



## COUNCIL REPORT

Report Date: March 28, 2024  
Contact: Doug Smith  
Contact No.: 604-829-4308  
RTS No.: 16160  
VanRIMS No.: 08-2000-20  
Meeting Date: April 9, 2024  
[Submit comments to Council](#)

TO: Vancouver City Council  
FROM: Acting General Manager of Planning, Urban Design and Sustainability  
SUBJECT: Approval of the Form of Development for CD-1 (26) By-law at 2105 West 32nd Avenue and 4615-4701 Arbutus Street

### **RECOMMENDATION**

THAT the form of development for the CD-1 (26) zoned site known as 2105 West 32nd Avenue and 4615-4701 Arbutus Street be approved generally as illustrated in Appendix C, provided that the Development Permit Board may impose conditions and approve design changes which would not adversely affect either the development character of the site or adjacent properties.

### **PURPOSE/REPORT SUMMARY**

This report seeks Council's approval for a new form of development for this older CD-1 zoned site to enable redevelopment of the site with townhouses. The CD-1 (26) By-law (Appendix A) was approved in 1963 and allowed the development of two apartment buildings on the site. The new form of development can be considered under the CD-1 By-law as outlined in this report.

The Development Permit application has been submitted and is scheduled to be reviewed by the Development Permit Board (DPB) on April 15, 2024. As part of the review process, staff are seeking Council approval of the new form of development, prior to decision by the DPB, as it differs from the one which is currently on the site.

The report provides further background to support the staff recommendation.

### **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

- CD-1(26) (1963)
- Rental Housing Stock Official Development Plan (updated 2021)
- Tenant Relocation and Protection Policy (updated 2019)
- High Density Housing for Families with Children Design Guidelines (1992)

- Urban Forestry Strategy (2014)
- City of Vancouver Protection of Trees By-law (updated 2023)

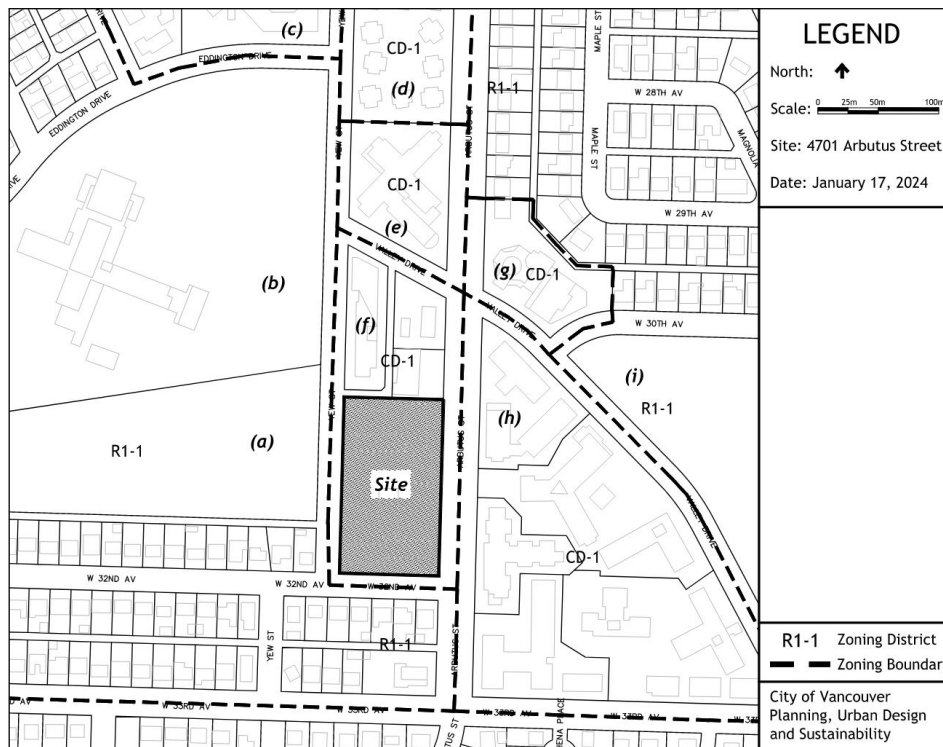
## CITY MANAGER'S COMMENTS

The City Manager supports the staff recommendation.

## REPORT

### 1. SITE

The site is located on Arbutus Street close to schools, shopping, transit, and parks. It is a 3-acre site currently developed with two small apartment buildings constructed in 1963 and containing 78 units, of which 33 are occupied by rental tenants and the remainder are vacant.



- Prince Of Wales Park, 4780 Haggart St
- Prince of Wales Secondary School, 2250 Eddington Dr, 2-storey institutional use building, (c.1920)
- Amica Arbutus Manor, 2125 Eddington Dr, 2-storey residential building, (c.1973)
- 4351 Arbutus St, 2-storey townhouses, (c.1977)
- Arbutus Care Center, 4505 Valley Dr, 2-storey institutional use building, (c.1964)
- 4620 Yew St, 2-storey residential building, (c.1964)
- Hellenic Community, 4492 Arbutus St, 2-storey institutional use building, (c.1964)
- Alexandra House, 4655 Valley Drive, 4-storey residential building, (c.2001)
- Quilchena Park, 4590 Magnolia St

## 2. BACKGROUND

The zoning governing this site is the CD-1 (26) By-law (Appendix A) approved by Council on November 7, 1963. The rezoning approval did not include form of development drawings for the subject site, but instead referenced the RM-1 Multiple Dwelling District of the day. The approval noted that issuance of development permits should generally follow the RM-1 regulations, and that no building should exceed two storeys in height. A Development Permit was issued on November 17, 1963, in accordance with the CD-1(26) By-law, and two two-storey apartment buildings were subsequently constructed at a density of approximately 0.45 FSR.

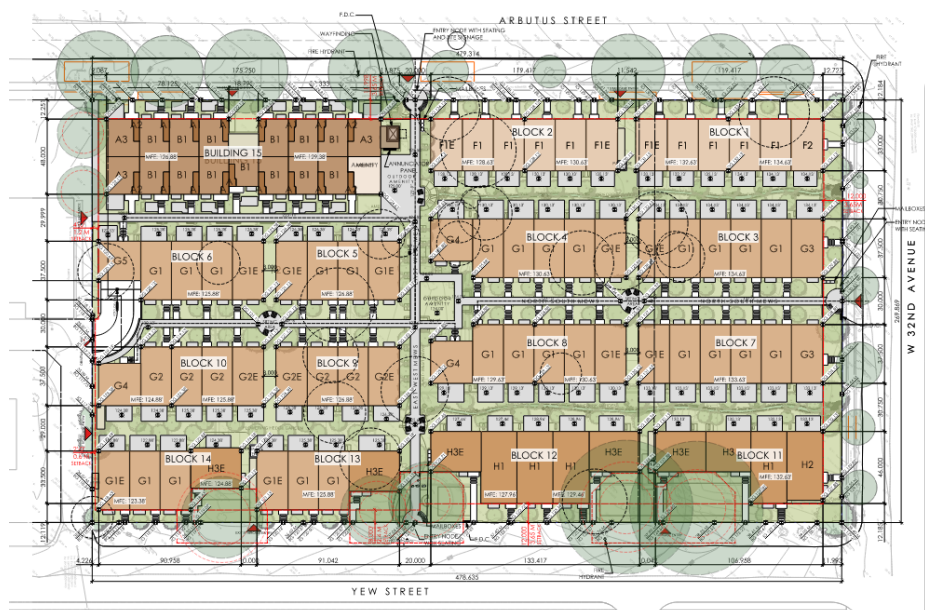
In December, 2021, Cressey Development Group entered into talks with the Director of Planning to explore the potential for redevelopment of the site with new townhouses under the old CD-1 (26) By-law. During this review, it was discovered that the RM-1 District Schedule referenced in the CD-1 By-law was repealed in 1983. Based on this information, and other ambiguities, staff determined that, while a two-storey height limit is clearly applicable to the site, the reference to the RM-1 District would be unenforceable and not the appropriate tool to guide redevelopment of the site.

As such, the review of the new townhouse proposal (density and form of development) would be based on best urban design practices for townhouse projects, applicable Citywide policies, and Urban Design Panel recommendations. A new rezoning application was not required because the two-storey townhouse proposal was seen to be compliant with the applicable aspects of the old CD-1 Bylaw to provide two-storey multifamily housing. The applicant was advised of this decision in a letter from the Director of Planning on February 10, 2023 (Appendix B).

## 3. PROPOSAL

The proposal (Appendix C) is to redevelop the site with twenty new townhouse buildings in a courtyard configuration to replace the two existing apartment buildings. The new townhouse buildings are proposed to contain 102 dwelling units. This includes 69 strata units and 33 rental replacement units as required by the Rental Housing Stock Official Development Plan. The proposed density is 1.23 FSR.

### Overall Site Plan



#### **4. STRATEGIC ANALYSIS**

The proposal is compliant with the applicable regulations in the CD-1 (26) By-law (i.e. the height limit of 2 storeys).

The proposed configuration and density (~1.2 FSR) is consistent with courtyard townhouse projects citywide.

#### **Urban Design Panel**

The proposal was reviewed by the Urban Design Panel on January 24, 2024. The Panel recommended resubmission with design development to improve the proposed form of development and staff agreed with this recommendation. A revised proposal was submitted on March 7, 2024. Staff have assessed and supported the revised proposal, noting that it has responded to the Panel's consensus on key aspects needing improvement (Appendix D).

#### **5. PUBLIC NOTIFICATION**

A development permit information sign was installed on the site on January 12, 2024, and approximately 1,017 notification postcards were distributed within the neighbouring area. Notification, application information, and an online comment form were provided on the City's Shape Your City Vancouver platform from January 12 to 26, 2024. There were 337 online participants, of which three provided comments. Comments provided to date were related to the size of the nearby playground; the potential for additional rental units beyond the replacement of the existing rental units as per City policies; and exploring any potential for additional density.

#### **6. PUBLIC NOTIFICATION**

The proposed townhouse redevelopment is located on an arterial street close to schools, shopping, transit, and parks, and provides much-needed, ground-oriented housing for families in alignment with City goals. Staff have evaluated the proposed form of development and recommend Council support, subject to conditions which may be imposed by the Development Permit Board.

\* \* \* \* \*

## Appendix A



### **City of Vancouver** *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7344 fax 873.7060  
planning@city.vancouver.bc.ca

## **CD-1 (26)**

*2105 West 32nd Avenue  
4615-4675 Arbutus Street  
By-law No. 4078*

*Effective November 7, 1963  
(Amended up to and including By-law No. , dated )*

Area bounded by 32nd, Yew, Valley Drive and Arbutus

RZ.32.15

**BY-LAW NO. 4078**

A By-law to amend By-law No. 3575 being,  
the Zoning and Development By-law

THE COUNCIL OF THE CITY OF VANCOUVER in open meeting assembled, enacts as follows:

1. The Plan attached to and forming an integral part of By-law No. 3575 and designated as the "Zoning District Plan" and marked as Schedule "D" to said By-law is hereby amended according to the plan marginally numbered Z-66-F annexed to this By-law and marked as Schedule "D" hereto, and in accordance with the explanatory legend, notations, references and boundaries designated, described, delimited and specified in particularity shown upon said plan annexed hereto; and the various boundaries and districts shown upon the plan hereto annexed respectively are an amendment of and in substitution for the respective districts, designated and marked on said Schedule "D" of said By-law No. 3575 insofar as the same are changed, modified or varied thereby, and the said Schedule "D" annexed to said By-law No. 3575 shall be deemed to be and is hereby declared to be amended accordingly and the said Schedule "D" attached to this By-law is hereby declared to be and shall form an integral part of said plan marked as Schedule "D" to said By-law No. 3575, as if originally incorporated therein, and shall be interpreted accordingly.
2. This By-law shall come into force and take effect on and after the date of the final passing hereof.

DONE AND PASSED in open Council this 7th day of November 1963.

(sgd) Ald. M.E. Linnell  
ACTING MAYOR

(sgd) R. Thompson  
CITY CLERK

This By-law received:

- 1st Reading - November 7, 1963
- 2nd Reading - November 7, 1963
- 3rd Reading - November 7, 1963

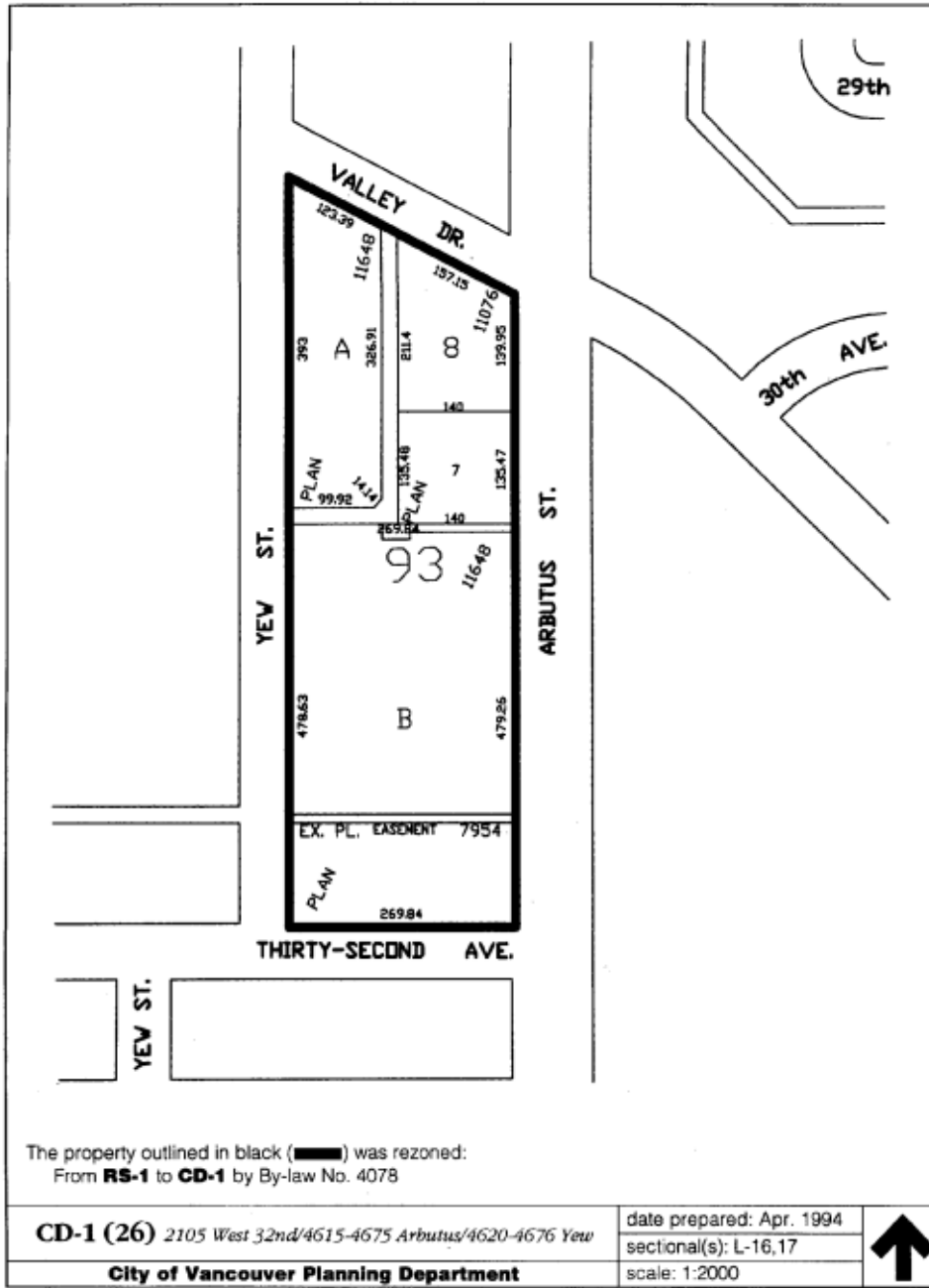
(sgd) R. Thompson  
CITY CLERK

"I hereby certify that the foregoing is a correct copy of a By-law duly passed by the Council of the City of Vancouver on the 7th day of November, 1963, and numbered 4078.

*Signed as per copy in binder*

CITY CLERK"

Schedule D



## Appendix B



PLANNING, URBAN DESIGN & SUSTAINABILITY  
General Manager's Office

February 10, 2023

Scott Cressey  
Cressey Development Group  
555 West 8<sup>th</sup> Ave, Suite 200  
Vancouver, BC V5Z 1C6

via email/

**RE: 4683 Arbutus Street – Development Permit Pre-application**

Dear Mr. Scott Cressey,

I am writing in response to your two letters dated December 14, 2022 addressed to the City of Vancouver regarding the proposed development at 4683 Arbutus Street (the "Site"). The Site is owned by Cressey (Quilchena) Development LLP and is currently developed with a 2-storey rental residential development, Quilchena Gardens (herein referenced as "Cressey").

**Background:**

To provide context, staff undertook an expedited, cursory review at your request in December 2021. It is important to note that Cressey did not submit a formal enquiry and did not provide customary materials typically considered and analyzed under standard reviews. Nevertheless, staff provided some preliminary feedback on the potential options and policies relating to the redevelopment of the Site as a courtesy to Cressey. Constrained by insufficient information, background and detail, staff's feedback focused on rezoning policies that **may apply** to the Site and possible processing options.

Subsequently, Cressey began the Development Permit pre-application process for the Site and staff commenced their normal review processes. During this early phase of analysis, staff discovered an unusual complication with the existing zoning for the Site (CD-1(26)) from 1963. This 60 year old by-law references an RM-1 District Schedule that was amended several times before it was repealed in 1984, almost four decades ago. In 2005, a new RM – 1 District Schedule was enacted which had no bearing or relationship to Quilchena Gardens. That "RM-1" District Schedule, now almost 20 years old, applied to parts of the Kensington-Cedar Cottage area.

**Cressey's current DP pre-enquiry:**

Based on staff review and discussions with our legal counsel, it is our position that the CD-1 (26) By-law governs the Site. However, the CD-1 By-law references a RM-1 District Schedule that no longer exists. Therefore those regulations cannot be considered enforceable. This conclusion is predominantly based on the ambiguity of the language that purports to incorporate the RM-1 regulations. The CD-1 (26) zone cross-references the old RM-1 District Schedule or zone with this language:

"Development of the apartment areas to be generally to the regulations of the (RM-1) District Schedule of the Zoning and Development By-law ....".

The phrasing is awkward. The phrase neither specifies which "regulations" are to be incorporated, nor does it indicate what "generally" means. Coupled with this, the incorporating section does not state that it is the RM-1 District Schedule "as amended from time to time", or give any indication of how amendments to the



RM-1 District Schedule are to affect the Site. For these reasons, it is our position we would not consider it appropriate to consider the RM-1 District Schedule, as it exists now, or as it existed prior to 1984, to govern the Site.

Notwithstanding, Staff recognize the CD-1 (26) By-law provides guidance and regulations relating to the development of the Site. In this regard, the CD-1(26) By-law, among other things, clearly allows for a two-storey residential development. The CD-1(26) By-law does not have a specific floor space ratio (FSR) for the Site. We also note, the Site is governed by the Rental Housing Stock Official Development Plan (RHS ODP), and as such, any application for the redevelopment of the site will must comply with the RHS ODP.

Staff are prepared to process a development permit for a two-storey residential town house project. In addition to the requirements of the RHS ODP, as part of our normal processing of a similar project, staff will rely on the regulations of the CD-1(26) By-law, together with other City-wide policies, guidelines and best urban design practices to inform our review of the application. These policies and guidelines include but are not limited to the following:

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- Guidelines for High Density Housing for Families with Children ([here](#))
- Accessibility Guidelines ([here](#))
- Access to daylight, views and ventilation ([here](#))
- Urban Forestry strategy ([here](#))
- Protection of Trees bylaw ([here](#))

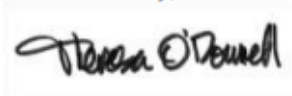
In addition to urban design direction, staff will also be relying on our standard review process including comments from Engineering, Landscape and Housing staff, among others.

**Next Steps:**

In terms of next steps and process, we recommend meeting to discuss any questions you might have to advance your DP application as soon as possible. Subject to the positive outcome of that meeting, we recommend a follow up pre-application submittal meeting to review staff's initial feedback on the application, and to arrange for the intake of a formal DP application. Once a formal DP application is submitted, staff will undertake our normal reviews and process the DP in accordance with the City's standard practices. This would include neighborhood and tenant notification, Tenant Relocation Plan requirements, Urban Design Panel and approval of a form of development by Council (as required for sites zones CD-1).

I trust the contents of this letter are clear. We look forward to working with you through the application review process. Should you have any further questions, please do not hesitate to contact me.

Yours truly,



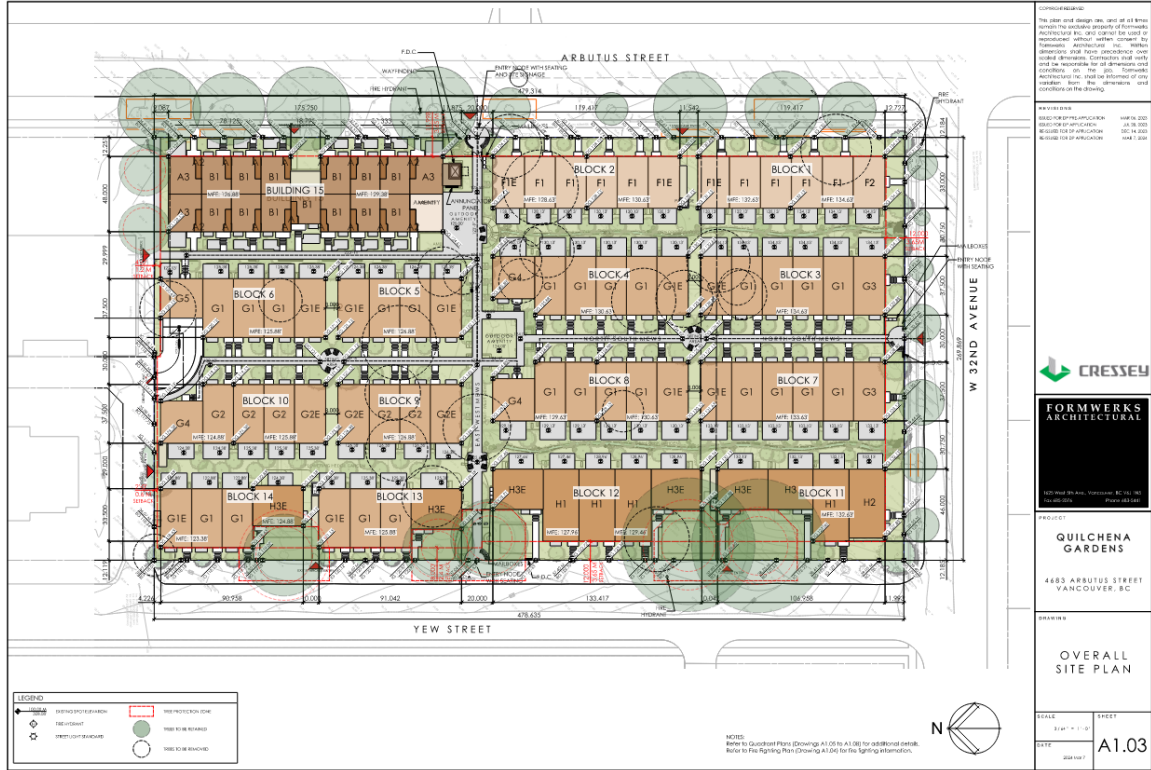
Theresa O'Donnell  
General Manager, Planning, Urban Design and Sustainability

604.673.8434 | [theresa.o'donnell@vancouver.ca](mailto:theresa.o'donnell@vancouver.ca)

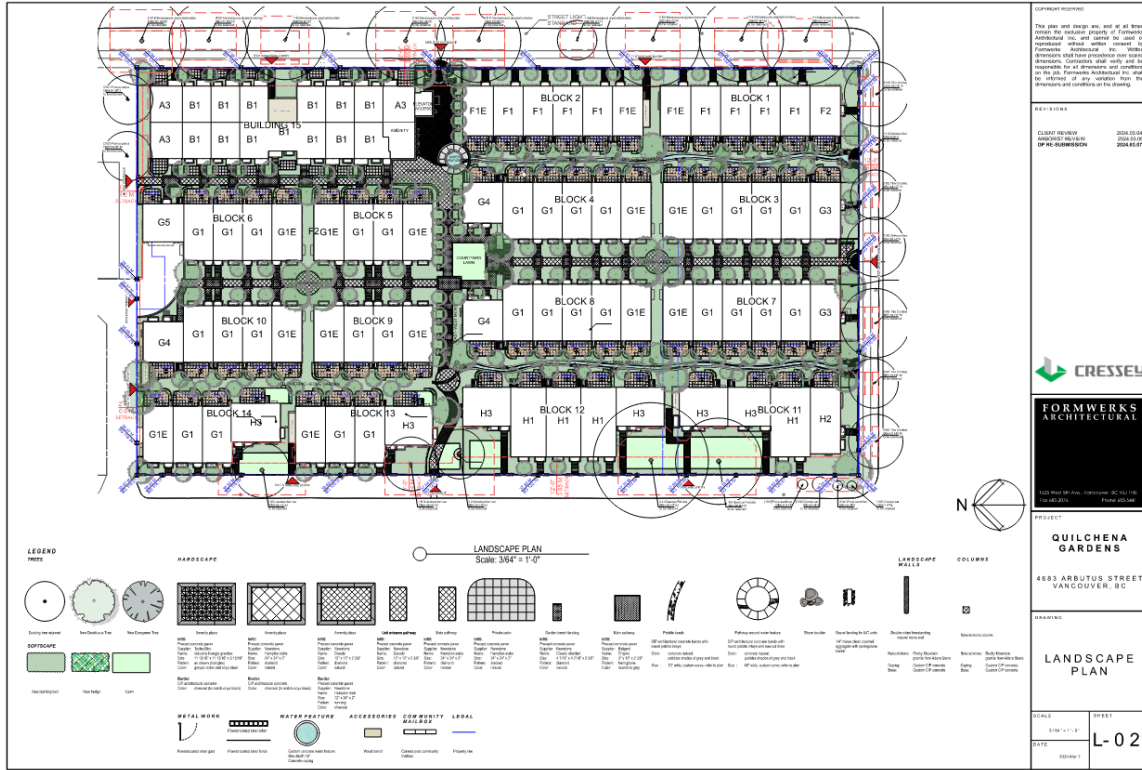
CC: *Grant Murray, Legal Services*  
*Jason Olinek, Planning Urban Design and Sustainability*  
*Templar Tsang-Trinaistich, Planning Urban Design and Sustainability*

## Appendix C Applicant-initiated Updated Design Drawings March 7, 2024

### Overall Site Plan



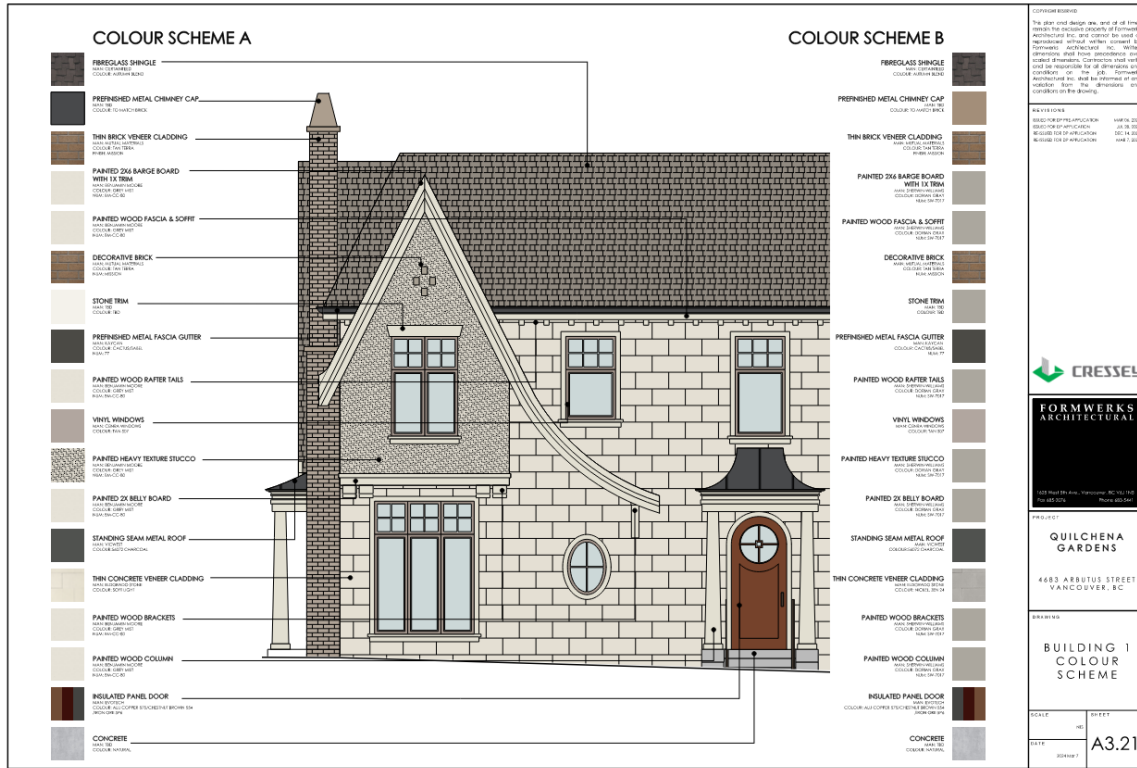
### Landscape Plan



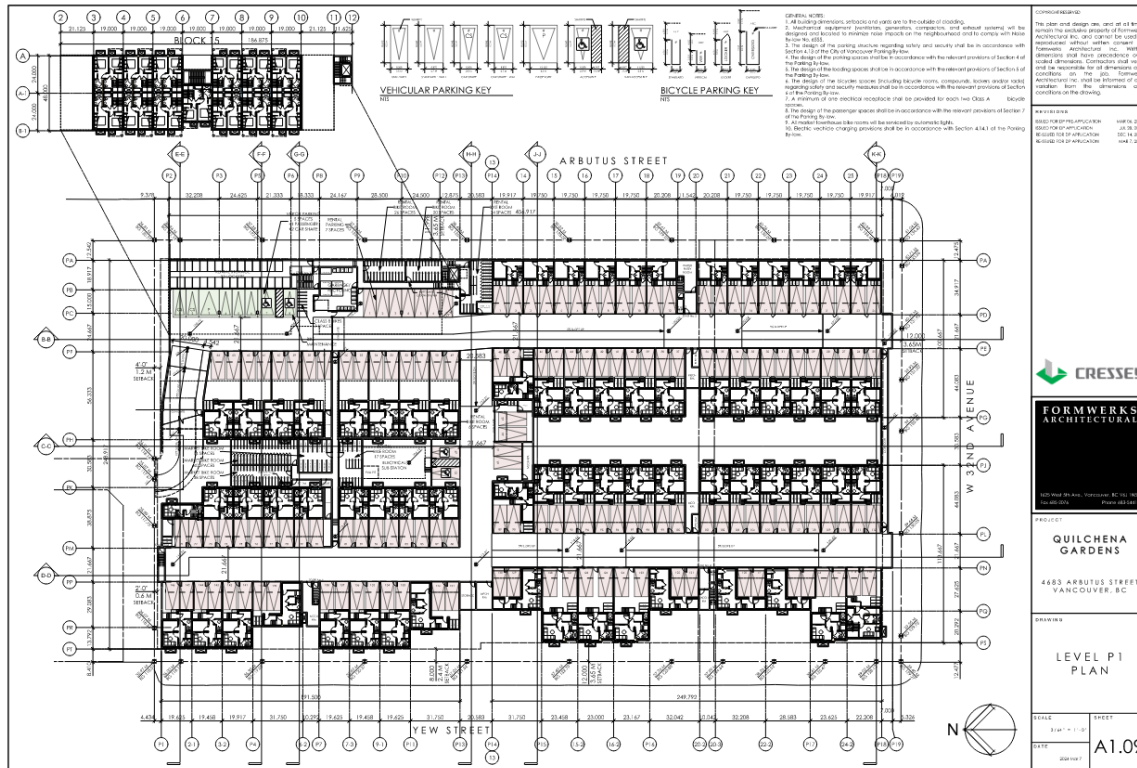
### Streetscape and Building Elevations



### Detailed Building Elevation



### Parking Level



**Appendix D  
Applicant’s Response to Urban Design Panel Consensus Items**

UDP Consensus Item	Site needs a greater level of both physical and visual permeability throughout.
Applicant Response	Progress design drawings (March 7, 2024) indicate improved porosity and overall building arrangements.
Staff Assessment	Staff are satisfied the UDP Consensus Item is addressed.

UDP Consensus Item	Provision of more significant and meaningful outdoor gathering spaces and on-site.
Applicant Response	Progress design drawings (March 7, 2024) indicate provision of co-located indoor and outdoor amenities.
Staff Assessment	Staff are satisfied the UDP Consensus Item is addressed.

UDP Consensus Item	Consider greater variety of materiality and architectural expression throughout the development.
Applicant Response	Progress design drawings (March 7, 2024) indicate higher degree of visual and architectural variety.
Staff Assessment	Staff are satisfied the UDP Consensus Item is addressed.

UDP Consensus Item	A general consideration for enhanced accessibility is important throughout the site, in particular, access from the public realm to the site. Pathways should be accessible; and stairs on the pathways should be eliminated.
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Applicant Response	Progress design drawings (March 7, 2024) improved access and circulation throughout the development.
Staff Assessment	Staff are satisfied the UDP Consensus Item is addressed.

UDP Consensus Item	Termination and intersection of the exterior pathways both internally and at the intersections with the street should be celebrated with some meaningful elements to encourage pause and gathering.
Applicant Response	Progress design drawings (March 7, 2024) indicate development of the pathways' terminus at the street.
Staff Assessment	Staff are satisfied the UDP Consensus Item is addressed.

UDP Consensus Item	Provide greater equity in parking ratios and other amenities between market and rental units.
Applicant Response	Progress design drawings (March 7, 2024) indicate amenities provision for both tenures.
Staff Assessment	Staff are satisfied the UDP Consensus Item is addressed.