CITY OF VANCOUVER

REFERRAL REPORT

Report Date:	May 20, 2025
Contact:	Lex Dominiak
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VanRIMS No.:	08-2000-20
Meeting Date:	June 3, 2025

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 414-420 West Pender Street

RECOMMENDATION TO REFER

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

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

RECOMMENDATION FOR PUBLIC HEARING

A. THAT the application by Fastmark Development Corp. on behalf of 1447047 B.C. Ltd.[1] the registered owner of the lands located at 414-420 West Pender Street [*Lots 7 and 8 Block 35 District Lot 541 Plan 210; PIDs 015-488-179 and 015-488-187 respectively*], to rezone the lands from DD (Downtown) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 6.00 to 9.44 and the maximum building height from 32 m (105 ft.) to 36.4 m (119.5 ft.) with additional height for the portion with a rooftop amenity, to permit the development of a 12-storey, mixed-use building containing 88 rental units, with ground floor commercial uses, be approved in principle;

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

[1] Represented by Hans Fast, Christoph Hertwig, and Christoph Wendl

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by GWA Architecture, received February 8, 2024 with revised drawings received on October 23, 2024;

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 the heritage designation of the retained heritage façade at 414-420 West Pender Street [*Lots 7 and 8 Block 35 District Lot 541 Plan 210; PIDs 015-488-179 and 015-488-187 respectively*] as protected heritage property be approved in principle.

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the Heritage Designation By-law, generally as set out in Appendix C, prior to enactment of the CD-1 By-law.

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

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

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

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

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

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

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

REPORT SUMMARY

This report evaluates an application to rezone 414-420 West Pender Street from DD (Downtown) District to CD-1 (Comprehensive Development) District. The proposal is for a 12-storey, mixed-use building with 88 rental housing units with ground floor commercial space. The front façade of the existing heritage building, known as the Western Canada Building, would be dedicated by by-law as protected heritage property and maintenance of the heritage façade would be secured through a Heritage Restoration Covenant. The application generally aligns with the objectives of the Downtown Eastside Plan (DTES Plan) for the Victory Square area in terms of land use, tenure, and overall building design.

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

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)
- Downtown Eastside Plan (2014)
- Rezoning Policy for the Downtown Eastside (2014)
- Downtown Official Development Plan (1975, last amended 2015)
- Victory Square Policy Plan (2005, last amended 2022)
- Victory Square Guidelines (2006)
- Transit-Oriented Areas (TOA) Designation By-law (2024)
- Transit-Oriented Areas (TOA) Rezoning Policy (2024)
- Heritage Policies (2020, last amended 2024)
- Interim Housing Needs Report (2025)
- Housing Vancouver Strategy (2017)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- Housing Plan for the Downtown Eastside (2011)
- High-Density Housing for Families with Children Guidelines (1992, last amended 2022)
- Green Buildings Policy for Rezoning (2010, last amended 2024)
- Latecomer Policy (2021)
- Community Amenity Contributions Policy for Rezonings (1999, last amended 2024)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183

REPORT

Background/Context

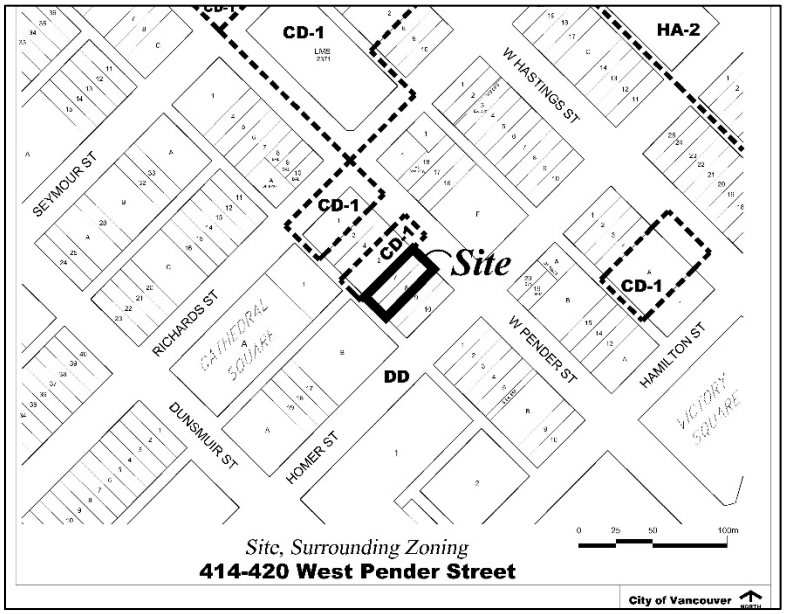
1. Site and Context

The subject site (Figure 1) is comprised of two legal parcels fronting Pender Street, between Richards and Homer Streets. The total site area is 579.8 sq. m (6,241 sq. ft.), with a frontage of 15.9 m (52 ft.) along Pender Street and a depth of 36.6 m (120 ft.). The property is occupied by one two-storey building constructed in 1914. The building is listed on the Vancouver Heritage

Register. The upper level of the building is currently tenanted with office use, with the ground floor being used as storage.

The site is located west of Victory Square in the Downtown Eastside. The surrounding area features numerous low- and mid-rise heritage and character buildings, including a significant collection of early 1900s commercial structures, all of which are zoned DD (Downtown) District. There have also been multiple newer developments proposed or approved for the area, with heights reaching up to 32 m (105 ft.). In addition, there are a handful of prominent taller buildings with landmark qualities, such as the Sun Tower, the Dominion Building and the West Pender Building. Approximately half of the buildings in the area are listed on the Vancouver Heritage Register, while many unlisted buildings also exhibit distinctive heritage character and may be considered for conservation.

Figure 1: Site and Context



To the west of the site, the block includes three market rental development sites featuring ground-level commercial spaces. This includes two recently completed buildings located at 454 West Pender Street and 424-428 West Pender Street, both of which stand at 32 m (105 ft.) tall. Furthermore, the site at 430-440 West Pender has received approval in principle in 2023 to also reach a height of 32 m (105 ft.), with an additional 3.1 m (10 ft.) allocated for residential amenities and publicly accessible cultural space.

Directly to the east of the subject site is the BC Securities Building, which is 35.7 m (117 ft.) tall. Built in 1912, this designated heritage structure predates the creation of the DTES Plan.

Neighbourhood Amenities – The following amenities are within close proximity:

- *Parks:* Cathedral Square (170 m), Victory Square (210 m), sθəqəlxenəm ts'exwts'áxwi7/Rainbow Park (750 m), Andy Livingstone Park (850 m), Art Phillips Park (900 m), Sun Yat-Sen Gardens Park (900 m);

- *Cultural/Community Space:* Vancouver Film School (300 m), SFU Goldcorp Centre for the Arts (350 m), Vancouver Playhouse Theatre (350 m), Queen Elizabeth Theatre

(400 m), Vancouver Film School Water Street (450 m), Vancouver Public Library – Central Branch (450 m), Woodward's Atrium (500 m), Coal Harbour Community Centre (1.4 km); and

- *Childcare:* Waterview YMCA Childcare (450 m), Portside YMCA Childcare (500 m), Woodward's YMCA Childcare (500 m), Atelier Children's Centre (600 m), International Village Children's Centre (650 m).

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

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

2. Policy Context

Vancouver Plan – The *Vancouver Plan* was approved by Council on July 22, 2022, and is a land use strategy to guide long-term growth of the City over the next 30 years. The approved Plan will serve as a framework with further implementation planning work to follow over the next two to four years.

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

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

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

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

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 2 of the Granville Station and Waterfront Station TOAs. As the

DTES Plan and Rezoning Policy permits higher densities than TOA policies, the application is primarily being evaluated based on the DTES policies.

Housing Vancouver Strategy (2017) – *Housing Vancouver Strategy* 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 rental housing units.

Interim Housing Needs Report (2025) – Provincial legislation requires Council to receive and consider regular Housing Needs Reports when creating or amending a development plan in relation to Council's housing policies on affordable, rental and special needs housing. The most recent report amendment was received on January 1, 2025.

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

Strategic Analysis

1. Proposal

The application proposes 9.44 FSR, in a 12-storey mixed-use building containing 88 rental housing units and 98.7 sq. m (1,062 sq. ft.) of commercial space at ground level. The front façade of the existing heritage buildings would be conserved. Loading, accessible, and bicycle parking is to be provided off the lane. No residential parking is proposed.

Figure 2: Proposed Building from the Southeast

2. Land Use

The site is located within the C2 sub area of the Downtown District Zoning Area (DD), with land use also regulated by the Downtown Official Development Plan (DODP). The boundaries of the C2 area align with those of the Victory Square area of the DTES Plan.

To facilitate a diverse range of housing options, including both market and non-market units, policies in this area allow for the consideration of rezoning applications that deliver public benefits, such as social housing, market rental housing, and heritage building rehabilitation. This application aligns with the intended uses outlined in local policies. The DODP is structured in such a way that if a site within its boundaries is rezoned to Comprehensive Development (CD-1) District, the rezoned site is automatically removed from the DODP and amendments to the DODP are not required. Should this application be approved, it would result in the creation of a new CD-1 District.

3. Form of Development, Height and Density

In assessing the proposed form of development, staff considered the built-form expectations of the DTES Plan (Victory Square Policy Plan sub-area) and the *Victory Square Guidelines*.

Form of Development – The main characteristics of the historic urban form in the Victory Square area are:

- A dense urban commercial pedestrian realm with narrow building frontages.
- A distinctive “saw tooth” street wall profile created by varying building heights.
- A streetscape featuring late Victorian and Edwardian era commercial buildings.
- Cubic massing with dense site coverage and robust, continuous street walls, complemented by internal setbacks for light wells and courtyards.
- Masonry as the predominant building material.
- Architectural details such as punched window openings and projecting cornices at the roofline.
- A contemporary architectural expression for new development.

For this application, the proposed design maintains and contributes to the scale and continuity of Pender Street and the broader Victory Square area, as anticipated in the *Victory Square Policy Plan* and *Victory Square Guidelines*. The building design is informed by its heritage context, employing a tri-partite (three-part) composition.

The base integrates the heritage façade, reinforcing the character and scale of the street wall. The middle section features a repetitive pattern of solids and voids (windows), stepped back five feet from the heritage façade. This setback, along with the continuous reveal at the third floor, serves to distinguish the new construction from heritage elements while accentuating the façade’s historic character and complementing the overall streetscape (see Figure 3).
The upper portion consists of three stories, stepping back an additional five feet from the middle section to contribute to the saw-tooth rhythm of the surrounding architectural context.

To better respond to the character of the context, staff are seeking design development of the main elevation to revise the proportion of the vertical components and emphasis on the cornice component (refer to Urban Design condition 1.3).

The *Victory Square Policy Plan* requires that shadows cast by new developments on the south side of a street should not extend beyond the curb on the opposite side of the street at noon on the spring and fall equinoxes. In response to these criteria, the upper floors are proposed to be set back by 5 ft. to preserve sunlight access.

This proposal includes a transitional massing setback at the upper levels to accommodate the adjacent heritage building to the east at 402 West Pender Street. This design aims to preserve the building's prominent terra cotta cornice and the intricate detailing that wraps around the corner.

Figure 3: Proposed Massing in Context

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

For this application, a maximum building height of 36.4 m (119.5 ft.) to the top of the residential parapet is proposed. Staff support this slight increase in building height beyond the limit set in the DTES Plan, provided that it aligns with the existing BC Securities heritage building directly to the east, which was constructed prior to the establishment of the DTES Plan and has a height of 35.7 m (117.0 ft.). This support is contingent upon the building adhering to other policy provisions, including maintaining a sawtooth street pattern, incorporating ground floor commercial space, and preserving the on-site heritage building.

Density – The DODP allows for a density of 5.0 FSR for all uses, with residential uses limited to a maximum of 3.0 FSR. Under the DODP, a discretional increase in density to 6.0 FSR can be

considered if social housing comprises a minimum of two-thirds of the floor space ratio or if market rental housing comprises all the residential units, provided a site has a maximum frontage of 23 m (75 ft.). This application qualifies for consideration of additional density.

Through the DTES Plan and Rezoning Policy, additional density beyond those stipulated in the DODP may be considered for rezoning applications which achieve public benefits including social housing, market rental housing, and/or heritage building rehabilitation, with the maximum density subject to urban design performance. Based on the delivery of rental housing, along with retention of the heritage façade, staff support the proposed floor area of 5,471.3 sq. m (58,893 sq. ft.), equivalent to an FSR of 9.44.

Urban Design Panel (UDP) – This proposal was not reviewed by the Urban Design Panel (UDP) because the project is situated on a modestly sized, mid-block site with only two façades (front and rear). All developments in this area are governed by *Victory Square Guidelines*, which direct the form of development and building design comprehensively. As a result, since the project's density, form and massing generally met the policy requirements at intake, and the project was reviewed and supported by the Heritage Commission, staff feel that the recommended rezoning conditions will suffice in lieu of UDP review.

Staff generally support the massing, scale, and architectural expression of the proposal as appropriate to the context and heritage character of Victory Square, subject to the Urban Design conditions detailed in Appendix B. However, for the project to more closely respond to the intents of the *Victory Square Guidelines*, and to ensure a higher level of contextual fit, staff recommend further design development to the front façade.

4. Heritage

Historic Place – The rezoning site includes one heritage structure: the two-storey Western Canada Building, which is listed as a heritage property in the Vancouver Heritage Register and received a City of Vancouver Heritage Award in 2004 (see Figure 4).

Figure 4: Front Elevation of Western Canada Building, taken in 1985 (left) and in 2024 (right).

The existing heritage structure was built in 1914 and designed by John Young McCarter in classical design with Arts and Crafts references. The Western Canada Building is of timber frame and masonry construction that is in excellent condition. It is described in the submitted Statement of Significance (see Appendix F) as "a symmetrical two-storey commercial building, distinguished by its coarse red brick facing, large windows, deeply recessed entry, eclectic sheet metal cornice and heavy cornice with dentils. It is located mid-block on the south side of

Pender Street, within the context of other commercial buildings of similar scale and age in central downtown Vancouver."

This historic place is valued for being a significant surviving early building by John Young McCarter, with architecture that continues to display a high degree of integrity. It is also valued for its association with the Western Canada Properties Limited, and their significant role in the development of Victory Square as the financial and commercial centre of early twentieth-century Vancouver.

Heritage Conservation Plan – A Heritage Conservation Plan has been prepared by heritage consultant John Atkin, including a brief overview of the site's historical context and a formal statement of significance. The plan includes a condition assessment—conducted through visual observation only–and outlines the proposed scope of work for retention and rehabilitation.

In general, the overall exterior and structure of the building remains intact and in excellent condition. The historic character of the building is preserved despite the interior alterations that were completed over time as a result of changing occupancy.

In response to the *Heritage Policies*, the primary conservation treatment is limited to façade-only retention. This would result in substantial demolition of the exterior and structure of the heritage buildings to accommodate the construction of a contemporary, multi-storey addition behind the retained façade. However, given the high level of integrity displayed by the character-defining elements of the retained façade, the surviving original elements will be retained in place, seismically upgraded, and will be legally designated as a protected heritage property.

5. Housing

The *Housing Vancouver Strategy* seeks to deliver a range of housing tenures across the housing continuum. This application, if approved, would add 88 rental units to the City's inventory of rental housing, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 5).

Figure 5: Progress Towards 10 Year Housing Vancouver Targets (2024-2033) for Purpose-Built Market Rental Housing as of Dec 31, 2024

Housing Type	Category	10-Year Targets[1, 2]	Units Approved Towards Targets[3]
Purpose-Built Rental Housing Units[3]	Market Rental	30,000	5,633 (19%)

1. New 10-year targets were adopted in 2024, with tracking starting from January 1st, 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 31st, 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 2024, the purpose-built apartment vacancy rate was 1.6% in Vancouver. The vacancy rate (based on Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the Downtown area, which this site is located, is 2.6%. A vacancy rate of between 3% and 5% is considered to represent a balanced market.

Housing Mix – The *Downtown Eastside Plan* policy requires a minimum of 25% family units. This application proposes 25% family units in a mix of two-bedroom, thereby meeting the policy. These units must be designed in accordance with the *High-Density Housing for Families with Children Guidelines*. The application as proposed is consistent with the policy and a provision is included in the CD-1 By-law to meet the minimum unit mix requirements.

Average Rents and Income Thresholds – Average market rents in newer rental buildings on the Eastside are shown in the left-hand columns in Figure 6. The market rental housing will provide options which are significantly more affordable than average home ownership costs as illustrated in Figure 6.

Figure 6: Market Rents in Newer Eastside Buildings, Costs of Ownership and Household Income Served

		Newer Rental Buildings Eastside		Monthly Costs of Ownership for Median-Priced Apartment – Eastside (with 20% down payment)		
Unit	Proposed Average Unit Size (sf)	Average Market Rent[1]	Average Household Income Served	Monthly Costs of Ownership[2]	Average Household Income Served	Down Payment at 20%
Studio	352	$1,879	$75,160	$2,200	$88,000	$79,550
1-bed	549	$2,194	$87,760	$2,885	$115,400	$108,000
2-bed	643	$2,880	$115,200	$3,809	$152,360	$141,300
3-bed	n/a	$3,815	$152,600	$5,565	$222,600	$213,000

[1] Data from the October 2024 CMHC Rental Market Survey for apartments in purpose-built rental buildings completed in the year 2015 or later on the Eastside of Vancouver

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

Security of Tenure – Purpose-built rental housing offers secure rental tenure. All 88 units in the proposal would be secured through a Housing Agreement and a Section 219 Covenant for the longer of 60 years and the life of the building. Covenants will be registered on title to prohibit the stratification and/or separate sale of individual units.

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.

The rezoning site does not currently have any existing rental residential uses and there are no eligible tenants as defined under the City's Tenant Relocation and Protection Policy (TRPP).

If any eligible tenants are identified through the City's regulatory approvals process, the applicant will be required to provide a Tenant Relocation Plan that meets the City's TRPP.

6. Transportation and Parking

The site is well served by public transit. Waterfront and Granville SkyTrain stations are within 400 m, and bus service is available on Pender, Hastings, and Cordova Streets. There are several cycling networks nearby, including on Richards, Hornby, and Dunsmuir Streets, which feature separated "All Ages and Abilities" bicycle lanes.

Vehicle and bicycle parking are proposed at ground level, with access provided via the lane. The application does not include residential vehicle parking or loading spaces but proposes three accessible parking spaces, one passenger space, and 166 bicycle parking spaces. Compliance with the Parking By-law will be required at the development permit stage.

A Transportation Demand Management (TDM) Plan has been provided, which includes measures for the delivery of sustainable travel options. Engineering conditions set out in Appendix B address parking requirements and include enhancements to parking signage as well as partial reconstruction of the laneway.

7. 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 & emissions and embodied carbon targets in Vancouver Building By-law, a summary of the resilient building measures considered for the application, and a commitment to fulfil energy system sub-metering and enhanced commissioning requirements throughout the project.

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

There are no existing trees on-site or on the immediately adjacent City property. The applicant is to coordinate with the Engineering department and Park Board to manage the provision of new street trees. Landscape conditions in Appendix B support the increased provision of landscape features along the lane, on the roof, and around all entry areas.

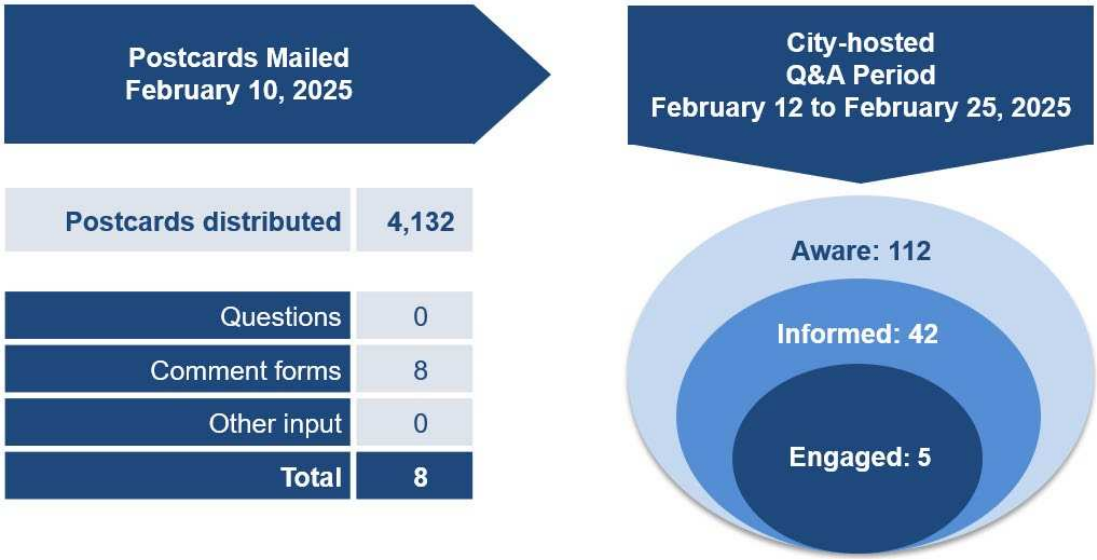
8. Public Input

Public Notification – A rezoning information sign was installed on the site on February 25, 2025. Approximately 4,132 notification postcards were distributed within the neighbouring area on or about February 10, 2025. 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 was held from February 12, 2025 to February 25, 2025. Questions were submitted by the public and posted with a response over a two-week period. A digital model was made available for online viewing.

Public Response and Comments – Public input is collected via online questions, comment forms, through email, and by phone. A total of 8 submissions were received. Below is a summary of feedback, with more details in Appendix H.

Figure 7: Overview of Notification and Engagement



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

Generally, comments of support fell within the following areas:

- **Development and density:** The surrounding area will be revitalized through increased density and development.
- **Housing:** The proposed development would create more housing that would benefit and suit the area.
- **Heritage:** The development will retain the historical façade which will benefit the neighbourhood character.

Generally, comments of concern fell within the following areas:

- **Traffic and Parking:** The proposal provides an insufficient amount of parking, and the increased density will add more vehicle traffic and negatively impact the neighbourhood.

Response to Public Comments – Off-street parking will be required in accordance with the Parking By-law. Engineering staff have assessed the proposed development's impact on the local road network and found that it would lead to minimal traffic impacts, noting that the Parking By-law specifies no requirement for residential parking for this site, except for accessible and loading spaces.

9. Public Benefits

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

Real Estate Services staff have reviewed the project and concluded that, after factoring the costs of securing all residential units as market rental housing units and heritage premium costs associated with the retention of the building façade (estimated at $1,300,000), no CAC is required.

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.

The applicant has not requested a DCL waiver in accordance with the provisions of the City-wide DCL By-law. As per Section 3.1B of those By-laws, all rezoning applications that qualify as "for-profit affordable rental housing" should request a DCL waiver at the rezoning application stage and relevant conditions should be secured in the conditions of enactment. Should the applicant wish to request a DCL waiver at a later stage, they would be required to return to Council for a subsequent Public Hearing to amend the rezoning conditions.

Based on rates in effect as of September 30, 2024, and the proposed 5,372.7 sq. m (57,831 sq. ft.) of residential and 98.7 sq. m (1,062 sq. ft.) of commercial floor area, it is estimated the project will pay $2,254,812 of DCLs.

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

Other Benefits – The application proposes to retain the front façade of the existing heritage building, which will be formally dedicated as protected heritage property through a Heritage Designation By-law and further secured through a Heritage Restoration Covenant.

See Appendix I for a summary of the public benefits for this application.

Financial Implications

As noted in the Public Benefits section, this project is expected to provide 88 units of rental housing, designation and conservation of the heritage building façade, and a DCL payment. See Appendix I for additional details.

CONCLUSION

The proposed land use, housing mix, form of development and public benefits are consistent with the intent of *Downtown Eastside Plan*. If approved, this application would contribute 88 rental units to the City's rental housing stock. The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing with

the draft CD-1 By-law and the draft Heritage Designation By-law shown in Appendix A and Appendix C respectively, subject to the Public Hearing, along with the conditions of approval listed in Appendix B.

* * * * *

414-420 West Pender Street
PROPOSED CD-1 BY-LAW PROVISIONS

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

Zoning District Plan Amendment

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

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

Designation of CD-1 District

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

Uses

3. Subject to 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) Dwelling Uses, limited to Mixed-Use Residential Building;

   (b) Institutional Uses;

   (c) Live-Work Use;

   (d) Manufacturing Uses;

   (e) Office Uses;

   (f) Retail Uses;

   (g) Service Uses;

   (h) Utility and Communication Uses; and

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

Conditions of Use

4.1 The design and layout of at least 25% of the dwelling units must:
(a) be suitable for family housing; and
(b) include 2 or more bedrooms.

4.2 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building, other than the following:

(a) display of flowers, plants, fruits and vegetables in combination with a permitted use;

(b) farmers' market;

(c) neighbourhood public house;

(d) public bike share; and

(e) restaurant.

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

Floor Area and Density

5.1 Computation of floor area must assume that the site area is 579.8 m^2, being the site area at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.

5.2 The maximum floor space ratio for all uses combined is 9.44.

5.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.

5.4 Computation of floor area must exclude:

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

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

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

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

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

(i) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,

(ii) bicycle storage, and

(iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;

(d) entries, porches and verandahs if the Director of Planning first approves the design;

(e) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m^2 per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and

(f) all storage area below base surface for non-dwelling uses.

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

Building Height

6.1 Building height must not exceed 36.4 m.

6.2 Despite section 6.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, if the Director of Planning permits common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portions of the building with the permitted common rooftop amenity space or mechanical appurtenances must not exceed 40.5 m.

Access to Natural Light

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

7.2 For the purposes of section 7.1 above, habitable room means any room except a bathroom or a kitchen.

Acoustics

7.3 A development permit application for dwelling uses must include an acoustical report prepared by a licensed professional acoustical engineer demonstrating that the noise levels in those portions of dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be defined simply as noise level in decibels.

Portions of dwelling units	**Noise Levels (Decibels)**
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

* * * * *

414-420 West Pender Street
CONDITIONS OF APPROVAL

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

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by GWA Architecture, received on February 8, 2024 with revised drawings received on October 23, 2024.

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

Urban Design

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

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

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

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

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

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

(c) Consider reducing interior corridors for studio units;

(d) Consider safety measurements for the living room windows in 2-bedroom front units;

Note to Applicant: the proposed windows are full height without any safety components. Provision of guardrail inside or outside the windows should be considered.

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

1.3 Design development to improve the contextual fit of the building to better respond to the *Victory Square Guidelines* objectives through the following design strategies:

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

(b) Emphasizing the cornice expression on level 10 and the rooftop.

1.4 Design development of the lane and any visible side elevations to improve pedestrian experience and complement the architectural character of the street façade.

Note to Applicant: This could be achieved by incorporating high-quality material palette, architectural treatments and details, introducing horizontal or vertical reveals, transom glazing where possible to increase perception of surveillance at main level, landscape features in the balconies and main level such as vine planting, and architecturally integrated non-glare building-mounted lighting.

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

(a) Material transition area;

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

(b) Elevator and staircase cladding;

(c) Cornice and canopy; and

(d) Typical railing, ballasted, privacy screening.

Heritage

1.6 Design development to provide front elevation setback above level 10, to maintain 3 ft. minimum clearance from the inward-facing returns of each projecting cornice of the Western Canada Building (416 West Pender Street) at the northeast and southeast corner of the properly lines.

1.7 Design development to provide front elevation setback at levels 3 and 4, to maintain 5 ft. minimum clearance from the rear-face of the parapet wall of the retained heritage façade along Pender Street.

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

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

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

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

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

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

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

1.9 Provision of digital copy of the approved Statement of Significance and Conservation Plan for the Western Canada Building (416 West Pender Street) prepared by the heritage consultant, John Atkin, dated May 2024.

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

Landscape

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

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

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

Note to Applicant: The sections should illustrate the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

1.12 Provision of a soil depth overlay sheet, included with the landscape plans.

1.13 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

1.14 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

1.15 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

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

Note to Applicant: Prepare a mitigation plan to minimize street use during excavation & construction (i.e., consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60-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

1.17 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.

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

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

Note to Applicant: For drawings with existing street furniture displayed, a note must be added stating:

“All removals, relocations, reinstallations and replacements of street furniture must be carried out by the City Street Furniture Contractor in coordination with the City Street Furniture Coordinator.”

(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. Letters must be provided from the appropriate public utility companies that confirm that pole relocation proposed is possible.

(c) All proposed streetscape materials on City property to be City standard materials.

Note to Applicant: deviations from the standard streetscape materials must be justified in a report and approved by City prior to the DP application. Encroachment agreements may be required for non-standard streetscape materials on City property.

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 design guidelines and construction standards.

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

Note to Applicant: Submit TDM Plan A, B, C or D. Council approved amendments to the Parking Bylaw and the Transportation Demand Management (TDM) Administrative Bulletin. These requirements will apply to site development permits following this rezoning.

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

(a) Minimum 6.6 m (21.7 ft.) maneuvering aisle for spaces angled at 90 degrees.

1.22 Update the architectural plans to provide:

(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.

1.23 Developer's Engineer is to submit a sewer abandonment plan that details the:

(a) Abandonment or removal of all existing storm, sanitary, and combined connections to the development site; and

(b) Abandonment or removal of all existing storm, sanitary, and combined sewer mains that are no longer in use due to the development of the site.

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

1.24 Developer's Engineer to submit design brief, calculations and/or model, and design drawings to the City. All submittals including Issued for Construction (IFC) drawings are required to be reviewed and accepted by the City Engineer prior to building permit issuance.

1.25 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.

1.26 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, etc.) and the applicant is to provide documented acceptance from the third-party utilities prior to submitting to the City.

Note to Applicant: It is highly recommended that the applicant 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

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 a benchmark with elevations consistent with those denoted on the City issued building grade plan.

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.

Housing

1.28 The proposed unit mix, including 55 studio units (62.5%), 11 one-bedroom units (12.5%), and 22 two-bedroom units (25.0%) is to be included in the development permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 25% of the market rental units, designed to be suitable for families with children. A mix of both two and three-bedroom family units is encouraged.

1.29 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 by 2.7 m minimum dimensions (S. 4.3.2).

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

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, and the General Manager of Engineering Services, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

2.1. Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for consolidation of Lots 7 & 8 Block 35 District Lot 541 Plan 210 to create a single parcel.

2.2. Make arrangements (legal agreements) to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for all of the retained heritage façade building elements which encroach onto City property.

Note to Applicant: An application to the City Surveyor is required. Upon completion of the exterior work, a new BC Land Surveyor's Location Certificate will be required to confirm the extent of any building encroachments at that time.

2.3. Provision of a natural watercourse agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

Note to Applicant: Records indicate a natural watercourse passes through this site, a legal agreement ensuring that should the watercourse be discovered or impact the site during development and beyond that its flow will not be obstructed.

2.4. 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. Except as explicitly provided for in Condition 2.5(a), the Services are not excess and/or extended services, and the applicant is not entitled to a Latecomer Agreement.

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

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

Note to Applicant: Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by Creus Engineering Ltd. dated November 30, 2023, no water main upgrades are required to service the development.

The main servicing the proposed development is 200 mm. Should the development require water service connections larger than servicing main, the developer shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost of the upgrading. The maximum water service connection size is 300 mm.

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

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 with 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 and to maintain acceptable sewer flow conditions, implementation of development at 414 W Pender Street require:

(i) Off-site Servicing Upgrade:

- Upsize 44 m of existing 250 mm SAN sewer to 450 mm SAN from MH413075 (MH_ FJD0HX) fronting 220 Cambie Street to MH404574 (MH_FJD0IL) at the intersection of Cambie Street and Water Street.

The lengths and diameters of these improvements are approximate and subject to detailed design by Developer's Engineer. The latest available future area plans shall be used at the time of design.

Note to Applicant: Development to be serviced to the existing 375 mm SAN in Pender Street.

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

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

(i) Mill and overlay asphalt pavement along the site's frontage.

Note to Applicant: Lane reconstruction to meet City "Higher-Zoned Lane" standards.

Note to Applicant: Refer to the City design guidelines and construction standards.

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

(d) Provision of new or replacement duct banks (if new sidewalk installed) 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.

Note to Applicant: A Development and Major Projects construction coordinator will contact the Applicant in the development permit stage and coordinate the submission of the detailed Electrical design. The detailed Electrical design is required prior to the start of any associated electrical work and is to conform with the current City Engineering Design Manual, Construction Specifications, Standard Detail Drawing, Canadian Electrical Code, and the Master Municipal Construction Documents.

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

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

(a) Off-site sewer servicing upgrade as per condition 2.4 (b).

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

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

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

Heritage

2.6. Council designates the retained heritage façade of the Western Canada Building (416 West Pender Street) as protected heritage property, and that the associated Heritage Designation By-law is enacted by Council, and notice is registered in the Land Title Office to the satisfaction of the Director of Planning and the Director of Legal Services.

2.7. The owner enters into a Section 219 Heritage Restoration Covenant, which is to be completed and registered on title, obligating the owner, and future owners over time, to protect and maintain the conserved heritage façade of the Western Canada Building (416 West Pender Street), and related matters, to the satisfaction of the Director of Planning and the Director of Legal Services.

Housing

2.8. Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant to secure all residential units as market rental housing units, excluding Seniors Supportive or Independent Living Housing, pursuant to the City's Downtown Eastside Plan, for a term equal to the longer of 60 years and the life of the building, subject to a no-separate-sales covenant and a no-stratification covenant, a provision that none of such units will be rented for less than 90 consecutive days at a

time, and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require.

Note to Applicant: This condition will be secured by a Housing Agreement pursuant to Section 565.2 of the Vancouver Charter and a Section 219 Covenant.

Environmental Contamination

2.9. Submit a site disclosure statement to Environmental Services.

2.10. 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.

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

Agreements

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

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

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

* * * * *

414-420 West Pender Street
DRAFT 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:

"414-420 West Pender Street [CD-1 #] [By-law #] DD"

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

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

"[CD-1#] [By-law #] 414-420 West Pender Street"

DRAFT HERITAGE DESIGNATION BY-LAW PROVISIONS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

1. Council considers that the real property described as:

The retained front façade of the existing heritage building	414-420 West Pender Street	PIDs 015-488-179 and 015-488-187, Lots 7 and 8, Block 35 District Lot 541 Plan 210

has heritage value or heritage character, and that its designation as protected heritage property is necessary or desirable for its conservation.

2. Council designates the real property described in section 1 of this By-law as protected heritage property under Section 593 of the Vancouver Charter.

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414-420 West Pender Street
HERITAGE COMMISSION REVIEW

APPENDIX H-2 Vancouver Heritage Commission
(redacted from VHC meeting minutes on November 4, 2024)

Western Canada Building, 416 West Pender Street (VHR) Façade-only Retention with Heritage Designation

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

Applicant: Olena Struk, GWA Architecture
Nicholas Chen, GWA Architecture
John Atkin, Heritage Consultant
Tobias Fast, Fast+Epp

Staff and Applicants provided presentations and responded to questions and comments.

MOVED by Commissioner Gordon
SECONDED by Commissioner Ankenman

WHEREAS
1. The Western Canada Building at 414-420 West Pender Street is listed on the Vancouver Heritage Register and located in the Victory Square area which has a significant number of buildings of heritage significance;
2. Fastmark is proposing to rezone 414-420 West Pender Street from DD to CD-1 to allow for the development of a 12-storey residential rental building and the preservation and restoration of a 1914 two storey façade at the base of the building;

THEREFORE BE IT RESOLVED
A. THAT the Vancouver Heritage Commission support the proposed preservation and restoration of the two storey 1914 façade, including the front entrance and floor tiles, if possible, and the proposed upper-level setbacks including the setback of the third storey above the 1914 façade, and setback of the higher levels of the building addition to ensure the corner cornice return of the building to the east is visible.
B. THAT the Vancouver Heritage Commission encourage the applicant to explore opportunities for salvaging and repurposing interior elements including the existing balustrade, heavy timber, and other materials.
C. THAT the Vancouver Heritage Commission support the designation of the 1914 heritage façade of the building at 414-420 on the Heritage Register.

CARRIED UNANIMOUSLY

* * * * *

414-420 West Pender Street
EXISTING SITE CONTEXT

Photos showing the front elevation of Western Canada Building, taken in 1985 (top) and in 2024 (bottom)

View From Pender Street Looking Southeast

Existing Building Details

Course brick detail, ground floor window assembly, modern security gate on Pender Street

Top left: ceiling and details of the foyer and entry
Top Right: cornice detail
Bottom: the foyer showing the arrangement of doors either side of the main entrance for the retail space and the tile and marble floor

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414-420 West Pender Street
STATEMENT OF SIGNIFICANCE

(retrieved from Canada's Historic Places)

Other Name(s)
Western Canada Building
414-420 West Pender Street

Construction Date(s)
1914/01/01

Listed on the Canadian Register: 2007/08/17

Description of Historic Place
The Western Canada Building is a symmetrical two-storey commercial building, distinguished by its coarse red brick facing, large windows, deeply recessed entry, eclectic sheet metal cornice and heavy cornice with dentils. It is located mid-block on the south side of West Pender Street, within the context of other commercial buildings of similar scale and age in central downtown Vancouver.

Heritage Value
Notable for its classical references and eclectic ornamentation, the Western Canada Building is valued for its architecture, that is largely unaltered, displaying a high degree of integrity. Built in 1914, this modest commercial structure is characteristic of buildings of the period for its use of large, evenly placed windows, and plain wall treatment topped with ornamental detail. Severely plain pilasters alluding to classical design frame each bay of this building, while the eclectic sheet metal cornice of classical block modillions adds to this reference but also displays Arts and Crafts references.
Owned by Western Canada Properties Ltd., this commercial structure was built for the Canadian Financiers Trust Company, giving the building significance for its role in the development of the Victory Square area as the financial and commercial centre of early twentieth-century Vancouver. Like the Canadian Financiers Trust Company, numerous financial houses, banks and firms established offices and headquarters in this area, making it Vancouver's central business district for many decades before the central business district shifted several block west to its current location.
The Western Canada Building is significant as a surviving early building by John Young McCarter, later a partner in McCarter and Nairne, a prominent architectural firm in the province from 1921 until 1982. The partnership of John Young McCarter (1886-1981) and George Colville Nairne (1884-1953) strove to promote BC industry and progressive technology.
Source: City of Vancouver Heritage Conservation Program

Character-Defining Elements
Key elements that define the heritage character of the Western Canada Building include its:

- siting in an early commercial area of Vancouver among other commercial buildings
- contribution to the streetscape as part of an unbroken streetwall with continuous retail storefronts
- mid-block location on the south side of West Pender Street, built to the property line
- commercial form, scale and massing, as expressed by its two-storey height (with basement) and regular, rectangular plan

- flat roof with raised front parapet
- masonry construction with course red brick in Flemish bond, and stone sills and pilaster bases
- exterior details, such as its wooden panelled, recessed, front entry with attenuated brackets, marble and tiled floor, and plaster ceiling with moulding detailing; main doorway flanked by secondary ground level entrances, each with glazed doors, transom lights and sidelights; brick pilasters; eclectic roofline cornice with block modillion and Arts and Crafts details; corner chimney located in the northwest corner, at the rear of the building; and a lower level rear entry
- regular, symmetrical fenestration: first-storey, triple assembly, plate-glass windows with multi-pane, hinged, hopper transoms containing vertical muntins; console brackets at the top of first storey window mullions; and panelled spandrels between first and second storey windows

* * * * *

414-420 West Pender Street
FORM OF DEVELOPMENT DRAWINGS

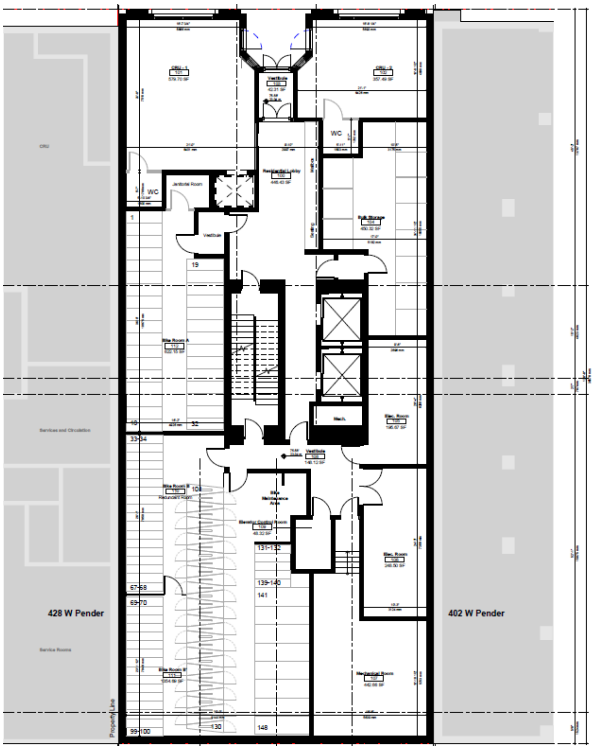
View From Pender Street Looking Southwest

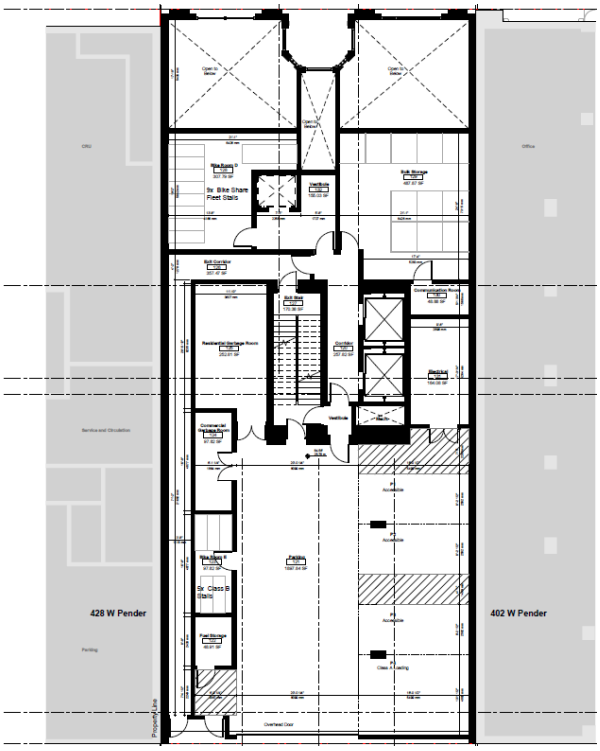
View From Pender West Street Looking Southeast

View of Front from Pender Street

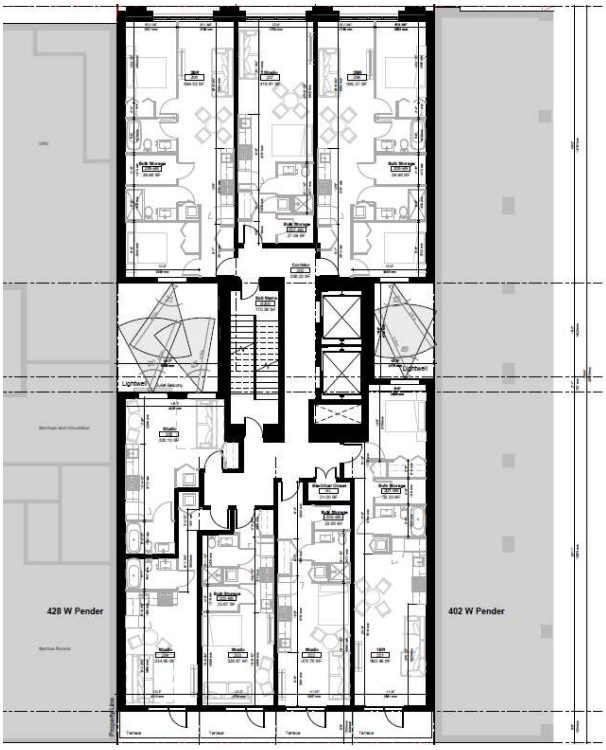
Context and Rooftop (from Pender Street Looking Southeast)

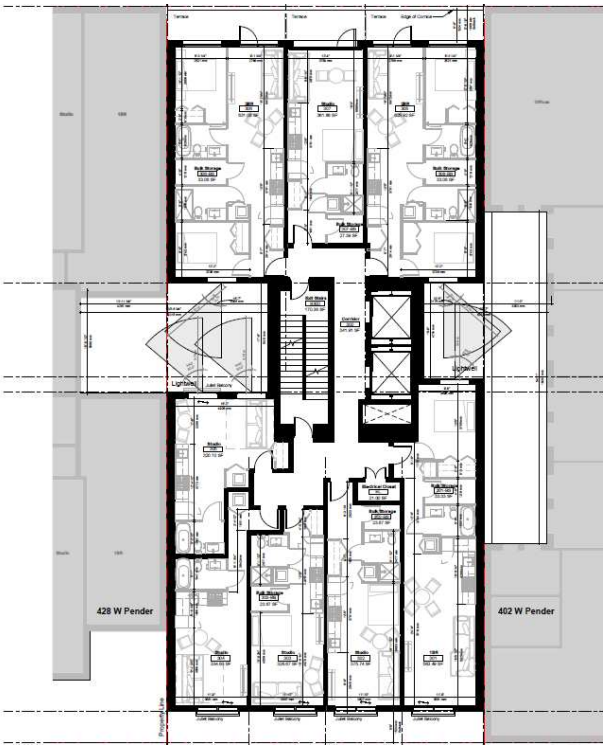
Ground Floor and 1st Floor Plans



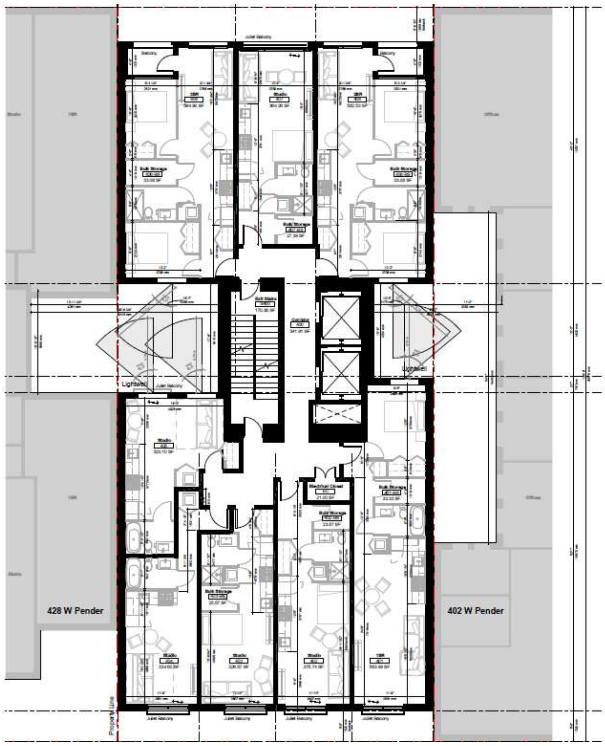


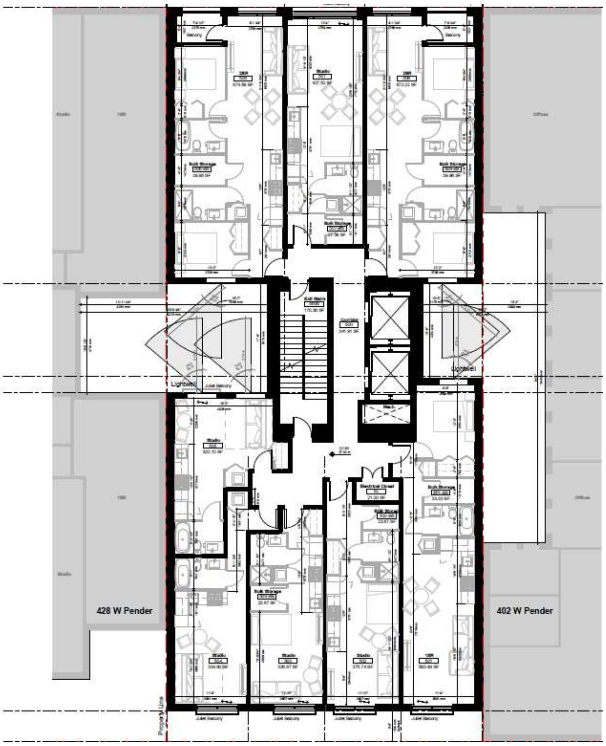
2nd and 3rd Floor Plans



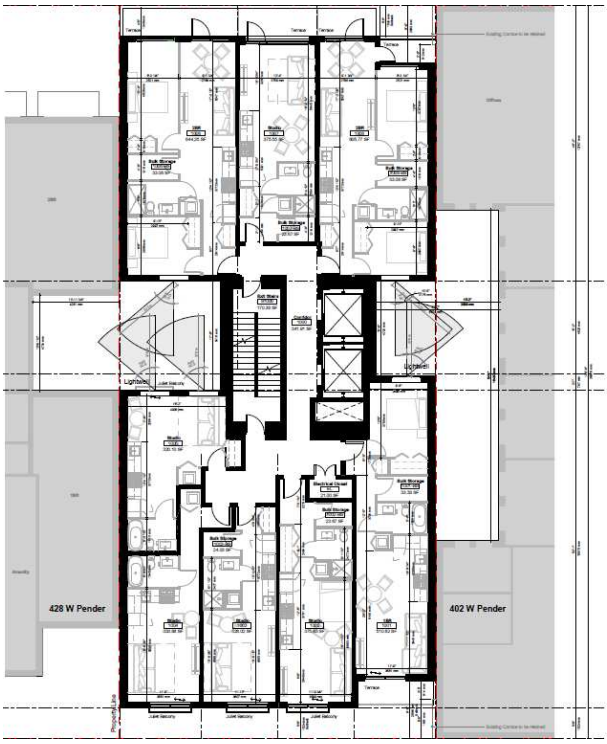


4th and 5-9 Floor Plans

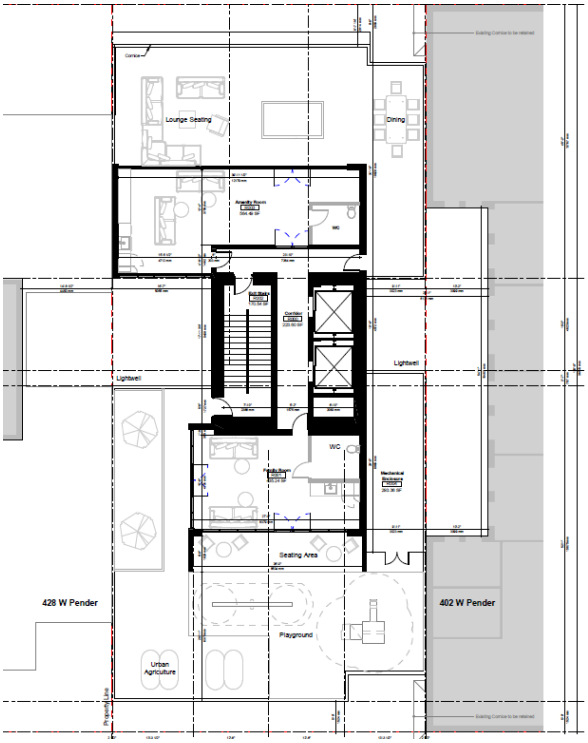


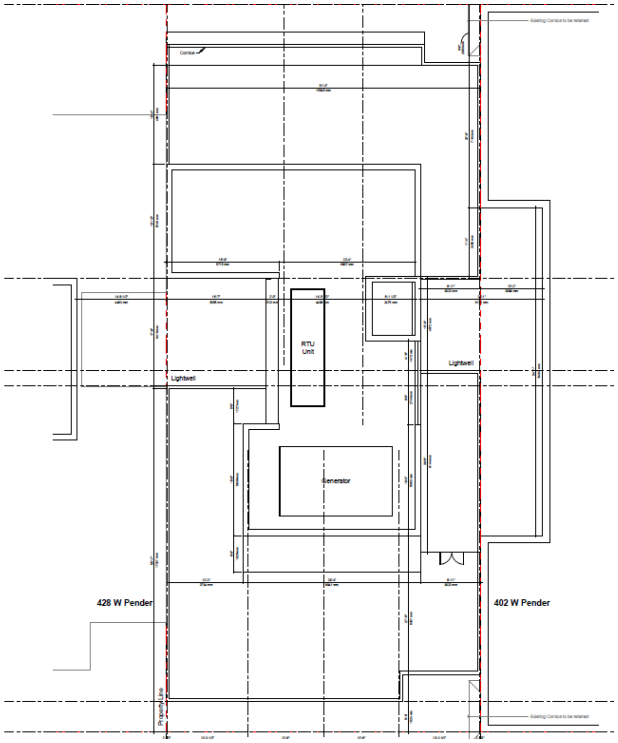


10th and 11-12th Floor Plans

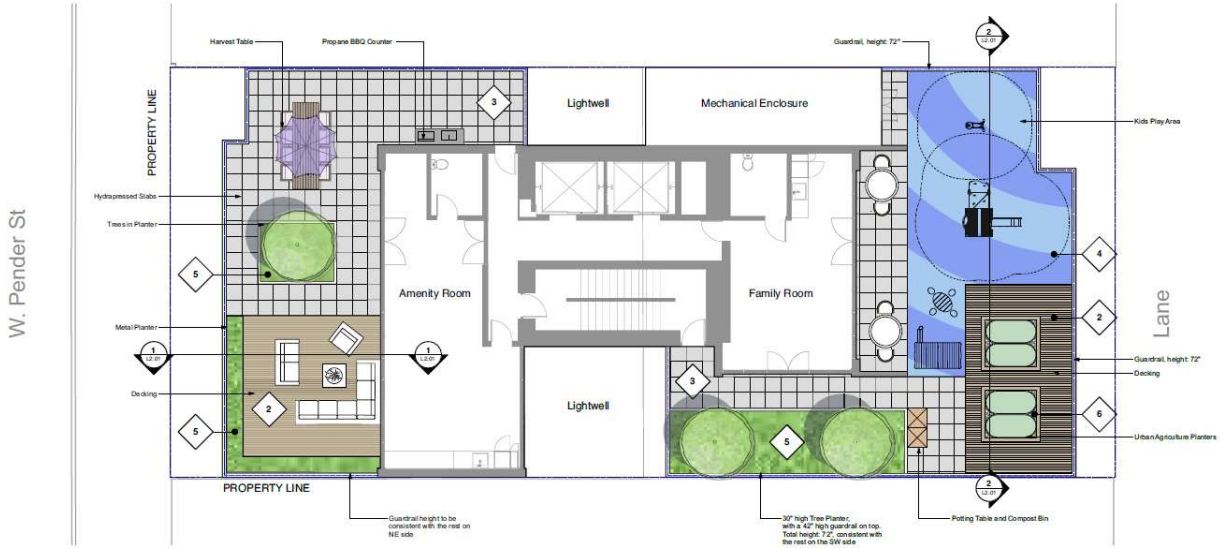


Roof Plan

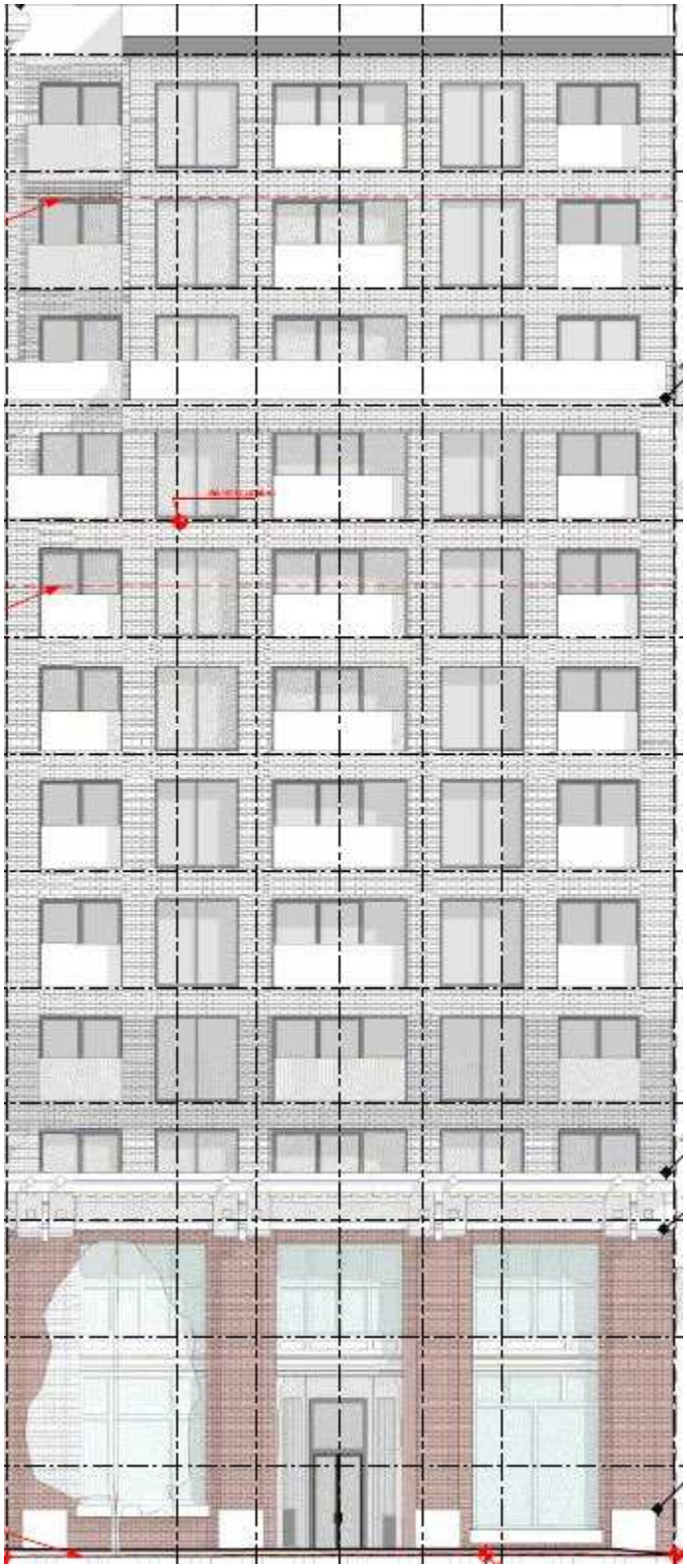

Lounge Seating
Dining
Lightwell
Lightwell
W/C
Seating Area
Playground
Urban Agriculture
428 W Pender
402 W Pender


RTU Unit
Generator
Lightwell
Lightwell
428 W Pender
402 W Pender

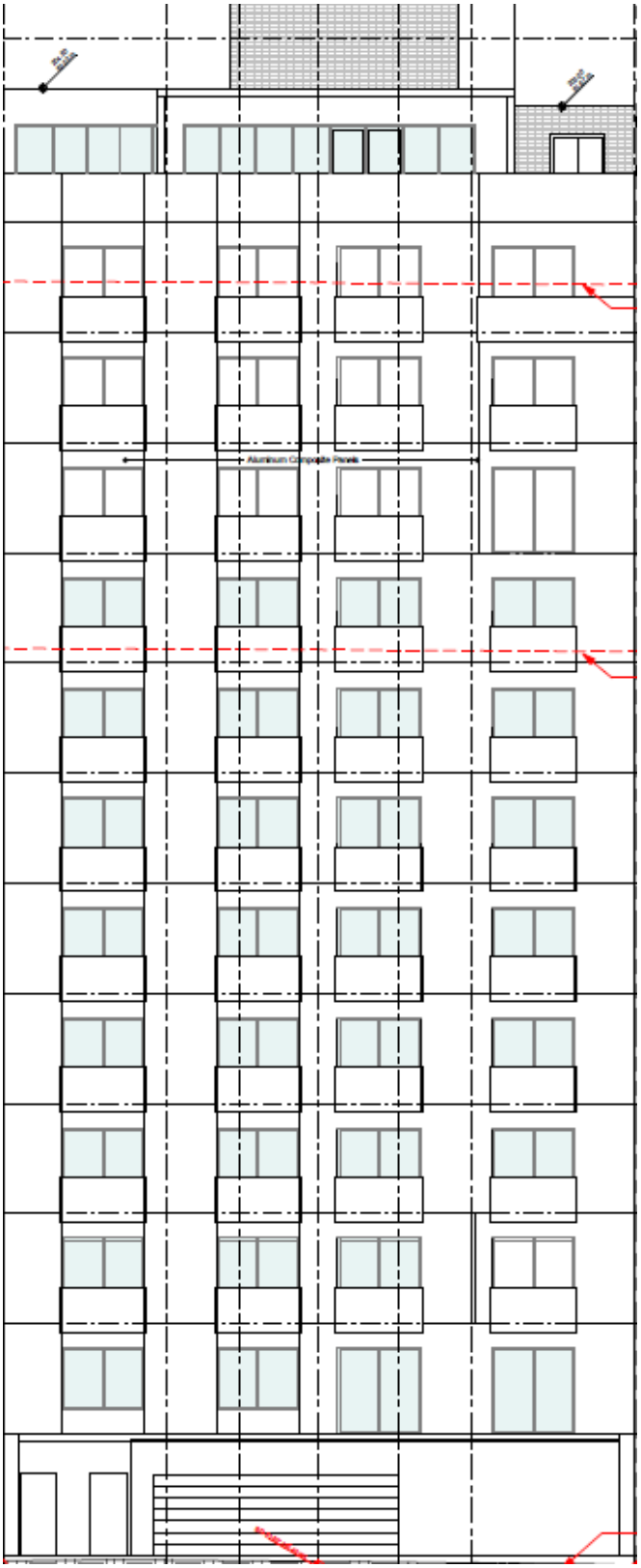
Rooftop Amenity



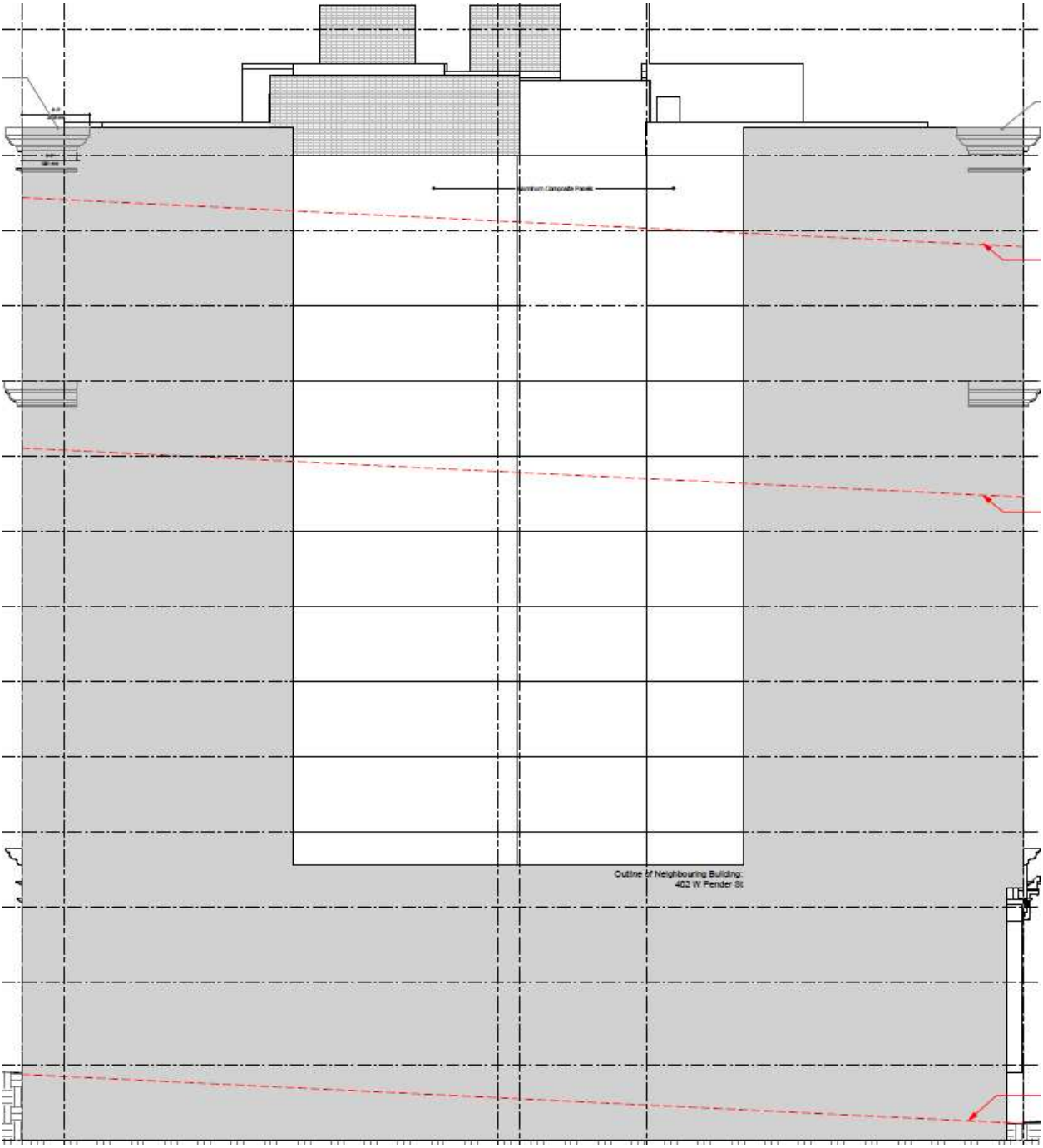
North Elevation



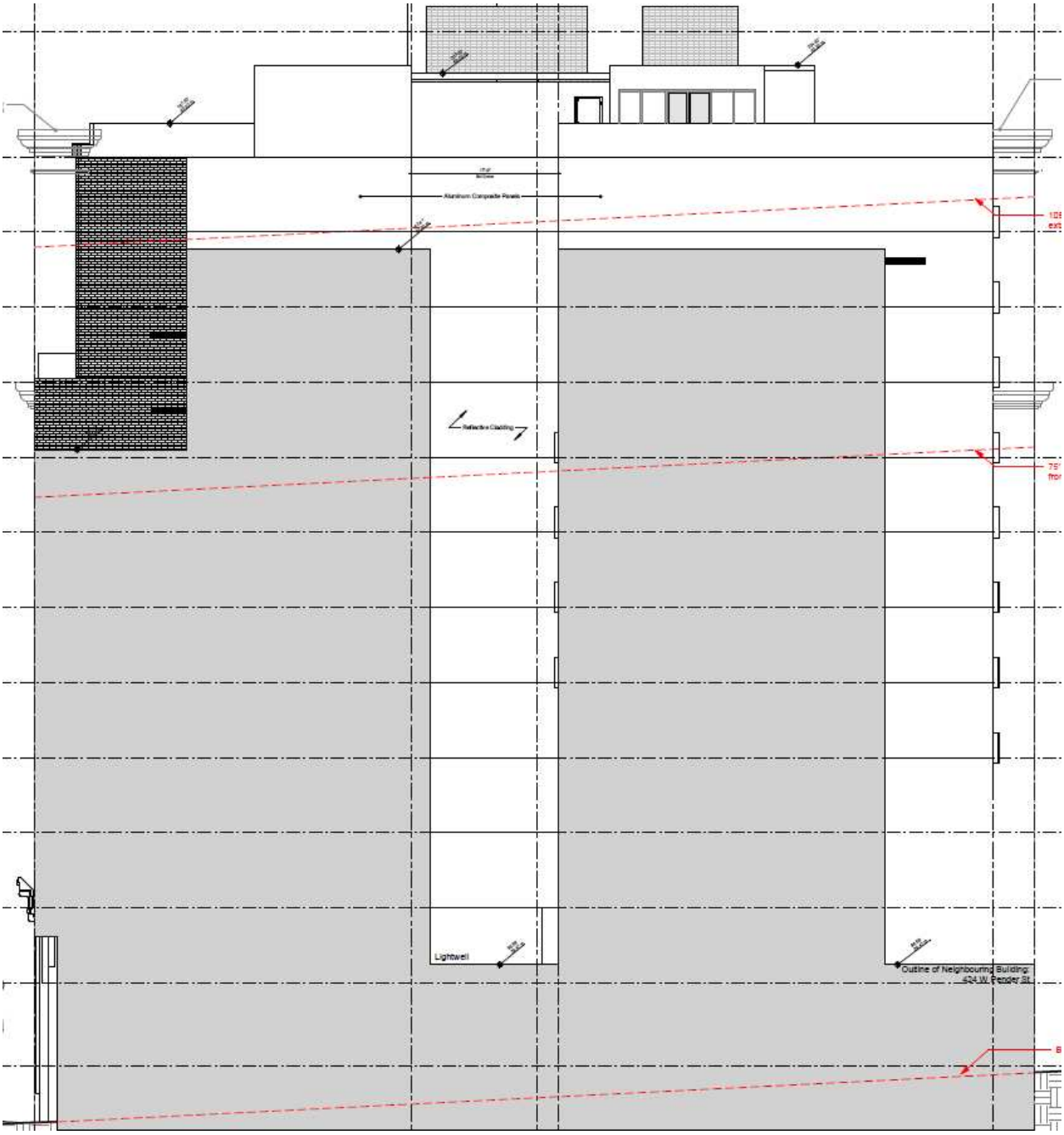
South Elevation



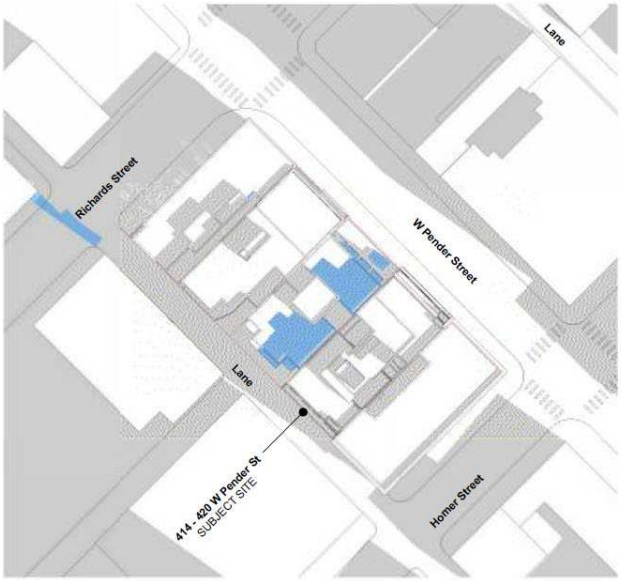
East Elevation



West Elevation



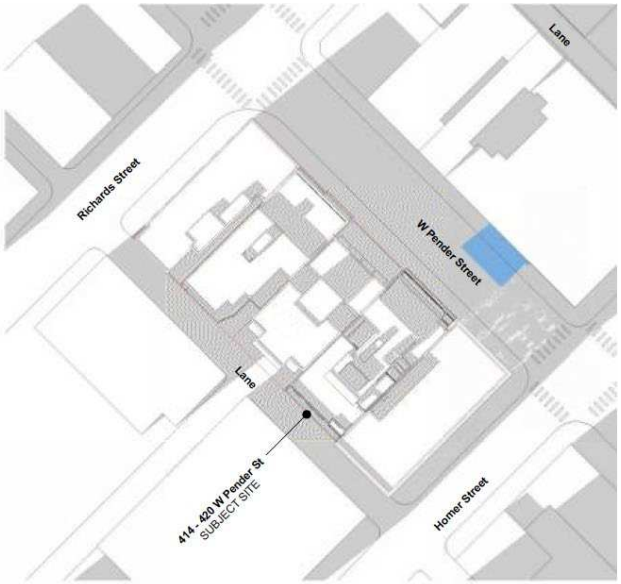
Shadow Study – Fall Equinox



9 **September 21st - 10 am**
SCALE: 1" = 60'-0"

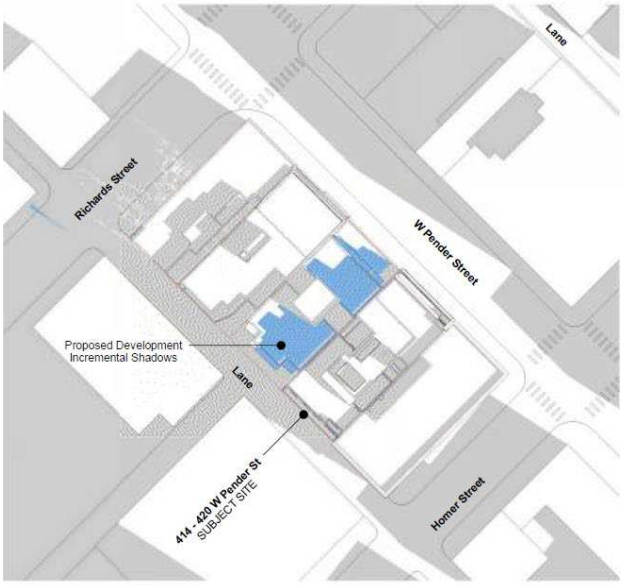
10 **September 21st - 12 pm**
SCALE: 1" = 60'-0"

11 **September 21st - 2 pm**
SCALE: 1" = 60'-0"

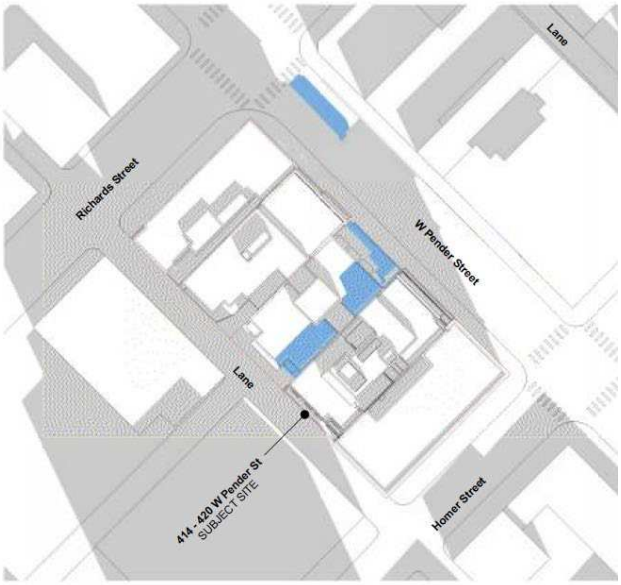


12 **September 21st - 4 pm**
SCALE: 1" = 60'-0"

Shadow Study – Spring Equinox



1 **March 21st - 10 am**
SCALE: 1" = 60'-0"



2 **March 21st - 12 pm**
SCALE: 1" = 60'-0"

3 **March 21st - 2 pm**
SCALE: 1" = 60'-0"

4 **March 21st - 4 pm**
SCALE: 1" = 60'-0"

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414-420 WEST PENDER STREET
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

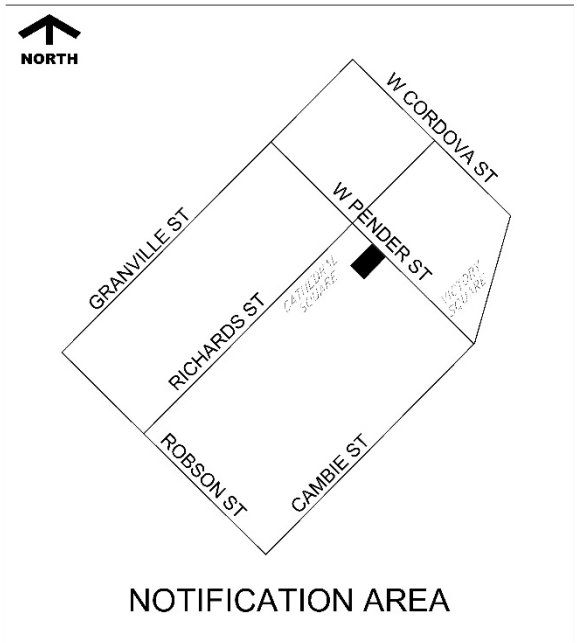
	Date	Results
Event		
Question and Answer Period (City-led)	February 12, 2025 – February 25, 2025	112 participants (aware)* • 42 informed • 5 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and Question and Answer Period	February 10, 2025	4,132 notices mailed
Public Responses		
Online questions	February 12, 2025 – February 25, 2025	0 submittals
Online comment forms • Shape Your City platform	December 2024 – April 2025	8 submittals
Overall position • support • opposed • mixed	December 2024 – April 2025	8 submittals • 6 responses • 2 responses • 0 responses
Other input	December 2024 – April 2025	0 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	December 2024 – April 2025	495 participants (aware)* • 211 informed • 8 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:

- **Development and density:** The surrounding area will be revitalized through increased density and development.
- **Housing:** The proposed development would create more housing that would benefit and suit the area.
- **Heritage:** The development will retain the historical façade which will benefit the neighbourhood character.

Generally, comments of concern fell within the following areas:

- **Traffic and Parking:** The proposal provides an insufficient amount of parking and the increased density will cause increased traffic and negatively impact the neighbourhood.

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

General comments of concern:

- **Pollution:** The proposed development would increase noise and smog pollution due to increased traffic.

- **Density and character:** The development takes away the neighbourhood character, history, and natural environment by increasing the density.

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414-420 West Pender Street
PUBLIC BENEFITS SUMMARY

Project Summary

Proposal for a 12-storey mixed-use building with 88 market rental units and ground floor commercial space.

Public Benefit Summary

The project would provide market rental units, generate a DCL, and provide retention of the existing heritage façade.

	Current Zoning	Proposed Zoning
Zoning District	DD	CD-1
Floor Space Ratio (site area = 579.8 sq. m (6,240.97 sq. ft.)	5.0 [3] 6.0 [4]	9.44
Building Height	32 m (105 ft.)	36.4 m (119.5 ft.)
Buildable Floor Space	2,899.0 sq. m (31,31,204.6 sq. ft.) 3,478.8 sq. m (37,445.5 sq. ft.)	5,471.3 sq. m (58,893.0 sq. ft.)
Land Use	Residential, Commercial, Institutional, Office	Mixed-use

Summary of Development Contributions Expected under Proposed zoning

City-wide DCL [1,2]	$1,391,053
Utilities DCL [1]	$863,759
TOTAL	**$2,254,812**

Other benefits: 88 dwelling units will be secured for rental housing and retention estimated to cost $1,300,000 of one individual heritage building façade secured through a restoration covenant.

[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 instream rate protection. See the City's DCL Bulletin for more details.

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

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

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

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414-420 West Pender Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information:

Address	Parcel Identifiers (PID)	Legal Description
414 West Pender Street	015-488-187	Lot 8 Block 35 District Lot 541 Plan 210
420 West Pender Street	015-488-179	Lot 7 Block 35 District Lot 541 Plan 210

Applicant Information:

Applicant	Fastmark Development Corp.	
Architect	GWA Architecture	
Registered Owners	414-420 West Pender Street	1447047 B.C. Ltd.

Development Statistics:

	Permitted Under Existing Zoning	Proposed Development
Zoning	DD	CD-1
Site Area	579.8 sq. m (6,240.97 sq. ft.)	579.8 sq. m (6,240.97 sq. ft.)
Uses	Residential, Commercial, Institutional, Office	Mixed-use
Max. Density	5.0 FSR (note 1) 6.0 FSR (note 2)	9.44 FSR
Floor Area	2,898.5 sq. m (31,119 sq. ft.) (note 1) 3,478.2 sq. m (37,536 sq. ft.) (note 2)	Residential: 5,372.7 sq. m (57,831.2 sq. ft.) Commercial: 98.7 sq. m (1,061.9 sq. ft.) Total: 5,471.3 sq. m (58,893.0 sq. ft.)
Max. Height	22.9 m (75 ft.) (note 3) 32 m (105 ft.) (note 2)	36.4 m (119.5 ft.)
Unit Mix	--	Studio: 55 (62%) One Bedroom: 11 (13%) Two Bedroom: 22 (25%) Total 88
Parking, Loading and Bicycle Spaces	As per Parking By-law	As per Parking By-law, confirmed at the development permit stage

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

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