CITY OF VANCOUVER

REFERRAL REPORT

Report Date:	November 26, 2024
Contact:	Helen Chan
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VanRIMS No.:	08-2000-20
Meeting Date:	December 10, 2024

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 1434-1456 West 8th Avenue

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-law(s), in accordance with the recommendations set out below, for consideration at the Public Hearing.

RECOMMENDATION FOR PUBLIC HEARING

A. THAT the application by PCI Developments, on behalf of:

- 1434 West Eighth Nominee Corp., the registered owner of the lands located at 1434 West 8th Avenue [*PIDs 015-201-309 and 015-201-333; Lot 22 and 23 respectively, Except (A) Part in Plan 4379 and (B) Part in Explanatory Plan 5167, Block 331 District Lot 526 Plan 590*]; and

- 1456 West Eighth Nominee Corp., the registered owner of the lands located at 1456 West 8th Avenue [*PID 030-624-665; Lot A District Lot 526 Group 1 New Westminster District Plan EPP86917*];

to rezone the lands from C-3A (Commercial) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 3.0 to 8.0 and the maximum building height from 9.2 m (30 ft.) to 77.8 m (255 ft.) with additional height for the portion with rooftop amenity, to permit the development of a 25-storey mixed-use building containing 154 rental units, of which 20% of the

residential floor area will be for below-market rental units, with commercial space on the ground floor and second level, 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 Musson Cattell Mackey Partnership, received September 21, 2023 and supplemental plans received March 19, 2024, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

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

B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.

C. THAT subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the CD-1, generally as set out in Appendix C, be approved.

D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the CD-1, generally as set out in Appendix C;

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

E. THAT Recommendations A to D be adopted on the following conditions:

(i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City, and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;

(ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

(iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

This application proposes to rezone 1434-1456 West 8th Avenue to a CD-1 (Comprehensive Development) District to permit a 25-storey mixed-use building with additional height for a rooftop amenity, containing 154 rental units, of which 20% of the residential floor area will be below-market rental units, over two levels commercial space. Staff have assessed the application and conclude that it meets the intent of the *Broadway Plan*.

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

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)
- Broadway Plan (2022)
- Transit-Oriented Areas (TOA) Designation By-law (2024)
- Transit-Oriented Areas (TOA) Rezoning Policy (2024)
- Housing Needs Report (2022)
- Housing Vancouver Strategy (2017)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992, last amended 2022)
- Tenant Relocation and Protection Policy (2015, amended 2019)
- Rental Incentives Bulletin (2012, last amended 2024)
- Public Art Policy and Procedures for Rezoned Developments (2014, last amended 2021)
- Green Buildings Policy for Rezonings (2010, amended 2023)
- Urban Forest Strategy (2014, amended 2018)
- Community Amenity Contributions Policy for Rezonings (1999, amended 2024)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No.12183

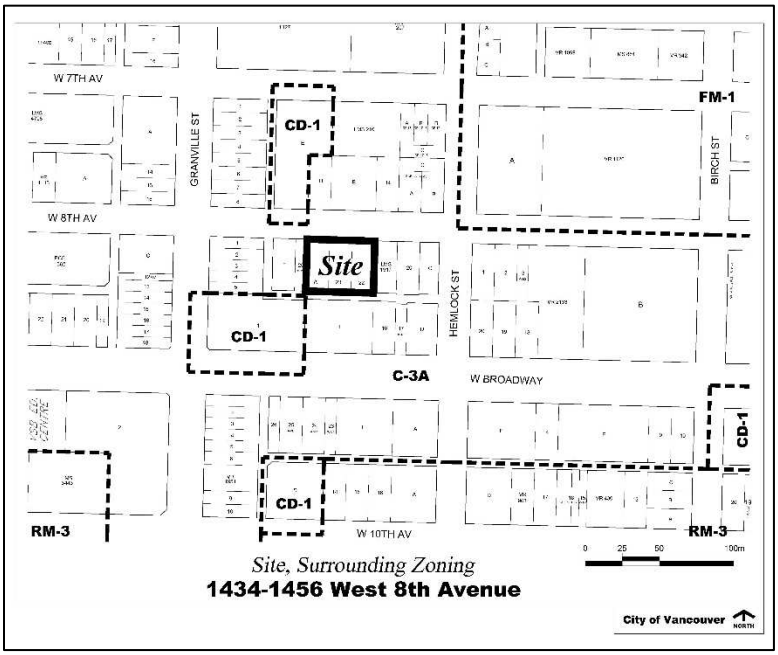
REPORT

Background/Context

1. Site and Context

The subject site is located at the south side of West 8th Avenue, mid-block between Granville and Hemlock Streets (see Figure 1). The site comprises three parcels, developed with a two-storey commercial building and an empty lot used for temporary surface parking and storage of construction materials. The site area is 1,600.0 sq. m (17,222 sq. ft.), with a width of 45.7 m (150 ft.) and a depth of 35.0 m (115 ft.). The property contains two rental units, and there is one tenancy that is eligible for provisions under the *Tenant Relocation and Protection Policy* (TRPP). The neighbourhood is undergoing significant change, with the new South Granville Broadway Subway Station, which is located across the lane to the southwest of the site, scheduled to open in 2027.

Figure 1: Surrounding Zoning and Context



Neighbourhood Amenities – The following amenities are in close proximity:

- *Parks:* Granville Loop Park (350 m), 6th and Fir Park (478 m), 5th and Pine Park (672 m), Sutcliffe Park/Granville Island Water Park/Island Park Walk (800 m).
- *Cultural/Community Spaces:* Firehall Branch Library (350 m), False Creek Community Centre (872 m).
- *Childcare:* Creekview Tiny Tots - Toddler Program (650 m), False Creek YMCA Child Care (612 m), False Creek Out Of School Care (943 m), Family Montessori School (827 m).

Local School Capacity – The site is located within the catchment area of False Creek Elementary School and Kitsilano Secondary School. According to the Vancouver School Board (VSB)'s *2020 Long Range Facilities Plan*, False Creek Elementary is currently operating at 115% capacity and is forecasted to continue to do so through to 2031. Kitsilano Secondary is operating at 103% with an expected capacity of 96% 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 the long-term growth of the City over the next 30 years. *Vancouver Plan* serves as a framework, with further implementation planning work to follow over the next two to four years. The site is located within the *Broadway Plan* which is generally in alignment with the *Vancouver Plan.*

Broadway Plan – The *Broadway Plan* (the Plan) is a comprehensive community plan for the area within Vine Street to Clark Drive and 1st Avenue to 16th Avenue. The 30-year plan focuses on opportunities to integrate new housing, jobs, and amenities around the new Broadway Subway. The site is located within the "Granville/Burrard Slopes – Area C (FGBC)" sub-area of the Plan. Section 9.3.1 the Plan permits a mixed-use rental building up to 25 storeys and 8.0 FSR, where a minimum of 20% of the residential floor area is secured at below-market rents. A minimum of two levels of non-residential uses (job space) is required.

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 creating a development plan, or when amending a development plan in relation to Council's housing policies respecting affordable housing, rental housing and special needs housing. This zoning amendment would facilitate the delivery of secured rental housing including a component of below market rental units and address the data and findings within the HNR.

Housing Vancouver Strategy – Housing Vancouver focuses on the right supply of new homes, including rental, to meet the continuum of housing types. The strategy includes 10-year housing approval targets, which were updated in 2024. The new targets aim for 83,000 net new homes overall, including 30,000 purpose-built market rental and 5,500 purpose-built below-market rental units. This rezoning will contribute towards targets for purpose-built market and below-market rental housing units.

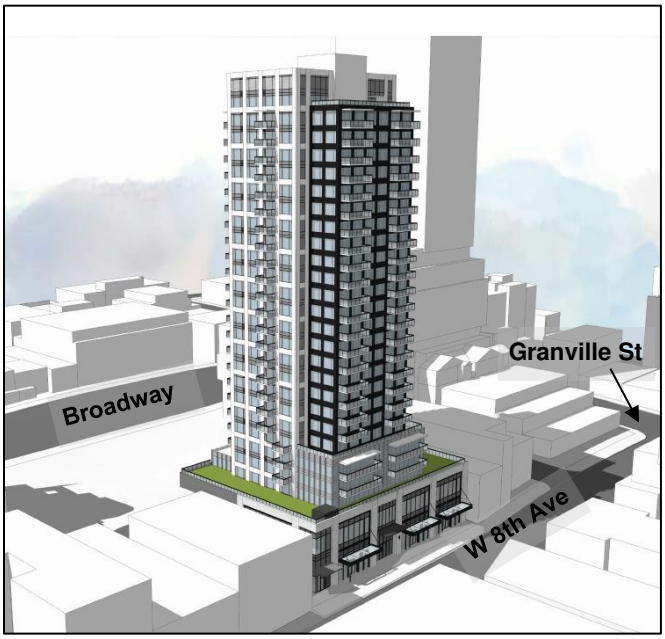
Transit-Oriented Areas (TOA) Designation By-law and Transit-Oriented Areas (TOA) Rezoning Policy – To align with provincial legislation, Council adopted a by-law and rezoning policy that establishes heights and densities for developments within Transit-Oriented Areas (TOAs). This site is within Tier 1 of the South Granville Station TOA. As the Plan allows more height and density, the application is being assessed under the Plan policies.

Strategic Analysis

1. Proposal

The rezoning proposal is to permit a 25-storey mixed-use rental building, of which 20% of the residential floor area will be below-market rental units. Through the rezoning process, staff recommended that the applicant revise the proposal from one level of retail space on the ground floor to provide two levels of job space (Figure 2), as well as to reduce the proposed FSR to 8.0 as required under the *Broadway Plan*. Accordingly, office uses have been added to Level 2 and the number of proposed rental units has decreased from 162 to 154 units. The draft CD-1 By-law in Appendix A contains requirements for two levels of commercial uses and the maximum FSR permitted under the Plan.

Figure 2: Revised View Looking to Southwest with Two Levels of Commercial Space



2. Land Use

The proposed residential and commercial uses are consistent with the Plan.

3. Form of Development, Height and Density (refer to drawings in Appendix G and statistics in Appendix I)

This proposal is being considered according to Council-adopted development guidance for Mid to High-Rise Mixed-Use Buildings as outlined in Section 11.6 of the *Broadway Plan*, with focus on tower siting, massing, solar access, tower separation, and building articulation. The site adjacency to a prominent, transit-oriented area in the Plan also demands extra consideration of the role the development will have to create a built environment supportive to thriving, resilient, and livable communities in a densely populated and diverse urban environment.

The proposed form of development generally complies with the urban design and development criteria of the Plan, with variances detailed below.

Form of Development –The proposed 25-storey mixed-use building and a partial rooftop amenity space is generally consistent with the built form principles of the Plan, including tower height and floor plate requirement (see Figures 2 and 3). Staff also concluded that this proposal does not comply with the 12.2 m (40 ft.) rear setback required for the tower from centre of the lane to achieve a 22.4 m (80 ft.) separation from any future residential tower to the south. Staff have provided an urban design condition to ensure that the location of the development does not unduly impact the tower development on adjacent sites.

Figure 3: View of the Proposed Building Looking to Southeast from West 8th Avenue

Height – At 25 storeys, the proposal complies with the maximum overall allowable height permitted in sub-area FGBC. The proposed development does not result in additional shadowing of nearby public parks and school properties between 10 am and 4 pm between the spring and fall equinoxes. The site is not located in any Council-adopted public views.

Podium Height – The *Broadway Plan* recommends a four to six-storey podium to create consistent street wall. Staff conclude that the proposed two-storey podium height contributes successfully to the existing and future streetscape along West 8th Avenue.

Density – For this site, the Plan anticipates a density of up to 8.0 FSR based on intended urban design performance and built form principles. The application complies with the objectives of the built form guidelines and will be refined at the development permit stage to a density of 8.0 FSR.

Tower Separation from Adjacent Developments – The proposal does not demonstrate that a minimum separation of 24.4 m (80 ft.) between this proposal and adjacent potential future residential towers is accommodated, as required by the Plan. To achieve this minimum separation, particularly from the future potential tower across the lane, further design development on the tower siting is required, as outlined in the Condition of Approval in Appendix B.

Public Realm – The application is generally consistent with the expectations of the Plan to activate and enhance the public realm and pedestrian interface. Ground floor retail will enhance pedestrian activity along West 8th Avenue and support commercial streets that are welcoming and enjoyable places for people to experience. Staff have included a Condition of Approval in Appendix B. to further enrich the public realm along the lane through detailed design development at the development permit stage.

Mid-block Pedestrian Connector – This application proposes to improve the public realm at ground level by incorporating a mid-block connector link from West 8th Avenue to the lane. The proposed link will be privately-owned, with public access secured via a statutory right-of-way. To better align with the existing mid-block network to the north on West 7th Avenue and to Granville Loop Park, staff recommend relocating the mid-block connector from the east to west side of the site and to improve the quality of open space, as outlined in the Condition of Approval in Appendix B.

Urban Design Panel (UDP) – The rezoning application and the proposed form of development received support from the UDP on February 7, 2024, with recommendations related to relocating the mid-block connector, improving the safety of pedestrians at the lane, enhancing the quality of public realm particularly in the mid-block connector, and improving the accessibility of open spaces for all users. Refer to Appendix F and meeting minutes for details.

Staff reviewed the site-specific conditions and have concluded that the proposal reflects the Plan's built form, height and density and is appropriate for the context. Staff support the application subject to the Urban Design conditions detailed in Appendix B.

4. Housing

The *Housing Vancouver Strategy* seeks to deliver a range of housing tenures across the housing continuum. This application, if approved, would add 154 housing units, including approximately 123 market rental units and 31 below-market rental units (20% of the residential floor area), 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 (2024-2033) for Purpose-Built Rental Housing as of September 30, 2024

Housing Type	Category	10-Year Targets[1, 2]	Units Approved Towards Targets[3]
Purpose-Built Rental Housing Units	Market Rental	30,000	3,958 (13%)
	Developer-Owned Below-Market Rental	5,500	441 (8%)
	Total	35,500	4,399 (12%)

[1] *New 10-year targets were adopted in 2024, with tracking starting from January 1, 2024.*
[2] *Previous targets established in 2017 included 20,000 purpose-built rental, market and below-market combined, with tracking starting in 2017. As of December 31, 2023, 87% of the previous targets had been reached.*
[3] *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 2023, the purpose-built apartment vacancy rate was 0.8% in Vancouver. The vacancy rate (based on Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the South Granville/Oak area, in which this site is located, is 0.4%. A vacancy rate of between 3% and 5% is considered to represent a balanced market.

Housing Mix – The *Broadway Plan* requires a minimum of 35% family units, including a minimum of 10% of units with three or more bedrooms and 25% of units with two bedrooms. This application proposes 40% family units and meets the minimum family unit mix in the Plan.

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 Rent and Income Thresholds – Figure 5 below shows starting rents for below-market rental units for 2023, average market rents and incomes served for newer rental buildings on the westside, and costs for home ownership. This table demonstrates that below-market rental housing and market rental housing provide options that are more affordable than home ownership.

If approved, starting rents for the below-market units will be 20% less the city-wide average market rents at the time of initial occupancy. On unit turnover, rents in the below-market units may be reindexed to 20% less the city-wide average market rent by unit type current at the time of unit turnover.

Figure 5 – Below-Market Unit Average Rents, Market Rents in Newer Buildings, Cost of Ownership and Household Incomes Served

	Below-Market Rental Units		Newer Rental Buildings Westside		Monthly Costs of Ownership for Median-Priced Apartment – Westside (with 20% down payment)		
Unit Type	Starting Rents (2023)[1]	Average Household Income Served	Average Market Rent (CMHC, 2023)[2]	Average Household Income Served	Monthly Cost of Ownership (BC Assessment 2021)[3]	Average Household Income Served	Down-payment at 20%
Studio	$1,223	$48,928	$1,902	$76,080	$2,837	$113,480	$106,000
1-bed	$1,429	$57,152	$2,306	$92,240	$3,473	$138,920	$132,000
2-bed	$1,969	$78,752	$3,372	$134,880	$5,193	$207,720	$198,400
3-bed	$2,395	$95,808	$4,434	$177,380	$7,982	$319,280	$311,890

[1] *Starting rents shown are calculated based on a 20 per cent discount to city-wide average market rents as published by CMHC in the October 2023 Rental Market Survey. Rents at initial occupancy will set at the same discount to city-wide average market rent current at the time of occupancy permit issuance.*
[2] *Data from October 2023 CMHC Rental Market Survey for buildings completed in 2014 or later on the Westside of Vancouver.*
[3] *Based on the assumptions: Median of all BC Assessment strata apartment sales prices in Vancouver Westside in 2021 by unit type, 20% down-payment, 5% mortgage rate (in-line with qualifying rate), 25-year amortization, $250-$350 monthly strata fees and monthly property taxes at $2.92 per $1,000 of assessed value (2021 assessments and property tax rate).*

To qualify for a below-market rental unit, a household's gross annual income cannot exceed the maximum income requirements for the unit type (see Figure 5), with at least one household member per bedroom. Policy 12.2.17 of the Plan specifies that below-market rental units will be subject to tenant income testing and monitoring requirements that apply under the *Secured Rental Policy*, as described in the *Rental Incentive Programs Bulletin*. All residents will have equal access to common indoor and outdoor amenities and facilities shown in Appendix G.

Security of Tenure – Purpose-built rental housing offers permanent rental housing and security of tenure, unlike rented condominiums or basement suites in the secondary rental market. All 154 units in the proposal would be secured through a Housing Agreement and 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.

The Housing Agreement will secure not less than 20% of the residential floor area that is counted in the calculation of the floor space ratio for below-market units to be rented at rates targeted to meet the affordability needs of moderate income households. Between tenancies, the rent for a below-market rental unit will be re-indexed to the current CMHC average rent by unit type, applying the same discount rate as was secured at the time of occupancy permit issuance. Rent increases during each tenancy are capped at the Residential Tenancy Act annual allowable rental increase. Conditions related to securing the units are contained in Appendix B.

Tenants – The rezoning site contains existing rental residential uses, including two units of primary rental housing. One residential tenancy is eligible under the City's *Tenant Relocation and Protection Policy* (TRPP) for the Broadway Plan area.

The applicant will be required to provide a Tenant Relocation Plan (TRP) for eligible tenants which meets the requirements of the City's TRPP for the Broadway Plan area, as summarized in Appendix D of this report.

All residential tenancies are protected under the provincial Residential Tenancy Act.

5. Transportation and Parking

The site is well-served by transit. It is across a lane from the future South Granville Broadway Station on the Broadway Subway extension of the Millenium. The site is also half a block away from Broadway and Granville Street, which is part of TransLink's Frequent Transit Network. There are nearby bikeways on 7th Avenue (Off-Broadway), 10th Avenue, Alder Street and along False Creek (Seaside and Seaside Bypass).

Vehicle and bicycle parking is provided over three levels of underground parking, accessed from the lane. The application proposes 86 vehicle spaces, 281 bicycle spaces, and two loading spaces. Parking and loading are to meet the Parking By-law requirements at the development permit stage. Engineering conditions require pedestrian and public realm improvements, including statutory rights-of-way along West 8th Avenue and for a mid-block connection between West 8th Avenue and the lane, as set out in Appendix B.

6. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezoning* 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 fulfill energy system sub-metering and enhanced commissioning requirements throughout the project.

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

The subject site and adjacent boulevard do not have any permit sized trees. Five new City street trees and 10 on-site rooftop trees are proposed. The final number of trees planted will be

determined through the development permit process. See Appendix B for landscape and tree conditions.

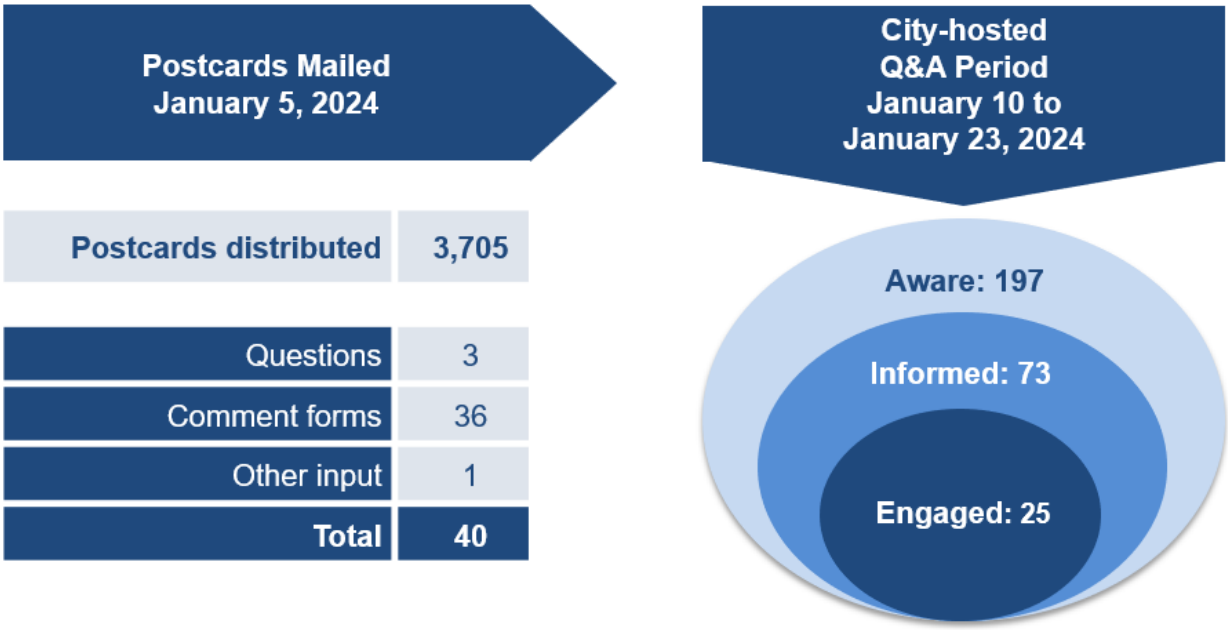
7. Public Input

Public Notification – A rezoning information sign was installed on the site on December 12, 2023. Approximately 3,705 notification postcards were distributed within the neighbouring area on or about January 5, 2024. Application information and an online comment form was provided on the Shape Your City (shapeyourcity.ca) platform.

Question and Answer Period – A question and answer period/virtual open house was held from January 10, 2024 to January 23, 2024. Questions were submitted by the public and posted with a response over a two week period.

Public Response and Comments – Public input was via online questions, comment forms, email and phone. A total of 40 submissions were received. Below is a summary of feedback, with more details found in Appendix E.

Figure 7: Overview of Notification and Engagement



Generally, comments of support fell within the following areas:

- **Height, Density and Location:** The height and density are appropriate for the South Granville area as it is near major bus routes and a future Skytrain station. The proposal will also help add much needed vibrancy into this neighbourhood.
- **Rental Housing Stock:** Increase in purpose built rental units is much needed, especially below-market units.

- **Commercial and Retail Space:** More commercial and retail spaces on the ground floor is greatly needed for the commercial viability of the South Granville area.

Generally, comments of concern fell within the following areas:

- **Height, Location and Shadowing:** This location is not appropriate for a building of this scale. Building is too tall and will cause shadowing to neighbouring properties.

- **Building and Public Realm Design:** The building is too bulky. The mid-block path is too narrow and would cause a sense of unease at the pedestrian level.

- **Views:** The development will negatively impact the views of neighbouring properties.

Response to Public Comments

Height, Location and Shadowing – The proposed building height is consistent with the intent of the *Broadway Plan* and is appropriate due the proximity to transit routes and neighbourhood amenities. The proposed development does not create new shadow impacts on parks and school properties between 10 am and 4 pm between the spring and fall equinoxes, as required in the Plan.

Building and Public Realm Design – The proposed massing is consistent with built form principles of the Plan, including with a floor plate that is smaller than the maximum tower floor plate size of 604 sq. m (6,500 sq. ft.) as set out in the Plan. The Urban Design conditions require design development to achieve a safer environment for the mid-block pedestrian pathway, including by incorporating wayfinding signage, lighting fixtures, street furniture and active frontages along the connector.

Views – The site is not located in any Council-adopted public views. There is no policy for the protection of private views.

8. Public Benefits

Community Amenity Contribution (CAC) – This application is subject to a negotiated CAC under the *Community Amenity Contributions Policy for Rezonings*. Real Estate Services staff reviewed the application and the cost of securing the rental housing units, including the 20% of the residential floor area at below-market rents and have determined no additional CAC is expected.

Development Cost Levies (DCLs) – The site is subject to both the City-wide DCL and Utilities DCL, which will be calculated on the floor area proposed at the development permit stage. This application has requested and is expected to be eligible for a Class A (100%) waiver of the City-wide DCLs applicable to the residential floor area. This application is therefore subject to the maximum starting rents by unit type applicable to “class A for-profit affordable rental housing” as per the Development Cost Levy By-law, if applicable and as may be amended from time to time. These requirements will be secured by a Housing Agreement, and compliance will be assessed through the development permit stage to occupancy permit issuance, ensuring that a final rent roll that sets out the initial monthly rents is submitted.

Based on rates in effect as of September 30, 2024 and the anticipated 11,667.0 sq. m (125,578 sq. ft.) of residential floor area and 1,133.0 sq. m (12,200 sq. ft.) of commercial floor area, it is estimated that the project will pay DCLs of $2,236,699. The value of the anticipated City-wide DCL waiver on the residential floor area is estimated to be $2,965,868. DCL rates are subject to future adjustment by Council including annual inflationary adjustments

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

Public Art Program – The application is subject to a public art contribution estimated at $272,800. The final contribution will be calculated based on the rate in effect and the floor area at the development permit stage. Applicants may elect to provide on-site artwork or cash-in-lieu (at 80% of the public art budget).

A summary of public benefits associated with this application can be found in Appendix H.

Financial Implications

As noted in the Public Benefits section, this project is expected to provide market and below-market rental units, DCLs and a public art contribution. See Appendix H for additional details.

CONCLUSION

Staff review of the application has concluded that it is consistent with the objectives of the *Broadway Plan*. If approved, this application would make a contribution to achieving key housing goals outlined in the *Housing Vancouver Strategy*.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing together with a draft CD-1 By-law as generally shown in Appendix A and with a recommendation that these be approved, 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.

* * * * *

1434-1456 West 8th Avenue
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 (___).

Definitions

3. Words in this by-law have the meaning given to them in the Zoning and Development By-law, except that:

   (a) for the purposes of calculating the total dwelling unit area for section 5.1 of this by-law, “Dwelling Unit Area” is the floor area of each dwelling unit, measured to the inside of all perimeter walls, excluding any floor area as required by section 6.5 of this by-law; and

   (b) “Below-Market Rental Housing Units” means dwelling units that meet the requirements of approved Council policies and guidelines for below-market rental housing, as secured by a housing agreement and registered on title to the property.

Uses

4. 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

5.1 A minimum of 20% of the total dwelling unit area must be below-market rental housing units.

5.2 The design and layout of at least 35% of the total number of below-market rental housing units and at least 35% of the total number of other dwelling units must:

(a) be suitable for family housing; and

(b) have 2 or more bedrooms, of which:

(i) at least 25% of the total dwelling units must be 2-bedroom units, and

(ii) at least 10% of the total dwelling units must be 3-bedroom units.

5.3 No portion of the first or second storey of a building may be used for residential purposes except for entrances to the residential portion.

5.4 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 conjunction 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

6.1 Computation of floor area must assume that the site area is 1,600 m^2, being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.

6.2 The maximum floor space ratio for all uses combined is 8.0.

6.3 No less than 1,130 m^2 of permitted floor area must be used for commercial uses.

6.4 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.

6.5 Computation of floor area and dwelling unit area must exclude:

(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that:

(i) the total area of these exclusions must not exceed 12% of the permitted floor area, and

(ii) the balconies must not be enclosed for the life of the building;

(b) patios and roof decks, if the Director of Planning considers the impact on privacy and outlook;

(c) floors or portions thereof that are used for:

(i) off-street parking and loading, 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.

6.6 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.

6.7 Where floor area associated with residential storage area is excluded, a minimum of 20% of excluded floor area above base surface must be located within the below-market rental housing units as storage area.

Building Height

7.1 Building height must not exceed 77.8 m.

7.2 Despite section 7.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, if the Director of Planning permits common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portions of the building with the permitted common rooftop amenity space or mechanical appurtenances must not exceed 87.1 m.

Horizontal Angle of Daylight

8.1 Each habitable room must have at least 1 window on an exterior wall of a building.

8.2 For the purposes of section 8.1 above, habitable room means any room except a bathroom or a kitchen.

8.3 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.

8.4 The plane or planes referred to in section 8.3 above must be measured horizontally from the centre of the bottom of each window.

8.5 An obstruction referred to in section 8.3 above means:

(a) any part of the same building excluding permitted projections; or

(b) the largest building permitted on any adjoining site.

8.6 The Director of Planning or Development Permit Board may vary the horizontal angle of daylight requirement if the Director of Planning or Development Permit Board considers all applicable Council policies and guidelines and:

(a) the minimum distance of unobstructed view is at least 3.7 m; or

(b) the habitable room is within a unit assigned to below-market rental housing units containing a minimum of 3 bedrooms, where the horizontal angle of daylight requirement is varied for no greater than 1 of the habitable rooms in the unit.

* * * * *

1434-1456 West 8th Avenue
CONDITIONS OF APPROVAL

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

PART 1: CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared Musson Cattell Mackey Partnership, received September 21, 2023, and supplemental plans received March 19, 2024, 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 the proposed mid-block pedestrian pathway to achieve a safer environment through the design strategies below.

(a) Relocate the mid-block pedestrian connector to the east to better connect to the existing pedestrian network in this area.

(b) Ensure that the pedestrian pathway does not impede the use of wheelchairs, carts and baby strollers and is accessible to people of all ages and abilities by incorporating universal design principles.

(c) Install clear and intuitive wayfinding signage along the mid-block connector to help pedestrians navigate the area and locate points of interest.

(d) Incorporate well-designed lighting fixtures to illuminate the mid-block connector and improve safety and security during evening hours.

(e) Introduce placemaking elements such as street furniture, public art, landscaping, planters, and bike racks to create a sense of place and identity along the mid-block connector.

(f) Encourage the design of active street frontages along the mid-block connector to engage pedestrians and enliven the urban environment. Require the inclusion of retail, dining, cultural, or other commercial uses at ground level to create a vibrant and inviting streetscape.

(g) Provide for direct visual connections and the opportunity for future direct physical connection at grade between interior programming and the mid-block connector.

1.2 Design development to maintain a minimum required tower separation of 24.4 m (80 ft.) or greater with existing and potential future residential towers.

Note to Applicant: Refer to the Broadway Plans 'Built Form and Site Design Section' and the following to achieve compliance with this condition.

1.3 Provide a minimum 12.2 m (40 ft.) setback from the edge of the tower to the centre of the lane.

Note to Applicant: This could be achieved by shifting the tower towards West 8th Avenue.

1.4 Design development to provide additional non-residential space (job space) at the podium above the ground floor.

Note to Applicant: Explore provision of office space at level 2 in the podium.

1.5 Design development to improve the interface of the building with the public realm along West 8th Avenue and the lane including:

(a) Distributing pedestrian activity and encouraging round-the-clock activity around the site.

(b) Providing direct physical and visual connections between interior spaces and at-grade outdoor areas.

(c) Introducing greenery, plants, and urban furniture including sitting areas.

Note to Applicant: The intent of this condition is to encourage social interaction and relaxation, bring people together, and foster a sense of community.

(d) Prioritizing pedestrian-oriented activation in the design of lane-facing building elements.

Note to Applicant: Active laneways are an important part of the character of a station area, particularly with the increasing importance of pedestrian mobility toward public transportation stations. Suggested design strategies include:

- Reconsidering the layout of the interior program to provide for enhanced visual and physical access between the lane and the indoor program;
- Designing back-of-house spaces in a manner that contributes an appealing pedestrian realm, while facilitating safe building operations;
- Providing architectural and site lighting;
- Providing plantings or other landscape improvements; and
- Considering safety by minimizing the conflicts between vehicles and pedestrian movements.

1.6 Design consideration to enhance the tower and podium expression and improve overall neighbourhood fit by:

(a) Requiring the podium to exhibit architectural elements and detailing that distinguish it from the tower above. This may include variations in facade materials, textures, colors, and articulations to create a visually distinct base for the building.

(b) Consider incorporating landscaping, green roofs, and vertical gardens into the podium design to soften its edges and add visual interest.

(c) Requiring the podium design to respond sensitively to the surrounding context, including neighboring buildings, streetscapes, and urban landmarks. Ensure that proportion, modulation, architectural styles, materials, and design features enhance pedestrian experience and complement the character of the existing built environment.

(d) Shaping the form of tower in a way that complements the surrounding environment, enhances the urban skyline, and fosters a sense of place.

Note to Applicant: This can be achieved through:
- Incorporation of setback at upper levels to break up the massing vertically; and
- Exploring a variety of materials, finishes, and textures to add depth and visual interest to the tower facade.

Crime Prevention through Environmental Design (CPTED)

1.7 Provision of a Crime Prevention Through Environmental Design (CPTED) Plan that incorporates CPTED principles.

Landscape

1.8 Provision of a detailed landscape plan illustrating soft and hard landscaping for the complete site, including rooftops (where applicable).

Note to Applicant: The plans should be at 1/8 in.: 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 and fire hydrants.

1.9 Provision of detailed architectural and landscape cross sections (minimum 1/4 in. scale) through common open spaces, rooftop areas, semi-private patio areas and planters.

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.

1.10 Coordination of new proposed street trees with Engineering and the Park Board, confirming quantities, species, sizes and locations, and addition of the following note on the plans:

"Final location, quantity, tree species to the satisfaction of the General Manager of Engineering. Contact Engineering Services (Streets Design Branch) at 604-871-6131 to confirm planting location. New tree must be of good standard, minimum 6 cm calliper 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. New street trees to be confirmed prior to issuance of the building permit. Call Park Board at 311 for tree species selection and planting requirements. Park Board to inspect and approve after tree planting completion."

Sustainability

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

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

Engineering

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

Note to Applicant: Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to occupancy permit issuance. Please contact Engineering Services at shoringreview@vancouver.ca for details.

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

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

1.13 The owner or representative is to contact Engineering Services at StreetUseReview@vancouver.ca to acquire the project's permissible street use after building permit issuance.

Note to Applicant: Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private

property to construct from) and be aware that a minimum 60-day lead time is required for any major crane erection/removal or slab pour that requires additional street use beyond the already identified project street use permissions.

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

1.14 Submission of letter prior to development permit issuance confirming acknowledgement that this application falls within the area of potential impacts due to the Broadway Subway Project construction and that you have contacted the Rapid Transit Office for more detailed information.

Note to Applicant: Please contact the City of Vancouver Rapid Transit Office (rapidtransitoffice@vancouver.ca) for more information on impacts to access and street use for your project.

https://vancouver.ca/streets-transportation/ubc-line-rapid-transit-study.aspx

1.15 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.

1.16 Provision of garbage and recycling storage amenity design to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Draw and label container outlines. Demonstrate separated solid waste amenities for commercial and residential use and label each amenity. Amenities designed below grade require written confirmation from a waste hauler that access and pick up from the location can be made without reliance of the lane for extended bin storage. If this cannot be confirmed, then an on-site garbage bin staging area is to be provided adjacent the lane.

Refer to the Garbage and Recycling Facility Storage Amenity Design Supplement for more information. Guidelines: Garbage and Recycling Storage Facility Design (vancouver.ca)

1.17 Provision of a canopy application may be required should the encroaching structure(s) meet the specifications set out in Section 1.8.8 of the Vancouver Building By-Law.

Note to Applicant: Canopies must be fully demountable and drained to the buildings internal drainage systems. Please submit a copy of the site and elevation drawings of the proposed canopy for review at development permit application stage.

1.18 Make arrangements to the satisfaction of the General Manager of Engineering Services and the appropriate public utility companies for wood pole relocation, in the lane, if vehicle access to the site cannot be relocated.

Note to Applicant: Vehicle access to the site must be unobstructed. Pole relocation proposals must include submitted letters from the appropriate public utility companies confirming that relocation is possible.

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

(a) Display of the following note(s):

(i) "This plan is "**NOT FOR CONSTRUCTION"** and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive “For Construction” approval and related permits are issued. Please contact Engineering, Development and Major Projects and/or your Engineering, Building Site Inspector for details.”

(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. Installation of Engineered Soil may be required to obtain appropriate soil volumes based on site conditions. 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. Contact Park Board at pbdevelopment.trees@vancouver.ca for inspection after tree planting completion."

(b) Existing locations of:

(i) Street furniture; and

(ii) Poles and guy wires.

Note to Applicant: Poles and guywires that are to be removed or relocated must be called out and the existing and proposed locations shown.

Note to Applicant: Where a design detail is not available, make note of the improvement on the plan. Public realm changes include all 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.

1.20 Provision of a Transportation Demand Management (TDM) Plan.

Note to Applicant: Amendments to the Parking By-law and the Transportation Demand Management (TDM) Administrative Bulletin were approved by Council on November 15th, 2023. New requirements came into effect January 1, 2024, and apply to all development permits received after this date.

1.21 Provision of safe, functional grades on the ramp and in parking areas, including:

(a) Between 7.5% to 10% transition ramp grades for a minimum 4 m (13.1 ft.) at the bottom of the ramp(s).

Note to Applicant: Refer to ramp elevations 107.0 to 107.5 that show 15% slope down to 2% slope at the bottom of the ramp near the corner cut into Bike Room 4 and jellyfish tank. Also, consider relocating the column near the corner cut.

1.22 Provision of loading spaces, per the Parking By-law Section 5 and the Design Supplement.

Note to applicant: Amendments to loading rates and design requirements in the Parking By-law were approved by Council on November 15, 2023. New requirements came into effect January 1, 2024, and apply to all development permits received after this date.

1.23 Provision of vehicle spaces, per the Parking By-law Section 4 and the Design Supplement, including:

(a) Minimum 6.4 m (21 ft.) length for parallel spaces.

1.24 Provision of the following general revisions to architectural plans, including:

(a) All types of parking, loading, bicycle, end-of-trip facilities, and passenger loading spaces individually numbered and labelled on the drawings.

(b) Design elevations at all breakpoints on both sides of ramps, drive aisles, loading and passenger loading spaces, accessible spaces, and entrances.

1.25 Provision of on-site rainwater management in accordance with Building By-law requirements (Book II, Division B, Article 2.4.2.5) in effect in January 2024.

Note to Applicant: The applicant will be required to demonstrate compliance with these requirements at the building permit application stage.

https://vancouver.ca/home-property-development/rainwater-management.aspx?utm_campaign=rainwater&utm_medium=Vanity&utm_source=rainwater_Vanity

1.26 Provision of the Developer's Engineer is to submit a sewer abandonment plan that details the following:

(a) 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 issuance of the sewer permit.

1.27 Show all City supplied building grades (BGs) and entranceway design elevations (DEs) on the architectural and landscape plans, while ensuring any topographic survey used for design purposes is derived from the City supplied benchmark.

Note to Applicant: When providing additional property line elevations for proposed entrances, interpolate a continuous grade between the elevations provided on the City supplied building grade plan.

For more information, please contact Engineering, Streets Design Branch at building.grades@vancouver.ca or call 604-871-6373.

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

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

1.29 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 are to be shown on the plan (e.g. BC Hydro, TELUS and Shaw) 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 submits 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.

https://vancouver.ca/files/cov/Key%20Plan%20Process%20and%20Requirements.pdf

Housing

1.30 The proposed unit mix, including 44 studio units (29%), 48 one-bedroom units (31%), 45 two-bedroom units (29%) and 17 three-bedroom units (11%) is to be included in the development permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the market rental units and 35% of the

below-market rental units, designed to be suitable for families with children, of which at least 25% must be two-bedroom units and at least 10% must be three-bedroom units.

1.31 The development should be designed in accordance with the *High-Density Housing for Families with Children Guidelines*, including the provision of:

(a) An outdoor amenity area to include areas suitable for a range of children's play activities and urban agriculture appropriate in size for the scale of the project and situated to maximize sunlight access (S. 3.3.2, 3.4.3);

(b) A minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each dwelling unit (S. 4.4.2);

(c) A multi-purpose indoor amenity space appropriate in size for the scale of the project, with a wheelchair accessible washroom and kitchenette. Consider positioning this adjacent to the children's play area to enable parental supervision from the amenity room (S. 3.7.3); and

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

1.32 The below-market units should be designed to the same standards of livability as the market rental units.

Note to Applicant: Clearly label the proposed below-market units and market rental units on the architectural drawings.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

2.1 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for consolidation of Lots 22 and 23, except (A) part in Plan 4379 and (B) part in Explanatory Plan 5167, both of Block 331 District Lot 526 Plan 590, and Lot A District Lot 526 Group 1 NWD Plan EPP86917 to create a single parcel.

2.2 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for release of an Easement and Indemnity Agreement 277233M (commercial crossing) prior to building occupancy.

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

2.3 Provision of a building setback and statutory right-of-way (SRW) for public pedestrian use over a portion of the site, adjacent to West 8th Avenue, to achieve a 5.5 m (18 ft.) offset distance from the back of the existing curb to the building face. The SRW area will be free of any encumbrance such as structure, stairs, planter walls, and mechanical vents at grade and is to accommodate the underground parking structure within the SRW area.

2.4 Provision of a SRW for public use of the mid-block connection between West 8th Avenue and the lane.

2.5 Provision of a Natural Watercourse Covenant.

Note to Applicant: Records indicate the potential presence of natural watercourse (a historic 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.

2.6 Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the 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. No development permit for the site will be issued until the security for the Services are 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.

(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 Jensen Hughes dated July 27, 2023, no water main upgrades are required to service the development.

The main servicing the proposed development is 150 mm on West 8th Avenue. Should the development require water service connections larger than 150 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.

As per the City of Vancouver Building By-law, the principal entrance must be within 90 m of a fire hydrant. Should the final design of the building change such that this requirement is no longer satisfied, provision of a new hydrant to be installed in accordance to the aforementioned by-law will be required. The developer is responsible for 100% of the cost of this upgrade.

(b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.

Note to Applicant: Implementation of development(s) at 1434-1456 West 8th Avenue does not require any upgrades to maintain acceptable sewer flow conditions.

Development to be serviced to the existing 250 mm SAN sewer and 450 mm STM sewers in West 8th Avenue.

(c) Provision of street improvements with appropriate transitions, along West 8th Avenue adjacent to the site, including:

(i) Minimum 1.22 m (4.0 ft.) wide hardscape front boulevard, measured from the back of the existing curb;

(ii) Minimum 3.05 m (10.0 ft.) wide broom finish saw-cut concrete sidewalk; and

(iii) Removal of existing driveway and replacement with full-height curb, boulevard and sidewalk.

(d) Provision of street improvements with appropriate transitions, along the lane adjacent to the site, including:

(i) Full depth pavement reconstruction.

Note to Applicant: Lane reconstruction to meet City higher-zoned lane standards.

(e) 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. Installation of Engineered Soil under new sidewalks may be required to obtain appropriate soil volumes based on site conditions.

(f) Provision of upgraded street lighting (roadway and sidewalk) to current City standards and IESNA recommendations.

(g) Provision of new or replacement duct banks that meets current City standard.

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

(h) Provision of lane lighting on standalone poles with underground ducts if BC Hydro poles with attached City lane lights are planned to be removed.

Note to Applicant: The ducts must be connected to the existing City street lighting grid.

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 City Engineering Design Manual, Construction Specifications, Standard Detail Drawing, Canadian Electrical Code and the Master Municipal Construction Documents.

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

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

Housing

2.7 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 residential units as class A for-profit affordable rental housing, excluding Seniors Supportive or Assisted Housing, and including at least 20% of the residential floor area that is counted in the calculation of the dwelling unit area per the CD-1 By-law to be secured as below-market rental housing units, and the remaining units to be secured as market rental units, subject to the conditions set out below for such units and in accordance with the requirements set out in the Broadway Plan, for a term equal to the longer of 60 years and the life of the building and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require. The agreement or agreements will include but not be limited to the following terms and conditions:

(a) A no separate sales covenant;

(b) A no stratification covenant;

(c) A provision that none of the units will be rented for less than one month at a time;

(d) That the average initial starting monthly rents by unit type for the below-market rental housing units in the project will be at least 20% below the average market rent for private rental apartment units city-wide as published by the most recent Canada Mortgage and Housing Corporation in the Rental Market Survey Data Tables for Vancouver at the time when the Occupancy Permit is issued;

(e) That a rent roll indicating the agreed maximum average initial monthly rents for the below-market rental housing units will be required prior issuance of an Occupancy Permit, to the satisfaction of the General Manager of Planning, Urban Design or Sustainability (or successor in function) and the Director of Legal Services;

(f) Following initial occupancy, on a change in tenancy for a below-market rental housing unit, the starting rent for such new tenancy will be at least 20% below

the rent for private rental apartment units city-wide as published by the Canada Mortgage and Housing Corporation in the most recent Rental Market Survey Data Tables for Vancouver for that unit type at the time of the change in tenancy;

(g) That the applicant will verify eligibility of new tenants for the below-market rental housing units, based on the following:

(i) For new tenants, annual household income cannot exceed (4) four times the annual rent for the unit (i.e. at least 25% of household income is spent on rent); and

(ii) There should be at least one occupant per bedroom in the unit.

(h) That the applicant will verify the ongoing eligibility of existing tenants in below-market rental housing units every five (5) years after initial occupancy:

(i) For such tenants, annual household income cannot exceed 5 times the annual rent for the unit (i.e. at least 20% of income is spent on rent); and

(ii) There should be at least one occupant per bedroom in the unit.

(i) On an annual basis, or at the request of the City, the applicant will report to the City of Vancouver on the operation of the below-market rental housing units which will ensure that the City can confirm that the units are being operated as agreed, and will include a rent roll for the below-market rental housing units, and a summary of the results of eligibility testing for these units; and

(j) Such other terms and conditions as the General Manager of Planning, Urban Design or Sustainability (or successor in function) and the Director of Legal Services may require in their sole discretion.

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

2.8 Enter into a Section 219 Covenant and/or such other agreements as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services determine are necessary to require the applicant to:

(a) Provide a Tenant Relocation Plan to the satisfaction of the General Manager of Planning, Urban Design and Sustainability as per the Broadway Plan and the *Tenant Relocation and Protection Policy* that is effective at the time of submission of the Development Permit Application.

(b) Provide a notarized declaration prior to issuance of the Development Permit that demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes copies of a letter addressed to each eligible tenant summarizing the Tenant Relocation Plan offer and signed as received by each eligible tenant.

(c) Provide an Interim Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Demolition Permit. The Report must include, but may not be limited to, the names of tenants; whether each tenant has indicated interest in the Right of First Refusal to return to the new building; each tenant's choice of either the financial compensation or temporary rent top-up option; the names of any tenants who have ended their tenancy; the reason for its end (e.g. tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant), and their temporary rent top up amount for the first year of tenancy in the alternative unit (if applicable) and total compensation amount(s); the names of tenants still remaining in the building; the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan. A copy of the Temporary Rent Top-Up Calculation Form for each tenant that chooses the Temporary Rent Top up option must also be provided with the Interim Tenant Relocation Report.

Note to Applicant: If a long period of time elapses between Public Hearing and before issuance of Demolition Permit, the City may request an additional Interim Tenant Relocation Report be submitted.

(a) Provide a Final Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Occupancy Permit. The Report must include, but may not be limited to, the names of tenants; whether each tenant has indicated interest in the Right of First Refusal to return to the new building and their starting rent, and for those not returning to the new building, the outcome of their search for alternate accommodations and the total monetary value given to each tenant (moving costs, financial compensation, total rent-top up amount, any other compensation).

Public Art

2.9 Execute an agreement satisfactory to the Director of Legal Services and the General Manager, Arts, Culture and Community Services for the provision of public art in accordance with the City's *Public Art Policy*, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the General Manager, Arts, Culture and Community Services.

Note to Applicant: Consult with the City's Head of Public Art regarding opportunities for investment in public spaces as per the *Broadway Plan*.

Note to Applicant: Provide development details to the satisfaction of the General Manager, or their designate (a checklist will be provided) confirming the selection of Option A: Art on Site, or Option B: 80% cash-in-lieu of art.

Note to Applicant: Please contact Public Art staff at publicart@vancouver.ca to discuss your application.

Environmental Contamination

2.10 The following conditions must be met prior to enactment of the rezoning:

(a) Submit a site disclosure statement to Environmental Services;

(b) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and

(c) If required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements constructed on the site pursuant to this rezoning until separate Certificates of Compliance, satisfactory to the City, for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

Agreements

Note to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of 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-laws 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.

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1434-1456 West 8th Avenue
PROPOSED CONSEQUENTIAL BY-LAW AMENDMENTS

DRAFT AMENDMENTS TO THE SIGN BY-LAW NO. 11879

Amend Schedule A (CD-1 Zoning Districts Regulated by Part 9) by adding the following:

"1434-1456 West 8th Avenue [CD-1#] [By-law #] [C-2]"

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

Amend Schedule B (Intermediate Zone) by adding the following:

"[CD-1 #] [By-law #] 1434-1456 West 8th Avenue"

1434-1456 West 8th Avenue
DRAFT SUMMARY OF TENANT RELOCATION PLAN TERMS

Tenant Relocation and Protection Requirements	Tenant Relocation Plan Offer
Financial Compensation	The choice of either: • Compensation in the form of free rent, a lump sum payment, or a combination of both, will be available for each unit eligible for Tenant Relocation Plan according to the following schedule: o 4 months' rent for tenancies up to 5 years; o 5 months' rent for tenancies over 5 years and up to 10 years; o 6 months' rent for tenancies over 10 years and up to 20 years; o 12 months' rent for tenancies over 20 years and up to 30 years; o 18 months' rent for tenancies over 30 years and up to 40 years; and o 24 months' rent for tenancies over 40 years. Or: • For tenants that wish exercise their Right of First Refusal to return to the new building, a temporary rent top-up to mitigate rent increases while waiting to return to the new building.
Notice to End Tenancies	• Landlord to provide regular project updates to tenants throughout the development approvals process. • A minimum of four months' notice to end tenancy after all permits are issued is required (e.g. all development, building, and demolition permits in place).
Moving Expenses (flat rate or arrangement of an insured moving company)	• A flat rate of $750 or $1000 will be provided to all eligible tenants depending on the type of unit.
Assistance in Finding Alternate Accommodation (3 options)	• Staff will distribute tenant needs assessment surveys. These surveys will be used in relocation efforts and to identify tenants' needs and preferences. • Applicant must monitor rental market and provide tenants requesting assistance with three options in Vancouver that best meet the tenants' identified priorities.
Additional Support for Low Income Tenants or Tenants Facing Other Barriers to Appropriate Housing	• For low income tenants and tenants facing other barriers to housing, as defined in the TRP Policy, the applicant must assist in securing a permanent, suitable affordable housing option.
First Right of Refusal	• The applicant must offer all eligible tenants the Right of First Refusal to return to the new building at either a 20% discount to city-wide average market rents by unit type for the City of Vancouver, as published annually, or at the tenant's current rent, whichever is less.

1434-1456 West 8th Avenue
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

	Date	Results
Event		
Question and Answer Period (City-led)	January 10, 2024 – January 23, 2024	197 participants (aware)* • 73 informed • 25 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and Q&A Period	January 5, 2024	3,705 notices mailed
Public Responses		
Online questions	January 10, 2024 – January 23, 2024	3 submittals
Online comment forms • Shape Your City platform	December 2023 – August 2024	36 submittals
Overall position • support • opposed • mixed	December 2023 – August 2024	36 submittals • 24 responses • 10 responses • 2 responses
Other input	December 2023 – August 2024	1 submittal
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	December 2023 – August 2024	976 participants (aware)* • 354 informed • 34 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:

- **Height, Density and Location:** The height and density are appropriate for the South Granville area as it is near major bus routes and a future Skytrain station, the proposal will also help add much needed vibrancy into this neighbourhood.

- **Rental Housing Stock:** Increase in purpose built rental units is much needed especially below-market units.

- **Commercial and Retail Space:** More commercial and retail spaces on the ground floor is greatly needed for the commercial viability of the South Granville area.

Generally, comments of concern fell within the following areas:

- **Height, Location and Shadowing:** This location is not appropriate for a building of this scale. Building is too tall and will cause shadowing to neighbouring properties.

- **Building and Public Realm Design:** The building is too bulky. The mid-block path is too narrow and would cause a sense of unease at the pedestrian level.

- **Views:** The development will negatively impact the views of neighbouring properties.

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:

- Building design is aesthetically pleasing and has a unique colour palette that makes it stand out from the surrounding buildings.
- The amenity space is spacious and well designed with the future residents in mind.

General comments of concern:

- Below-market units may not be affordable to those who really need it.
- Not enough parking is proposed, and excess parking will create loss of street parking for neighbouring residents.
- Not enough green/park spaces to facilitate the increase in density in this area.
- Construction noises will be a nuisance for the neighbours.
- The process for this rezoning project is not transparent enough.

General neutral comments/recommendations:

- Projects that comply with existing area and community plans should be exempt from a rezoning and Public Hearing process.
- Parking should be reduced due to close proximity to major transit routes.
- Should be higher and denser due to close proximity to future Skytrain station.

* * * * *

1434-1456 West 8th Avenue
URBAN DESIGN PANEL (UDP)

1. URBAN DESIGN PANEL MINUTES

The Urban Design Panel (UDP) reviewed this application on February 7, 2024. A summary of the decision is provided below. The full meeting minutes can be found online:

EVALUATION: Support with Recommendations (7/0)

Introduction: Rezoning Planner, Kent MacDougall, provided an overview of the policy framework for this site. Development Planner, Hamid Shayan, then gave an overview of the neighbourhood context and built form guidelines.

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

1) The height, density and massing, particularly with respect to the podium and streetscape on West 8th Avenue.

2) The public realm interface and proposed mid-block pedestrian pathway.

3) Material pallets, architectural expression and details to assist review of the future development permit application.

The Applicant then gave an overview of the project and landscape strategy. Staff and Applicant team then took questions from the panel.

Panel's Consensus:

Having reviewed the project, it was moved by HELEN BESHARAT and seconded by BOB LILY and was the decision of the Urban Design Panel:

THAT the Panel Recommend **Support with recommendations** to the project with the following recommendations to be reviewed by City staff:

- Improve the expression of the podium.
- Recommend the drop off areas at the lane be provided separate to the loading area(s) and a provision of a safe environment for pedestrians.
- Supports the mid-block connections aligned to the east of the site.
- Mid-block connections should have a greater level of accessibility including spaces for rest and inclusion of enhanced lighting.

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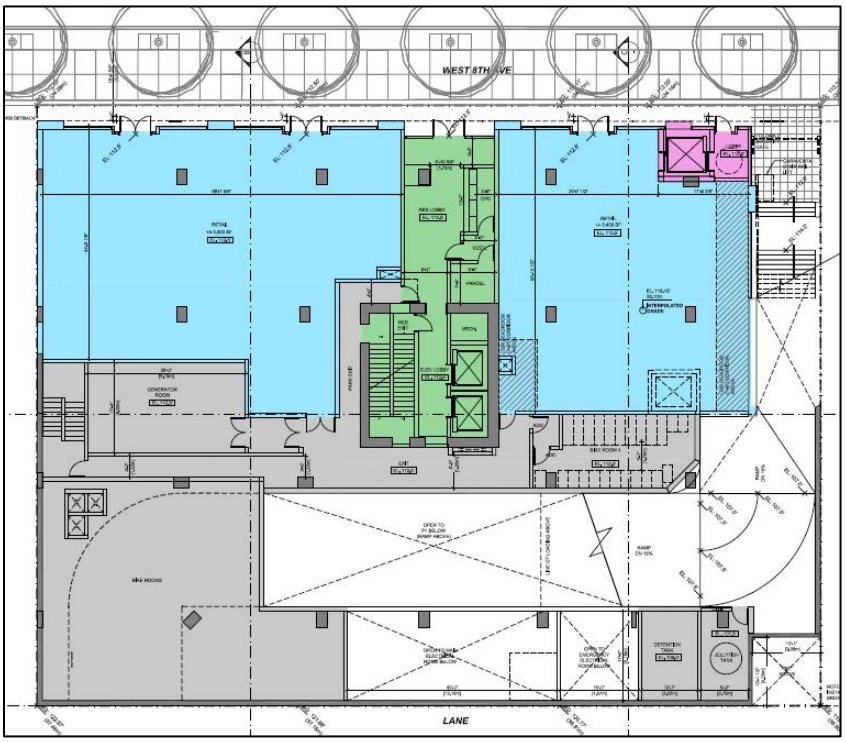
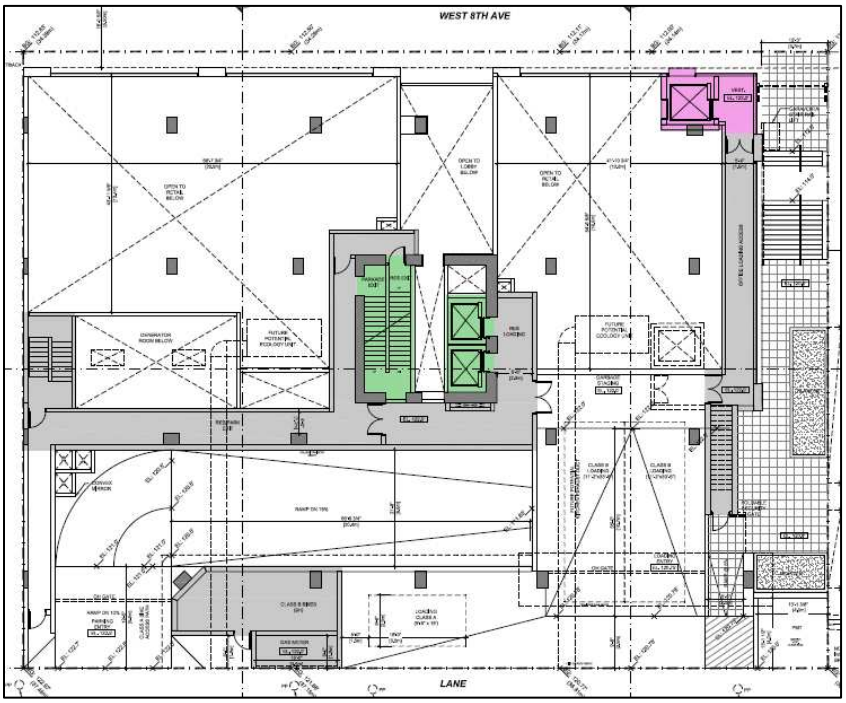
1434-1456 West 8th Avenue
FORM OF DEVELOPMENT – REVISED DRAWINGS

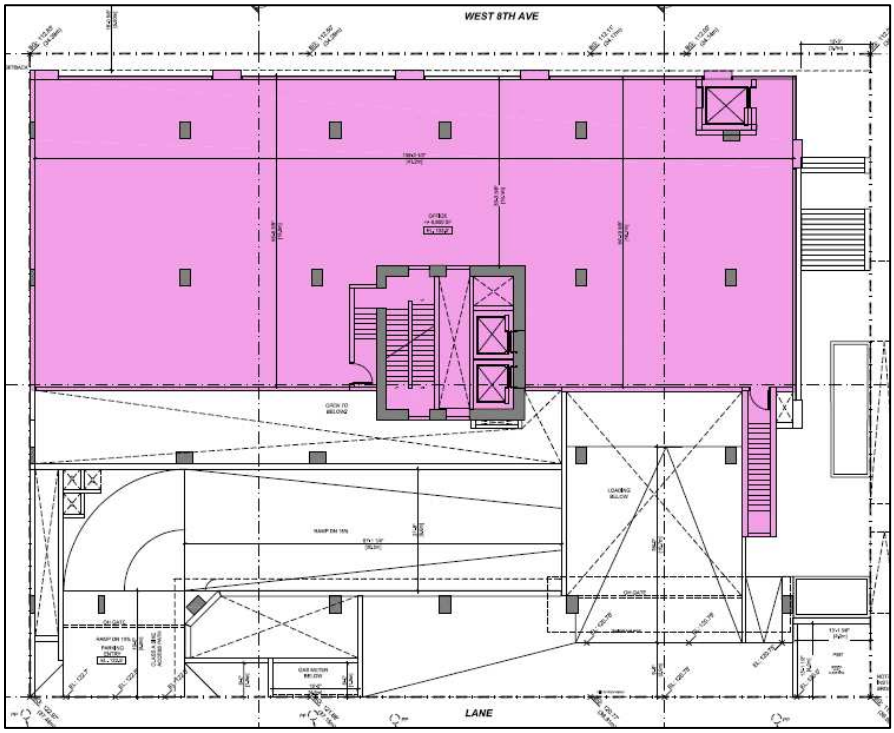
Ground Floor Plan



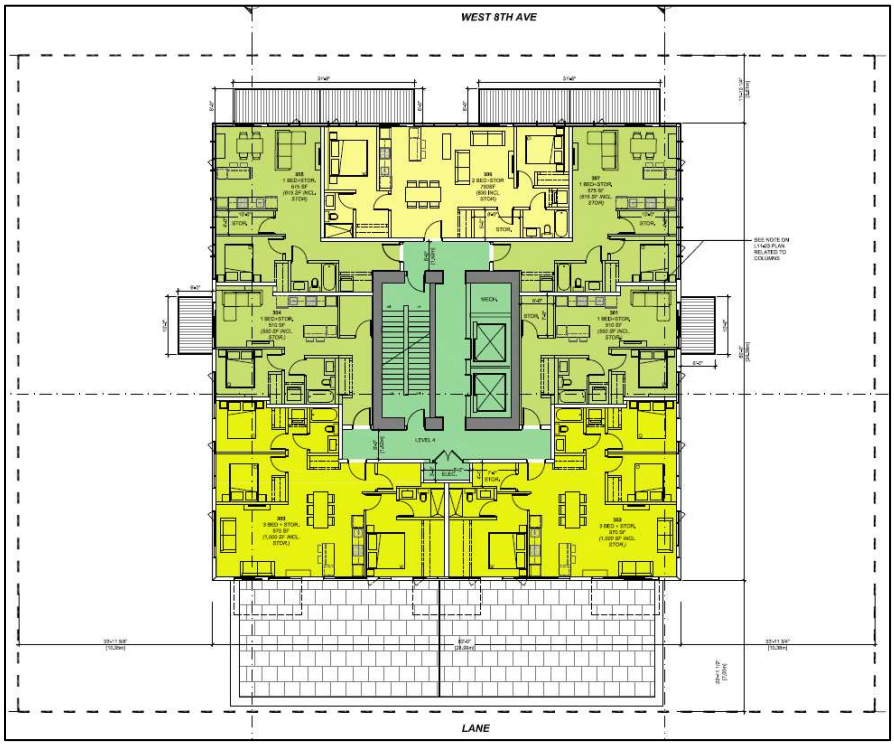
Upper Ground Floor Plan



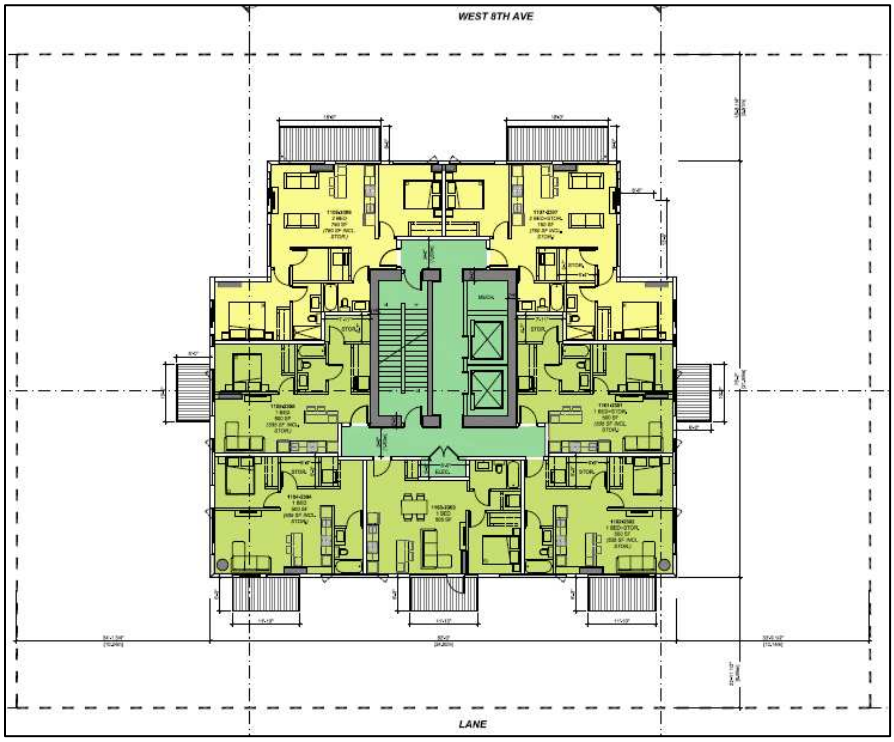
Level Two Office



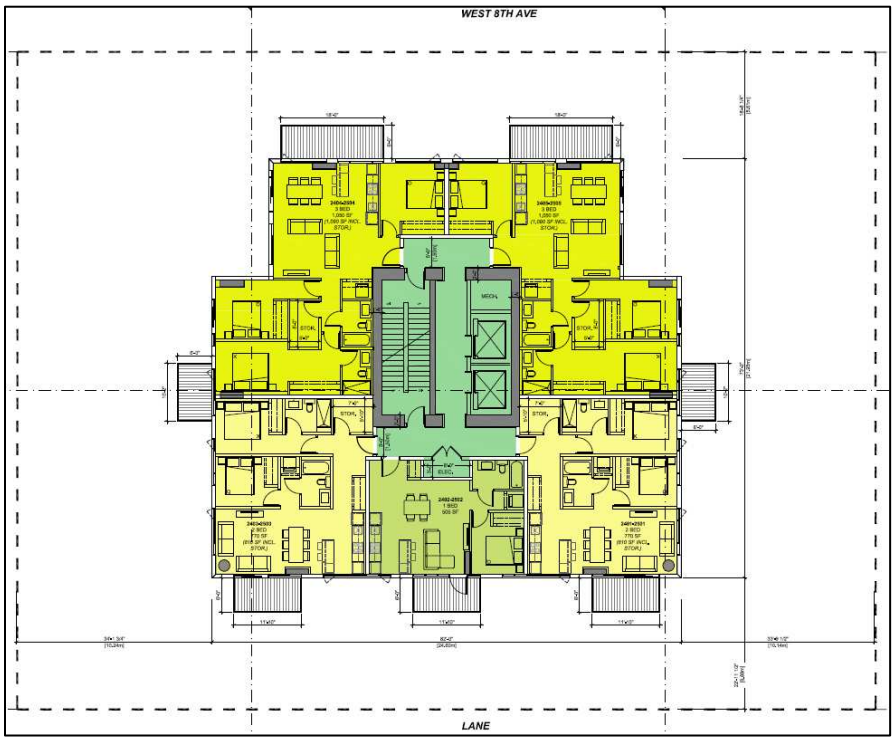
Level Four Typical Residential Plan



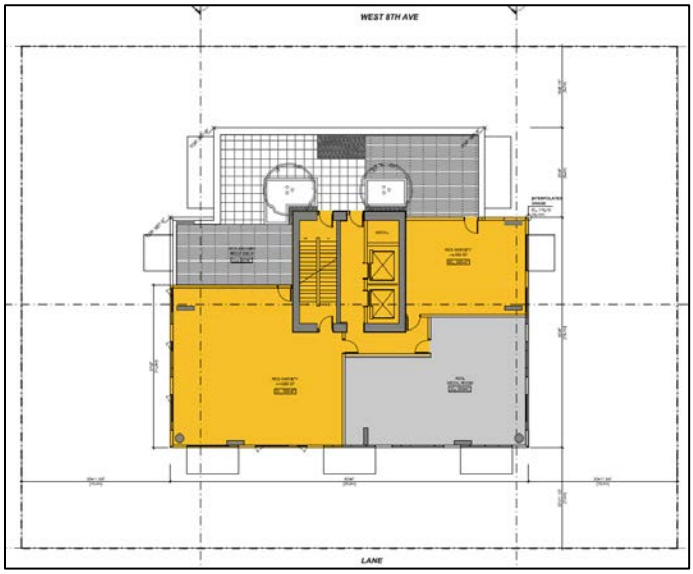
Level 7-20 Typical Residential Plan



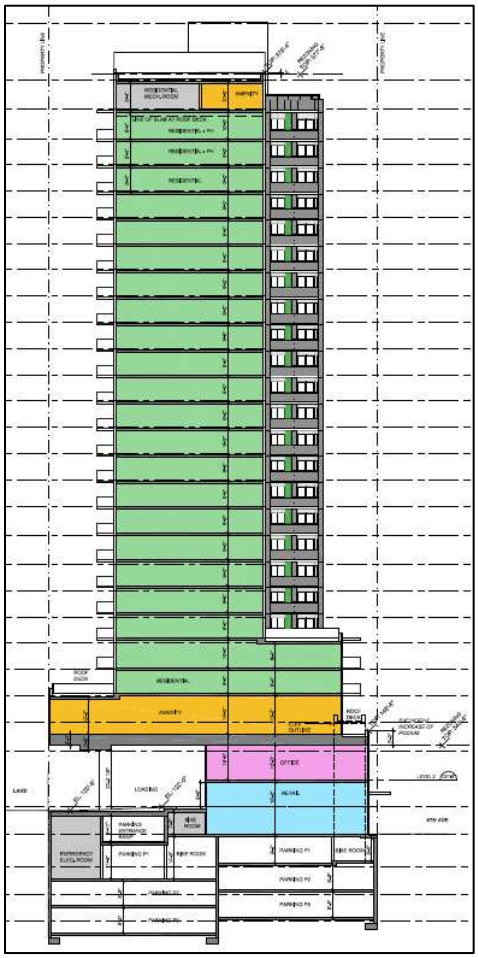
Level 21-25 Typical Residential Plan



Roof Amenity Plan



Section (Looking West)



North Elevation

South Elevation

East Elevation

West Elevation

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1434-1456 West 8th Avenue
PUBLIC BENEFITS SUMMARY

Project Summary

Proposed 25-storey mixed-use building containing 154 rental units, of which 20% of the residential floor area will be for below-market rental units, and 2 levels of commercial space.

Public Benefit Summary

The project would deliver 154 rental housing units, of which 20% of the residential floor area will be for below-market rental units, secured through a Housing Agreement for the longer of 60 years and the life of the building, a DCL payment, and a public art contribution.

	Current Zoning	Proposed Zoning
Zoning District	C-3A	CD-1
FSR (site area = 1,600.0 sq. m (17,222 sq. ft.)	3.0	8.0
Floor Area	4,800.0 sq. m (51,667 sq. ft.)	12,800.0 sq. m (137,778 sq. ft.)
Land Use	Commercial	Mixed-Use Residential

Summary of Additional Development Contributions Expected under Proposed Zoning

City-wide DCL[1, 2]	$288,020
Utilities DCL[1]	$1,948,679
Public Art[3]	$272,800
TOTAL	**$2,509,499**

Other benefits (non-quantified components): 154 rental units, of which 20% of the residential floor area will be for below-market rental units.

[1] Based on by-laws in effect as of September 30, 2024. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage. DCL by-laws are subject to future adjustment by Council including annual inflationary adjustments. A development may qualify for 12 months of in-stream rate protection. See the City's DCL Bulletin for details.

[2] The applicant has requested a DCL waiver for the residential floor area of the proposal and will be subject to the maximum average rents by unit type for the below-market units, in accordance with the DCL By-law, as secured by an amendment to the Housing Agreement. The value of the City-wide DCL waiver on the residential floor area is approximately $2,965,868.

[3] Based on rates in effect as of 2016. Rates are subject to adjustments, see Public Art Policy and Procedures for Rezoned Developments for details.

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1434-1456 West 8th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
1434 West 8th Avenue	015-201-309	Lot 22, Except (A) Part in Plan 4379 and (B) Part in Explanatory Plan 5167, Block 331 District Lot 526 Plan 590
1434 West 8th Avenue	015-201-333	Lot 23, Except (A) Part in Plan 4379 and (B) Part in Explanatory Plan 5167, Block 331 District Lot 526 Plan 590
1456 West 8th Avenue	030-624-665	Lot A District Lot 526 Group 1 New Westminster District Plan EPP86917

Applicant Information

Architect	Musson Cattell Mackey Partnership
Registered Owners	1434 West Eighth Nominee Corp. and 1456 West Eighth Nominee Corp.
Developer	PCI Developments

Development Statistics

	Permitted Under Existing Zoning	Revised Proposal	Recommended Other Than Proposed
Zoning	C-3A	CD-1	CD-1
Site Area	1,600.0 sq. m (17,222 sq. ft.)	1,602.5 sq. m (17,250 sq. ft.)	1,600.0 sq. m (17,222 sq. ft.)
Land Use	Commercial	Mixed-Use Residential	Mixed-Use Residential
Maximum Density	3.0 FSR	8.03 FSR	8.0 FSR
Maximum Height	9.2 m (30 ft.)	Residential Roof: 77.6 m (255 ft.) Rooftop Amenity and Mechanical: 86.9 m (285 ft.)	Residential Roof: 77.8 m Rooftop Amenity and Mechanical: 87.1 m
Floor Area	4,800.0 sq. m (51,667 sq. ft.)	12,862.3 sq. m (138,449 sq. ft.)	12,800.0 sq. m (137,778 sq. ft.)
Unit Mix	-	Total rental units: 154 Studio units: 44 One-bedroom units: 48 Two-bedroom units: 45 Three-bedroom units: 17	-
Parking and Bicycle Spaces	As per Parking By-law	Vehicle spaces: 86 Class A bicycle spaces: 272 Class B bicycle spaces: 9 Loading spaces: 2 Confirmed at development permit stage	-
Natural assets	By-law trees on-site: 0 City street trees: 0	New trees proposed: 10 City street trees proposed: 5 Confirmed at development permit stage	-

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