CITY OF VANCOUVER

REFERRAL REPORT

Report Date:	October 3, 2023
Contact:	Casey Peters
Contact No.:	604.871.6356
RTS No.:	15955
VanRIMS No.:	08-2000-20
Meeting Date:	October 17, 2023

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 430-440 West Pender Street

RECOMMENDATION TO REFER

THAT the rezoning application and plans, 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 Architectural Collective Inc., on behalf of B West Pender Holdings Ltd., the registered owner of the lands located at 430-440 West Pender Street [*Lots 4 and 3 Block 35 Lot 541 Plan 210; PIDs 015-488-161 and 015-488-152*], to rezone the lands from DD (Downtown) to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 6.00 to 8.42 to permit the development of a 12-storey, mixed-use building containing 80 secured market rental units, with at-grade commercial uses, 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 Architectural Collective Inc., received on August 12, 2022 with revised drawings received on March 28, 2023, 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 in principle of the rezoning, the existing building known as the "Drier Block", located at 430-434 West Pender Street [*Lot 4 Block 35 District Lot 541 Plan 2010; PID 015-488-161*] (the "heritage building"), be added to the Vancouver Heritage Register in the 'C' evaluation category.

D. 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.

E. 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.

F. THAT Recommendations A to E 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 430-440 West Pender Street from DD (Downtown) District to CD-1 (Comprehensive Development) District. The proposal is for a 12-storey, mixed-use building with 80 secured market rental housing units, at-grade commercial, and privately owned publically accessible artist studio space on the rooftop. The front facades of the two existing heritage buildings would be conserved, and the building known as the "Drier Block", located at 430-434 West Pender Street, would be added to the Vancouver Heritage Register. Maintenance of the heritage façades would be secured through a Heritage Restoration Covenant. The application meets the intent of the *Downtown Eastside Plan* (DTES Plan) for the Victory Square area, and would contribute 80 secured rental units, to advance the City's Housing Vancouver targets.

Staff recommend the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it, subject to a Public Hearing and the conditions outlined in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)
- Downtown Eastside Plan (2014)
- Rezoning Policy for the Downtown Eastside (2014)
- Downtown Official Development Plan (1975, amended 2015)
- Victory Square Policy Plan (2005, amended 2022)
- Victory Square Guidelines (2006)
- Housing Needs Report (2022)
- Housing Vancouver Strategy (2017)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- Housing Plan for the Downtown Eastside (2011)
- High-Density Housing for Families with Children Guidelines (1992, last amended 2022)
- Green Buildings Policy for Rezoning (2010, last amended 2023)
- Culture | Shift: Blanketing the City in Arts and Culture, Vancouver Culture Plan (2019)
- Making Space for Arts and Culture: Vancouver Cultural Infrastructure Plan (2019)
- Latecomer Policy (2021)
- Community Amenity Contributions Policy for Rezonings (1999, last amended 2023)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183
- Public Art Policy and Procedures for Rezoned Developments (2014)
- Heritage Policies (2020)

REPORT

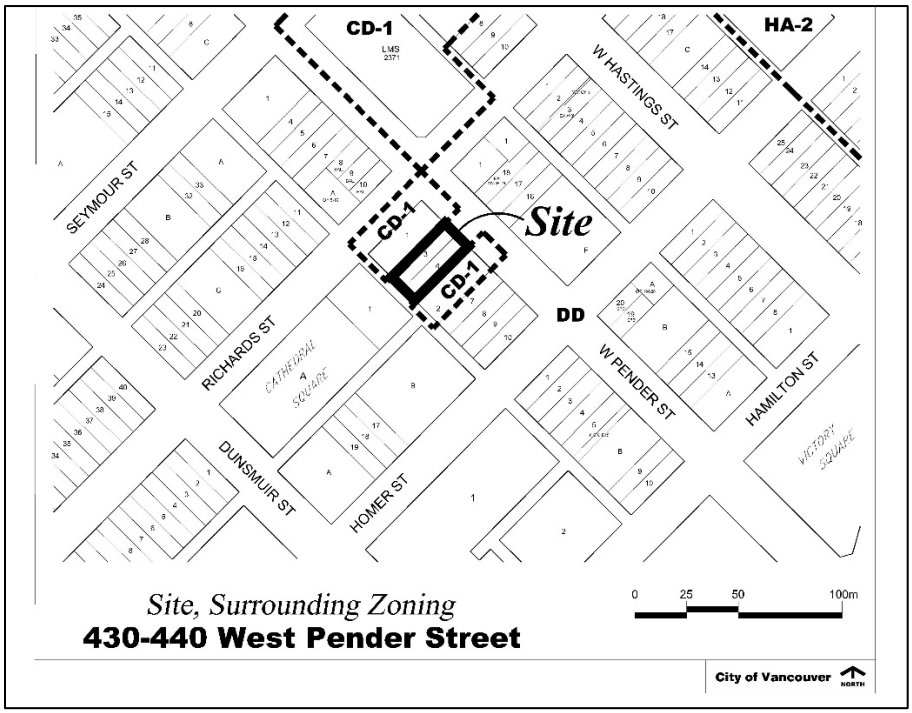
Background/Context

1. Site Context

The subject site (see Figure 1) is comprised of two legal parcels fronting Pender Street, between Richards and Homer Streets. The total site area is 579.7 sq. m (6,240 sq. ft.), with a

frontage of 15.9 m (52 ft.) along Pender Street and a depth of 36.6 m (120 ft.). The property is occupied by one two-storey building constructed in 1916 and one three-storey building constructed in 1909. The former building has been identified as having potential to be added to the Vancouver Heritage Register in the "C" category. The latter is currently listed as Heritage "B" in the Vancouver Heritage Register. Two retail businesses occupy the site's ground levels with the upper levels currently vacant.

Figure 1: Site and Context



The site is west of Victory Square in the Downtown Eastside. The surrounding area has many low- and mid-rise heritage and character buildings all zoned DD (Downtown) District. This area is undergoing significant change with numerous developments under consideration or approved for up to 32 m (105 ft.). There are currently two secured market rental developments, with at-grade commercial uses under construction immediately to the east and west of the site. Each of these buildings will reach a maximum height of 32 m (105 ft.).

Neighbourhood Amenities – The following amenities are within close proximity:

- *Parks:* Cathedral Square (140 m), Victory Square (300 m), Andy Livingstone Park (800 m), sθəqəlxenəm ts'exwts'áxwi7/Rainbow Park (750 m), Art Phillips Park (850 m), Sun Yat-Sen Gardens Park (950 m);

- *Cultural/Community Space:* Vancouver Film School (350 m), SFU Goldcorp Centre for the Arts (400 m), Queen Elizabeth Theatre (400 m), Vancouver Playhouse Theatre (450 m), Woodward's Atrium (550 m), Vancouver Film School Water Street (500 m); and

- *Childcare:* Woodward's YMCA Childcare (450 m), Leslie Diamond Early Learning and Care Centre (650 m), International Village Children's Centre (700 m), Atelier Children's Centre (700 m).

Local School Capacity – This site is located within the catchment area of Crosstown Elementary School and King George Secondary School. According to the Vancouver School Board (VSB)'s 2020 Long Range Facilities Plan, Crosstown Elementary School will be operating below capacity in the coming years, with a capacity at 84% and King George Secondary School will be above capacity, with a capacity at 198% by 2031.

The VSB report notes that overall enrolment trends for the wider area are changing. The VSB continues to explore options to reduce pressure on schools in this area, monitor development, and work with City staff to help plan for future growth.

2. Policy Context

Vancouver Plan – 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 approved Plan will serve as a framework with further implementation planning work to follow over the next two to four years.

Downtown Eastside Plan – Council approved the *Downtown Eastside Plan* (DTES Plan) in March, 2014. The Plan guides future private and City investment and partnerships towards achieving integrated development that meets the needs and priorities of the whole community. The DTES Plan's policies are designed to achieve a thoughtful balance that supports the continued development of a mixed-income community in the Downtown Eastside without displacing Vancouver's most vulnerable citizens.

The subject site is located in the *Victory Square Policy Plan* area of the DTES Plan, and is consistent with area C2 of the *Downtown Official Development Plan* (DODP). In this area, the DTES Plan supports the continuation of a mixed-use neighbourhood with a mix of housing types, including strata-titled, rental and social housing units, and affordable home ownership.

Rezoning Policy for the Downtown Eastside – In March 2014, Council approved the *Rezoning Policy for the Downtown Eastside* (Rezoning Policy). The policy requires that new development be focused on specific areas identified for change in the DTES Plan and outlines conditions where new development may be considered.

For sites in the Victory Square area, rezoning may be considered in accordance with the *Victory Square Policy Plan* and the DTES Plan, which allow rezoning to be considered for market projects providing public benefits including social housing, secured market rental housing, and/or heritage building rehabilitation.

Housing Needs Report – 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 application proposes to deliver market rental housing and is subject to this assessment. This application implements Council-approved direction on housing contained in the DTES Plan, which is well supported by data and findings in the report.

Housing Vancouver Strategy – In November 2017, Council approved the *Housing Vancouver Strategy (2018-2027)* and the *3-Year Action Plan* (2018-2020). These seek to shift the supply of new homes toward the right supply, with targets for new units along a continuum of housing

types. The strategy's targets were based on the core goals of retaining the diversity of incomes and households in the City, shifting housing production towards rental to meet the greatest need, and of coordinating action with government and non-profit partners to deliver housing for the lowest income households. Overall, 72,000 new homes are targeted for the 10-year period, including 12,000 social, supportive and non-profit co-operative units and 20,000 purpose-built rental units. This rezoning will contribute towards the targets for purpose-built market rental units and family units.

Heritage Policies – Council approved the *Heritage Policies* on March 2020, stipulating that rezoning should not result in the demolition or severe alteration of a heritage property. To be considered favourably for rezoning, the heritage property on a rezoning site must be preserved, a high level of retention and conservation proposed, and it must be seismically upgraded. Legal protection of the heritage resource is required.

Culture|Shift: Blanketing the City in Arts and Culture and Making Space for Arts and Culture – In September 2019, Council approved the Culture Shift policies with the aim of preventing displacement of cultural resources, and supporting community-led spaces through enabling partnerships. Making Space for Arts and Culture makes affordability, accessibility and security one of its key directions. The policy sets an overall citywide goal of securing 800,000 square feet of cultural space with a goal to see "no net loss" of Vancouver's cultural spaces including artist studios.

Strategic Analysis

1. Proposal

Figure 2: Proposed Front Elevation from West Hastings Street

The application proposes 8.42 FSR, in a 12-storey mixed-use building containing 80 secured market rental housing units and 359.3 sq. m (3,868 sq. ft.) of commercial space at grade, and a 125.6 sq. m (1,352 sq. ft.) artist studio space on the rooftop. The front facades of the two existing heritage buildings would be conserved, with the building at 430-434 West Pender Street added to the Vancouver Heritage Register. Car share spaces, loading, and passenger parking is provided off the lane, with below grade bicycle parking. No residential parking is proposed.

2. Land Use

The existing zoning area is C2 of the DODP with land use also regulated by the DODP. The boundaries of area C2 are consistent with those of the Victory Square area of the DTES Plan.

To encourage a range of new housing units, including market and non-market housing, policy in this area allows consideration of rezoning applications to achieve public benefits including social housing, secured market rental housing, and/or heritage building rehabilitation. This application is consistent with the uses intended in the local policies.

3. Form of Development, Height and Density (See drawings in Appendix G)

Form of Development – The main characteristics of the Victory Square urban form are: narrow building frontages; a “sawtooth” street wall profile created by varying building heights; cubic massing; dense site coverage and robust continuous street walls; masonry as a predominant building material; features such as punched window openings and projecting cornices at the roof line; and contemporary architectural expression for new development.

For this application, the proposed design maintains and contributes to the scale and continuity of Pender Street and the broader Victory Square Area, as anticipated in the *Victory Square Policy Plan* and *Victory Square Guidelines*. The building design is informed by its heritage context by employing a tri-partite (three-part) composition. The base of the building is integrated with two heritage façades and contributes to the character and scale of the street wall. The middle is made up of a repetitive pattern of solids and voids (windows) stepped back 5 ft. from the heritage façade. In order to better respond to the character of the area, staff are seeking design development of the street elevation to implement masonry as the main cladding material and revise the proportion of the vertical components (refer to Urban Design conditions in Appendix B).

The 12th floor consists of an indoor amenity, artist studio (publically accessible private community space), and a generous rooftop outdoor amenity.

The *Victory Square Policy Plan* requires that shadows cast by new developments on the south side of a street should not extend beyond the curb on the opposite side of the street at noon on the spring and fall equinoxes. In response to this criteria, the entire façade is proposed to be set back by (1.5 m) 5 ft. from the Pender Street property line to preserve sunlight access.

Height – The maximum permitted height for this area is 22.9 m (75 ft.). A discretionary increase to 32.0 m (105 ft.) can be considered for sites where social housing comprises a minimum of two-thirds of the floor space on a site, or if secured market rental housing comprises all of the residential units.

A maximum building height of 32.0 m (105 ft.) to top of the residential parapet is proposed, noting also a height of 35.1 m (115 ft.) to the top of the artist studio space and residential

amenity room. Pursuant to section 10 of the Zoning and Development By-law, common roof-top amenity structures, contiguous with common outdoor amenity spaces, may be excluded from the calculation of height if the height does not exceed 3.7 m (12 ft.). Staff have concluded that this proposal is eligible for the height exclusion.

Density – The DODP allows for a density of 5.0 FSR for all uses, with residential uses limited to a maximum of 3.0 FSR. Under the DODP, a discretional increase in density to 6.0 FSR can be considered if social housing comprises a minimum of two-thirds of the floor space ratio or if secured market rental housing comprises all of the residential units, provided a site has a maximum frontage of 23 m (75 ft.). This application qualifies for consideration of additional density.

Through the DTES Plan and Rezoning Policy, additional density may be considered for rezoning applications that achieve public benefits including social housing, secured market rental housing, and/or heritage building rehabilitation, with the maximum density subject to urban design performance. Based on the delivery of secured market rental housing, along with retention of two heritage facades, staff support the recommendation for an overall floor area of 4,879.0 sq. m (52,517 sq. ft.), equivalent to 8.42 FSR.

Urban Design Panel (UDP) – This proposal was not reviewed by the Urban Design Panel (UDP) because the project is situated on a modestly sized, mid-block site with only two facades (front and rear). All developments in this area are governed by *Victory Square Guidelines*, which direct the form of development and building design comprehensively. The project's density, form, and massing are consistent with the area's rezoning policies and given the support received from the Heritage Commission and the recommended rezoning conditions, staff determined a UDP review was not required.

4. Heritage

The rezoning site includes two Edwardian-era heritage buildings (Figure 3): the three-storey Tiedemann Block (1909-1910), which is listed in the Vancouver Heritage Register (VHR) in the B-category; and, the two-storey Drier Block (1906-1907), which is evaluated for addition to the VHR in the C-category.

Figure 3: 400 Block West Pender Street south side, 1981

The Tiedemann Block is described as a three-storey, triple-bay masonry commercial building that is notable for its unusually applied terra cotta lion's head ornamentation. The Drier Block is described as a two-storey, double-bay commercial building distinguished by its tan brick facade, first-storey display windows and second-storey framing of the front façade fenestration. Both buildings are valued as important components of the early retail and commercial fabric that made this area an important commercial hub in early Vancouver.

In response to the *Heritage Policies*, this application is proposing a primary conservation treatment of rehabilitation, including the demolition of the primary structures of the heritage buildings, the façade-only retention of the Tiedemann Block, and the façade deconstruction and reconstruction of the Drier Block to match archival and as-build documentation. The proposed reconstruction plan for the Drier Block is based on a structural assessment prepared by Glotman Simpson Consulting Engineers, which found the existing interior structure and façade of the Drier Block to be heavily deteriorated beyond repair.

The rehabilitation scheme proposes in-kind repair, reinstatement, or replacement of any weathered or missing exterior character-defining elements, including new storefront assemblies on each heritage façade to match the historic character of the neighbourhood. The proposed demolition of the primary structures of the two buildings would allow for the construction of a contemporary twelve-storey structure behind and above the retained and reconstructed heritage façades. A Conservation Plan will be reviewed and finalized at the development permit stage to ensure the protection of the façades, as well as to ensure that the façade of the Drier Block building is added to the VHR in the 'C' evaluation category.

Legal protection of heritage resources on a rezoning site is required. This is achieved by way of a Restoration Covenant that will be registered on title to secure the rehabilitation, conservation and long-term maintenance of the heritage façades (see conditions in Appendix B). The Vancouver Heritage Commission reviewed the proposal on October 24, 2022 and unanimously supported the application (see Appendix D).

5. Housing

The *Housing Vancouver Strategy* seeks to deliver a range of housing tenures across the housing continuum. This application, if approved, would add 80 rental housing 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 Secured Market Rental Housing as of June 30, 2023

Housing Type	10-Year Targets	Units Approved Towards Targets
Purpose-Built Secured Rental Units	20,000	15,280 (76%)

*Note that tracking progress towards 10-year Housing Vancouver targets began in 2017,

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

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 Downtown Area, which this site is located, is 1.8%. A vacancy rate of between 3% and 5% is considered to represent a balanced market.

Housing Mix – The DTES Plan requires that 25% of all units for market rental housing are designed for families (two and three-bedroom units). This application would deliver 25% two-bedroom units, thereby meeting 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.

Average Rents and Income Thresholds – Average rents for units on the eastside are shown in Figure 5. Rent increases, over time, are subject to the Residential Tenancy Act. The market rental housing will provide options which are significantly more affordable than average home ownership costs as illustrated in Figure 5.

Figure 5: Average Rents for Units on the Eastside of Vancouver

Unit	Newer Rental Buildings – Eastside			Monthly Costs of Ownership for Median-Priced Apartment – Eastside (with 20% down payment)		
	Average Unit Size (sq. ft.)	Average Market Rent[1]	Annual Income Required to Afford Average Market Rent	Monthly Costs of Ownership[2]	Annual Income Required to Afford Monthly Costs	Down Payment at 20%
Studio	398	$1,653	$66,120	$2,200	$88,000	$79,550
1-bed	n/a	$1,925	$77,000	$2,885	$115,400	$108,000
2-bed	667	$2,619	$104,760	$3,809	$152,360	$141,300
3-bed	n/a	$3,212	$128,480	$5,565	$222,600	$213,000

[1] Data from the October 2022 CMHC Rental Market Survey for apartments in purpose-built rental buildings completed in the year 2013 or later on the Eastside of Vancouver

[2] Based on the following assumptions: median of all BC Assessment apartment sales prices in Vancouver Eastside in 2021 by unit type, 20% down payment, 5% mortgage rate (in-line with Bank of Canada conventional rate), 25-year amortization, $150-$250 monthly strata fees and monthly property taxes at $2.92 per $1,000 of assessed value (2020 assessments and property tax rate).

Security of Tenure – Purpose-built rental housing offers secure rental tenure. All 80 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 – The rezoning site does not currently have any residential uses and there are no eligible tenants as defined under the *Tenant Relocation and Protection Policy* (TRPP).

6. Artist Studio Space

The site has a history of arts and cultural uses. At present there are no confirmed artist uses on site. The basement is being used as a community space by Decentral Vancouver (DCTRL), a non-profit co-working, community space, and tech hub. The *Victory Square Policy Plan* contains direction to retain artist studios where possible and consider the provision of new art spaces in development projects in the area.

Recognizing the importance of arts and culture in the City, the applicant has proposed a privately owned, publicly accessible cultural space that would be constructed to function as an

artist studio (Figure 6). This space would be privately-owned, with consideration to provide affordable access to local arts organizations. Conditions of approval include the provision of a management plan for review by Cultural Services and that the applicant consult with the existing basement tenant should they have interest in continuing activities that require an artist studio on the site. The plan would include rental fees, tenant selection process, and details on public access. Staff support the proposed artist studio space subject to conditions in Appendix B, and will contact the existing basement tenant to discuss their space related needs.

Figure 6: Artist Studio Space on Rooftop

7. Transportation and Parking

The site is well served by public transit. Waterfront and Granville SkyTrain stations are within a five-minute walk, and bus service is available on Pender, Hastings, and Cordova Streets. There are a number of cycling networks nearby, including on Richards, Hornby, and Dunsmuir Streets, which feature separated “All Ages and Abilities” bicycle lanes.

Vehicle and bicycle parking are proposed at grade, with access from the lane. The application proposes no residential vehicle parking spaces, one loading, one passenger, two car share, and 154 Class A bicycle spaces. The application is to comply with the Parking By-law at the development permit stage. A Transportation Demand Management (TDM) Plan has been provided, which includes measures for the delivery of sustainable travel options. Engineering

conditions set out in Appendix B address parking requirements and include signal upgrades at the corner of Richards and Pender Streets; sidewalk, street lighting, and parking sign improvements; and a partial reconstruction of the laneway.

8. Environmental Sustainability and Natural Assets

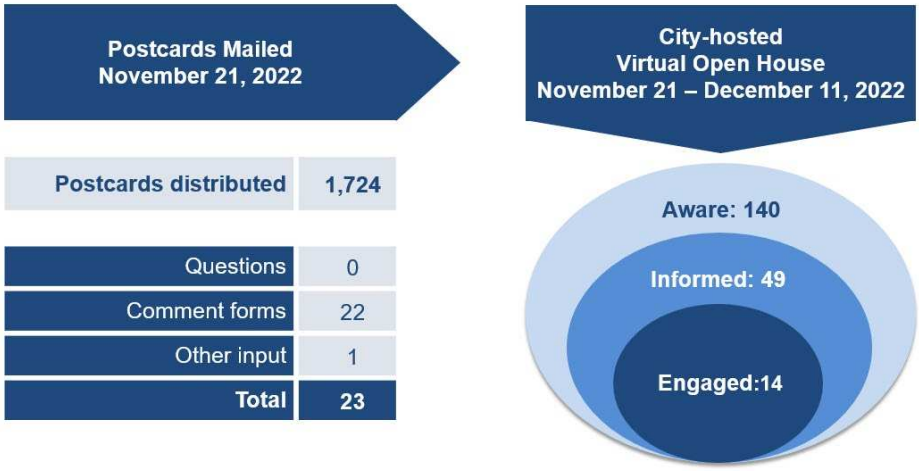
Green Buildings – The *Green Buildings Policy for Rezonings* requires that rezoning applications satisfy the green and resilient building conditions stated within the Policy. The applicant has submitted preliminary modelling analysis detailing design and construction strategies to meet anticipated energy and emissions and embodied carbon targets in the Vancouver Building By-law, a summary of the resilient building measures considered for the application, and a commitment to fulfil energy system sub-metering and enhanced commissioning requirements throughout the project. Conditions are included in Appendix B.

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-site or on the immediately adjacent City property. The applicant is to coordinate with the Engineering Department and Park Board to manage the provision of new street trees. Landscape conditions in Appendix B support the increased provision of landscape features along the lane, on the roof, and around all entry areas.

9. Public Input

Figure 7: Overview of Notification and Engagement



Public Notification – A rezoning information sign was installed on the site on November 10, 2022. Approximately 1,724 notification postcards were distributed within the neighbouring area on or about November 21, 2022. Application information and an online comment form was provided on the Shape Your City (shapeyourcity.ca/) platform. The website was viewed 494 times.

Virtual Open House – A virtual open house was held from November 21, 2022 to December 11, 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.

Public Response and Comments – Public input is collected via online questions, comment forms, through email, and by phone. A total of 22 submissions were received.

Below is a summary of feedback received from the public by topic.
Generally, comments of support fell within the following areas:

- **Neighbourhood context:** The proposed development would make the neighborhood more welcoming to families and fits the neighbourhood.
- **Housing:** The proposed development adds much-needed purpose-built rentals to Downtown, close to office buildings.
- **Density:** The density of the proposed development is supported.
- **Heritage:** The retention of the original building façades and other heritage elements in the proposed development is appreciated.
- **Parking:** Car share and bike parking in lieu of car parking is preferred.

Generally, comments of concern fell within the following areas:

- **Sunlight:** The proposed development would block neighbouring apartments' sunlight.
- **Neighbourhood character:** The proposed development would take away the neighbourhood's character and history. Preservation of the unique characteristics of the site is needed, otherwise the local businesses built around these characteristics will be affected.
- **Community space:** The development would displace existing non-profit community space.

Response to Public Comments

Sunlight: The proposed development's relationship to neighbouring windows, lightwells, and courtyards is directed by the *Victory Square Guidelines*. As per the *Guidelines,* new developments are encouraged to link open space with adjacent courtyards and maintain adequate light and ventilation for existing buildings. Compliance with the *Guidelines* is detailed in the Urban Design conditions, set in Appendix B.

Neighbourhood character: The proposed building design is informed by the surrounding neighbourhood context and includes the retention of two heritage facades, intended to contribute to the character and scale of the existing street. Urban Design conditions in Appendix B include direction to replace the proposed composite exterior building materials with those that are more consistent with the historical character of the area. Heritage conditions in Appendix B, require reinstating the building's historical storefronts based on archival documentation.

Community space: In order to respond to the building's history of cultural use, as well as policy direction for the Victory Square area, the proposal includes an artist studio space on the rooftop, which is supported by staff, subject to conditions in Appendix B. The applicant has agreed to explore partnering with a local non-profit organization to operate/tenant the space, including consulting with the existing basement tenant on continuing activities requiring an artist studio on the site.

10. Public Benefits

Community Amenity Contributions (CACs) – The application is subject to a negotiated CAC under the *Community Amenity Contributions Policy for Rezonings*. Real Estate Services staff have reviewed the project and concluded that, after factoring the costs of securing all residential units as secured rental housing units and heritage premium costs associated with the retention of the two building facades, no CAC is required.

Development Cost Levies (DCLs) – The site is subject to both the City-wide DCL and Utilities DCL. DCLs are payable at time of building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage.

This application is eligible for a waiver of a portion of the City-wide DCLs, however the applicant has elected not to seek the waiver. As per Section 3.1B of the Vancouver Development Cost Levy By-law, the decision to seek the waiver is made at the rezoning application stage. Should the applicant wish to request a DCL waiver at a later stage, the application would be expected to return to Council for a subsequent Public Hearing to amend the rezoning conditions.

Based on rates in effect as of September 30, 2023 and the proposed 4,394.1 sq. m (47,298 sq. ft.) of residential and 359.3 sq. m (3,867 sq. ft.) commercial floor area and the $20 of nominal DCLs expected for the artist studio space, it is estimated the project will pay $1,787,920 of DCLs.

Public Art – No public art contribution is applicable to this rezoning as the proposed floor area of the project is below the minimum threshold.

Other Benefits – The secured market rental housing in this proposed development will contribute to the City's secured rental housing stock. The application also proposes to retain the two individual heritage building front facades secured through a Heritage Restoration Covenant.

Financial Implications

As noted in the Public Benefits section, this project is expected to provide 80 units of secured market rental housing, retention of two heritage building front facades and a DCL payment.

CONCLUSION

The proposed land use, housing mix, form of development and public benefits are consistent with the intent of the *Downtown Eastside Plan.* If approved, this application would contribute 80 secured rental residential units to the City's rental housing stock.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to public hearing with the draft CD-1 By-law shown in Appendix A,

subject to the public hearing, along with the conditions of approval listed in Appendix B, including approval in principle of the form of development as shown in plans included as Appendix G.

* * * * *

430-440 West Pender 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) Live-Work Use;

   (e) Manufacturing Uses;

   (f) Office Uses;

   (g) Retail Uses;

   (h) Service Uses;

   (i) Utility and Communication Uses; and

   (j) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

4.1 The design and layout of at least 25% of the dwelling units must:
(a) be suitable for family housing; and
(b) include two or more bedrooms.

4.2 No portion of the first storey of a building, to a depth of 10.7 m from the front wall of the building and extending across its full width, 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 579.7 m^2, 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 floor space ratio for all uses combined must not exceed 8.42.

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, except that:

(i) the total area of all such exclusions must not exceed 12% of the floor area being provided for dwelling uses; 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 m^2 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 32 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, a rooftop Artist Studio – Class A, 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, Artist Studio – Class A, or mechanical appurtenances must not exceed 37.7 m.

Horizontal Angle of Daylight

7.1 Each habitable room must have at least 1 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.

* * * * *

430-440 West Pender 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 contain 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 FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by Architectural Collective Inc., received on August 12, 2022 with revised drawings received on March 28, 2023, 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 improve the contextual fit of the building to better respond to the *Victory Square Guidelines* objectives through the following design strategies:

(a) Equalizing the proportion of the vertical elements to better frame the windows and primary proposed material;

(b) Replacing the composite material with one that is more consistent with the historical character of the area.

Note to Applicant: The *Victory Square Design Guidelines* set expectations for both form and massing, which respond to the historic sawtooth skyline and cubic massing as well as the use and detailing of more intrinsically permanent and high-quality materials such as masonry. Refer to section 5.3 of this write up, material cut sheets should be provided in response to this condition.

1.2 Design development to enhance Pender Street ground floor public realm interface along the heritage retail frontage as follows:

(a) Provision of continuous weather protection elements in the form of canopy/owning;

Note to Applicant: An application for a Permit to Use City Property must be submitted to Development & Major Projects (DMP) for the proposed canopy encroaching onto City Street. Canopies must be fully demountable and comply with heritage retention plan and all applicable requirements of the Vancouver Building By-law (Section 1.8.8).

(b) Provision of an architectural lighting, and signage strategy, with particular attention given to the illumination the retail frontage, and the residential entry.

Note to Applicant: Building lighting and signage must be designed to integrate sympathetically with the façade, and should provide for enhanced pedestrian experience of the public realm. Signage is a separate application and should be noted as “SHOWN FOR REFERENCE” in the drawings.

1.3 Design development to improve the livability of the units as follows:

(a) Provide balconies for all family-size units;

(b) Ensure that all habitable rooms including the units facing the courtyard, have adequate access to daylight;

(c) Consider reducing interior corridors for studio units; and

(d) Ensure that the location and the proportion of interior courtyards comply with *Victory Square Guidelines*.

1.4 The high quality and durable exterior finishes and details, as proposed in the rezoning submission, are to be carried forward and remain through the development permit process, including but not limited to the following:

(a) Material transition area;

Note to Applicant: the high quality and durable materials should be transitioned on all visible facades.

(b) Elevator and staircase cladding;

(c) Main entrances and canopy; and

(d) Typical railing, ballasted, privacy screening.

Crime Prevention through Environmental Design (CPTED)

1.5 Design development to respond to CPTED principles, having particular regard for:

(a) Limiting opportunities for nuisance activities, mischief in alcoves, and blind corners;

(b) Limiting unobserved access or activity and encouraging natural visual surveillance;

(c) Mail theft;

(d) Site lighting developed with considerations for safety and security; and

(e) Reduced opportunities for graffiti.

Note to Applicant: Alcoves and other similar visually hidden areas should be designed so as to not be covered or have limited cover and be well lit. Opportunities for graffiti can be mitigated by reducing areas of exposed wall and by covering with vines, hedges or a rough finish material.

Note to Applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings.

1.6 Design development to improve visibility and security in the underground parking in accordance with the Parking By-law including:

(a) Overhead lighting and step lights at exit stairs and doors;

(b) 24 hour lights and walls painted white; and

(c) Visibility at doors, lobbies, stairs and other access routes.

Heritage

1.7 Design development to remove architectural features in the proposed addition that mimic the character-defining elements of the heritage facades, including but not limited to: the terra cotta lion head decorative brackets and concrete cornices.

1.8 Design development to reinstate historically appropriate storefront assemblies for each of the heritage facades based on existing archival documentation, or to match historic character of similar vintage. Refer to Section 4.3.2.1 of the *Victory Square Guidelines*.

1.9 Provision of colour-coded retention drawings, including structural details of the proposed façade stabilization strategy, with methods integrated in the sequence of construction letter. This should be submitted with the "Assurance of Retention of Existing Portions of Buildings" letter (copy attached) from the Professional of Record, resubmitted in triplicate. The retention and façade stabilization documentation confirms that they will supervise the construction work with a qualified heritage professional, in compliance with the approved Conservation Plans.

Notes are to appear on the retention drawings indicating the following:

(a) That all parts of the building shown as being retained will be retained in place, and not removed from their original location within the building at any time;

(b) That 'retained wall' means the retention of the existing studs and sheathing;

(c) That 'retained floor' means the retention of the existing floor joists and sub-floor; and

(d) That 'retained roof' means the retention of the existing roof rafters and sheathing.

Note to Applicant: Retention of existing heritage building (or components) is required. Retention documentation should clarify extent of feasible retention of the heritage

building. It should clearly indicate whether material is to be salvaged, reinstated, or replicated with new. If any significant structural changes are proposed, then a full set of revised drawings, including plans and sections, will be required. A copy of the approved retention drawings and the sequence of construction letter will form part of all subsequent permit application drawings.

1.10 Provision of digital copies of the approved Statements of Significance and Conservation Plans for the Drier Block (430 West Pender Street) and the Tiedemann Block (440 West Pender Street) prepared by Donald Luxton and Associates, dated March 2022.

Note to Applicant: Final versions of the documents are to incorporate feedback from heritage staff, with revisions made to the satisfaction of Director of Planning. The scope of work contained within the Conservation Plan is to be cross-referenced consistently within future development permit documentation.

Sustainability

1.11 All new buildings in the development will meet the requirements of the Green Buildings Policy for Rezonings (amended July 22, 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 Rezonings – Process and Requirements.

Landscape

1.12 Design development to the lane interface to enhance and activate as much as possible.

Note to Applicant: This can be achieved by adding some planting facing the lane at the ground level.

1.13 Design development to relocate the children's play area on the rooftop to be contiguous with the indoor amenity space, for visual accessibility.

1.14 Design development to improve the sustainability strategy, by the following:

(a) Consider providing intensive and/or extensive green roofs on all available flat roofs;

(b) Add substantially more landscape around all entry areas, to accent and soften them;

(c) Add vines to any blank wall facades, ensuring the vine support is sturdy and low maintenance (avoid high maintenance modular "green wall" systems);

(d) Add planters with overarching shrubs to common upper level decks, to be visually accessible from below, softening the edges and consisting of woody evergreen plant material for year-round presence;

(e) Add edible plants, which can be used as ornamentals as part of the landscape design, in addition to urban agriculture plots.

1.15 Design development to ensure the intended landscape design is carried into the future by adequate maintenance, as follows:

(a) Provide common maintenance access to all planted common areas; and

(b) Provide a high efficiency irrigation system for all planted areas.

1.16 Design development to the Integrated Rainwater Management Strategy to explore opportunities for onsite rain water infiltration and soil absorption, as follows:

(a) Maximize natural landscape best management practices;

(b) Minimize the necessity for hidden mechanical water storage;

(c) Increase the amount of planting to the rooftop areas, where possible;

(d) Consider linear infiltration bio-swales along property lines, at lower site areas;

(e) Use permeable paving;

(f) Employ treatment chain systems (gravity fed, wherever possible); and

(g) Use grading methods to direct water to soil and storage areas.

Note to Applicant: Refer to the City of Vancouver Integrated Rainwater Management Plan (I.R.M.P), Vol.1 and 2 for further information. A consulting engineer (subject matter expert) will need to be engaged and early phase soil analysis will be needed. Further comments may be outstanding at the development permit stage.

1.17 Provision of plans, plan details and documentation/calculations that support integrated rainwater management, including absorbent landscapes, soil volumes and detention systems, as follows:

(a) detailed storm water report with calculations describing how the various best management practices contribute to the quality and quantity targets;

(b) a separate soil volume overlay plan with schematic grading indicating intent to direct rainwater to infiltration zones;

(c) an overlay plan that shows amount and ratio of vegetative cover (green roof), permeable/impermeable hardscaping and notations describing the storage location of rainwater falling on each surface, including roofs.

Note to Applicant: The sustainable summary water balance calculations assume soil volumes are capable of receiving rainwater are only valid if water is directed from hard surfaces to infiltration zones.

1.18 Provision of coordination between Landscape Plan and architectural Site Plan, for most updated information.

1.19 Provision of complete information, such as references on the Roof Deck Plan, confirming all landscape elements.

1.20 Consideration to coordinate with Engineering and the Park Board for the provision of minimum two street trees.

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

Note to Applicant: The plans should be at 1/8”: 1 ft. 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.

1.22 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.

1.23 Provision of a Tree Management Plan as part of the Landscape Plans, in coordination with arborist report Tree Management Plan.

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

1.24 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.

1.25 Coordination for the provision of new street trees or any proposed City owned tree removals adjacent to the development site, where applicable.

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards

and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".

1.26 Provision of an outdoor Lighting Plan.

Engineering

1.27 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 building occupancy. 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

1.28 The owner or representative is advised 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 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

1.29 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.

1.30 Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.

1.31 Confirmation that gates/doors are not to swing more than 0.3 m (1.0 ft.) over the property lines.

Note to Applicant: Discrepancy between Landscape plan and Architectural plan on door swing direction on W Pender Street.

1.32 Provision of written confirmation that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage.

Note to Applicant: If this cannot be confirmed then an on-site garbage bin staging area is to be provided adjacent the lane.

1.33 Design development to improve access and design of bicycle parking by provision of:

(a) Four Class B bike parking on-site;

(b) A minimum 1.2 m (4 ft.) wide stair-free access route between the bicycle parking spaces and the outside; and

(c) Indication of stair-free access route from Class A bicycle storage to reach the outside.

Note to Applicant: Stair ramps are not generally acceptable.

1.34 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%; and

(b) Provision of a clear unloading area or raised rear dock, minimum 1.8 m (5.9 ft.) wide, with suitable access to facilitate goods loading/unloading.

1.35 Design development to improve the parkade layout and access design and demonstrate compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services by provision of:

(a) Minimum 3.6 m (12 ft.) maneuvering aisle for angled stalls; and

Note to Applicant: Maneuvering aisle width to be measured from the eastern-most point of the parking stall to the nearest wall, in the direction parallel to the parking entrance. Maneuvering aisle next to car share stall #2 appears to be narrow; demonstrate turning movements with turning swath diagrams.

(b) Minimum 3.6 m (12 ft.) drive aisle for parking lot.

Note to Applicant: Drive aisle width to be measured from the eastern-most point of the parking stall to the nearest wall, in the direction parallel to the parking entrance. Drive aisle next to car share stall #2 appears to be narrow; demonstrate turning movements with turning swath diagrams.

1.36 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 number 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 maneuvering 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 and locations of lights, signs and detection devices to be shown on the plans;

(j) Identify areas of minimum vertical clearances on parking levels; and

(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.

1.37 Provision of a finalized Transportation Demand Management (TDM) Plan to the satisfaction of the General Manager of Engineering Services.

1.38 Subject to the acceptance of an approved TDM Plan, entry into a TDM agreement prior to development permit issuance, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, which:

(a) Secures provision of funding towards long-term TDM monitoring fund in the amount of $2 per square metre of gross floor area;

(b) Secures the provision of TDM measures on the site:

(i) ACT-01 – Additional Class A bicycle parking;

Note to Applicant: The decommissioning of the areaway containing 11 bicycle spaces will affect points achievable for this TDM measure. Provision of sufficient additional Class A bicycle parking spaces, or select other TDM measures to achieve full 24 TDM points required for this site.

(ii) ACT-02 – Improved Access to Class A bicycle Parking;

(iii) ACT-05 – Bicycle Maintenance Facilities;

(iv) ACT-06 – Improved End-of-Trip Amenities; and

(v) COM-02 – Car Share Vehicles and Spaces

(c) Permits the City to access and undertake post occupancy monitoring of the Transportation Demand Management (TDM) measures proposed; and

(d) Agrees to make reasonable adjustments to the TDM measures as requested by the City, based on the TDM monitoring results.

1.39 Subject to the acceptance of the finalized TDM Plan, entry into a Shared Vehicle Agreement with the City prior to development permit issuance, to secure the provision, operation and maintenance of 2 two-way Shared Vehicle(s) and the provision and maintenance of 2 Shared Vehicle Parking Space(s) for use exclusively by such Shared Vehicle(s), on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including:

(a) Provision of 2 two-way Shared Vehicle(s) to the development for a minimum period of 3 years;

(b) Entry into an agreement with a two-way Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicle(s);

(c) Provision and maintenance the Shared Vehicle Parking Space(s) for use exclusively by such shared vehicles;

(d) Arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space(s);

(e) Provision of security in the form of a Letter of Credit for $50,000 per Shared Vehicle;

(f) Registration of the Shared Vehicle Agreement against the title to the development lands, with such priority as the Director of Legal Services may require and including a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, securing these conditions; and

(g) Provision of a letter of intent from a two-way car share company indicating their willingness to supply car share vehicles on the site at building occupancy.

Note to Applicant: The letter is to also indicate acceptance of the general location, configuration and accessibility of the shared vehicle spaces.

1.40 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 development will be required to demonstrate compliance with these requirements at the building permit application stage. See vancouver.ca/rainwater for more information.

1.41 Developer's Engineer is to submit a sewer abandonment plan to the City that details the abandonment or removal of all existing storm, sanitary, and combined connections to the development site.

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

1.42 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.

1.43 Provision of waste room(s) designed in compliance with City of Vancouver's Guidelines in the Garbage and Recycling Storage Amenity Design Supplement, with particular attention to the following:

(a) Designated waste rooms for each building use, e.g. retail and residential.

(b) The total area of each waste room should equate to 2 to 2.5 times the physical footprint of the containers.

(c) Number of containers for each stream to meet the capacity of each use type.

(d) If container staging is required during collection days, a staging area should be provided on site, not on City property, and should be identified on the design drawings.

1.44 Provision of a Waste Management Plan at the development permit application stage to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Staff has completed the review of the architectural drawings and identified the following gaps:

(a) Types of waste streams to be provided in each waste room.

(b) Number of containers to be provided for each stream in each waste room.

(c) Waste collection frequency for each stream.

(d) Letter from waste hauler confirming the serviceability of all waste rooms.

1.45 Submission to Engineering of an updated landscape plan reflecting all of the public realm changes, including demonstration of:

(a) Display of the following notes:

(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.”

(ii) "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) Existing locations of:

(i) Street furniture; and
(ii) Poles and guy wires.

(c) Deletion of:

(i) The proposed heritage sidewalk treatment encroachment, or entry into an Encroachment agreement to the satisfaction of the General Manager of Engineering Services.

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.

1.46 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.

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

1.47 Arrangements are to be made for the decommissioning of the areaway on W Pender St. to the satisfaction of the General Manager of Engineering Services prior to building occupancy.

Note to Applicant: For more information refer to the City of Vancouver Building By-law (VBBL,) Encroachment By-law 4243 and the City Streets Restoration Manual provide comprehensive information for areaway removal. A referral to the Structures Engineer is required.

Housing

1.48 The proposed unit mix, including 60 studio units (75 %) and 20 two-bedroom units (25%) 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 25% of the dwellings designed to be suitable for families with children. A mix of both two and three-bedroom family units is encouraged.

1.49 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 projectand 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 (S. 4.4.2);

(c) A multi-purpose indoor amenity space at least 37 sq. m (398 sq. ft.) with a wheelchair accessible washroom and kitchenette; and

(d) A balcony for each unit with 1.8 by 2.7 m minimum dimensions (S. 4.3.2).

Note to Applicant: Juliette balconies may be considered for studio units, subject to staff review.

Cultural Services

1.50 Design development of a minimum 111.5 sq. m (1,300 sq. ft.) artist studio space in accordance with the following specifications, and meet all requirements of relevant by-laws including Noise, Building and Fire By-laws for Artist Studio Class A Use (work-only):

(a) Provision of adequate fit and finishes to provide flexibility for a range of Artist Studio Class A uses, which may include but are not limited to: architectural millwork, wall, floor and ceiling finishes, mechanical including electrical, plumbing, lighting, and HVAC;

(b) Considerations for acoustic controls to mitigate noise impact on adjacent and/or neighbouring units, including recommendations to meet STC65, and to allow Class A uses to meet Noise Control By-law;

(c) Provision of sufficient, appropriate storage located within the artist studio space, with the addition of another door for one of the storage areas to improve accessibility access;

(d) Design considerations to maximize daylight and for universal accessibility for peoples with disabilities, including a lower height for at least one of the counters, with clearance below for wheelchair accessibility; and

(e) Provision of shared access to appropriate ancillary spaces including loading and waste disposal/recycling room(s) with consideration for sufficient width to facilitate ease of loading for equipment, material and supplies, including: loading, halts, etc.

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 and to the General Manager of Planning and Development, the General Manager of Arts, Culture and Community Services, the General Manager of Engineering Services, the Director of Facility Design and Management and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

2.1 Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the consolidation of Lots 3 and 4 Block 35 District Lot 541 Plan 210 to create a single parcel.

2.2 Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for release of Easement and Indemnity Agreement 566747M (building encroachments) after the building at 430 W Pender Street has been demolished and 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 Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for all of the retained heritage façade building elements which encroach onto City property. Upon completion of the exterior work, a new BC Land Surveyor's Location Certificate will be required to confirm the extent of all building encroachments at that time.

Note to Applicant: An application to the City Surveyor is required. To enable permit issuance a letter of commitment, to enter into a City standard encroachment agreement, is required.

2.4 Provision of a No Occupancy Covenant to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services to ensure no new building on the development lands is occupied until the areaway on W Pender St. has been decommissioned to the satisfaction of the General Manager of Engineering Services.

2.5 Upon completion of areaway decommissioning, Easement & Indemnity Agreement 485597M is to be discharged from the title prior to building occupancy.

Note to Applicant: Provision of a letter of commitment will satisfactorily address this condition for zoning enactment.

2.6 Provision of a Natural Watercourse Covenant to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

Note to Applicant: Records indicate the presence of natural watercourse (an old stream). A legal agreement is required to ensure that should the watercourse be discovered or impact the site during development and beyond, that its flow will not be obstructed.

2.7 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 2.8(a), 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 Creus Engineering Ltd. dated April 20, 2022, no water main upgrades are required to service the development.

The main servicing the proposed development is 200 mm along W Pender Street. Should the development require water service connections larger than 200 mm, 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 430 - 440 W Pender Street. require the:

(i) Development to be serviced to the 300 mm SAN sewer on L/S W Pender Street.

Note to Applicant: Implementation of development(s) at 430-440 W Pender Street does not require any sewer upgrades.

(c) Provision of street improvements along W Pender 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); and

(ii) Broom finish saw-cut concrete sidewalk from the edge of the front boulevard to the property line.

(d) Provision of new concrete curb and gutter on W Pender Street along the development site's frontage.

(e) Provision of reconstruction of the laneway along the development site's frontage per City "Higher-zoned Laneway" pavement structure specifications.

(f) Provision of construction of speed humps in the lane south of W Pender Street between Richards Street and Homer Street.

(g) Provision of improvements at the intersection Richards Street and W Pender Street, including:

(i) Upgrades to the existing traffic signal including an accessible pedestrian signal (APS).

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.

(h) 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' long and 18" deep, centre on each street tree adjacent to the sidewalk and any off street bike facility.

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

(j) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations.

(k) Provision of new or replacement duct bank 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.

Note to Applicant: 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 current COV Engineering Design Manual, Construction Specifications, Standard Detail Drawing, Canadian Electrical Code and the Master Municipal Construction Documents.

2.8 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) Upgrades to the existing traffic signal including an accessible pedestrian signal (APS) per condition 2.7 (g).

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

Note to Applicant: 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.

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

2.9 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.

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

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

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

Heritage

2.11 Addition of the Drier Block (430 W Pender Street) to the Vancouver Heritage Register under C-category.

2.12 Provision of a Section 219 Heritage Restoration Covenant to secure the conservation and rehabilitation of the front facades of the two existing heritage buildings known as the "Tiedemann Block" (440 W Pender Street) and the "Drier Block" (430 W Pender Street) in accordance with the approved Conservation Plan, and the ongoing protection and maintenance of the heritage façades in perpetuity, to the satisfaction of the Director of Planning and the Director of Legal Services.

Housing

2.13 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant to secure all 80 residential units as secured market rental housing units, excluding Seniors Supportive or Assisted Housing, pursuant to the City's Secured Rental Policy Program, for a term equal to the longer of 60 years and the life of the building, subject to a no-separate-sales covenant and a no-stratification covenant, a provision that none of such units will be rented for less than one month at a time, and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require.

Note to Applicant: This condition will be secured by a Housing Agreement to be entered into by the City at by-law enactment pursuant to Section 565.2 of the Vancouver Charter and a Section 219 Covenant.

Cultural Services

2.14 Provision of a plan for the use of the Artist Studio that will provide affordable at-cost rental to local artists and arts organizations, to the satisfaction of the Deputy General Manager of Arts, Culture and Community Services. Plan to include rental fees, tenant selection process, consideration of a local arts and cultural non-profit organizations to operate/tenant the space including consulting with the non-profit in the existing space should they have interest in continuing activities that require an artist studio on the site.

Note to Applicant: Contact Joming Lau, Cultural Services, joming.lau@vancouver.ca to connect with local arts and culture organizations.

2.15 Demonstrate the intended long-term use of the artist studio as an artist studio through measures including signage in the shared building lobby and near the artist studio entrance, and consider outdoor street-level signage about the artist studio's availability for rental by local arts and culture organizations (or artists).

Environmental Contamination

2.16 As applicable:

(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.

* * * * *

430-440 West Pender Street
DRAFT CONSEQUENTIAL BY-LAW AMENDMENTS

DRAFT AMENDMENTS TO THE SIGN BY-LAW NO. 11879

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

“430-440 West Pender Street	[CD-1 #]	[By-law #]	DD”

DRAFT AMENDMENTS TO THE NOISE CONTROL BY-LAW NO. 6555

Amend Schedule A (Activity Zone) of the Noise Control By-law by adding:

“[CD-1#]	[By-law #]	430-440 West Pender Street”

* * * * *

430-440 West Pender Street
HERITAGE COMMISSION REVIEW

(Redacted from Vancouver Heritage Commission minutes from October 24, 2022)

Drier Block, 430 W Pender St (Potential VHR-C)
Tiedemann Block, 440 W Pender St (VHR-B)
RZ-2022-00052

Staff:
Elijah Sabadlan, Heritage Planner
Hamid Shayan, Development Planner
Lex Dominiak, Rezoning Planner

Applicants:
Nevin Sangha, Carrera Management Corp.
Carman Kwan, Architectural Collective
Donald Luxton, Donald Luxton & Associates
Levi Stoelting, Glotman Simpson Consulting Engineers

Elijah Sabadlan, Heritage Planner, introduced the applicant team.

The applicant team provided a presentation and subsequently responded to questions and comments.

MOVED by Commissioner Hung
SECONDED by Commissioner Evans

> WHEREAS The Drier Block (1906-1907) at 430 West Pender Street, and the Tiedemann Block (1909-1910) at 440 West Pender Street that is listed on the Vancouver Heritage Register as a Category "B," are two Edwardian era heritage buildings that are valued as important components of the early retail and commercial fabric that made this area an important commercial hub in early Vancouver;
>
> THEREFORE BE IT RESOLVED THAT the Vancouver Heritage Commission supports the Heritage Conservation Plan, in particular:
>
> - The proposed level of retention, authenticity, and integrity of character-defining elements as contemplated in each of the heritage conservation plans;
> - The proposed compatibility of the new addition with the historic facades as contemplated in the architectural drawings; and
> - The proposed addition of the Drier Block to the Vancouver Heritage Register as category C.

CARRIED (Commissioners Massey and Pace opposed)

* * * * *

430-440 West Pender Street
EXISTING SITE CONTEXT

* * * * *

430-440 West Pender Street
HERITAGE STATEMENTS OF SIGNIFICANCE

Tiedemann Block
436-440 West Pender Street (VHR-B)

Canada's Historic Places — A Federal, Provincial and Territor

Tiedemann Block

440 West Pender Street, Vancouver, British Columbia, V6B, Canada

Formally Recognized: 1986/09/23

Front elevation

OTHER NAME(S)

436-440 West Pender Street
Tiedemann Block

LINKS AND DOCUMENTS

n/a

CONSTRUCTION DATE(S)

1909/01/01 to 1910/01/01

LISTED ON THE CANADIAN REGISTER: 2007/08/17

STATEMENT OF SIGNIFICANCE

DESCRIPTION OF HISTORIC PLACE

The Tiedemann Block is an Edwardian era three-storey, three-bay, masonry commercial building. It is located mid-block on the south side of West Pender Street, within the context of other commercial buildings of similar scale and age in the Victory Square area of central downtown Vancouver.

HERITAGE VALUE

Built in 1909-1910, the Tiedemann Block reflects the early commercial development of West Pender Street and contributes to the continuity of the Edwardian era commercial streetscape. During this era, the building was within the hub of commercial activity that was shifting south from Gastown to Victory Square. The modest three-storey height exemplifies the smaller-scale commercial building type and contributes to the sawtooth profile of the streetscape. The modesty of its Edwardian architectural style is demonstrated by the plain brick facade punctuated by grids of large, evenly placed windows, and bold but simple terra cotta decoration, such as cornices and brackets. The building is notable for its unusual applied terra cotta lion's head ornamentation.

Constructed as an office block with ground-level commercial space, the building initially served as the office of the Tiedemann Insurance Company. It was designed for Tudor James A. Tiedemann by Bebb and Mendel, the prominent Seattle partnership of architects Charles H. Bebb (1856-1942) and

Louis L. Mendel (1867-1940). During the Edwardian-era boom years, it was not unusual for Seattle firms to solicit work in Vancouver and Victoria, and even open branch offices if they were successful. Bebb and Mendel were unsuccessful at landing much work north of the border. This sophisticated building is one of their few commissions that has survived in Vancouver.

Source: City of Vancouver Heritage Conservation Program

CHARACTER-DEFINING ELEMENTS

Key elements that define the heritage character of the Tiedemann Block include its:
- siting in an early commercial area of Vancouver among other commercial buildings
- mid-block location on the south side of West Pender Street, built to the property line
- contribution to the streetscape as part of an unbroken streetwall with continuous retail storefronts
- commercial form, scale and massing, as expressed by its three-storey height (with basement) and rectangular plan
- concrete foundation and masonry construction with pressed brick front facade and terra cotta detailing
- flat roof with low pitched triangular parapet and terra cotta coping
- exterior details, such as the overhanging block modillion terra cotta cornice; terra cotta lions' heads and foliated drop detailing ornamentation below the cornice; terra cotta cornice above storefront; pressed metal panels between the second and third-storey windows; decorative console brackets supporting the relieving centre portion of the facade; and recessed entries to the ground level commercial space and stairway to upper storeys
- regular, symmetrical fenestration: centre, pivotal single pane windows with hinged hopper transom lights above; ground floor display windows; segmental arched window opening at the side and rear with double-hung one-over-one wooden-sash windows
- glass prism blocks in the sidewalk, indicating the existence of an areaway beneath the sidewalk
- interior features, including the stairway to upper levels via exterior front doorway

RECOGNITION

JURISDICTION

British Columbia

RECOGNITION AUTHORITY

City of Vancouver

RECOGNITION STATUTE

Vancouver Charter, s.582

RECOGNITION TYPE

Community Heritage Register

RECOGNITION DATE

1986/09/23

HISTORICAL INFORMATION

SIGNIFICANT DATE(S)

n/a

THEME - CATEGORY AND TYPE

Developing Economies

Trade and Commerce

FUNCTION - CATEGORY AND TYPE

CURRENT
HISTORIC
Commerce / Commercial Services
Shop or Wholesale Establishment
Commerce / Commercial Services
Office or Office Building

ARCHITECT / DESIGNER

Charles H. Bebb

BUILDER

General Engineering & Construction Company

ADDITIONAL INFORMATION

LOCATION OF SUPPORTING DOCUMENTATION

City of Vancouver Heritage Conservation Program

CROSS-REFERENCE TO COLLECTION

FED/PROV/TERR IDENTIFIER

DhRs-583

STATUS

Published

RELATED PLACES

n/a

NEARBY PLACES

Chinese Benevolent Association Building
104 East Pender Street, Vancouver, British Columbia
The Chinese Benevolent Association (CBA) Building is a four-storey structure comprising a store on...

New Columbia Hotel
303 Columbia Street, Vancouver , British Columbia
The historic place at 303 Columbia Street is a six-storey brick hotel building at the southwest...

Drier Block
430-434 West Pender Street (evaluated for addition to VHR under C-category)

STATEMENT OF SIGNIFICANCE: DRIER BLOCK

Address: 430 West Pender Street, Vancouver
Historic Name: Drier Block
Original Owner: Dr. Ezra Newton Drier
Architects: Grant and Henderson
Date of Construction: 1906-07

Description of the Historic Place
The Drier Block is an Edwardian-era two-storey, two bay commercial building distinguished by its tan brick facade, first-storey display windows and second storey framing of the front facade fenestration. It is located mid-block, on the south side of West Pender Street within the context of other commercial buildings of similar scale and age in downtown Vancouver.

Heritage Value of the Historic Place
The Drier Block is significant as part of the early commercial development in downtown Vancouver and for its association with original owner Dr. Ezra Newton Drier. The building is further valued as a typical example of Edwardian era architecture as designed by architects Grant and Henderson.

Built in 1906-1907, the Drier Block is significant as an important component of the early retail and commercial fabric that made the immediate area one of the most prominent commercial zones in Vancouver. West Pender Street grew significantly as the city witnessed a wave of land speculation and commercial development in the first decade of the twentieth century. The corridor featured several service and financial enterprises, such as banks, hotels, and real estate offices, in contrast to

the predominantly retail-orientated Hastings Street. The Drier Block initially housed a real estate office and was home to the U.S. Immigration Office. This location was highly desirable as it was near the CPR Station and the commerce of Gastown, yet still part of the newer and more desirable commercial area that was being established.

The Drier Block is significant for its association with original owner Dr. Ezra Newton Drier. Born in New Brunswick in 1871, Drier arrived in Vancouver in 1899 following the completion of his medical degree at McGill University. Drier practiced medicine in Vancouver through the early 1900s, commissioning the construction of this building in 1906. In 1909, Drier relocated temporarily to Edinburgh University to train to qualify as a surgeon, followed by a stint in Vienna to study cardiac diseases, before returning to Vancouver in 1913 and practicing medicine from this Pender Street address. Dr. Drier is recognized as one of British Columbia's most prominent early physicians, particularly in the field of cardiac medicine, and was responsible for bringing the first electro-cardiograph to the city, which he brought from Vienna and installed in St. Paul's Hospital in 1913. During the First World War, Drier went overseas with the Canadian Army Medical Corps and later moved to New Zealand. Following his retirement in 1929, Dr. Drier and his family returned to Vancouver. Aside from his accomplishments in medicine, Drier was also a well-known authority in conchology and in 1932, he donated his extensive collection of over 750,000 specimens to the Vancouver City Museum (now the Museum of Vancouver), where he was also named Honorary Curator of Conchology. Additionally, Drier was a member of the Elks Lodge, a founder of the Western Securities company, which was responsible for the development of Hampton Court along Thurlow Street, and an inventor, patenting an arm splint for the treatment of breaks and sprains. Dr. Drier passed away in Vancouver in 1941 at the age of 70. The Drier Block exists today as a tangible connection to one of Vancouver's most prominent and accomplished physicians of the early twentieth century.

Additionally, the Drier Block is valued as a typical example of an Edwardian era commercial building as designed by local architects Grant and Henderson. The practical building is characteristic of how many commercial buildings of this era had become much more restrained than in the preceding Victorian Era. The solid, straightforward appearance of this building is highlighted with little more than the standard use of sheet metal cornices and sign-plates and a recess within the facade that served to frame the upper level fenestration. This building is also notable as a surviving example of the work of the prominent local architectural firm of Grant and Henderson. George William Grant (1852-1925) and Alexander Ernest Henderson (1872-1927) exhibited stylistic versatility, ranging from a variety of Arts and Crafts-styled residences to many institutional, industrial, and commercial structures.

Character-Defining Elements

The elements that define the heritage character of 430 West Pender Street are its:

- siting in an early commercial area of Vancouver among other commercial buildings;
- mid-block location on the south side of West Pender Street, built to the property line;
- contribution to the streetscape as part of an unbroken streetwall with continuous retail storefronts;
- commercial form, scale and massing as expressed by its two-storey height and regular rectangular plan;
- flat roof with raised parapets;
- masonry construction with common bond tan brick facade, and rough-dressed sandstone sills;

- exterior features such as sheet metal cornice with strapped scroll detail; sheet metal fascias and dentil detailed cornice between first and second-storeys; recess in second storey front facade with quarter-round tooled brick edges, framing upper level windows; and cast iron piers flanking the ground floor opening; and
- regular, symmetrical fenestration: large rectangular second-storey windows retaining rough dressed sandstone sills; and ground floor display windows.

RESEARCH SUMMARY

CIVIC ADDRESS: 430 West Pender Street
OTHER ADDRESSES: 430 – 432 West Pender Street
HISTORIC NAME: Drier Block
ORIGINAL OWNER: Dr. E. Newton Drier
CONSTRUCTION DATE: 1906
ARCHITECT: Grant & Henderson

REFERENCES:

- **Land Titles:** Transferred to Newton E. Drier Feb. 8, 1907
- **City of Vancouver Building Permit:**
  - Not available; Permit Registers missing 1905-1908
- **City of Vancouver Plans:** Alterations, 1952, Percy Underwood - architect
- **City of Vancouver Water Application:**
- **Fire Insurance Maps:**
- **Directory:** First appears in 1907 Directory
- **Other References:**
  - From Robert G. Hill, Toronto: *Contract Record* [Toronto], xvii, 4 July 1906, page 5: Grant & Henderson, Architects, for a commercial block for Dr. E. Newton Drier, Pender Street.

* * * * *

430-440 West Pender Street
FORM OF DEVELOPMENT DRAWINGS

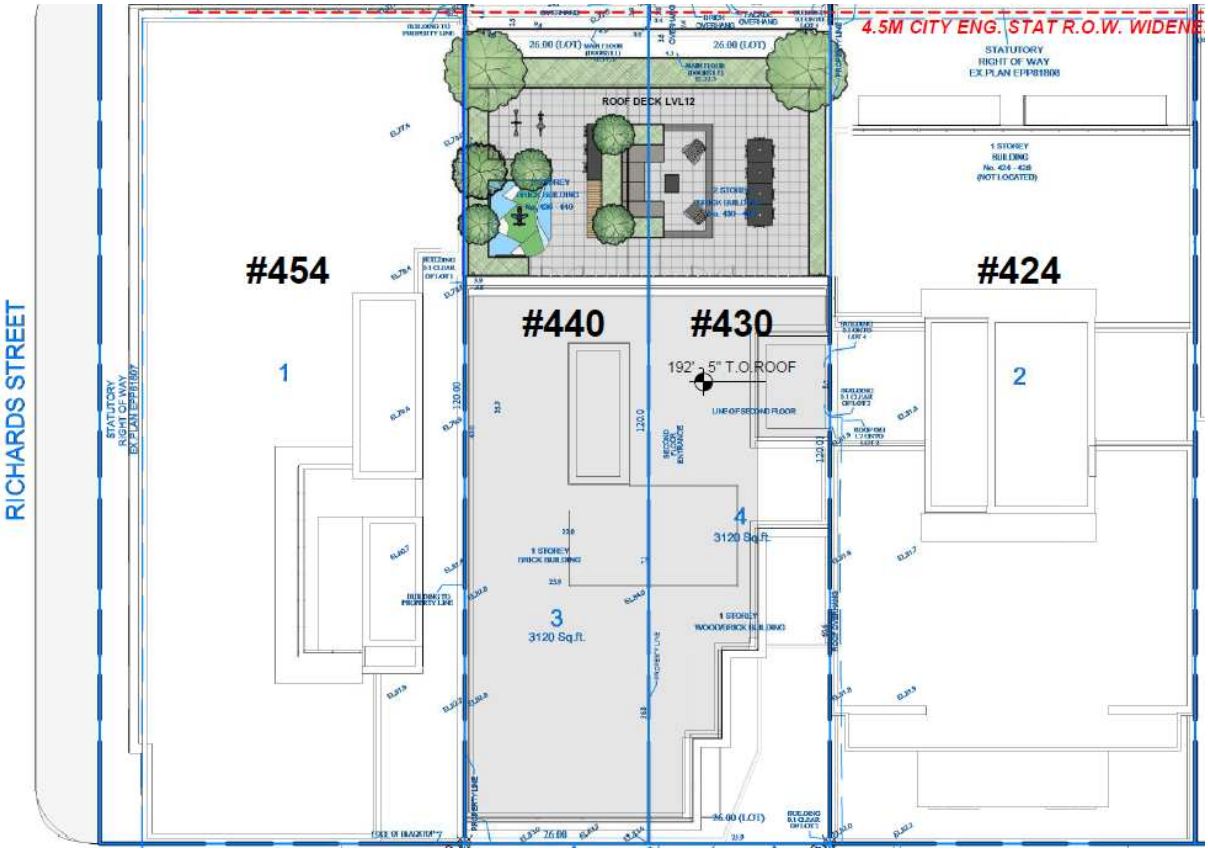
View of Front from West Pender Street

View from Lane

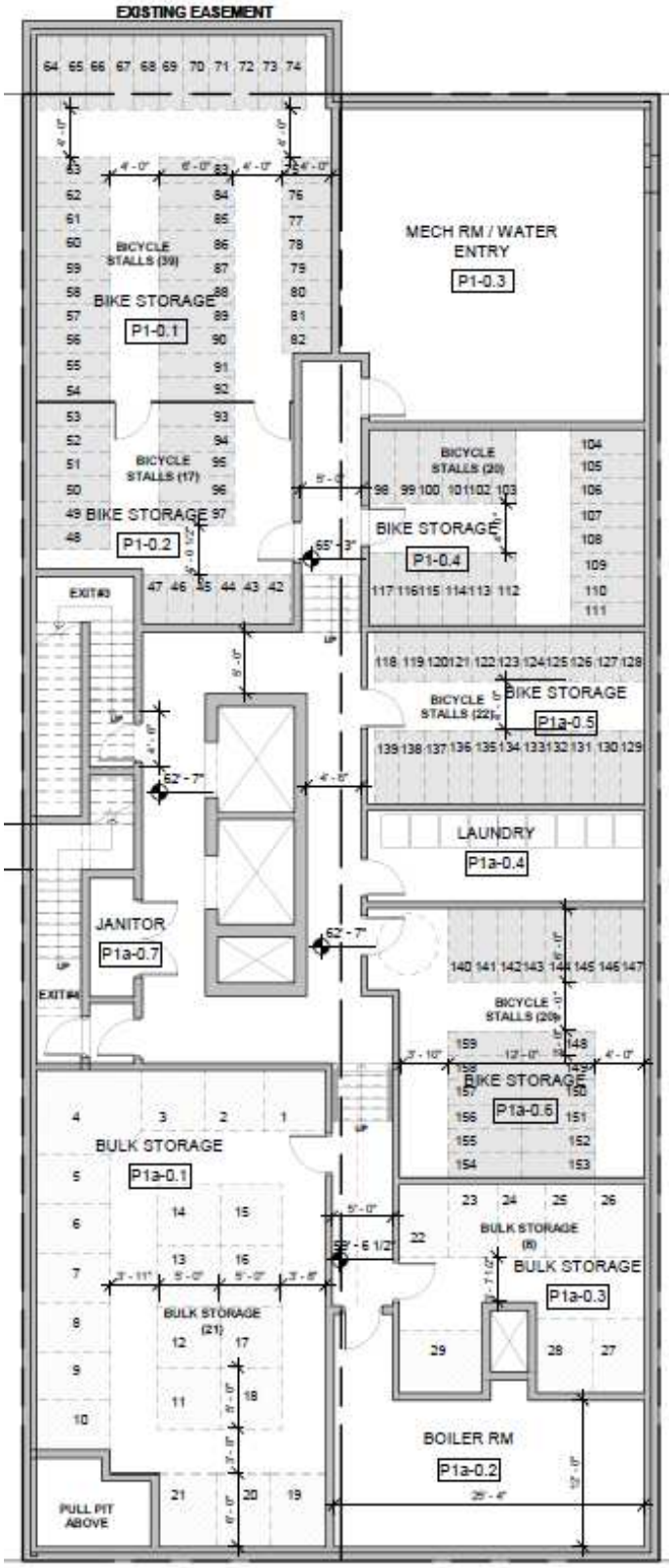
Heritage Restoration and Conservation

Rooftop Residential and Cultural Amenity

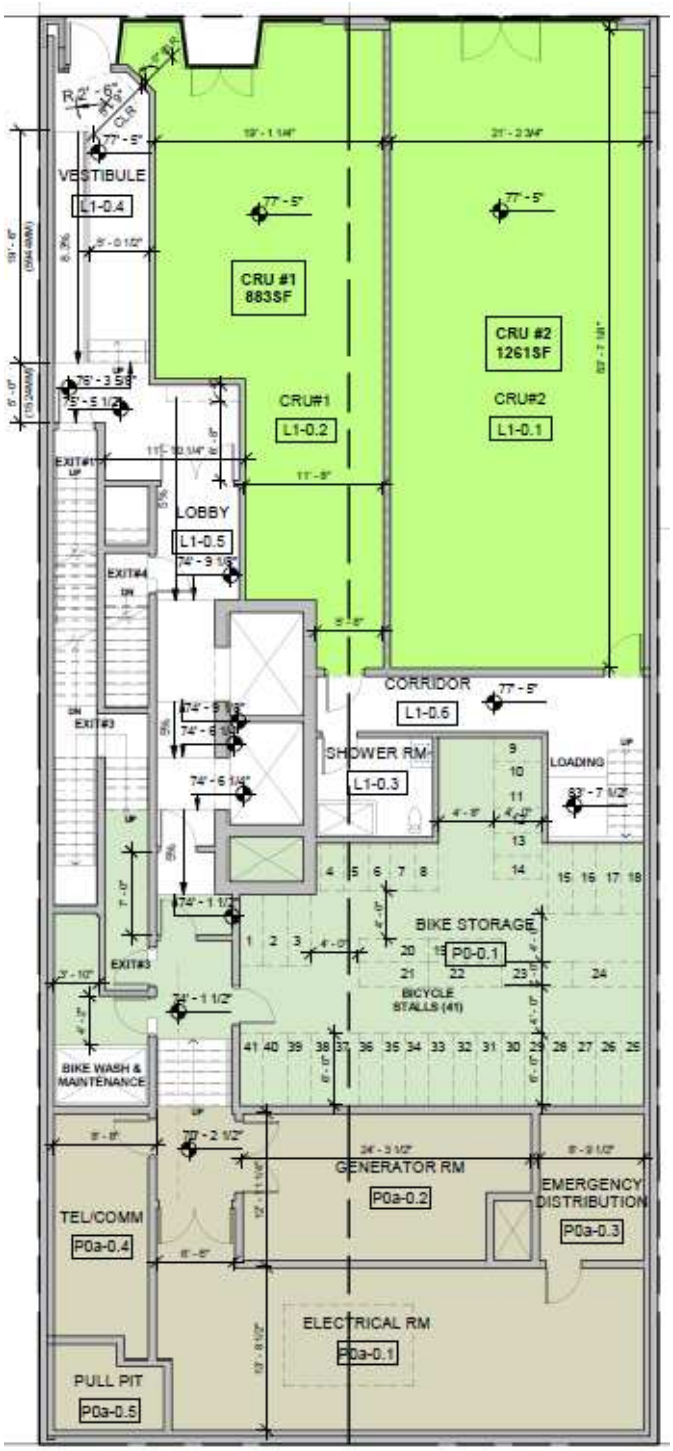
Site Plan


4.5M CITY ENG. STAT R.O.W. WIDENING
STATUTORY
RIGHT OF WAY
ROOF DECK LVL12
#454
#440
#430
#424
RICHARDS STREET
192' - 5" T.O.ROOF
1
2
3
3120 Sq.ft.
4
3120 Sq.ft.

P1


EXISTING EASEMENT
MECH RM / WATER ENTRY
P1-0.3
BICYCLE STALLS (39)
BIKE STORAGE
P1-0.1
BICYCLE STALLS (17)
BIKE STORAGE
P1-0.2
BICYCLE STALLS (20)
BIKE STORAGE
P1-0.4
BICYCLE STALLS (22)
BIKE STORAGE
P1a-0.5
LAUNDRY
P1a-0.4
JANITOR
P1a-0.7
BICYCLE STALLS (20)
BIKE STORAGE
P1a-0.6
BULK STORAGE
P1a-0.1
BULK STORAGE (8)
BULK STORAGE
P1a-0.3
BULK STORAGE (21)
BOILER RM
P1a-0.2
PULL PIT ABOVE
EXIT#3
EXIT#4

Level 1


VESTIBULE
L1-0.4
CRU #1
883SF
CRU#1
L1-0.2
CRU #2
1261SF
CRU#2
L1-0.1
LOBBY
L1-0.5
CORRIDOR
L1-0.6
SHOWER RM
L1-0.3
LOADING
BIKE STORAGE
P0-0.1
BICYCLE STALLS (41)
BIKE WASH & MAINTENANCE
GENERATOR RM
P0a-0.2
EMERGENCY DISTRIBUTION
P0a-0.3
TEL/COMM
P0a-0.4
ELECTRICAL RM
P0a-0.1
PULL PIT
P0a-0.5

Level 2

#201
513 SF
#202
439 SF
#203
434SF
#204
525 SF
#205
672 SF
#206
322 SF
#207
334 SF
#208
661 SF
REF.
DW
EXIT#1
EXIT#2
ROOF DECK PLANTER

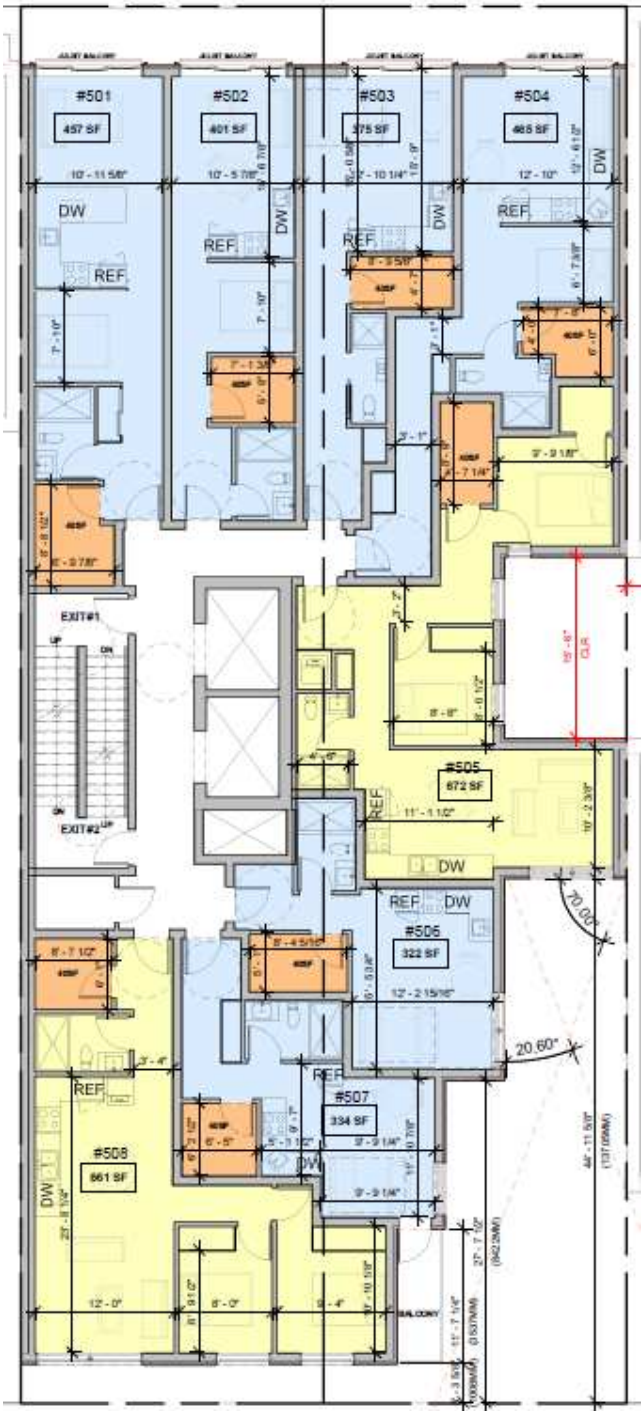
Level 3

#301
513 SF
#302
447 SF
#303
378 SF
#304
465 SF
#305
672 SF
#306
322 SF
#307
334 SF
#308
661 SF
REF
DW
EXIT#1
EXIT#2
BALCONY

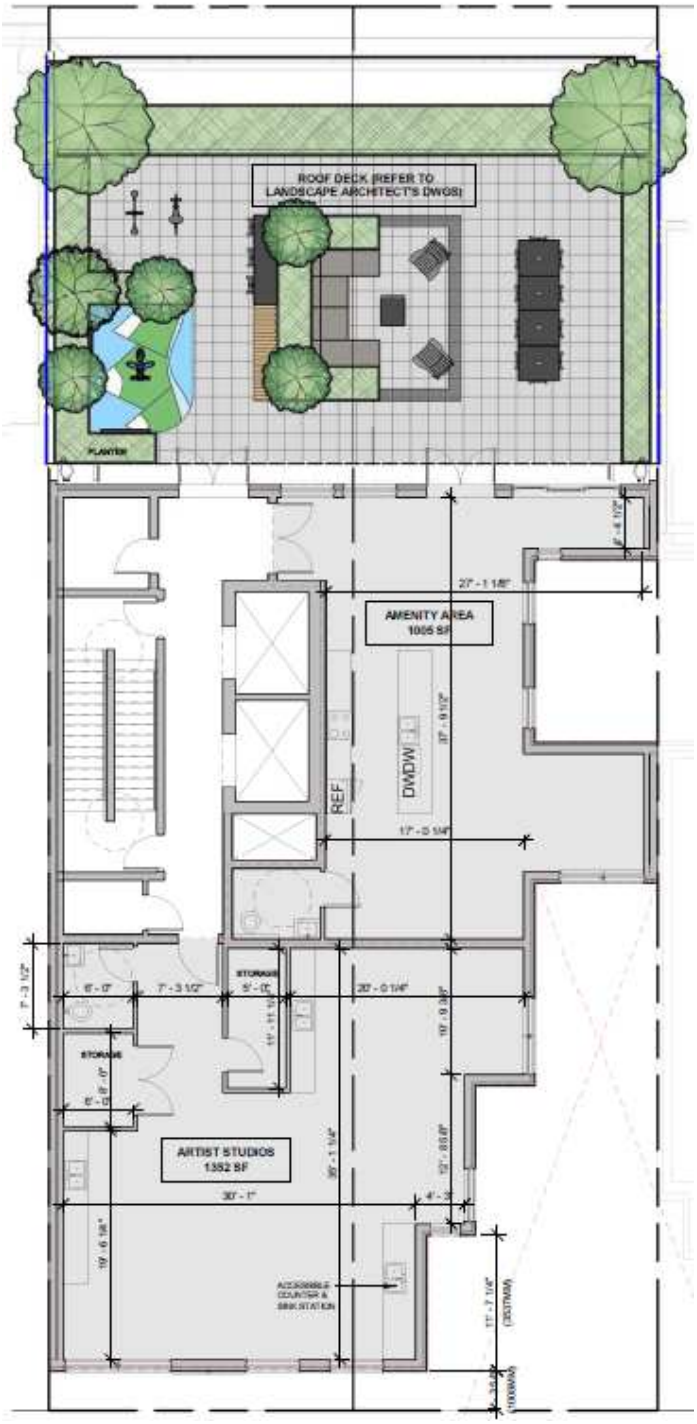
Level 4

#401
457 SF
#402
401 SF
#403
375 SF
#404
465 SF
#405
672 SF
#406
322 SF
#407
334 SF
#408
661 SF
DW
REF
EXIT#1
EXIT#2
70.00°
20.80°

Levels 5-11


#501
457 SF
#502
401 SF
#503
375 SF
#504
465 SF
DW
REF
EXIT#1
EXIT#2
#505
672 SF
#506
322 SF
#507
334 SF
#508
661 SF
70.00°
20.60°

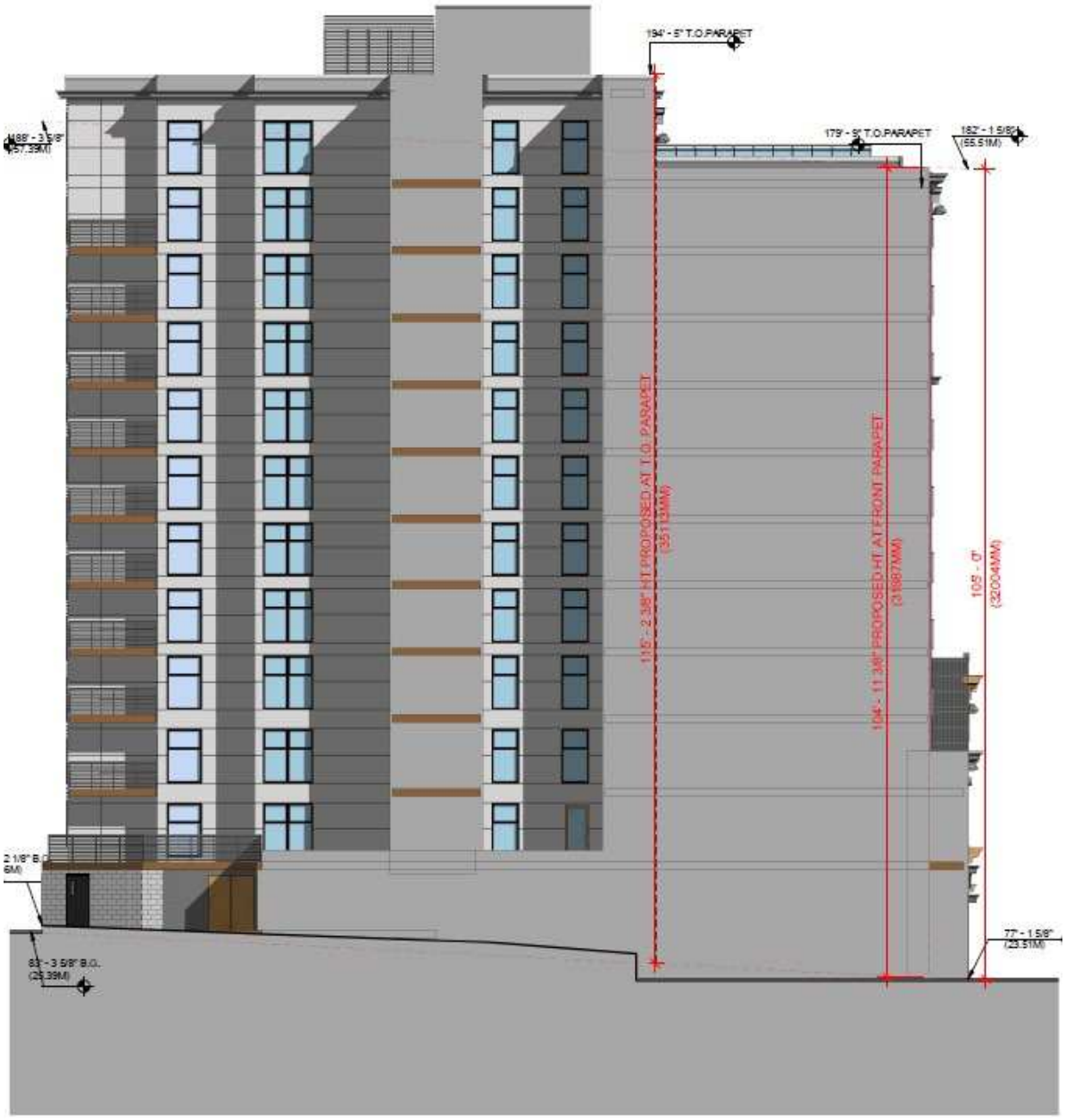
Level 12


ROOF DECK (REFER TO LANDSCAPE ARCHITECT'S DWGS)
PLANTER
AMENITY AREA
1005 SF
REF
DWDW
STORAGE
STORAGE
ARTIST STUDIOS
1352 SF

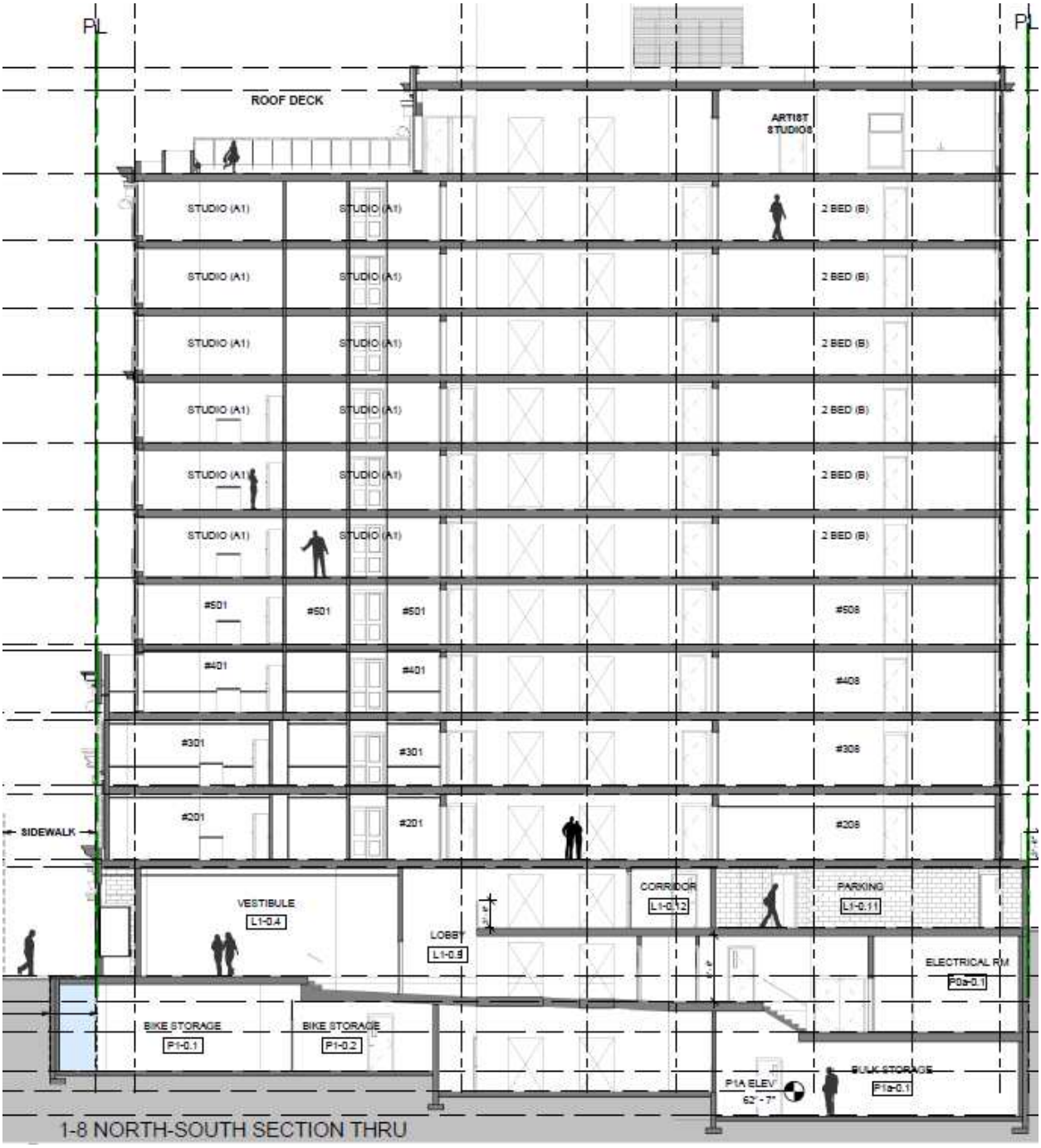
North Elevation

South Elevation

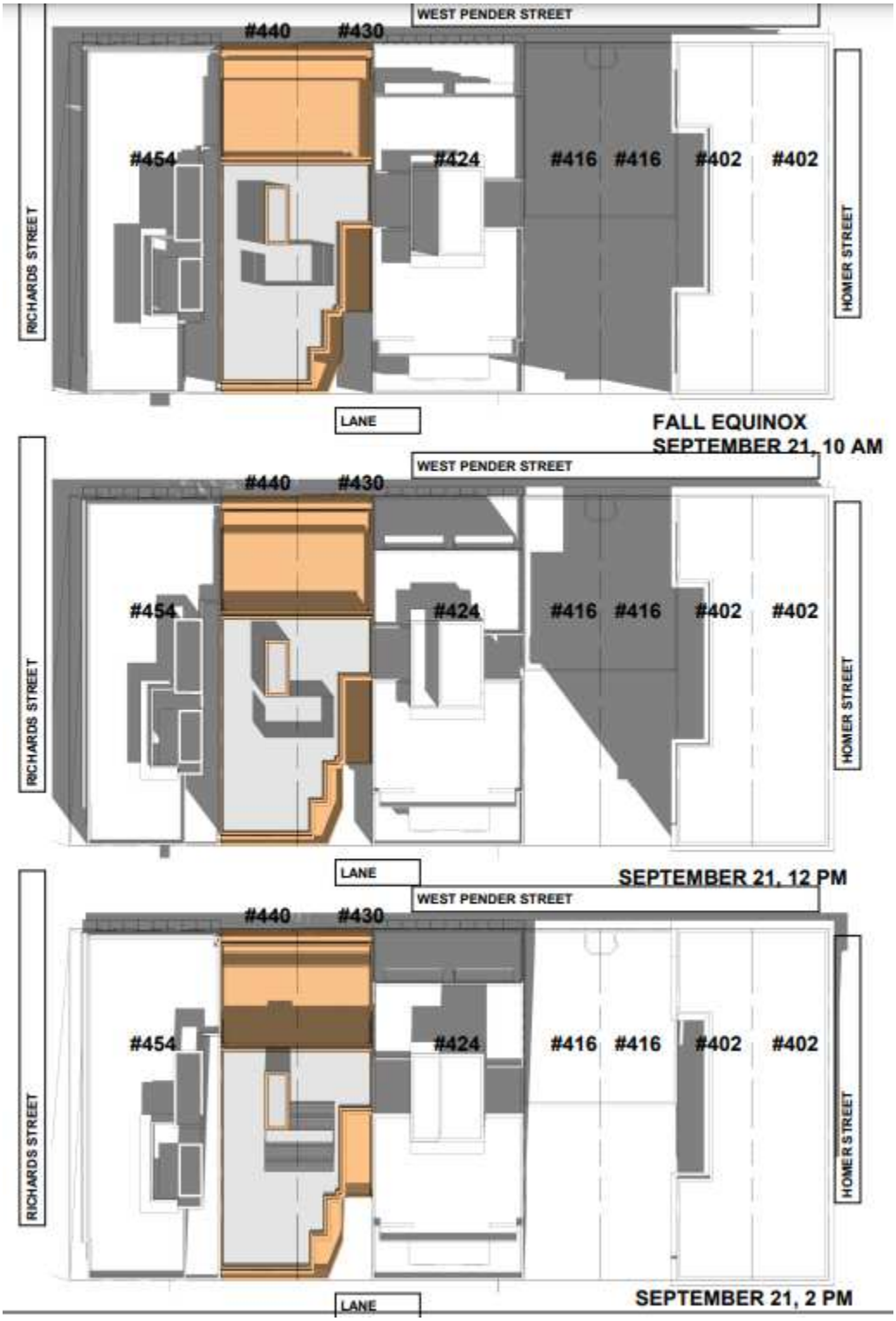
East Elevation



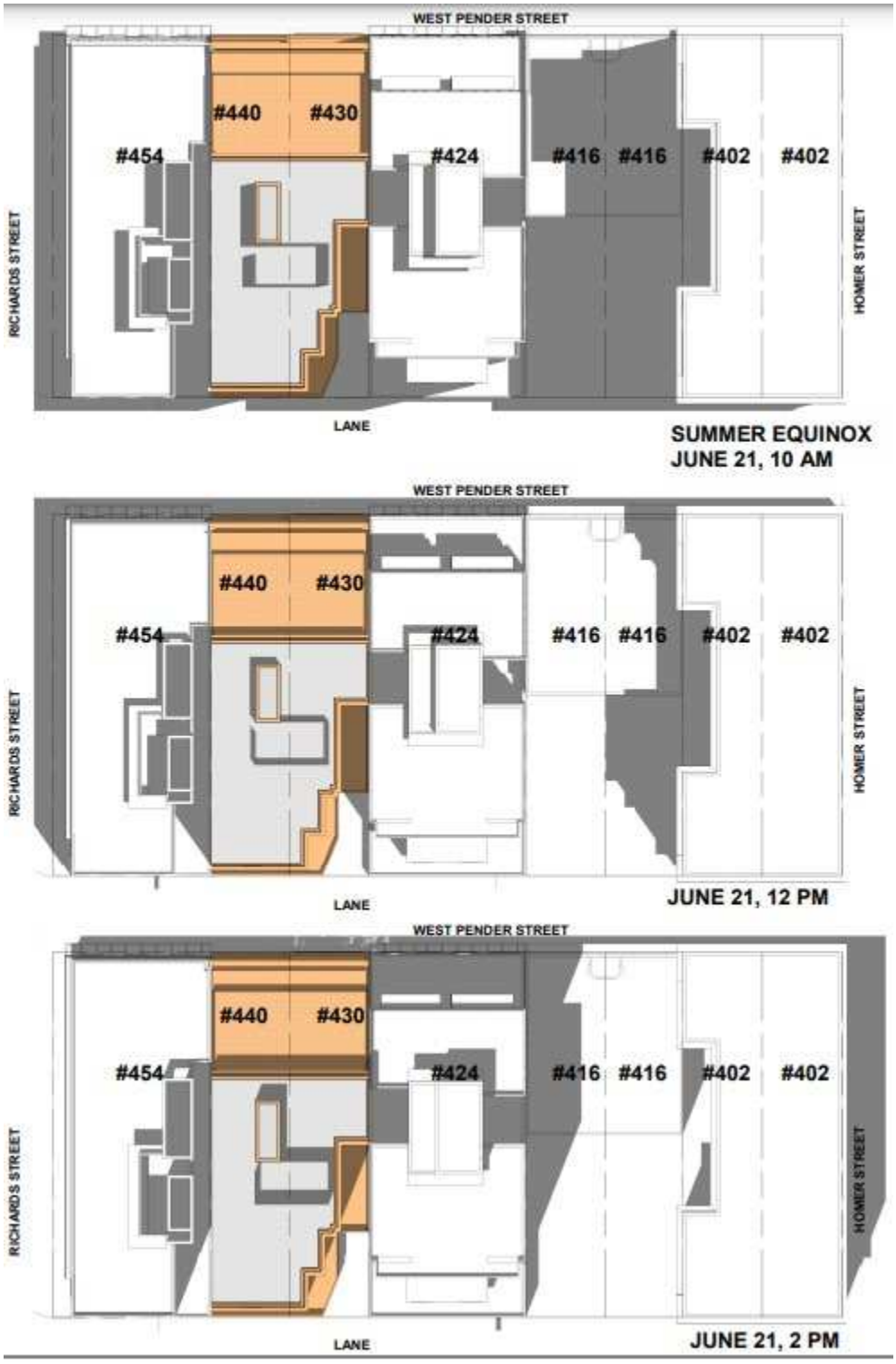
North-South Section



Shadow Study – Fall Equinox



Shadow Study – Spring Equinox



* * * * *

430-440 West Pender Street
PUBLIC INPUT

1. List of Engagement Events, Notification, and Responses

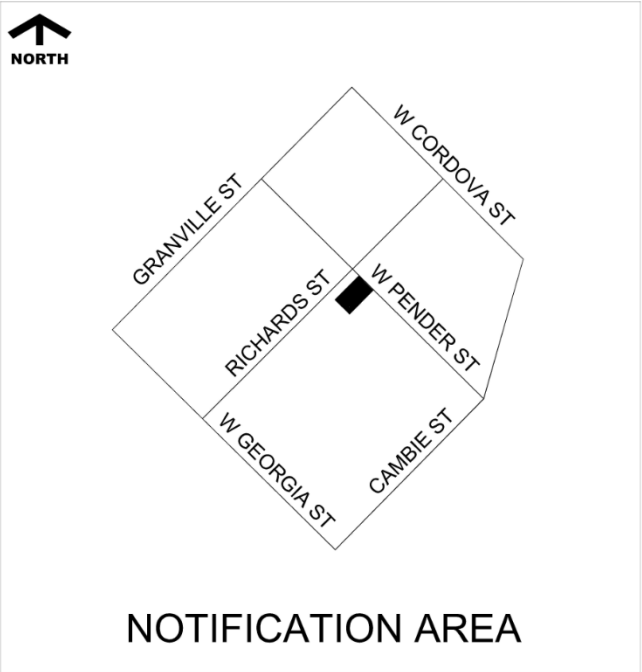
	Date	Results
Event		
Virtual open house (City-led)	November 21, 2022 - December 11, 2022	140 participants (aware)* • 49 informed • 14 engaged
Public Notifications		
Postcard distribution – Notice of rezoning application and virtual open house	November 21, 2022	1,724 notices mailed
SRO notification posters	November 17-21, 2022	10 locations
Public Responses		
Online questions	November 21, 2022 - December 11, 2022	0 submittal
Online comment forms • Shape Your City platform	October 2022 – September 2023	22 submittals
Overall position • support • opposed • mixed	October 2022 – September 2023	22 submittals • 19 responses • 0 response • 3 responses
Other input	October 2022 – September 2023	1 submittal
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	October 2022 – September 2023	559 participants (aware)* • 193 informed • 22 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:

- **Neighbourhood context:** The proposed development would make the neighborhood more welcoming to families and fits the neighbourhood.
- **Housing:** The proposed development adds much-needed purpose-built rentals to Downtown, close to office buildings.
- **Density:** The density of the proposed development is supported.
- **Heritage:** The retention of the original building façades and other heritage elements in the proposed development is appreciated.
- **Parking:** Car share and bike parking in lieu of car parking is preferred.

Generally, comments of concern fell within the following areas:

- **Sunlight:** The proposed development would block neighbouring apartments' sunlight.
- **Neighbourhood character:** The proposed development would take away the neighbourhood's character and history. Preservation of the unique characteristics of the

site is needed, otherwise the local businesses built around these characteristics will be affected.

- **Local business and community space:** The development would displace existing businesses and non-profit community space.

- **Public space:** The proposed cultural amenity space could be located on a lower floor to make it more accessible to the public and make it easier for artists to use.

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:

- The proposed rooftop amenity and outdoor space is a much-needed addition to the neighbourhood.

General comments of concern:

- The non-profit group located on the site feels it was not heard during the rezoning process.

- Safety in the neighbourhood remains a concern.

* * * * *

430-440 West Pender Street
PUBLIC BENEFITS SUMMARY

Project Summary

Proposal for a 12-storey mixed-use building with 80 secured market rental units, at-grade commercial space, and a rooftop cultural amenity space.

Public Benefit Summary

The project would provide secured market rental units and generate a DCL.

	Current Zoning	Proposed Zoning
Zoning District	DD	CD-1
Floor Space Ratio (site area = 579.7 sq. m (6,240 sq. ft.)	5.0 [3] 6.0 [4]	8.42
Building Height	32 m (105 ft.)	32 m (105 ft.)
Buildable Floor Space	2,898.5 sq. m (31,119 sq. ft.) 3,478.2 sq. m (37,536 sq. ft.)	4,789.0 sq. m (52,517 sq. ft.)
Land Use	Residential, Commercial, Institutional, Office	Residential, Commercial, Cultural and Recreational

Summary of Development Contributions Expected under Proposed zoning

City-wide DCL [1,2]	$1,115,408
Utilities DCL [1]	$672,513
TOTAL	**$1,787,920**

Other benefits (non-quantified components): 80 dwelling units will be secured for rental housing and retention of two individual heritage building facades secured through a restoration covenant.

[1] Based on by-laws in effect as of September 30, 2023. 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 instream rate protection. See the City's DCL Bulletin for more details.

[2] This application is eligible for a waiver of the City-wide DCL, however the applicant has elected not to seek the waiver. As per Section 3.1B of the Vancouver Development Cost Levy By-law, the applicant's decision regarding the waiver for projects requiring rezoning is to be made at the rezoning application stage and the relevant requirements should be secured in the conditions of enactment. Should the applicant wish to request a DCL waiver at a later stage, the application would be expected to return to Council for a subsequent public hearing to amend the rezoning condition.

[3] Area C2 of the DODP: maximum FSR for all uses, residential limited to 3.0 FSR

[4] Area C2 of the DODP: if 100% of the residential is secured market housing or 20% of the floor area is social housing, discretionary increases in height and density may be considered.

* * * * *

430-440 West Pender Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information:

Address	Parcel Identifiers (PID)	Legal Description
430-434 West Pender St	015-488-161	Lot 4 Block 35 District Lot 541 Plan 210
436-440 West Pender St	015-488-152	Lot 3 Block 35 District Lot 541 Plan 210

Applicant Information:

Applicant/Architect	Architectural Collective Inc.

Development Statistics:

	Permitted Under Existing Zoning	Proposed Development
Zoning	DD	CD-1
Site Area	579.7 sq. m (6,240 sq. ft.)	579.7 sq. m (6,240 sq. ft.)
Uses	Residential, Commercial, Institutional, Office	Residential, Commercial, Cultural and Recreational
Max. Density	5.0 FSR (note 1) 6.0 FSR (note 2)	8.42 FSR
Floor Area	2,898.5 sq. m (31,119 sq. ft.) (note 1) 3,478.2 sq. m (37,536 sq. ft.) (note 2)	Residential: 4,394.1 sq. m (47,298 sq. ft.) Commercial: 359.3 sq. m (3,867 sq. ft.) Artist Studio: 125.6 sq. m (1,352 sq. ft.) Total: 4,849.0 sq. m (52,517 sq. ft.)
Max. Height	22.9 m (75 ft.) (note 3) 32 m (105 ft.) (note 2)	32 m (105 ft.)
Unit Mix	--	Studio: 60 (75%) Two Bedroom: 20 (25%) Total 80
Parking, Loading and Bicycle Spaces	As per Parking By-law	As per Parking By-law, confirmed at the development permit stage

Notes:

1. Area C2 of the DODP: maximum FSR for all uses, residential limited to 3.0 FSR
2. Area C2 of the DODP: if 100% of the residential is secured market housing or 20% of the floor area is social housing, discretionary increases in height and density may be considered.
3. Area C2 of the DODP: basic maximum height

* * * * *