



REFERRAL REPORT

Report Date: January 9, 2024
Contact: Simon Jay
Contact No.: 604.829.2004
RTS No.: 16106
VanRIMS No.: 08-2000-20
Meeting Date: January 23, 2024

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 6095 Fraser Street

RECOMMENDATION TO REFER

THAT the rezoning application, described below, be referred to Public Hearing together with the recommendations set out below and with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

RECOMMENDATION FOR PUBLIC HEARING

- A. THAT the application by Kenneth E King Architecture & Planning on behalf of Banwait Investments Holdings Ltd., the registered owner of the lands located at 6095 Fraser Street:
- *Lots 25 and 26, Except part in Plan 5651 Block 3 District Lot 645 Plan 2317; PIDs 004-989-384 and 004-989-449 respectively,*
 - *PID 004-989-686; The North 15 feet of Lot 27 Except the East 7 feet, Block 3, District Lot 645 Plan 2317, and*
 - *PID 004-989-775; Amended Lot 28 (see 15942-L) Block 3 District Lot 645 Plan 2317,*

to rezone the lands from from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 3.5 to 4.0 and the building height from 22.0 m (72 ft.) to 24.7 m (81 ft.), to permit a seven-storey

mixed-use building with 36 secured rental units and commercial space, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Kenneth King Architect & Planning, received June 30, 2022 and supplemental materials received November 3, 2022, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B.

- B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.
- C. THAT subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the new CD-1, generally as set out in Appendix C, be approved.
- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1, generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law.

- E. THAT Recommendations A to D be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City, and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

This report evaluates an application to rezone 6095 Fraser Street from C-2 (Commercial) District to CD-1 (Comprehensive Development) District. The proposal is to permit a seven-storey mixed-use building that includes two storeys of commercial space and 36 units of secured market rental housing under the *Secured Rental Policy* (SRP).

The proposed use and form of development meets the intent of the *Secured Rental Policy*, subject to design development and other conditions in Appendix B. Staff recommend that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it in principle, subject to the Public Hearing, and conditions contained in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)
- Secured Rental Policy (2012, last amended 2023)
- C-2 District Schedule (1996, last amended 2023)
- Housing Vancouver Strategy (2017)
- Housing Needs Report (2022)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992, last amended 2022)
- Green Buildings Policy for Rezoning (2010, amended 2023)
- Urban Forest Strategy (2014, amended 2018)
- Latecomer Policy (2021)
- Community Amenity Contributions Policy for Rezoning (1999, last amended 2023)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183

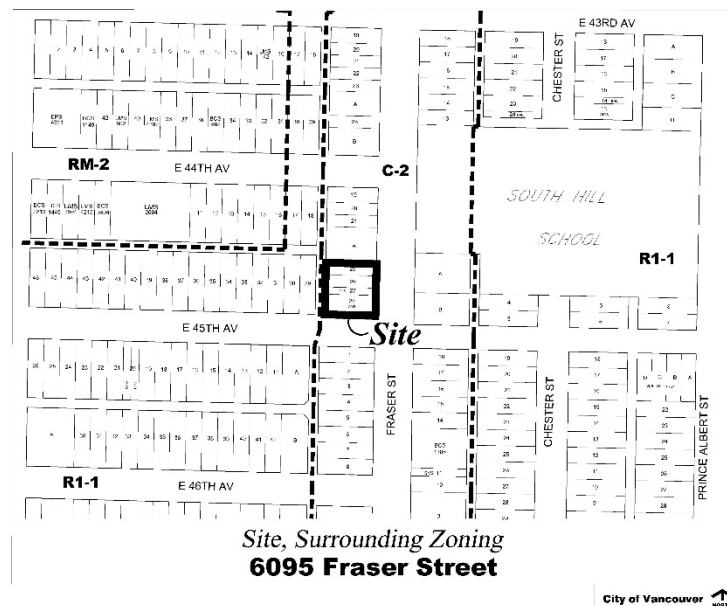
REPORT

Background/Context

1. Site and Context

The subject site (Figure 1) is located at the northwest corner of Fraser Street and 45th Avenue in the Sunset neighbourhood. The site area is approximately 1,046.4 sq. m (11,263 sq. ft.), with a frontage on Fraser Street of 32.6 m (107 ft.) and a depth of 32.0 m (105 ft.).

The site is zoned C-2 (Commercial) District and currently developed with a one-storey Buy-Low Foods supermarket. Surrounding properties along Fraser Street are also zoned C-2 and developed with one and two-storey commercial buildings. To the west, properties are zoned R1-1 and RM-2 and developed with single-detached homes and three-storey apartment buildings.

Figure 1: Surrounding Zoning and Context

Neighbourhood Amenities – The following amenities exist in the area:

- **Public Parks** – Memorial South (300 m), MacDonald (500 m) and Sunset (1 km).
- **Community Spaces** – South Hill branch library (50 m), South Hill Education Centre (100 m), Sunset Arena (1.1 km) and Sunset Community Centre (1.5 km).
- **Childcare Facilities** – South Hill Child Care Centre (250 m) and MacKenzie YMCA Kids Club (1 km).

Local School Capacity – The site is located within the catchment area of Mackenzie Elementary School and John Oliver Secondary School. According to the Vancouver School Board (VSB)'s *Long Range Facilities Plan*, both schools will be operating significantly under capacity in the coming years. By 2031 the capacity will be 64% at Mackenzie Elementary and 50% at John Oliver Secondary. The VSB continues to monitor development and work with City staff to plan for future growth.

2. Policy Context

Vancouver Plan (2022) – The *Vancouver Plan* was approved by Council on July 22, 2022 and is a land use strategy to guide long-term growth of the City over the next 30 years. The Plan serves as a framework, with further implementation planning work to follow over the next two to four years. The proposal addresses priorities within the *Housing Vancouver Strategy*, which aligns with the *Vancouver Plan*.

Secured Rental Policy (SRP) – On November 26, 2019, Council approved amendments to the *Secured Market Rental Housing Policy* (commonly known as Rental 100) and retitled it to *Secured Rental Policy*. The SRP expands on the *Secured Market Rental Housing Policy*, by consolidating rezoning opportunities for secured rental housing previously contained in the *Affordable Housing Choices Interim Rezoning Policy* and introducing new green buildings requirements.

On December 14, 2021, Council adopted amendments to the *SRP* to expedite the delivery of secured rental units. The amendments include changes to the C-2 District Schedule to facilitate six-storey market rental housing proposals through a development permit (DP) without requiring a rezoning, and restricting rezonings from gaining additional height or density than what is available under the C-2 district schedule.

This application met the enquiry and application deadlines to be considered under the 2019 *SRP*, and is eligible to rezone to a CD-1 with additional height and density beyond what is available under the C-2 district schedule.

Housing Needs Report (2022) – On April 27, 2022, Council resolved at a public meeting to receive a [Housing Needs Report](#) (HNR) prepared by staff. Further to the BC Provincial government's requirement, Council must consider the most recent HNR when developing a development plan, or when amending a development plan in relation to Council's housing policies respecting affordable housing, rental housing and special needs housing.

This zoning amendment would facilitate the delivery of secured rental housing and address the data and findings within the HNR.

Strategic Analysis

1. Proposal

The proposal is for a seven-storey mixed-use building that includes two storeys of commercial space for a replacement grocery store and 36 units of secured market rental units above. A height of 24.7 m (81 ft.) is proposed.

The application proposed a density of 4.18 FSR; however, upon staff's review the density has been confirmed as 4.0 FSR. The application proposes a commercial floor area of 1,276.6 sq. m (13,741 sq. ft.), and a total floor area of 4,185.6 sq. m (45,053 sq. ft.).

2. Land Use

The proposed commercial and residential land uses are consistent with the intent of the *SRP*.

3. Form of Development, Height and Density (Refer to urban design analyses in Appendix D, form of development drawings in Appendix E and statistics in Appendix H)

The proposed seven-storey building (Figure 2) has a height of 24.7 m (81 ft.) measured to the top of the parapet, with additional height for outdoor rooftop amenity space, appurtenances, and access structures. The recommended density is 4.0 FSR, with a minimum 1.2 FSR for commercial space to be located on the first and second floors. The commercial space will accommodate the proposed two-storey supermarket.

To accommodate the supermarket, a height beyond the typical six-storey C-2 form is proposed. The seventh storey is stepped back to mitigate the appearance of height when viewed from ground-level, and for better integration with future developments. The seventh storey setback also helps to limit shadowing on the public realm. The building has a lower four-storey wing along its 45th Avenue frontage, which is designed to better transition to the lower-scale neighbours across the lane to the west, and to minimize potential overlook (See Figure 3). The

ground-level commercial frontage will wrap the corner from Fraser Street to 45th Avenue. Residential entry is from 45th Avenue and parking access is from the lane.

Figure 2: Streetview from Fraser Street and 45th Avenue looking Northwest.



Figure 3: Birdseye view looking Northwest.



4. Housing

The *Housing Vancouver Strategy* seeks to deliver a range of housing tenures across the housing continuum. This application, if approved, would add 36 units to the City's inventory of rental housing, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 4).

Figure 4: Progress Towards 10-Year Housing Vancouver Targets for Secured Market Rental Housing as of September 30, 2023

Housing Type	10-YEAR TARGETS	Units Approved Towards Targets
Purpose-Built Market Rental Housing Units	20,000	16,418 (82%)

*Tracking progress towards 10-year Housing Vancouver targets began in 2017.

*Unit numbers exclude the units in this proposal, pending Council's approval of this application.

Vacancy Rates – Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2022, the purpose-built apartment vacancy rate was 0.9% in Vancouver. The vacancy rate (based on the CHMC Market Rental Survey) for the Southeast Vancouver area, which this site is located, was 0.3%. A vacancy rate of 3% to 5% is considered to represent a balanced market.

Housing Mix – The *Family Room: Housing Mix Policy for Rezoning Projects* policy requires a minimum of 35% family units. The application proposes 36% family units in a mix of two-bedroom and three-bedroom units, thereby exceeding the policy. These units must be designed in accordance with the *High Density Housing for Families with Children Guidelines*. The application as proposed is consistent with the policy and a provision is included in the CD-1 By-law to meet the minimum unit mix requirements.

Figure 5: Market Rents in Newer Eastside Buildings, Costs of Ownership and Household Income Served

Unit Type	Average Unit Size (sq. ft.)	Newer Rental Buildings Eastside		Monthly Costs of Ownership for Median-Priced Apartment – Eastside (with 20% down payment)		
		DCL By-Law Maximum Averages - Eastside (CMHC, 2022) ¹	Annual Income Required to Afford DCL By-Law Maximum Averages	Monthly Costs of Ownership ²	Annual Income Required to Afford Monthly Costs	DownPayment at 20%
Studio	482	\$1,884	\$75,360	\$2,200	\$88,000	\$79,550
1-bed	648	\$2,122	\$84,880	\$2,885	\$115,400	\$108,000
2-bed	971	\$2,888	\$115,520	\$3,809	\$152,360	\$141,300
3-bed	1051	\$3,704	\$148,160	\$5,565	\$222,600	\$213,000

¹ For studio, 1-, 2-, and 3-bedroom units, the maximum DCL rents are the average rents for all apartments in purpose-built rental buildings built since the year 2005 in the City of Vancouver as published by CMHC in the Fall 2022 Rental Market Survey.

² Based on the following assumptions: median of all BC Assessment strata apartment sales prices in Vancouver Eastside in 2021 by unit type, 10%/20% down payment, 5% mortgage rate (in line with qualifying rate), 25-year amortization, \$250 – 350 monthly strata fees and monthly property taxes at \$2.92 per \$1,000 of assessed value (2021 assessments and property tax rate)

Average Rents and Income Thresholds – Average rents for units on Vancouver’s Eastside are shown in Figure 5. Rent increases, over time, are subject to the Residential Tenancy Act. Average market rents in newer rental buildings on the east side are shown in the middle two columns. The market rental housing will provide options which are significantly more affordable than average home ownership costs as illustrated in Figure 5.

Security of Tenure – Purpose-built rental housing offers secure rental tenure. All units in the proposal would be secured through a Housing Agreement and a Section 219 Covenant for the longer of 60 years and the life of the building. Covenants will be registered on title to prohibit the stratification and/or separate sale of individual units.

Existing Tenants – There are no existing residential tenants.

5. Transportation and Parking

The site is served by regular bus service along Fraser Street, which forms part of TransLink’s Frequent Transit Network (FTN). The site is also within 500 m of TransLink’s FTN on 49th Avenue and 41st Avenue, which includes service by the R4 rapid bus. Three levels of underground parking will be accessed from the lane. The application proposes 48 vehicle parking spaces, 74 bicycle spaces and two Class B loading spaces. Parking and loading are to meet the Parking By-law.

Engineering conditions related to transportation, public realm and parking are contained in Appendix B and include reconstructed sidewalks on Fraser Street and 45th Avenue, a reconstructed laneway with new speed humps and lane crossings, a new separated bike lane on 45th Avenue, and new public bike share station. Engineering conditions also include upgrades to the intersection of Fraser Street and 45th Avenue, including upgraded traffic and pedestrian signals and upgraded lighting.

6. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezonings* requires that rezoning applications satisfy the green and resilient building conditions stated within the Policy. The applicant has committed to submitting Reporting of Green and Resilient Building Measures at the Building Permit Stage, as well as fulfilling energy system sub-metering and enhanced commissioning requirements throughout the project.

Natural Assets – The *Urban Forest Strategy* seeks to protect and strengthen Vancouver’s urban forest and tree canopy. The Protection of Trees By-law requires permission to remove trees that meet certain conditions to protect as many healthy, viable trees while still meeting the challenges of development and housing priorities.

There are no existing trees on the site. There are three street trees on City lands adjoining the site, and protection of these street trees during construction is required. New street trees are proposed on Fraser Street and 45th Avenue. See Appendix B for landscape and tree conditions.

7. Public Input

Public Notification – A rezoning information sign was installed on the site on October 24, 2022. Approximately 1,432 notification postcards were distributed within the neighbouring area on or

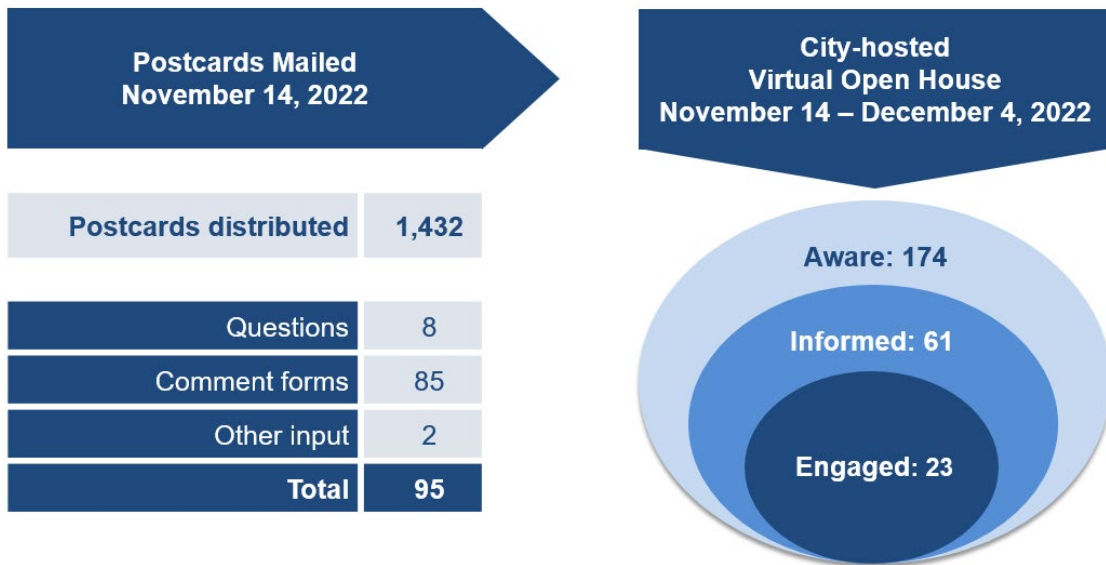
about November 14, 2022. Application information and an online comment form was provided on the Shape Your City (shapeyourcity.ca/) platform.

Virtual Open House – A virtual open house was held from November 14, 2022 to December 4, 2022. Questions were submitted by the public and posted with a response over a three week period. A digital model was made available for online viewing.

A virtual approach allowed people to access materials online and engage at different levels at a time and location of their choosing. Members of the public could submit questions, which staff actively monitored and responded to publicly. The website was viewed by 174 people.

Public Response and Comments – Public input is collected via online questions, comment forms, through email, and by phone. A total of 95 submissions were received.

Figure 6: Overview of Notification and Engagement



Below is a summary of feedback received from the public by topic.

Generally, comments of support fell within the following areas:

- **Rental stock:** Support for the creation of new rental units.
- **Ground floor retail:** The proposed replacement grocery store will be a great asset to the area.
- **Height, density, and location:** The proposed height, density, and location is appropriate and is a great addition to the community.

Generally, comments of concern fell within the following areas:

Gentrification: The rezoning will start the gentrification of the neighbourhood, including pushing BIPOC and low-income residents away from Fraser Street. Concern that the rezoning will drive up housing costs.

- **Height, density, and massing:** The proposed height and density will negatively impact the community.
- **Accessibility:** The existing grocery store is a community asset. Demolishing the store for this rezoning will result in a lack of an accessible and affordable grocery store in the area.

Response to Public Comments

Gentrification: The proposal will add 36 new secured rental housing units and a replacement supermarket. There are no residential tenants being displaced through the redevelopment of the site. New purpose-built secured rental units are needed in this area and across the city. The rental vacancy rate for purpose-built apartments in the Southeast Vancouver area was 0.3% in 2022, and 0.9% in Vancouver.

Height, density and massing: The proposed form of development is generally consistent with the *SRP*, with a slight increase in height beyond the typical six-storey C-2 form to accommodate a two-storey supermarket. The seventh storey has been set back to mitigate the appearance of height when viewed from ground-level, and to better integrate with future developments.

Accessibility: The proposal is replacing the existing grocery store with a larger grocery store. There are also a number of small grocery stores nearby on Fraser Street and a Real Canadian Superstore 3 km away on Marine Drive.

8. Public Benefits

Community Amenity Contributions (CAC) – The application is subject to the *Community Amenity Contributions Policy for Rezoning*s, with CACs based on a negotiated contribution. The proposal includes 100% of the residential floor area as rental housing to be secured for the longer of 60 years and the life of the building. The applicant is proposing that 36 residential units be secured as market rental housing.

Real Estate Services staff reviewed the application and the costs of securing the 36 rental housing units and have determined no additional CAC is expected. The public benefit accruing from this application is the contribution to the City's rental housing stock. As a condition of by-law enactment, a Housing Agreement and Section 219 Covenant are required to be registered on title to preclude, among other things, stratification of the building, separate sale of individual units, and rentals for less than one month at a time.

Development Cost Levies (DCLs) – The site is subject to the City-wide DCL and Utilities DCL, which will be calculated on the floor area proposed at the development permit stage.

In accordance with the provisions of Section 3.1A(e) of the Vancouver DCL By-law and the Area Specific DCL By-law the applicant has requested a 86.24% waiver of the City-wide attributed to the floor area qualifying as Class B "for-profit affordable rental housing" (market rental). Class B means market rental housing where starting rents across all units do not exceed the maximum averages set out in the DCL By-laws for each unit.

Based on rates in effect as of September 30, 2023 and the proposed 2,909.0 sq. m (31,312 sq. ft.) of residential, it is estimated that the project will pay DCLs of \$915,074. The value of the anticipated City-wide waiver is estimated at \$588,672. Compliance with DCL waiver

requirements will continue to be assessed through the development permit stage up to occupancy permit issuance at which point the applicant will be required to submit a rent roll that sets out the initial monthly rents for each unit.

The Utilities DCL and the City-wide DCLs on the proposed 1,276.6 sq. m (13,741 sq. ft.) of commercial floor area cannot be waived. DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time.

A development may qualify for 12 months of in-stream rate protection from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the City's DCL Bulletin for details on DCL rate protection.

Public Art Program – The application is not subject to the *Public Art Policy and Procedures for Rezoned Developments* as the total floor area is below the minimum threshold of 9,290 sq. m (100,000 sq. ft.).

Financial Implications

As noted in the Public Benefits section, this project is required to provide a DCL. See Appendix G for additional details.

CONCLUSION

Staff have reviewed the application to rezone the site at 6095 Fraser Street from C-2 to CD-1 to permit the development of a seven-storey, mixed-use building with 36 secured rental housing units and a larger replacement supermarket, and conclude the application is consistent with the objectives of the *SRP*. The incentives provided, including additional height, density and the DCL waiver, assist with the retention of the supermarket and the delivery of rental housing units. Staff further conclude that the recommended form of development represents an appropriate urban design response to the site and its context. If approved, this application would contribute towards the housing goals outlined in the *Housing Vancouver Strategy*.

The General Manager of Planning, Urban Design and Sustainability recommends that the rezoning application be referred to a Public Hearing, together with a draft CD-1 By-law generally as set out in Appendix A, and that, subject to the Public Hearing, the application including the form of development as shown in the plans in Appendix E, be approved in principle, subject to the application fulfilling the Conditions of Approval in Appendix B.

* * * * *

6095 Fraser Street
PROPOSED CD-1 BY-LAW PROVISIONS

Note: A by-law to rezone an area to CD-1 will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Zoning District Plan Amendment

1. This by-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan attached as Schedule A to this by-law, and incorporates Schedule A into Schedule D of By-law No. 3575.

[Note: Schedule A, not attached to this appendix, is a map that amends the City of Vancouver zoning map. Should the rezoning application be referred to Public Hearing, Schedule A will be included with the draft by-law that is prepared for posting.]

Designation of CD-1 District

2. The area shown within the heavy black outline on Schedule A is hereby designated CD-1 (___).

Uses

3. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this by-law or in a development permit, the only uses permitted within this CD-1 and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Cultural and Recreational Uses;
 - (b) Dwelling Uses, limited to Mixed-Use Residential Building;
 - (c) Institutional Uses;
 - (d) Manufacturing Uses;
 - (e) Office Uses;
 - (f) Parking Uses;
 - (g) Retail Uses;
 - (h) Service Uses;
 - (i) Transportation and Storage Uses, limited to Taxicab or Limousine Station;
 - (j) Utility and Communication Uses; and
 - (k) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

- 4.1 The design and layout of at least 35% of the total number of dwelling units must:
- (a) be suitable for family housing; and
 - (b) have 2 or more bedrooms.
- 4.2 No portion of the first and second storeys of a building may be used for residential purposes except for entrances to the residential portion.
- 4.3 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building, other than the following:
- (a) display of flowers, plants, fruits and vegetables in combination with a permitted use;
 - (b) farmers' market;
 - (c) neighbourhood public house;
 - (d) public bike share; and
 - (e) restaurant,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this by-law.

Floor Area and Density

- 5.1 Computation of floor area must assume that the site area is 1,046.4 m², being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.
- 5.2 The maximum floor space ratio for all uses combined is 4.0, except that the floor space ratio for non-dwelling uses must be at least 1.2.
- 5.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 5.4 Computation of floor area must exclude:
- (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that:
 - (i) the total area of these exclusions must not exceed 12% of the permitted floor area, and

- (ii) the balconies must not be enclosed for the life of the building;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and outlook;
- (c) floors or portions thereof that are used for:
 - (i) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,
 - (ii) bicycle storage, and
 - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;
- (d) entries, porches and verandahs if the Director of Planning first approves the design;
- (e) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and
- (f) all storage area below base surface for non-dwelling uses.

5.5 The Director of Planning or Development Permit Board may exclude common amenity areas from the computation of floor area, to a maximum of 10% of the total permitted floor area, if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines.

Building Height

- 6.1 Building height must not exceed 24.7 m.
- 6.2 Despite section 6.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, if the Director of Planning permits common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portions of the building with the permitted common rooftop amenity space, mechanical appurtenances or rooftop access structures must not exceed 27.0 m.

Horizontal Angle of Daylight

- 7.1 Each habitable room must have at least one window on an exterior wall of a building.
- 7.2 For the purposes of section 7.1 above, habitable room means any room except a bathroom or a kitchen.

- 7.3 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or 2 angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 7.4 The plane or planes referred to in section 7.3 above must be measured horizontally from the centre of the bottom of each window.
- 7.5 An obstruction referred to in section 7.3 above means:
- (a) any part of the same building excluding permitted projections; or
 - (b) the largest building permitted on any adjoining site.
- 7.6 The Director of Planning or Development Permit Board may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning or Development Permit Board considers all applicable Council policies and guidelines; and
 - (b) the minimum distance of unobstructed view is at least 3.7 m.

* * * * *

**6095 Fraser Street
CONDITIONS OF APPROVAL**

Note: If the application is referred to a Public Hearing, these Conditions of Approval will be referenced in the Summary and Recommendations included in the hearing agenda package. Any changes to the conditions approved by Council will be contained in its decision. Applicants are advised to consult the hearing minutes for any changes or additions to these conditions.

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by Kenneth King Architect & Planning received June 30, 2022 and supplemental materials received November 3, 2022, and provides that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with the development application.

THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning who shall have particular regard to the following:

Urban Design

1.1 Design Development to not increase its impact on its surroundings through, but not limited to, the following:

- (a) Ensure the heights are not increased nor the setbacks are reduced at the subsequent permitting stages, which may increase shadowing on the South Hill Education Centre's front yard and the general public realm.

Note to Applicant: Staff acknowledge some shadows will fall on the centre's yard. However, Staff note there are no shadows on yard at noon (for the equinoxes and solstice), when lunch will likely take place. Staff also note that South Hill Education Centre is an adult-learning centre, rather than an elementary or secondary school.

1.2 Design Development to improve public/pedestrian interface through, but not limited to, the following:

- (a) Relocating the B.C. Hydro Metering Kiosk to face the lane; and
- (b) Reconfiguring the location and orientation of the stair-well at the southwest corner so that it can exit onto East 45th Avenue, and can accommodate windows that face 45th Avenue and/or the lane.

Note to Applicant: The intent of relocating the metering kiosk to the lane-side opens more wall-space around the residential-entry for future murals, neighbourhood notice-boards, etc. This coincides with general CPTED strategies to prevent graffiti. Generally, this is to add visual interests to the vicinity of the residential entry. The windows at the stair-well may help passively illuminate the sidewalk and add sense of safety to both pedestrians and residents. Staff recognise that having the kiosk face the lane may mean reconfiguring the stair-

well location at the southwest corner, such as rotating it. Some adjusting of the carpark's travel-path to accommodate this reconfigured stair-well may be necessary.

1.3 Design Development to improve the project's livability through, but not limited to, the following:

- (a) Demonstrate all units' windows meet the horizontal angle of daylight requirements;
- (b) Ensure compliance with the *High-Density Housing for Families with Children Guidelines*, especially for indoor and outdoor amenity spaces;
- (c) Ensure all in-suite storage areas are labelled and not converted to dens at subsequent permitting stages; and
- (d) Confirm that the windows and balconies of Units C1 on levels 3 and 4 can be openable and not in conflict with the power-lines along the lane.

Note to Applicant: For all units' windows to meet the horizontal angle of daylight requirements, Units A2, (and possibly Units B4) on levels 3, 4 and 5 may need to be reconfigured. Currently, Units A2's windows do not seem to meet the requirements due to the placement of the balcony-partitions and small window sizes. Regarding Units C1's windows, their placement at the rear property-line and proximity to power-lines may render them non-openable. See Housing comments for other concerns for livability.

Landscape

1.4 Design development to further enhance the roof deck outdoor areas by incorporating additional ornamental planting in permanent soil-volumes, providing suitable, long-term growing conditions for shade trees and confirming use of durable, quality materials and furnishings.

1.5 Provision of a detailed Landscape Plan illustrating soft and hard landscaping.

Note to applicant: The plans should be at 1/8 inch: 1 foot scale minimum. The plant list should include the common and botanical name, size and quantity of all existing/proposed plant material. Plant material should be clearly illustrated on the plan and keyed to the plant list. The landscape plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

1.6 Provision of detailed architectural and landscape cross sections (minimum 1/4 inch scale) through common open spaces, semi-private patio areas and the public realm.

Note to Applicant: the sections should illustrate the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside

dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

- 1.7 Provision of a “Tree Management Plan” confirming protection and safe retention of street trees as per Engineering Department and Park Board guidelines.

Note to Applicant: It is preferred that the arborist tree management plan become the primary document for tree removal/ protection related matters.

- 1.8 Provision of an arborist “letter of undertaking” to include signatures by the owner, contractor and arborist.

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

- 1.9 Coordination for the provision of new street trees adjacent to the development site, where applicable.

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Eileen Curran, Streets Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, "*Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion*".

- 1.10 Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft.

Note to Applicant: on the plan, illustrate irrigation connection points and hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed. Hose bibs are requested to encourage patio gardening and hand watering on private patio and amenity decks.

- 1.11 Provision of enlarged detailed elevations for all vertical landscape structures and features (i.e. green walls, trellis).

- 1.12 Provision of an outdoor Lighting Plan.

Sustainability

- 1.13 All new buildings in the development will meet the requirements of the Green Buildings Policy for Rezoning (amended July 25, 2023) located here <https://guidelines.vancouver.ca/policy-green-buildings-for-rezonings.pdf>

Note to Applicant: Refer to the most recent bulletin Green Buildings Policy for Rezoning – Process and Requirements.

Engineering

- 1.14 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (City of Vancouver Design Guidelines, Construction Standards and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site prior to Building Permit issuance.

Note to Applicant: 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 Occupancy Permit issuance. Please contact Engineering Services at shoringreview@vancouver.ca for details.

<https://vancouver.ca/streets-transportation/street-design-construction-resources.aspx>

<https://vancouver.ca/home-property-development/construction-street-use-permits.aspx#shoring-and-excavation>

- 1.15 The owner or representative is to contact Engineering Services at StreetUseReview@vancouver.ca to acquire the project's permissible street use after Building Permit issuance.

Note to Applicant: Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time is required for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.

<https://vancouver.ca/home-property-development/construction-street-use-permits.aspx>

- 1.16 Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.
- 1.17 Provision of a solar shade application may be required should the encroaching structure(s) meet the specifications set out in Section 1.8.9 of the Vancouver Building By-Law.

Note to Applicant: An application for a Permit to Use City Property must be submitted to Engineering Development Services for the proposed solar shade encroaching onto City Street. Solar shade devices must be fully demountable and comply with all applicable requirements of the Vancouver Building By-law (Section 1.8.9).

- 1.18 Submission to Engineering of an updated landscape plan reflecting all of the public realm changes, including demonstration of:
- (a) Display of the following note(s):

- (i) "This plan is NOT FOR CONSTRUCTION and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Engineering, Development and Major Projects and/or your Engineering, Building Site Inspector for details."
- (i) "Tree species, final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil volumes. Root barriers shall be of rigid construction, 8 feet long and 18 inches deep, centre on each street tree adjacent to the sidewalk and any off street bike facility. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".
- (b) Streetscape design in compliance with the Fraser South Hill Streetscape Design Guidelines;

Note to Applicant: The Streets Design Guidelines are viewable online at <https://vancouver.ca/streets-transportation/streetscape-design-guidelines.aspx> and are to be used alongside the City construction and design manuals.

- (c) Existing locations of:
 - (i) Street furniture; and
 - (ii) Poles and guy wires.

Note to Applicant: Where a design detail is not available, make note of the improvement on the plan. Public realm changes include all of the off-site improvements sought for this rezoning. The Streets Design Guidelines are viewable online at <https://vancouver.ca/streets-transportation/streetscape-design-guidelines.aspx> and are to be used alongside the City construction and design manuals.

- 1.19 Design development to improve access and design of bicycle parking by:
 - (a) Provision of minimum 5% oversized Class A bicycle spaces;
 - (b) Relocation of Class B bike parking to eliminate encroachments on public property and right-of-ways; and
 - (c) Provision of a minimum 1.2 m (4 ft.) manoeuvring aisle for all horizontal and vertical Class A bicycle spaces and 1.5 m (5 ft.) manoeuvring aisle for all oversized Class A bicycle spaces.
- 1.20 Design development to improve the parkade layout and access design and demonstrate compliance with the Parking and Loading Design Supplement by:

- (a) Provision of required accessible vehicle spaces for commercial and residential uses; and

Note to Applicant: Minimum 2.3 m vertical clearance is required.
 - (b) Confirmation that column encroachments, setbacks and parking space widths comply with the Parking and Loading Design Supplement.

Note to Applicant: Column encroachments are not permitted in single module stalls. 2.3 m (7.5 ft.) of vertical clearance is required for access and manoeuvring to all accessible spaces.
- 1.21 Design development to improve access and design of loading spaces and demonstrate compliance with the Parking and Loading Design Supplement by:
- (a) Confirmation that the slope of the loading bay does not exceed 5%;
 - (b) Confirmation that the Class B loading spaces have minimum 3.8 m vertical clearance; and
 - (c) Identification of the shared use Class B loading space by adding the label "Residential and Commercial Loading".
- 1.22 Provision of a Shared Use Loading Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for one Class B loading space shared between the commercial and residential uses prior to development permit issuance.
- 1.23 Provision of the following information as part of the architectural drawing submission at the Development Permit stage to facilitate a complete transportation review:
- (a) Provide a complete tech table showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.
 - (b) Identify all types of parking and loading spaces by numbering and labelling individually.
 - (c) Dimension all column encroachments into parking stalls.
 - (d) Identify all columns in the parking layouts.
 - (e) Dimension all typical parking spaces.
 - (f) Dimension additional setbacks for parking spaces due to columns and walls.
 - (g) Dimension manoeuvring aisles and the drive aisles at the parkade entrance and all gates.
 - (h) Provide section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates.

Note to Applicant: These clearances must consider mechanical projections and built obstructions.

- (i) Identify details of the ramp/parkade warning and/or signal systems including location of lights, signs and detection devices.
- (j) Identify areas of minimum vertical clearances on parking levels.
- (k) Provide design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, accessible spaces, and at all entrances.

Note to Applicant: The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.

- (l) Identify the stair-free access route from the Class A bicycle spaces to reach the outside.

Note to Applicant: Stair ramps are not generally acceptable.

- 1.24 This development will be required to provide on-site rainwater management in accordance with Building By-law requirements (Book II, Division B, Article 2.4.2.5) in effect in January 2024.

Note to Applicant: The applicant will be required to demonstrate compliance with these requirements at the building permit application stage. See vancouver.ca/rainwater for more information.

- 1.25 Provision of a Final Hydrogeological Study, to the General Manager of Engineering Services and the Director of Planning's satisfaction, which addresses the requirements outlined in the Groundwater Management Bulletin, including but not limited to:

- (a) A Groundwater Management Plan which includes:
 - (i) Results from additional groundwater level monitoring, including estimated or measured seasonal ranges;
 - (ii) Provide a quantitative estimate (in litres per minute) of both the anticipated construction dewatering/drainage rate and the permanent (post-construction) dewatering/drainage rate. Include calculations, assumptions and the methodology used to determine the rates.

Note to Applicant: The City does not support the long-term discharge of groundwater to our sewer system. Every effort should be made to prevent or limit this discharge.

- (b) An Impact Assessment which achieves the following objective:
 - (i) Analysis to confirm that there are no significant risks from groundwater extraction/diversion.

Note to Applicant: The City does not accept the dewatering of peat due to associated risk of offsite settlement.

- 1.26 Construction-related discharge to sewer must be measured, and reported to the City. The monitoring must include daily average flow rates, and be submitted monthly to groundwater@vancouver.ca. A hold will be placed on the issuance of a Building Permit for excavation. To remove the hold, provide an anticipated start date for excavation, and the contact details for the professional services that have been retained to conduct this monitoring, to groundwater@vancouver.ca
- 1.27 Provision of a sewer abandonment plan, prepared by the applicant's engineer, that details the following:
- (a) The abandonment or removal of all existing storm, sanitary, and combined connections to the development site; and
 - (b) The abandonment or removal of all existing storm, sanitary, and combined sewer mains that are no longer in use due to the development of the site.

Note to Applicant: The abandonment plan is required to be reviewed and accepted by the City Engineer prior to issuance of the Sewer Permit.

- 1.28 A Key Plan shall be submitted by the applicant and approved by the City prior to any third party utility drawing submissions and third party utility service drawings will not be reviewed by the City until the Key Plan is defined and achieves the following objectives:
- (a) The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan <https://vancouver.ca/files/cov/engineering-design-manual.PDF>; and
 - (b) All third party service lines to the development is to be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant is to provide documented acceptance from the third party utilities prior to submitting to the City.

Note to Applicant: It is highly recommended that the applicant submit a Key Plan to the City for review as part of the building permit application. Use of street for temporary power (e.g., temporary pole, pole mounted transformer or ducting) is to be coordinated with the City well in advanced of construction. Requests will be reviewed on a case by case basis with justification provided substantiating need of street space against other alternatives. If street use for temporary power is not approved, alternate means of providing power will need to be proposed. An electrical permit will be required.

- 1.29 Provision of City supplied building grades and interpolated design elevations along the property line for the creation of a continuous building grade on both the architectural and the landscape plans.

Note to Applicant: Interpolated design elevations will be required for all entrances to the site.

<https://vancouver.ca/home-property-development/building-grades-for-sidewalk-and-street-elevation.aspx>

Housing

- 1.30 The proposed unit mix, including 8 studio units (22.2 %), 15 one-bedroom units (41.6 %), 8 two-bedroom units (22.2 %), and 5 three-bedroom units (13.8 %) is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the dwelling units designed to be suitable for families with children.

- 1.31 The development should be designed in accordance with the *High-Density Housing for Families with Children Guidelines*, including the provision of:
- (a) An outdoor amenity area to include areas suitable for a range of children's play activities and urban agriculture, appropriate in size for the scale of the project, and situated to maximize sunlight access (S. 3.3.2, 3.4.3);
 - (b) A minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each dwelling unit, preferably located in the unit (S. 4.4.2);
 - (c) A multi-purpose indoor amenity space, appropriate in size for the scale of the project, with a wheelchair accessible washroom and kitchenette. Consider positioning this adjacent to the children's play area to enable parental supervision from the amenity room (S. 3.7.3); and
 - (d) A balcony for each unit with 1.8 m by 2.7 m minimum dimensions (S. 4.3.2).

Note to Applicant: Include balcony dimensions on the Development Permit drawings.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

THAT, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering Services

- 2.1 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the consolidation of Lots 25 and 26, both except part in Plan 5651, the North 15 feet of Lot 27 except the East 7 feet, and Amended Lot 28 (see 15942-L), all of Block 3 District Lot 645 Plan 2317, to create a single parcel.
- 2.2 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the release of Easement & Indemnity Agreement 387540M (commercial crossing) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition for zoning enactment.

- 2.3 Provision of a building setback and surface statutory right-of-way (SRW) for public pedestrian use over a portion of the site, along Fraser Street and East 45th Avenue, to achieve a 2.44 m (8.0 ft.) offset distance measured from the property line to the building face for widened sidewalks.

Note to applicant: The SRW will be free of any permanent obstruction such as structure, mechanical vents, stairs, and planter walls at grade and is to accommodate the underground parking structure within the SRW agreement.

- 2.4 Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the Rezoning Site (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights-of-way for the Services are provided all to the satisfaction of the General Manager of Engineering Services. No development permit for the Rezoning Site, or any portion thereof, or for any building or improvements thereon will be issued until the letter of credit, as security for the Services, is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. Except as explicitly provided for in Condition 2.5(a) and 2.5(b), the Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

Note to Applicant: For general Latecomer Policy information refer to the website at <https://vancouver.ca/home-property-development/latecomer-policy.aspx#redirect>

- (a) Provision of adequate water service to meet the fire flow demands of the project.

Note to Applicant: Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by Core Concept Consulting Ltd. dated June 23, 2022, no water main upgrades are required to service the development.

The main servicing the proposed development is 150 mm along East 45th Avenue or 200 mm along west side of Fraser Street. Should the development require water service connections larger than the existing main, the developer shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost of the upgrading. The maximum water service connection size is 300 mm.

Should the development's Fire Underwriter's Survey Required Fire Flow calculation change as the building design progresses, a resubmission to the City of Vancouver Waterworks Engineer is required for re-evaluation of the Water System.

- (b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project and in order to maintain acceptable sewer flow conditions, implementation of development(s) at 6095 Fraser Street require:

- (i) Off-Site Servicing Upgrade:
 - (1) Separate 8.86 m of existing 300 mm COMB main to 200 mm SAN and 450 mm STM in East 47th Avenue from [MH__FJCOGD] to [MH__FJCOGF] fronting East 47th Avenue and lane west of Fraser Street crossing.
 - (2) Upsize 100.56 m of existing 375 mm COMB main to 200 mm SAN and 450 mm STM in lane west of Fraser Street from [MH__FJCOGF] fronting 695 East 47th Avenue to [MH__FJCOGK] fronting 6183 Fraser Street.

Note to Applicant: The lengths and diameters of these improvements are approximate and subject to detailed design by Developer's Engineer.

Developer's Engineer to submit sewer design brief, calculations and/or model, and design drawings to the City, with all submittals including Issued for Construction (IFC) drawings required to be reviewed and accepted by the City Engineer prior to Building Permit issuance.

These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

- (ii) The development to be serviced to the existing 375 mm COMB on lane west of Fraser Street.
- (c) Provision of the following Green Infrastructure improvements to the satisfaction of the General Manager of Engineering Services:
 - (i) Installation along East 45th Avenue of an infiltration under the proposed bike lane and sidewalk to capture and retain 90% of average annual rainfall or a 48 mm – 24 hour event from the right-of-way frontage to the crown of the road to the greatest extent practical.
 - (ii) Installation along East 45th Avenue of the new bike lane shall be porous asphalt.

Note to Applicant: Green infrastructure design will be coordinated with Transportation Planning and Street Design Branch to approve all infrastructure proposed within the public realm.

Porous asphalt structure design and details to be provided by the applicant, to the satisfaction of the General Manager of Engineering Services, during off-site improvements design development, prior to construction.

Green Infrastructure (GI) should be used to manage rainwater from the street right-of-way as required in the [Rain City Strategy](#). The retention standard for the right-of-way is to treat and retrain the first 48mm of rainfall (i.e. 90% of annual rainfall) where possible. The water quality standard is to remove 80% of TSS (by mass) for the first 48 mm of rainfall for highly impervious surfaces, as per the

[Rainwater Management Bulletin \(2018\)](#). These design standards are applied to the prescribed GI measures listed above.

For further information, contact Green Infrastructure Implementation Branch, ESRGGIIDL@vancouver.ca.

- (d) Provision of upgraded street lighting (roadway, sidewalk) adjacent to the site to current City standards and IESNA recommendations.
- (e) Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.

Note to Applicant: Existing wood pole in lane conflicts with access.

- (f) Provision of new or replacement duct bank adjacent to the development site that meets current City standard.

Note to Applicant: Duct banks are to consist of electrical and communication ducts and cables, and connect to existing electrical and communication infrastructure.

The detailed Electrical Design will be required prior to the start of any associated electrical work to the satisfaction of the General Manager of Engineering Services, and, in conformance with the current City Engineering Design Manual, Construction Specifications, Standard Detail Drawing, Canadian Electrical Code and the Master Municipal Construction Documents.

- (g) Provision of new electrical service cabinet/kiosk on Fraser Street for the Public Bike Share service connection.

Note to Applicant: The kiosk shall be fed by BC Hydro underground grid as such right-of-way (ROW) space shall be provided on-site to accommodate BC Hydro pad mounted transformer.

Further detailed review of the proposed kiosk and electrical specifications is required by the Applicants Electrical Consultant to determine BC Hydro infrastructure needs.

- (h) Street improvements along Fraser Street adjacent to the site and appropriate transitions, including:
 - (i) 1.22 m (4.0 ft.) wide hardscape front boulevard (measured from the back of the existing curb);
 - (ii) Minimum 3.05 m (10.0 ft.) wide broom finish saw-cut concrete sidewalk;
 - (iii) Hard surface treatment within the SRW area; and
 - (iv) Curb ramps.

- (i) Street improvements along East 45th Avenue adjacent to the site and appropriate transitions, including:
 - (i) Minimum 3.05 m (10.0 ft.) wide broom finish saw-cut concrete sidewalk;
 - (ii) Hard surface treatment within the SRW area;
 - (iii) Raised asphalt protected bike lane, including removal of the existing curb bulge, relocation or replacement of the existing catch basin, and road reconstruction as required to accommodate the protected bike lane; and

Note to applicant: the City will provide a geometric design for these street improvements.
 - (iv) Curb ramps.
- (j) Provision of speed humps in the lane west of Fraser Street between East 44th Avenue and East 45th Avenue.
- (k) Provision of improvements at the intersection of Fraser Street and East 45th Avenue including:
 - (i) Upgrades to the existing traffic signal including accessible pedestrian signals (APS); and
 - (ii) Entire intersection street lighting upgrade to current City standards and IESNA recommendations.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.
- (l) Provision of a 16 m x 4 m concrete pad to accommodate a public bike share station adjacent to the raised protected bike lane along East 45th Avenue.

Note to applicant: The City will provide a geometric design for the PBS space and bike lane.
- (m) Provision of a power connection to the PBS station from the City power grid.
- (n) Provision of new standard concrete lane crossing, new lane returns and ramps on both sides of the crossing at the lane crossing on East 45th Avenue.
- (o) Provision of rebuilt laneway along the development site's frontage per City "High Zoned Lane" pavement structure. Relocate the existing laneway catch basin to the lane's centreline.
- (p) Provision of new concrete curb and gutter on East 45th Avenue per City standards.

Note to Applicant: City of Vancouver to provide approved Geometric design. All elements of the Geometric design must be constructed to meet City Standards including, but not limited to relocation of existing catch basins or installation of new catch basins where required to accommodate the geometric design.

- (q) Removal of existing driveway letdown on East 45th Avenue and reconstruction with full height curb, boulevard and sidewalk.
- (r) Provision of any damages to the existing integral curb and pad located on Fraser Street to be remedied by reconstruction of the entire integral concrete pad.
- (s) Provision of street trees where space permits.

Note to Applicant: Final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. Tree species to the approval of the City Arborist. Street tree planting to include appropriate soil volumes and approved root barriers of rigid construction, 8 feet long and 18 inches deep, centre on each street tree adjacent to the sidewalk and any off-street bike facility.

- (t) Provision of installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.

2.5 Provision of one or more Latecomer Agreements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following works, which constitute excess and/or extended services:

- (a) Off-site sewer servicing upgrade per condition 2.5(b); and
- (b) Intersection upgrades per condition 2.5(k).

Note to Applicant: The benefiting area for these works is under review.

An administrative recovery charge will be required from the applicant in order to settle the latecomer agreement. The amount, which will be commensurate with the costs incurred by the City to administer the latecomer scheme, will be provided by the City and specified in the latecomer agreement.

For general Latecomer Policy information refer to the website at:
<https://vancouver.ca/home-property-development/latecomer-policy.aspx#redirect>

2.6 Provision of all third party utility services (e.g., BC Hydro, Telus and Shaw) to be underground and BC Hydro service to the site to be primary.

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

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

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

Housing

- 2.8 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant securing all residential units as for-profit affordable housing units, excluding Senior's Supportive or Assisted Housing, for a term equal to the longer of 60 years and life of the building, subject to the following conditions and requirements:
- (a) A no separate-sales covenant is required.
 - (b) A no stratification covenant is required.
 - (c) None of the units are to be rented for less than one month at a time.
 - (d) The average starting monthly rents for each unit type will for initial occupancy not exceed the rents outlined by Section 3.1A (e) of the Vancouver Development Cost Levy By-Law.
 - (e) A rent roll is to be provided, prior to issuance of an occupancy permit, to the satisfaction of General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services, which reflects the agreed initial monthly rents as of occupancy.

Environmental Contamination

- 2.9 The following conditions must be met prior to enactment of the rezoning:
- (a) Submit a site disclosure statement to Environmental Services;
 - (b) 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
 - (c) 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 from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements constructed on the site pursuant to this rezoning until separate Certificates of Compliance, satisfactory to the City, for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

Agreements

Note to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as registerable charges pursuant to the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the By-law and at no cost to the City.

The preceding agreements shall provide security to the city including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

* * * * *

6095 Fraser Street
PROPOSED CONSEQUENTIAL AMENDMENTS

SIGN BY-LAW No. 11879

In Schedule A (CD-1 Zoning Districts regulated by Part 9) of the Sign By-law add:

“6095 Fraser Street [CD-1 #] [By-law #] C-2”

NOISE CONTROL BY-LAW No. 6555

Amend Schedule B [Intermediate Zone] by adding the following:

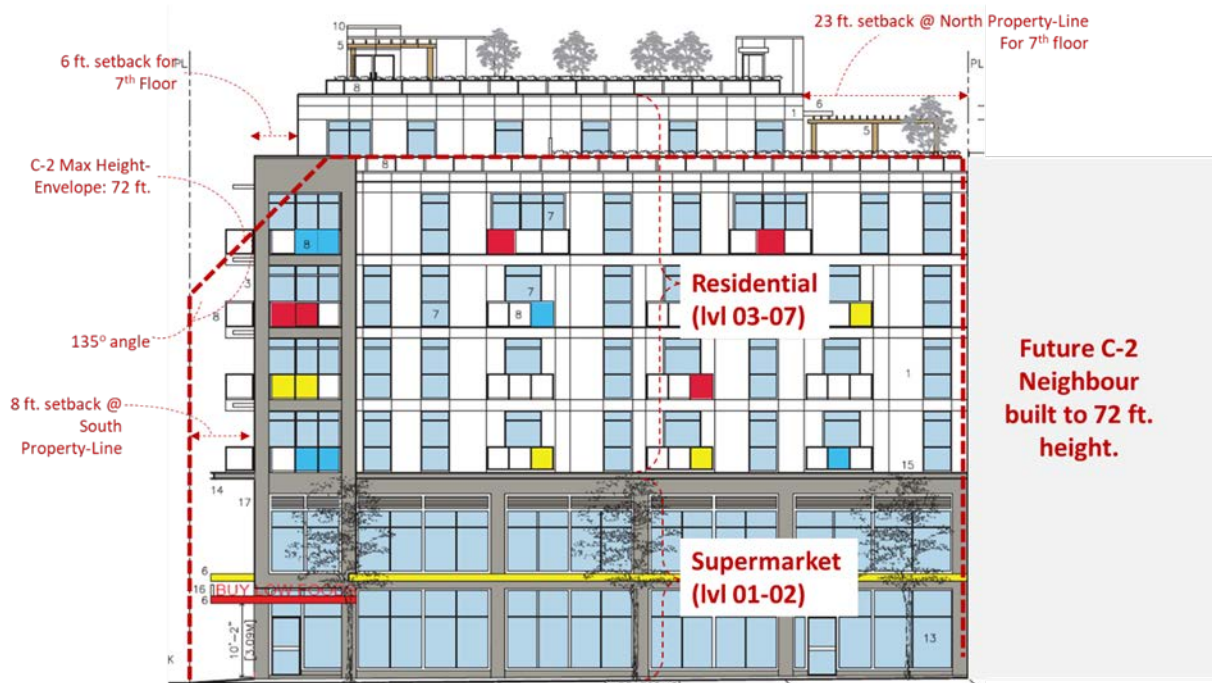
“[CD-1#] [By-law #] 6095 Fraser Street”

* * * * *

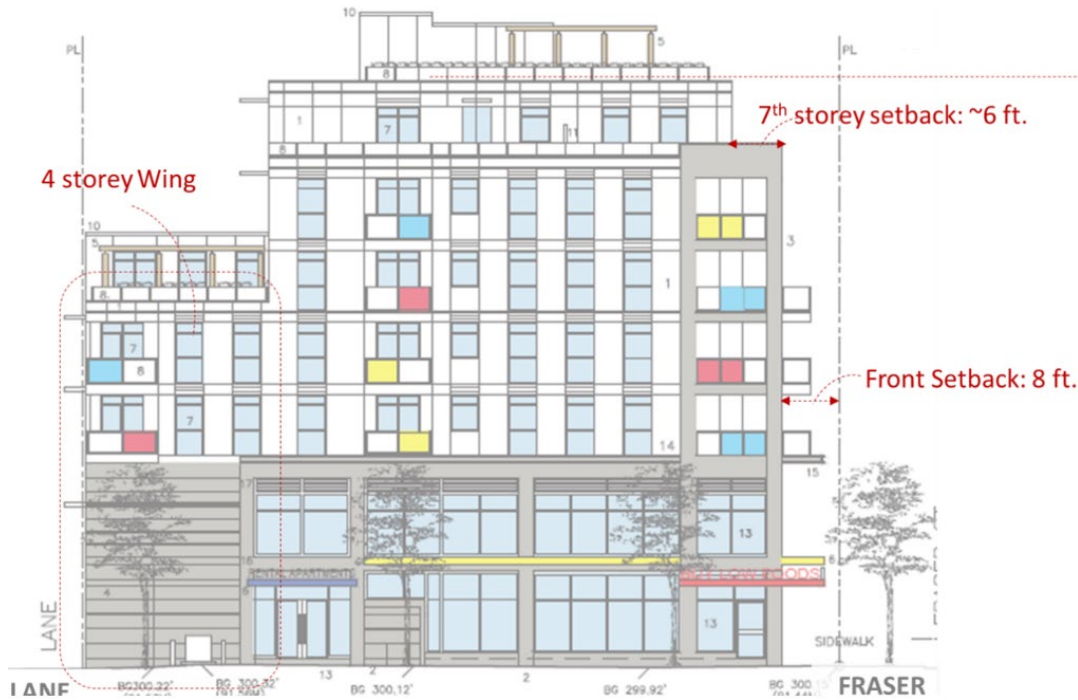
6095 Fraser Street URBAN DESIGN ANALYSIS

Staff acknowledge the proposed building exceeds the current C-2 zone's 72 ft. height and massing parameters in some areas. However, staff note these overages are to accommodate an expanded supermarket at this busy neighbourhood node. The approximately 13,700 sq. ft. supermarket replaces a smaller supermarket to further enhance the neighbourhood's food security. From an urban design perspective, the increased height may help define this prominent street corner. Despite the height and density increases, the building does address some of the C-2, C-2B, C-2C, and C-2C1 Guidelines broader urban design objectives. For instance:

- **Upper-Storey Setbacks:** The seventh floor is setback 7 m (23 ft.) from the north property-line, and 1.8 m (6 ft.) on the other sides. This minimises the appearance of height and bulk when viewed from ground-level. Furthermore, the seventh-floor's setbacks produce a six-storey street-wall, which will be congruent with a future six-storey C-2 building.



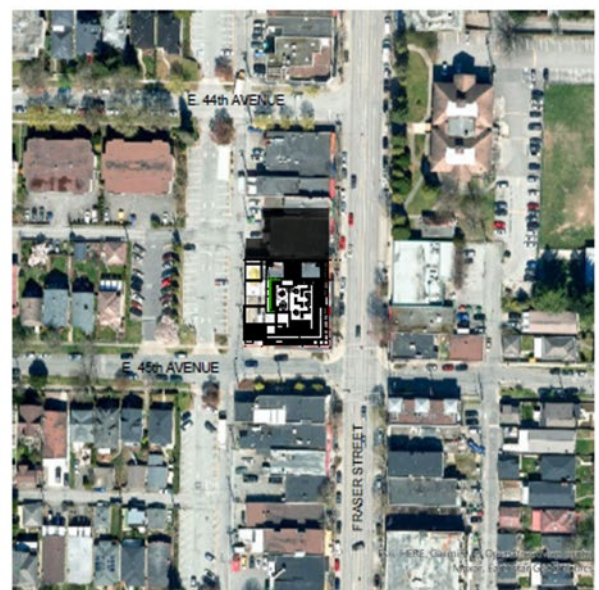
- **Relation to Neighbours:** The building's wing along 45th Avenue scales down to four storeys to better transition to the lower-scale neighbours across the lane. A flanking wing is anticipated in the C-2 zone for corner sites.



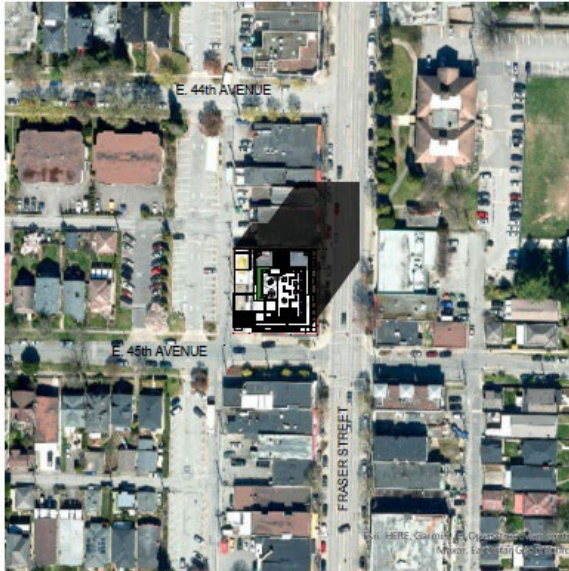
- Mitigating Appearance of Bulk and Visual Interests: Inset balconies are interspersed across the building faces to introduce visual interest. Visual porosity into the supermarket's interior is provided to animate the pedestrian realm.
- Impacts on Public Realm: The seventh-floor setbacks, especially along its Fraser Street edge, minimises shadows on South Hill Education Centre's front yard. However, these shadows overlap with the existing trees' shadows along the school yard's edge. Furthermore, there is no shadowing on the yard during noon (at the equinoxes), when people may use it over the lunch break. South Hill is an adult learning centre.



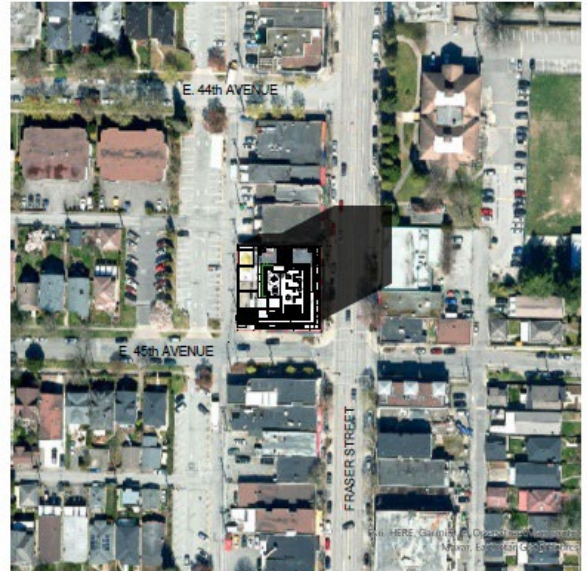
september 20th @ 10:00 a.m.



september 20th @ 12:00 p.m.



september 20th @ 2:00 p.m.

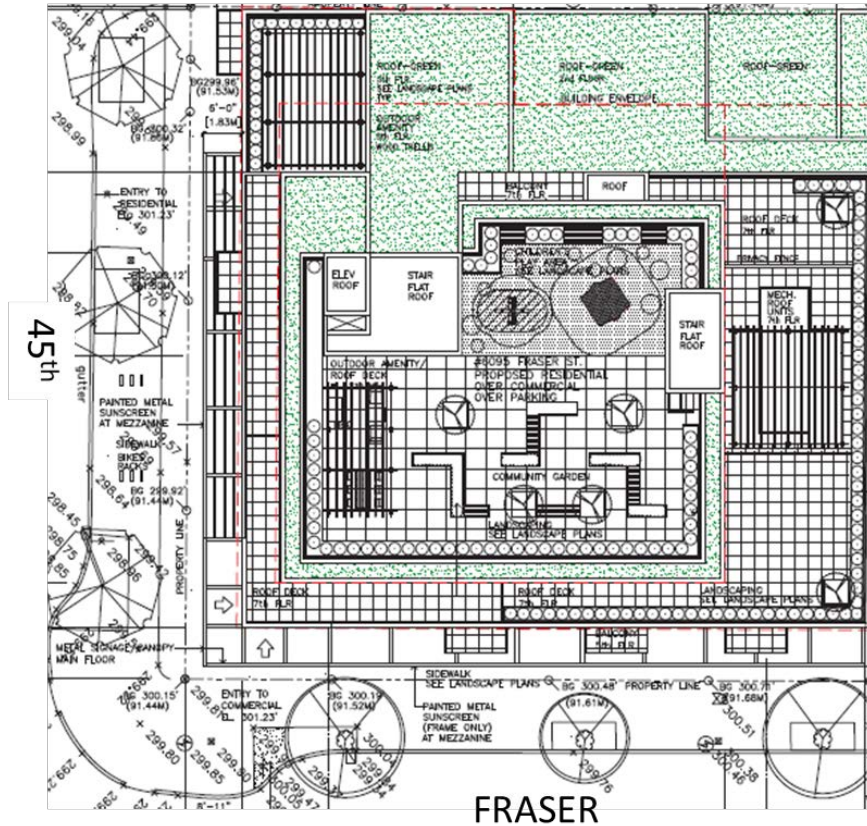


september 20th @ 4:00 p.m.

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6095 Fraser Street
FORM OF DEVELOPMENT DRAWINGS

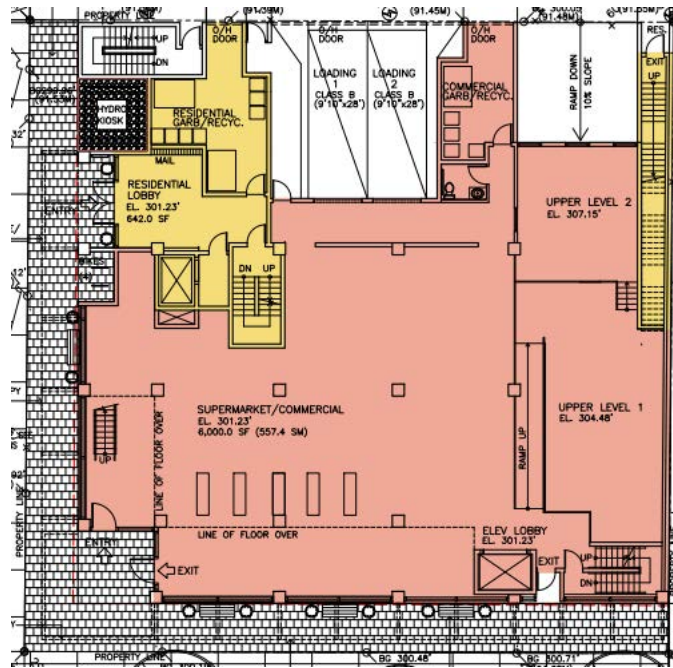
Site Plan
Lane



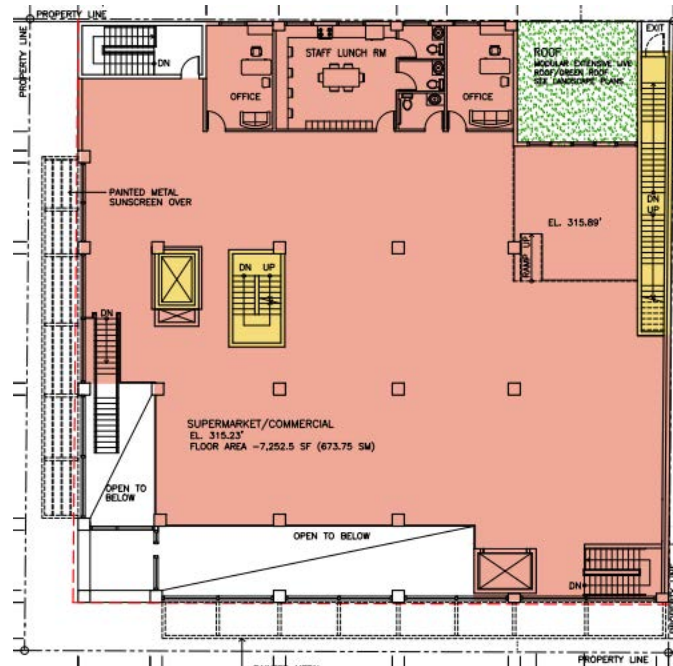
Aerial view showing rooftop



Ground Floor Commercial



Second Floor Commercial



Typical floor plans for third and fourth floors, showing "wing"



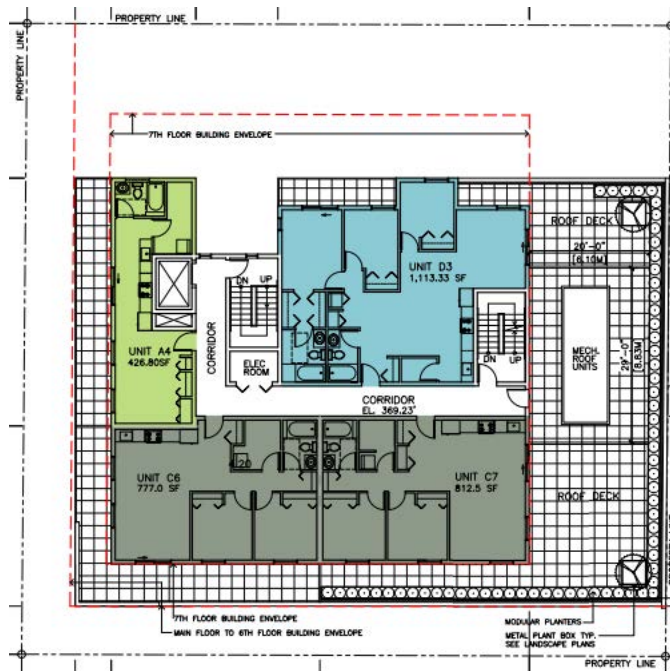
Fifth floor



Sixth floor



Seventh floor



* * * * *

6095 Fraser Street
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

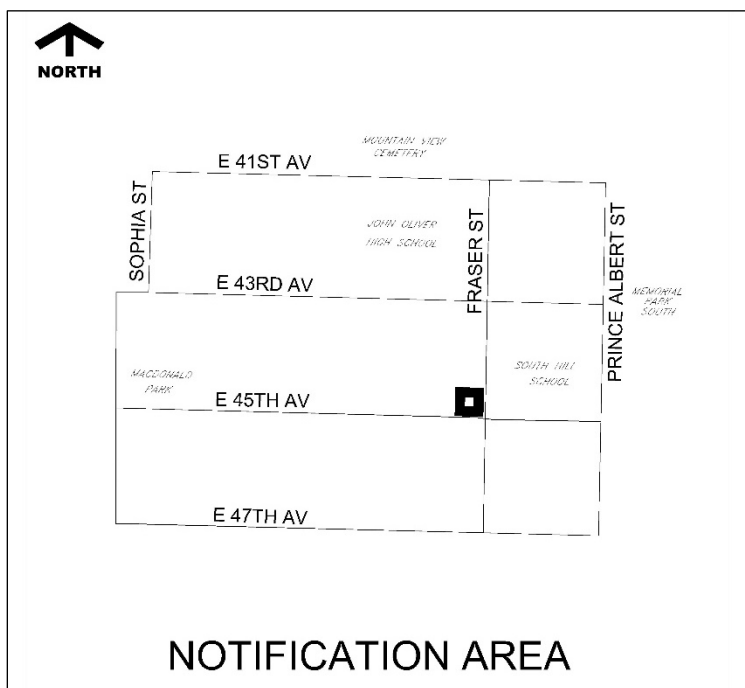
	Date	Results
Events		
Virtual open house (City-led)	November 14, 2022 – December 4, 2022	174 participants (aware)* <ul style="list-style-type: none"> • 61 informed • 23 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	November 14, 2022	1,432 notices mailed
Public Responses		
Online questions	November 14, 2022 – December 4, 2022	8 submittals
Online comment forms <ul style="list-style-type: none"> • Shape Your City platform 	October, 2022 – September, 2023	85 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	October, 2022 – September, 2023	82 submittals <ul style="list-style-type: none"> • 26 responses • 45 responses • 11 responses
Other input	October, 2022 – September, 2023	2 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	October, 2022 – September, 2023	966 participants (aware)* <ul style="list-style-type: none"> • 249 informed • 90 engaged

Note: All reported numbers above are approximate.

* The Shape Your City platform allows staff to capture more nuanced levels of engagement associated with the rezoning application, categorized as:

- **Aware:** Number of unique visitors to the application webpage that viewed only the main page.
- **Informed:** Visitors who viewed documents or the video/photo gallery associated with the application; *informed* participants are a subset of *aware* participants.
- **Engaged:** Visitors that submitted a comment form or asked a question; *engaged* participants are a subset of *informed* and *aware* participants.

2. Map of Notification Area



3. Analysis of All Comments Received

Below is an analysis of all public feedback by topic.

Generally, comments of support fell within the following areas:

- **Rental stock:** Support the creation of new rental units.
- **Ground floor retail:** The proposed replacement grocery store will be a great asset to the area.
- **Height, density, and location:** The proposed height, density, and location is appropriate and is a great addition to the community.

Generally, comments of concern fell within the following areas:

- **Gentrification:** The rezoning will start the gentrification of the neighbourhood, including pushing BIPOC and low income residents away from Fraser Street. It will drive up housing costs.
- **Height, density, and massing:** The proposed height and density would negatively impact the community.
- **Accessibility:** The affordable grocery store is a community asset. Demolishing the store for this rezoning will result in a lack of an accessible and affordable grocery store in the area.

The following miscellaneous comments were received from the public (note: these were topics that were not ranked as highly as above).

General comments of support:

- This proposed building is attractive and a great addition to the neighbourhood.
- There is support of the creation of two- and three-bedroom units.
- There is support of underground parking provided by the development.
- The proposed parking and bicycle parking spaces are supported.
- As a result of this rezoning, additional amenities will be provided to the community.

General comments of concern:

- Not enough parking.
- The building is too tall and will block sunlight to the neighbouring buildings.
- The rezoning will force tenants to relocate with uncertainty whether they can find comparable replacement housing.
- There is general opposition for this rezoning.

Neutral comments/suggestions/recommendations:

- The building should be taller.
- Respondents believe up to four storeys is appropriate.
- Affordable housing should be provided instead of market rental housing.
- Time-limited parking spaces should be considered.
- Electric vehicle charging stations should be included.
- The increased congestion should revert the 45th Avenue designated bicycle lane to a vehicular lane.
- This project should be expedited.

* * * * *

6095 Fraser Street
PUBLIC BENEFITS SUMMARY

Project Summary:

Seven-storey mixed-use building that includes two storeys of commercial and 36 units of secured market rental.

Public Benefit Summary:

The project will provide a DCL payment and 36 secured market rental housing units.

	Current Zoning	Proposed Zoning
Zoning District	C-2	CD-1
FSR (site area = 1,046.4 sq. m (11,263 sq. ft.))	3.5	4.0 (including 1.2 non-residential use)
Buildable Floor Space	3,662.4 sq. m (39,422 sq. ft.)	4,185.6 sq. m (45,053 sq. ft.).
Land Use	Residential Rental, Cultural & Recreational, Institutional, Office, Retail, Service	Residential Rental, Cultural & Recreational, Institutional, Office, Retail, Service

Summary of development contributions expected under proposed zoning

City-wide DCL ^{1 2}	\$393,479
Utilities DCL ¹	\$521,595
TOTAL	\$915,074

Other benefits (not-quantified components): All residential units to be rental housing (non-stratified) all secured for the longer of 60 years and the life of the building.

¹ Based on by-laws in effect as of September 30, 2023 and assumes the development maximizes the allowable density. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage. DCL by-laws are subject to future adjustment by Council including annual inflationary adjustments. A development may qualify for 12 months of in-stream rate protection. See the City's [DCL Bulletin](#) for more details.

² This application has requested and is expected to be eligible for a Class B (86.24%) waiver of the City-wide DCLs applicable to the residential portion of the building. The value of the anticipated City-wide DCL waiver is estimated at \$588,672. The application is therefore subject to the maximum average starting rents applicable to "Class B for-profit affordable rental housing" as per the By-law. These requirements will be secured by a Housing Agreement, and compliance will be assessed through the development permit stage to occupancy permit issuance.

* * * * *

**6095 FRASER STREET
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

Property Information

Address	Property Identifier (PID)	Legal Description
6095 Fraser Street	004-989-384	Lot 25, Except part in Plan 5651 Block 3 District Lot 645 Plan 2317
6095 Fraser Street	004-989-449	Lot 26 Except part in Plan 5651 Block 3 District Lot 645 Plan 2317
6095 Fraser Street	004-989-686	The North 15 feet of Lot 27 Except the East 7 feet, Block 3, District Lot 645 Plan 2317
6095 Fraser Street	004-989-775	Amended Lot 28 (see 15942-L) Block 3 District Lot 645 Plan 2317

Applicant Information

Developer/ Registered Owner	Banwait Investments Holdings Ltd.
Architect/Applicant	Kenneth E King Architecture & Planning

Development Statistics

	Permitted Under Existing Zoning	Proposed	Recommended Other Than Proposed
Zoning	C-2	CD-1	
Site Area	1,046.4 sq. m (11,263 sq. ft.)	1,046.4 sq. m (11,263 sq. ft.)	
Land Use	Residential Rental, Cultural & Recreational, Institutional, Office, Retail, Service	Residential Rental, Cultural & Recreational, Institutional, Office, Retail, Service	
Maximum FSR	3.5	4.18	4.0
Maximum Height	22.0 m (72 ft.)	24.7 m (81 ft.) to parapet top 27.0 m (89 ft.) to top of amenity space, appurtenances, and rooftop access structures	
Floor Area	3,662.4 sq. m (39,422 sq. ft.)	4,185.6 sq. m (45,053 sq. ft.)	
Unit Mix	N/A	8 studio units 15 one-bed units 8 two-bed units 5 three-bed units 36 Total Units	
Parking and Bicycle Spaces	As per Parking By-law	As per Parking By-law	
Natural Assets	No onsite trees. Three street trees	To be confirmed at development permit stage	