of the General Manager of Arts, Culture and Community Services (or successor in function) and the Director of Legal Services.

- 1.3 design development to improve the morning solar access to the courtyard by reducing the extent of the roof overhang on the west side.

Note to Applicant: This condition can be achieved by recessing the roof overhang from 7 ft. to 2 ft. at the locations where there is no balcony below.

- 1.4 design development to improve the architectural expression of the external frame by integrating the design into the overall building and landscape design.

Note to Applicant: The six-storey external frame stands alone at the upper left corner which does not provide a rational relationship to the sixth floor on the east wing and the fifth floor on the south wing. This condition can be improved by extending the frame expression to the roof deck of the fifth floor at the southeast corner which may include the use of architectural frame, trellis, and /or planters and trees.

- 1.5 clearly identify and clarify all changes to the approved drawings issued under DE 418990, including changes to floor plans and to the social housing and market housing unit mix. See Standard Condition A.1.5.

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:				4188 Yew Street - Block A						
		Permitted/Required:				Proposed:						
¹ Site Size						Irregular						
¹ Site Area		28,310.00 m ²				28,310.00 m ²						
Use		Multiple Dwelling/ Commercial				Multiple Dwelling / Commercial						
² FSR		2.65				0.69						
Floor Area	Dwelling Uses:	65,016.00		m ²		Blk A Dwelling Area:		19,407.40 m ²				
	Non-dwelling uses:	10,065.00		m ²		Blk A Non-dwelling:		6,498.66 m ²				
	Total permitted area for site: (pending enactment of Text Amendment)	75,081.00		m ²		Total:		25,906.06 m ²				
						Balcony Overage:		536.92 m ²				
Exclusions	Max open balcony:	1,552.59		m ²		Open balcony:		2,089.51 m ²				
	Amenity:	1,400.00		m ²		Amenity:		462.69 m ²				
³ Height	Block A (Geodetic Datum):	65		m		Block A:		64.20 m				
	# of Storeys:					# of Storeys:		8				
⁴ Parking	Non Market: Min.	43				Non Market: Standard		29				
	Disability	5				Disability		3				
	Max. Small car (25%)	11				Small		3				
	Visitor 7.5% of units	9				Visitor		7				
	Min. Required:	43				Proposed:		42				
	Market: Min.	111				Market: Standard		103				
	Disability	5				Disability		4				
	Max. Small car (25%)	28				Small		17				
	Min. Required:	111										
	Proj. reduction for MIR	-4										
	Proj. Min. Required:	107				Proposed:		124				
	Commercial: Min.	252				Commercial: Standard		191				
	Disability	4				Disability		6				
	Max. Small car (25%)	63				small		22				
	Min. Required:	252				Proposed:		219				
Car Share :	0				Car Share:		2					
Total:	402				Total:		387					
Avail. Bonus Parking:					Bonus Parking:							
Comm. 2 for 1 Disability:	4				Comm. 2 for 1 Disability:		4					
Car Share :	8				5 for 1 Car Share:		8					
Total Parking Required:	402						399					
⁵ Bicycle	Class	B	A		Tot.	Class	B	A		Tot.		
			Min.	Max.	Min.			Hor.	Vert.	Locker		
			Hor.	Vert.	Locker							
	Mkt.:	6	70	42	28	139	Mkt.:	6	98	30	17	145
	Non-Mkt.:	0	53	32	21	106	Non-Mkt.:	6	23	24	28	75
Comm.:	6	7	4	3	13	Comm.:	12	7	9	5	21	
Total:	12	129	77	52	258	Total:	24	128	63	50	241	
⁶ Loading	Class	A	B	C		Class	A	B	C			
	Market:		1			Resid.:	0	1	0			
	Off./Retail:	1	1			Off./Retail:	1	1	0			
	Service:		3	2		Service:	1	4	0			
Total:	1	5	2		Total:	2	6	0				
⁷ Unit Mix	Note: Moderate Income Rental (MIR) units to be identified in Prior-to Response					Unit Type		Non-Market	Market			
						Studio	19	15%	2	2%		
						1 bedroom	69	55%	47	42%		
						2 bedroom	27	22%	57	51%		
						3 bedroom +	10	8%	5	5%		
Total:		125		111								

Notes:

¹ **Note on Site Size and Site Area:** This irregular site, also referred to as “Arbutus Centre”, is divided into 4 Blocks, A, B, C & D, and includes the takeover of a portion of Yew Street, north of Nanton Ave. This Application involves modifications to the existing approved Development Permit DE418990 for “Block A”.

² **Note on FSR and Floor Area:** There are three components to the Residential Dwelling use of this building: Market Rental, Non-market Rental and Housing for Seniors. The overall permitted floor area for Residential Dwelling uses is regulated over the entire site (Blocks A, B, C & D); thus, a running total will be kept to track floor area. This application proposes to add 2 storeys of Market Rental to the east wing of the building, convert all Market Rental on level 2 to Non-market Rental and convert 3 units of Market rental to 4 Non-market rental units on level 3. The result of this has increased the Residential floor area by 1,643.6m² (17,691.7 sq. ft.). Standard Condition **A.1.6** requires clarification and better coordination of the FSR overlays. The balcony area has exceeded 8% of the proposed dwelling floor area; however, it appears that the balcony area includes roof deck in the calculation. Standard Condition **A.1.6** requires clarification and correction of balcony areas on the FSR overlays.

³ **Note on Height:** “Block A” limits the building height to a maximum geodetic datum of 65m. The east wing addition matches the existing west wing building height thus there is no height change, only changes to the massing.

⁴ **Note on Parking:** Parking is to be calculated using the Parking By-law. The balance of parking between Market Rental, Non-market Rental / Housing for Seniors and Commercial parking has changed from the original DP approval; thus, the relaxations permitted must be reviewed. The overage for residential parking as per DE418990 was 29 spaces and with the current proposal, the overage is reduced to 12 spaces. The Parking Supply Strategy report dated July 25th, 2018, submitted by Bunt & Associates, projects that 14 of the Market Rental units will be Moderate Income Rental (MIR) housing which, under the “MIR Housing Pilot Program” Bulletin, permits a reduction in required parking for these units. MIR units have not been identified on the drawings and are required in order to determine the parking requirements; however, based on the Bunt Report, a reduction of 4 parking spaces is projected which is reflected in the Technical Analysis table above. Commercial parking remains to be short 27 spaces. Two additional visitor parking spaces are required with the addition of Non-market Rental units and additional disability spaces are required for Non-market and Market Rental use. Standard Condition **A.1.9** requires compliance with the Parking By-law. Note that 75 parking spaces are to be reserved for “Block B” usage. Standard Condition **A.1.7** requires notation of 75 parking spaces for the use of “Block B” on the plans.

⁵ **Note on Bicycles:** Bicycle parking is calculated as per Section 6 of the Parking By-law. Bicycle parking requirements for Non-market Rental and Market Rental have increased from the original DE418990 which approved 209 “Class A” Bicycle spaces (includes a relaxation of 10 spaces). With the addition of 21 dwelling units, 26 additional “Class A” Bicycle spaces are required which brings the total required to 235 spaces. Standard condition **A.1.10** requires the addition of 26 “Class A” bicycle spaces.

⁶ **Note on Loading:** Loading has not changed.

⁷ **Note on Unit Type:** Moderate Income Rental units are not identified on the drawings. Standard Condition **A.1.6** requires identification of these units. See notes on FSR and technical analysis for changes to the existing unit mixes.

• **Legal Description**

Lot: 1
 District Lot: 526
 Plan: EPP59809

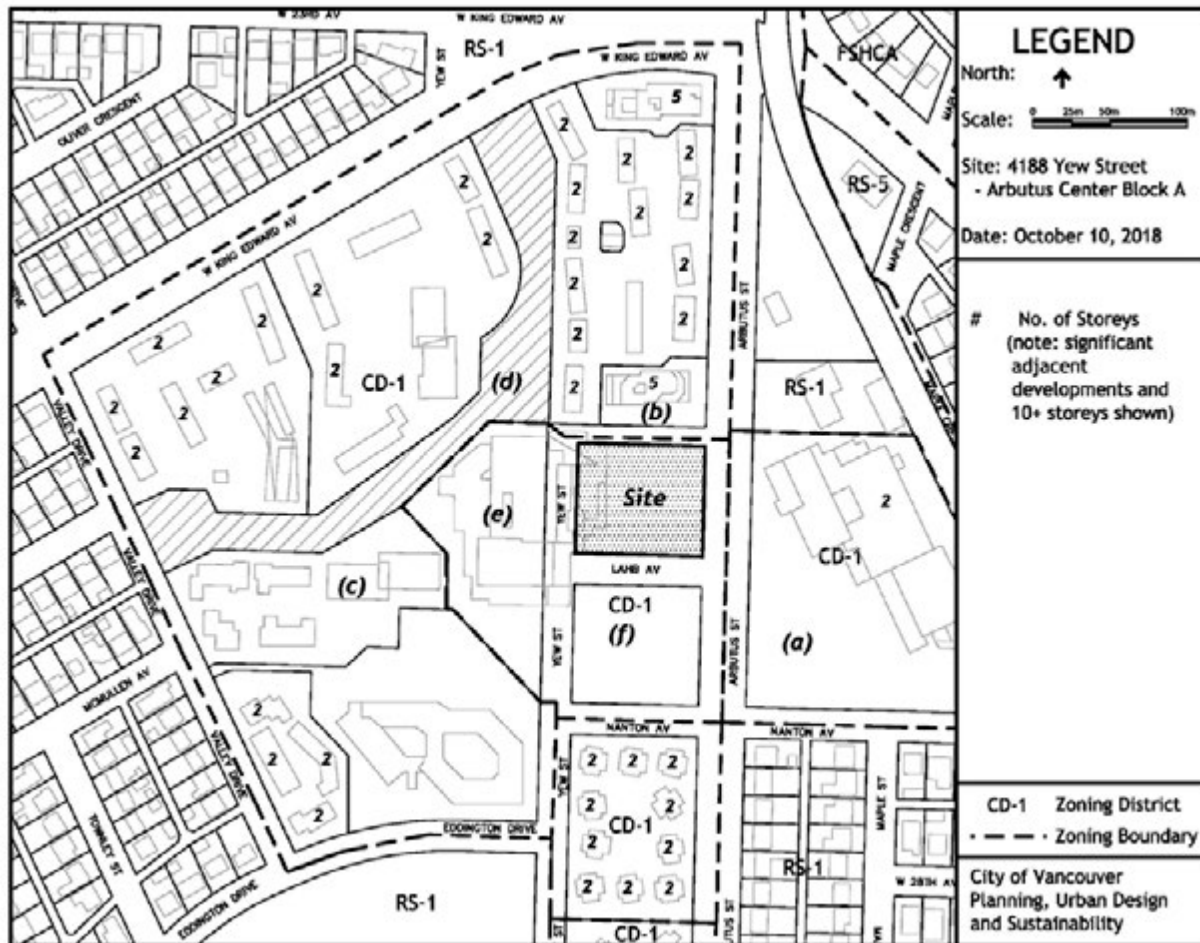
• **History of Application:**

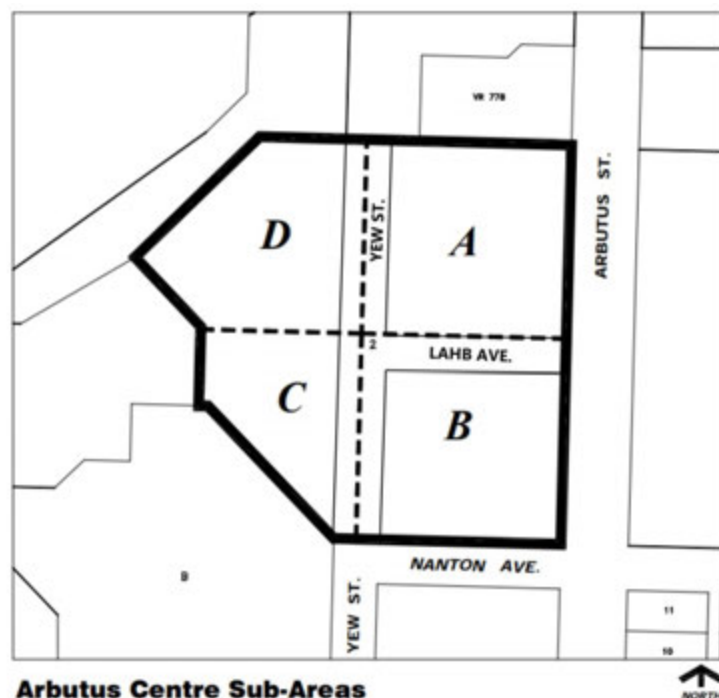
18-07-25 Complete DP submitted
 18-09-05 Urban Design Panel
 18-10-03 Development Permit Staff Committee

• **Site:** The overall site for Arbutus Centre is a seven acre parcel of land on Arbutus Street, with an existing two-storey mall, Arbutus Village, located at the western edge of the site. The remaining five acres is a surface parking lot. North of the site is a five storey building (The Briar); west of the site is a six storey building (The McMullen), and Arbutus Village Park; south of the site are two storey townhouses, and a senior's care facility; and east of the Site, across Arbutus Street, is the Arbutus Club. The project site, known as Block A, is the first phase of a four phase redevelopment of Arbutus Village. Block A is currently under construction, and was approved by the Development Permit Board on September 8th, 2015.

• **Context:** Significant adjacent development includes:

- (a) the Arbutus Club;
- (b) the Briar, a five storey residential building;
- (c) the McMullen, a six storey residential building;
- (d) Arbutus Village Park;
- (e) Arbutus Centre Block C & D (proposed);
- (f) Arbutus Centre redevelopment Block B (approved).





• **Background:**

The site known as Arbutus Village was developed in 1972 as part of a comprehensive 30-acre development that included residential apartments and townhouses, a special care facility, and Arbutus Village Park. In June of 2008 the key redevelopment and planning objectives for the site were updated in the Arbutus Centre Policy Statement. The redevelopment for the overall site will be delivered in four phases. The Block A sub-area is the first phase of the redevelopment.

A CD-1 bylaw of the overall site was approved by Council in 2011. Block A Development Permit was issued in July of 2017. Council also approved a CD-1 text amendment to the overall site in July 2018 to allow additional density for the overall site. This application is an amendment to the approved DP for Block A and subsequent to the approved rezoning amendment.

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

Arbutus Centre Policy Statement (2008)

In June 2008, Council approved the Arbutus Centre Policy Statement which supports significant residential development on the property, with a layout of four building blocks divided by two roads located within the site. A key goal is to transform the existing auto-oriented shopping mall into a walkable neighbourhood centre which serves the surrounding community.

1. Applicable key planning principles:

- Provide a built form that respects adjacent sites, Arbutus Village Park, and views from surrounding public spaces.
- Provide a diversity of housing types and tenures for all ages, incomes, and household compositions.
- Provide private and public amenities to benefit not only the residents of Arbutus Centre but also the neighbouring community.
- Promote environmental sustainability.

2. Block A Building Form:

The overall site includes a variety of residential building forms. Building heights should generally not exceed 6 storeys with opportunity of seven and eight storey on Block A and D. Terracing and setbacks should be configured with consideration for overlook and solar access to the buildings to the north. Block A should be set below a datum line of 65 metres above sea level that would preserve public views from Quilchena Park looking northwest.

3. Architectural Expression:

- o Highly-articulated building faces that break up solid walls, particularly on Arbutus Street.
- o Setbacks of upper floors from street level to break up the massing of the building, particularly on the outer edges of the development.
- o Vertical breaks in the massing of building adjacent to Arbutus Street to create the sense of smaller buildings rather than one large building.
- o Materials, detailing, and execution should be high quality, durable, and true to place.
- o Buildings should provide a strong horizontal expression, with overhangs, terraces, and balconies generously planted to enable a sense of green throughout the development.

CD-1 (642) current by-law

Floor area and Density:

The permissible floor area for the overall development is 67,065 m² with a minimum of 11,065 m² for commercial space and a maximum of 55,750 m² of residential floor area.

CD-1 (642) by-law text amendment (pending enactment)

Floor area and Density:

The permissible floor area for the overall development will be 75,081 m² with a minimum of 10,065 m² for commercial space and a maximum of 65,016 m² of residential floor area.

This proposal complies with the current permitted density as well as the density in the pending text amendment.

Building Height (unchanged by the text amendment):

Building height is set below a datum line of 65 meters above sea level for Block A.

High Density Housing Guidelines for Families with Children

The intent of the guidelines is to address the key issues of site, building and unit design which relate to residential livability for families with children. Although quantitative standards are given in some cases, these are provided to assist applicants in their design as well as City staff in their evaluation.

City of Vancouver Housing Design and Technical Guidelines for Social Housing (Version 9.6)

The purpose of these Guidelines is to help guide housing partners through the project design and project development process on social housing projects, including social housing delivered turn-key to the City. They outline the minimum standards required by the City of Vancouver for materials, finishes, equipment and technical specifications. Their intent is to realize City policies and goals that include for example, "The Housing and Homelessness Strategy", "The Climate Change Adaptation Strategy", "The Greenest City Action Plan: 2020", and "The Healthy City Strategy", within the context of built environment. The desired outcome is to encourage livability and inclusivity, as envisioned in these policies and in

accordance with the regulatory framework set out in the Vancouver Building Bylaw and the Zoning and Development Bylaw.

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

Response to Arbutus Centre Policy Statement (hereinafter, "Policy Statement")

Form, Density and Height:

The proposed amendment of Block A is generally consistent with the Policy Statement in providing a built form that respects adjacent sites and preserves public views.

The proposal includes two additional floors on the eastern wing of Block A. It successfully responds to the building form objectives of the Policy Statement by providing concentration of density on Block A, setbacks at the upper levels, strong horizontal elements with vertical breaks, and in general, the use of high quality, durable materials.

The two added floors cast additional shadows onto the courtyard in the morning. To minimize the shadow impact on the use of the outdoor amenity space for residents, staff are recommending a condition to reduce the extent of the roof overhang. Refer to Recommended Condition 1.3.

Response to CD-1 Bylaw Text Amendment

Density and Height:

The CD-1 amendment allows for additional density to the overall site and additional height to Block C & D. The proposed amendment of Block A meets the technical requirements of the CD-1 amendment with respect to density and height.

Response to CD-1 Amendment Rezoning Conditions of Approval

No significant urban design conditions for Block A.

• **Response to Rezoning Conditions:**

Rezoning Condition 69: Ensure no less than 50% of the social housing units are suitable for families with children as per the City's Guidelines for High Density Housing for Families with Children.

- (i) The transfer to the City at a nominal cost of an air space parcel containing the 125 social housing units and associated amenity space together with the appropriate rights and obligations applicable to the ownership and operation of this legal parcel including reciprocal easements and indemnities, repair and maintenance, cost sharing, insurance and other applicable legal obligations;
- (ii) Granting of a perpetual right in favour of the City and users of this social housing air space parcel, in the form of a statutory right of way, for access to and use of required parking spaces and to the loading spaces in the underground parkade of the residential complex on this site, at no cost to the City;
- (iii) Granting the City an option to purchase, for a nominal purchase price, the social housing air space parcel, exercisable upon completion of construction thereof. The applicant will be required to provide the social housing to the City prior to receiving an occupancy permit for the space on Block A; and,
- (iv) The air space parcel for the social housing shall be designed to be as autonomous as possible, with design considerations maximizing the efficiency and minimizing the cost of operations over the life of the project and within the larger development.

Note to Applicant: All units shall be designed using *the City of Vancouver's Housing Design and Technical Guidelines*.

Applicant Response: The applicant submitted plans which had 125 units in a contiguous air space parcel but which had market units which were not contiguous with the market air space parcel located immediately above the social housing air space parcel, presenting access and operational issues between the air space parcels. Fewer than 50% family housing was shown because of the structural and architectural limitations of the building already under construction. 38 social housing family units are proposed (63 social housing family units would be required).

Staff Assessment:

An air space parcel has been discussed and illustrated that can achieve 125 units of social housing in a form that is as contiguous and discrete from the market air space parcel as possible, to avoid access and operational issues and to further the objective of maximizing the number of family units which can be delivered in the Council approved form of development: See Condition 1.0.

Rezoning Condition 70: Design and construct the social housing in line with *the City's Housing, Design and Technical Guidelines*, including the requirement to deliver a minimum of 5% of units within each social housing building or parcel as wheelchair accessible.

Note to Applicant: Applicant to work with City staff to agree on the location and unit type for the accessible units.

Applicant Response: The applicant is proposing 10 accessible social housing units (8%) which is greater than the required 6 units.

Staff Assessment: While it results in fewer family units, staff support the inclusion of a greater number of accessible units, and units designed for ease of movement with mobility aids in the social housing at this location as it reflects the policy statement and original rezoning / DP aspirations to focus on seniors housing and promote opportunities to "age in place" within the community.

● **Response to By-Law Enactment Conditions:**

Social Housing Condition 12: Make arrangements to the satisfaction of the Director of Legal Services in consultation with the General Manager of Arts, Culture and Community Services and the Director of Facilities Planning and Development, to amend the Social Housing Construction and Transfer Agreement registered at the Land Title Office under nos. CA5499411 to CA5499416 to secure the applicant's obligation to design, build and deliver to the City social housing units which comprise no less than 20% of the total floor area for all uses that are included in the calculation of floor space ratio, and associated parking and bike storage for such social housing, all contained within a separate air space parcel.

Note to Applicant: Social housing units are to be delivered in-kind and turnkey, comprising at least 25 additional social housing units (compared to the 2016 Rezoning), in no less than 1,806 sq. m (19,440 sq. ft.) of additional buildable area compared to the 2016 Rezoning, meeting the City's Housing Specifications, and including required parking, amenity and storage spaces, all within a single fee-simple air space parcel, with systems maintained by the Block A rental building or commercial air space parcel (as applicable) with fair and equitable sharing of costs related thereto, transferred to City ownership (free and clear of any financial charges, liens, and other encumbrances), no later than Q2 2020.

Note to Applicant: All 125 social housing units must be delivered in a single, contiguous air space parcel. The air space parcel is to be no less than 9,999 sq. m (107,628 sq. ft.). The agreement or agreements will include, but not be limited to, the following terms and conditions:

- (i) Total floor area must be at least 20% of the residential floor area included in the calculation of floor space ratio;
- (ii) All associated storage lockers, vehicle and bicycle parking and amenity to be provided is not included in the above net floor area;
- (iii) Unit sizes, parking numbers and finish specifications must be as per the City's Housing Design and Technical Guidelines;
- (iv) Unit design and associated storage and amenity space must be as per the City's High Density Housing for Families with Children Guidelines; and,
- (v) The air space parcel for the social housing must be designed to be as autonomous as possible, with design considerations maximizing the efficiency and minimizing the cost of operations over the life of the project and within the larger development.

Note to Applicant: All units must be designed and delivered in compliance with the City's Housing Design and Technical Guidelines.

Applicant Response: The applicant submitted plans which had 125 units in a contiguous air space parcel but which had market units which were not contiguous with the market air space parcel located immediately above the social housing air space parcel, presenting access and operational issues between the air space parcels. Fewer than 50% family housing was shown because of the structural and architectural limitations of the building already under construction.

Staff Assessment: Drawings submitted July 25, 2018 showed a social housing air space parcel which was not adequately contiguous and did not adequately address the requirement for family housing, in part because of structural and architectural limitations of the development already under construction. However further design development work submitted to the city by the applicant demonstrates that an acceptable social housing air space parcel can be achieved through the conditions contained within this report by revising the plans submitted with DP-2018-00665 as follows:

- The two new floors on the east wing (Levels 7 and 8) will be social housing (16 two-bedroom units and two one-bedroom units).
- The units on Level 2 will remain unchanged from the approved DE 418990 (north and east wings are social housing; west and south wings are market housing).
- The two one-bedroom and one studio units proposed on the southeast outside of Level 3 will go back to the approved two two-bedroom units. Those two two-bedroom on the south and one two-bedroom on the southeast inside will become social housing (adjustments to corridor required for full separation between market and non-market).
- The two one-bedroom and one studio units proposed on the southeast outside of Level 4 will go back to the approved two two-bedroom units. Those two two-bedroom and one two-bedroom unit on the southeast inside will become social housing (adjustments to corridor required for full separation between market and non-market).
- The two one-bedroom and one studio proposed on the southeast outside of Level 5 will go back to the approved two two-bedroom units.

Secured Rental Housing Condition 15: Enter into one or more agreements, including a Housing Agreement and Section 219 Covenant, as required by the Director of Legal Services in consultation with the General Manager of Arts, Culture and Community Services, to secure 91 dwelling units at a square footage of not less than 9,202 sq. m (99,050 sq. ft.) gross floor space as secured market rental housing, plus related parking and other indoor and outdoor amenity space consistent with relevant Council-adopted guidelines. An additional 975 sq. m (10,500 sq. ft.) will be secured at moderate income rates as set out in the Moderate Income Rental Housing Pilot Program.

Note to Applicant: Target the Unit Mix Guidelines in the Moderate Income Rental Housing Pilot Program while designing this space, with the goal of delivering the maximum number of units across a range of unit sizes. Final unit mix will be subject to approval of the General Manager of Planning, Urban Design and Sustainability. 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) The average starting monthly rents of the units secured at moderate income rates will be at or below the following rates, applicable at the time of initial occupancy:
 - Studio \$950*
 - 1 Bedroom \$1,200
 - 2 Bedroom \$1,600
 - 3 Bedroom \$2,000

as set out in s. 2a of the “Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements And Available Incentives: Admin Bulletin” and rent increases 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.

Note to Applicant: a rent roll indicating the agreed maximum average initial monthly rents for the units secured at moderate income rates will be required prior to Development Permit issuance, and again prior to issuance of an Occupancy Permit, to the satisfaction of the General Manager of Arts, Culture and Community Services (or successor in function) and the Director of Legal Services.

Applicant Response: Plans submitted do not indicate the secured market rental housing units clearly, and do not indicate which units are to be allocated to the Moderate Income Rental Housing Pilot Program.

Staff Assessment: Drawings need to be revised to clearly indicate proposed secured market rental air space parcel indicating which units are to be allocated to the Moderate Income Rental Housing Pilot Program with unit mix in accordance with the administration bulletin “Moderate Income Rental Housing Pilot Program; application process, project requirements and available incentives”(See Condition 1.2).

• **Conclusion:**

This application has successfully responded to all of the applicable policies and guidelines including the Arbutus Centre Policy Statement. The form of development is a successful response to the site and its context. Staff supports this application, subject to the conditions noted.

URBAN DESIGN PANEL

The Urban Design Panel reviewed this application on September 5th, 2018, and provided the following comments:

EVALUATION: SUPPORT

- **Introduction:** The subject site is the first phase of Arbutus Center redevelopment – Block A. The overall site is zoned CD-1 and includes 4 Blocks - A, B, C, & D. Council approved the rezoning in 2011 to transfer the original Arbutus shopping mall to a mixed use development with substantial commercial and residential uses. Council also approved a rezoning text amendment in July this year to allow more density and height to the overall site. Block A and B has gone through DP process before the rezoning amendment. The application is Block A DP amendment sequent to the approved rezoning text amendment.
- The rezoning text amendment allows an increase of approx. 86,000 sq.ft. floor area for the overall site. Primarily, the approved additional density and height are added onto Block C and D, and possibly could be distributed to Block A subject to DP amendment permit process.
- Block A is on the north east sector, fronting Arbutus Street, Arbutus mew, and Yew St Extension. It is currently under construction. The original DP of Block A approves a courtyard built form surrounded by 4 wings with building height ranging from 4 to 9 storeys.
- Three major changes are proposed in this amendment. First is to add two additional floors on the top of the eastern wing, which increases the height from 6 storeys to 8 storeys. The proposed overall floor area and height are within the terms of the approved rezoning amendment. These two additional floors provide considerable setback from north and south edge. However, the extra building height casts incremental shadows onto the courtyard in the morning.
- Another change is the streetwall expression. The east wing fronts Arbutus Street with approx. 230 ft frontage. The proposal extends the exterior frame one storey higher to create a strong 6 storey streetwall expression. It generally matches the building height of Block B.
- The third change is housing mix. The two additional floors include 18 secured market rental units. The interior layout of level 2 to 6 are re-configured to accommodate additional 25 social housing units as per the CD-1 amendment requirements.

Advice from the panel is sought on the following:

1. Please comment on the success of the additions to the Block A in terms of the height and massing;
 2. Please comment on the courtyard performance in particular the impact from the additions; and
 3. Please comment on the architectural expression as it contributes to the streetscape.
- **Applicant's Introductory Comments:**

Vance Harris, Architect, commended Grace Jiang, Development Planner, for her description of the 10000ft view of what's happening on the site. Her introduction gives an understanding of the reason behind the amendment request.

This was an exercise in proportion and scale and taking the existing developed expression and adding one floor and adding two levels of units. The lightness of upper floor is similar to expression of the treatment on the west arm.

This amendment is within the allowable heights determined during the rezoning in 2011/2012.

This proposal allows the project to carve back some density in the other quadrants and reintroduce on quadrant A.

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. Neale and seconded by Mr. Sharma and was the decision of the Urban Design Panel:

THAT the Panel **SUPPORTS** the project.

- **Related Commentary:**

All of the panel members agree that the addition of the 2 storeys to the project does not have a negative impact on the block. They also agree that the increased shadowing will not have a significant impact.

One panel member commented that the scheme is well proportioned and the vertical brick element becomes stronger with the increased height.

One panel member commented that Vancouver does not have a lot of buildings with fully contained courtyards and there should be a balance between private space and public space. The additional floors with balconies can overlook common sitting areas. Overall architecture composition consists of various aspects and done in a very careful way.

A couple of panel member commented that the architectural expression of the frame on Southeast corner should be grounded somehow rather than floating.

- **Applicant's Response:**

The applicant thanked the panel for their comments and complimented the development planner for her summary of a very complex zoning and approvals process since 2011.

ENGINEERING SERVICES

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

LANDSCAPE

No changes to landscaping are proposed, from that approved under DE 418990.

HOUSING POLICY & PROJECTS / FACILITIES PLANNING AND DEVELOPMENT

As per the rezoning requirements, the project provides 125 units of social housing which will be deeded to the City. 47 units are proposed to be family units (two and three bedrooms), 78 units for seniors, couples and singles (one bedrooms and studios) including 10 accessible units. A minimum of 30% of

the social housing units will be rented to households with incomes below Housing Income Limits. Rents will range from the shelter component of welfare up to CMHC average market rents for this area. An operator will be chosen prior to occupancy through the City's Request For Proposals process to manage the income testing, tenanting process and property management, with a view of broadening and deepening affordability across units, without requiring additional subsidy. The project supports the implementation of Council's Housing and Homelessness Strategy 2012-2021 which identifies the strategic direction to encourage a housing mix across all neighbourhoods as well as targeting social housing to specific populations. It also meets the goals of the Arbutus Centre Policy Statement to provide 20% of the units as affordable housing.

High Density Housing for Families with Children: The current plans show 99 units (42% of the total) with two or more bedrooms (comprised of 84 two-bedroom and 15 three-bedroom units) which may be suitable for families with children. Furthermore, design development conditions seek to increase the number of family units in the social housing air space parcel. The High Density Housing for Families with Children Guidelines therefore apply. Separate indoor amenity rooms are provided for both the social housing and the market rental. Design development conditions have been added to increase the functionality of the spaces. A common shared outdoor space is provided on Level 3, with a separate amenity space for the social housing and market housing on Level 6. Further design development is needed to provide opportunities for creative and motor-skills, developing play for children of a range of ages. (Play equipment is neither necessary nor encouraged, but landscape features which encourage creative play and motor skills development such as boulders, logs, pathways, water-play elements, sand-play etc. are encouraged) (See Standard Condition A.1.21).

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 in private developments. A condition has been added to provide the necessary infrastructure to support urban agricultural activity by residents (See Standard Condition A.1.18).

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 September 10th, 2018, 1302 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 along Arbutus Street and across from the Arbutus Shopping Centre (Yew Street Extension) on September 8th, 2018 offering information about the development with direction to the City's Development Permit Board website.

A total of 11 written responses were received via email. Nine of the responses outlined concerns with the project; two responses were seeking further information on the proposed building design, and inquiring about the availability of social housing units. In addition, a petition with 29 signatures was received and is also summarized in the comments below.

Traffic: Comments were received regarding general concerns with the increase in traffic that would result from the project.

Staff Response: A Transportation Study was conducted as part of the amendment to the CD-1 by-law for the Arbutus Centre site, analyzing the incremental impact of the additional proposed development on traffic in the vicinity and concluded that the traffic generated by the amendment would be manageable within the previously approved network of streets and would have minimal impact on drivers.

Building Height and Density: Comments were received opposing the additional residential floor area, and building height beyond what was initially consulted with the surrounding community, and concern regarding shadowing the existing buildings.

Staff Response: Additional residential floor area for the Arbutus Centre site was considered and approved through the CD-1 by-law text amendment in July, 2018. The proposed density conforms with this amendment. The subject Development Permit for the additional two storeys on the east wing of Block A is not anticipated to create further shadowing of existing surrounding buildings.

Need for Amenities: Concern was expressed regarding the need for additional community facilities, including community centres, to meet the needs of future residents in the area.

Staff Response: A Community Amenity Contribution (CAC) is proposed as part of the rezoning of the Arbutus Centre site. CACs take into consideration community needs, area deficiencies, and the impact of the proposed development on City services. Public benefits secured through the rezoning and text amendment for the entire site include rental and social housing, a Neighbourhood House, an Adult Day Centre, upgrades to Arbutus Village Park, and other contributions.

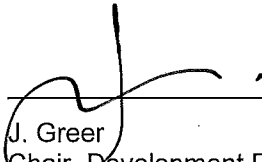
Perceived Conflict of Interest: A comment was received regarding concern with the applicant having been employed with the City of Vancouver and involved with this project, and requesting that the City look into creating a policy to avoid conflicts from occurring in the future.

Staff Response: This comment is outside of the scope of this development review, and has been communicated to senior management and legal services for consideration.


DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:

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

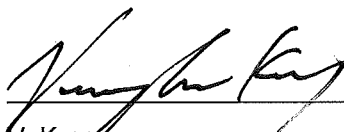
With respect to the decision by the Development Permit Board, the application requires the Development Permit Board to exercise discretionary authority as delegated to the Board by Council.



J. Greer
Chair, Development Permit Staff Committee



G. Jiang
Development Planner



V. Kopy
Project Coordinator

Project Facilitator: Sarah Robin

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 proposed form of development can and does become approved by City Council;
- A.1.2 design development to locate, integrate and fully screen any emergency generator, exhaust or intake ventilation, electrical substation and gas meters in a manner that minimizes their visual and acoustic impacts on the building's open space and the Public Realm;
- A.1.3 an acoustical consultant's report shall be submitted which assesses noise impacts on the site and recommends noise mitigation measures in order to achieve noise criteria;
- A.1.4 written confirmation shall be submitted by the applicant that:
- the acoustical measures will be incorporated into the final design and construction, based on the consultant's recommendations;
 - adequate and effective acoustic separation will be provided between the commercial and residential portions of the building; and
 - mechanical (ventilators, generators, compactors and exhaust systems) will be designed and located to minimize the noise impact on the neighbourhood and to comply with Noise By-law #6555;
- A.1.5 clarification on the floor plans of all changes from the approved drawings issued under DE418990 (See Recommended Condition 1.5);

Note to Applicant: There is a significant change in the Grocery Store floor area from the original approved permit. This, and any other minor changes, should be clearly shown, with a revision cloud, on the plans.

- A.1.6 provision of clear, accurate and coordinated FSR overlays including:
- i. accurate colour coordination;

Note to Applicant: One colour should represent the gross area of one specific use on that floor. For example, on the ground floor, Grocery Store, Office, Residential and Retail should each have a distinguishable colour which is carried through to tables and charts. Exclusions must be separated as they occur for that specific use. For example, where thermal wall exclusion occurs on the Grocery Store exterior walls, this area should be documented as an exclusion from the Grocery Store area. Regardless of the software being used, this is to be followed.
 - ii. indication of Moderate Income Rental (MIR) units including a separate area calculation for these units;

Note to Applicant: The units are to be in accordance with the "MIR Housing Pilot Program" Bulletin. See also standard condition A.1.9 (ii).
 - iii. coordination of numbers from overlay sheets to tables on Sheet FSR000;
-

Note to Applicant: Exclusions in the “Floor Area Summary for FSR” table do not match the overlay sheets, and in the “Gross Floor Area Summary” table, Grocery and Commercial Office areas do not match with the overlay sheets.

- iv. accurate balcony areas;

Note to Applicant: A balcony is an appurtenance from a building which would mean there is no living space below. There are several instances around the building where balcony is counted where it should not because there is floor area directly below (this area is considered roof deck and is excluded regardless of area). This correction will help with the balcony overage for this building. Currently there is an overage of 537m² in balcony area, which will be added to the FSR.

- v. deletion of amenity area on ground floor in the “Floor Area Summary for FSR” table;
- vi. completion of “Floor Area Summary for FSR” table by providing final FSR numbers; and
- vii. inclusion of roof top access stair and mechanical room into FSR calculation;

Note to Applicant: This area is included in the previous permit DE418990.

- A.1.7 notation on the parking plans showing the allocation of 75 parking spaces designated for use of “Block B”;

Note to Applicant: These spaces are designated on the permit drawings under approved DE418990.

- A.1.8 clearly note the Class and dimension accordingly of loading bays located off the north lane;

- A.1.9 compliance with Section 4 of the Parking By-law as follows:

- i. provision of 2 additional visitor parking spaces in compliance with Section 4.5.B1,

Note to Applicant: This may result in relocation of the security gates and therefore a reduction of the commercial parking stalls. Explore additional methods to increase the commercial off-street parking supply in other areas.

- ii. update parking calculation for Market Rental units considering the conversion of units to MIR units, and in accordance with the “MIR Housing Pilot Program” Bulletin;
- iii. provision of 2 additional disability spaces for Non-market Rental use; and

Note to Applicant: This can be achieved by converting 3 regular stalls into 2 disability stall (disability spaces each count as 2 towards the minimum requirement).

- iv. provision of 1 additional disability space for Market Rental use.

Note to Applicant: There are 4 disability spaces which were previously designated reserved for Block B; thus, these spaces are not counted towards “Block A” disability parking.

or alternative measures to the satisfaction of the General Manager of Engineering Services and the Director of Planning;

- A.1.10 provision of an additional 26 “Class A” Bicycle parking spaces for Non-market rental use;
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A.1.11 clarification of the measures noted in the Bunt Parking Strategy for the conversion of 4 of the residential non-market vehicles spaces to Class A bicycle parking;

Note to Applicant: Consider changing parking layout to accommodate required Class A bicycle spaces by providing required disability parking. (see Standard Condition A.1.9)

A.1.12 provision of minimum 20% bicycle lockers for the non-market Class A bicycle Parking;

Note to Applicant: Engineering recommends the proposed Class A bicycle spaces be horizontal spaces to meet minimum by-law requirement for Block A.

A.1.13 correction of unit count on sheet FSR000 in the “Proposed Unit Type Summary” Table;

Housing Policy & Projects / Facilities Planning and Development (Real Estate and Facilities Management)

A.1.14 make arrangements for the option to Purchase/Covenant CA5499411-6 (Social Housing Construction and Transfer Agreement), modified by CA6715399-404, to be further modified to reflect the changes in the number of housing units and associated parking spaces;

A.1.15 provision of documentation that clearly indicate the extent of air space parcel;

Note To Applicant: This should include Parking areas, Bicycle room(s), Garbage storage, Mechanical / Electrical service rooms, etc. in order to ensure it can be independently operated, maintained and secured;

A.1.16 design mechanical and electrical systems concepts and common / service areas to ensure safety and security of air space parcel, to ensure access and efficient and functional maintenance usage by staff and to meet the intent of the Housing and Design Guidelines;

Note to Applicant: Provide written descriptions of the Mechanical and Electrical Systems design for the air space parcel, clearly indicating size and location of dedicated Mechanical and Electrical rooms and a description of the system controls. Design development to include Outline Specifications for Mechanical Systems and components.

A.1.17 design development to comply with the intent and prescriptive measures of the Housing and Design guidelines and BC housing guidelines, as follows:

i. ensure efficient and functional usage of individual housing units;

Note to Applicant: Provide dimensioned floor plans in 1:50 scale, for the smallest unit in each category (studio, one-bedroom, two-bedroom, three-bedroom). Show built-in components (cabinets, equipment, etc.) on plans and interior elevations. Plans are to also indicate furniture and equipment layout. Comply with minimum spatial and functional requirements in Housing and Design Guidelines and BC Housing Guidelines.

ii. provision of universally (wheelchair)-accessible housing units;

Note to Applicant: Provide dimensioned floor plans in 1:50 scale for the smallest unit in this category. Show built-in components (cabinets, equipment, etc.) on plans and interior elevations. Include accessibility diagrams for Wheelchair accessible units, including the furniture and equipment. Include accessibility diagrams for individual units' outdoor spaces (balconies and patios) and the provision of barrier-free access;

- iii. provision of improved amenity rooms;

Note to Applicant: Presented floor plans have amenity rooms, which have no daylight, thus non-compliant with the Housing and Design Guidelines (4.2.1). Applicant may consider providing storage lockers, with wheelchair accessible access to each, in lieu of storage rooms contained within the individual apartment units. The overall gross size of individual units shall not change, but this may allow for the layout re-design to be reconfigured to be universally accessible and/or adaptable.

- iv. provision of all housing units to be 'Adaptable' units (see the above Notes to Applicant);

- v. provision of parking spaces for wheelchair accessible use, integral with air space parcel, to ensure safe access and efficient and functional maintenance by staff;

Note to Applicant: Clearly indicate wheelchair-accessible parking spaces and barrier-free access in plans.

- vi. improvements to circulation and access / egress routes to ensure safety;

Note To Applicant: Ensure compliance with the additional safety requirements for projects which include units targeted to seniors. Issues with proposed exit route include: Multiple level changes, weather exposure, lack of lighting, way-finding, and length of exit routes for seniors (see BC Housing Guidelines 1/4.5 & 8.3.2);

- vii. improvements to Common Use & Amenity areas to ensure safety and security of the air space parcel, to ensure access and efficient and functional maintenance usage by staff;

Note to Applicant: Staff note the following deficiencies which need to be addressed:

- a. amenity rooms sizes, daylighting, inclusion of equipment storage (Housing and Design Guidelines 4.2);
- b. office size, direct visual connection to the lobby, inclusion of LAN closet and reception area (Housing and Design Guidelines 4.3.1);
- c. seniors housing requires a scooter storage room. Locate near the entrance to the building and ventilated (BC Housing Guidelines 1/4.4.10);
- d. seniors housing requires seating furniture in the Lobby (BC Housing Guidelines 1/4.5.4); and;
- e. janitor rooms requirements for buildings > 50 units (BC Housing Guidelines 1/4.4.7).

- viii. provision of a scooter storage room;

Note to Applicant: this should be located near the entrance to the building and ventilated (see BC Housing Guidelines 1/4.4.10);

A.1.18 design development to add additional infrastructure necessary to support urban agricultural activity by residents, including, a tool storage chest, a compost bin for yard waste, and clarification of hosebib locations;

A.1.19 revision of the washrooms in the amenity rooms to be wheelchair accessible;

A.1.20 design development to the amenity room washrooms to add a baby change table;

A.1.21 provision of a common outdoor amenity area which includes an area suitable for a range of children's play activity;

Note to Applicant: common outdoor spaces are to be universally accessible with barrier-free access.

A.2 Standard Engineering Conditions

A.2.1 provision of updated drawings that show the proposed changes to meet Parking, Loading and Bicycle parking requirements for this Application and as noted in the Bunt Parking Strategy, dated July 28, 2018;

Note to Applicant: The updated drawings should indicate the revisions to the parking levels bubbled or boxed in red with notes added to the drawings that explains the changes.

B.1 Standard Notes to Applicant

- B.1.1 The applicant is advised to note the comments of the Building Review Branch, Vancouver Coastal Health Authority and Fire and Rescue Services Departments contained in the Staff Committee Report dated October 3rd, 2018. Further, confirmation that these comments have been acknowledged and understood, is required to be submitted in writing as part of the “prior-to” response.
- B.1.2 It should be noted that if conditions 1.0 and 2.0 have not been complied with on or before April 29th, 2019, this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.3 This approval is subject to any change in the Official Development Plan and the Zoning and Development Bylaw or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the bylaw or regulations can be issued.
- B.1.4 Revised drawings will not be accepted unless they fulfill all conditions noted above. Further, written explanation describing point-by-point how conditions have been met, must accompany revised drawings. An appointment should be made with the Project Facilitator when the revised drawings are ready for submission.
- B.1.5 A new development application will be required for any significant changes other than those required by the above-noted conditions.

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 Water Sustainability Act: Construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or Licence. Applications for provincial Approvals or Licences 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.
- B.2.7 Shotcrete & Shoring: Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.
- 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.
-