CITY OF VANCOUVER

REFERRAL REPORT

Report Date:	January 7, 2025
Contact:	Susanne Rühle
Contact No.:	604.326.4844
RTS No.:	17698
VanRIMS No.:	08-2000-20
Meeting Date:	January 21, 2025

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 43-95 East 3rd Avenue

RECOMMENDATION TO REFER

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

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary zoning 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 Gensler Architecture & Design Canada Inc. on behalf of

- Atelier Phoenix II Holdings Ltd., the registered owner of
  - 43 East 3rd Avenue [*Lots 11 and 12 Block 13 District Lot 200A Plan 197; PIDs 016-950-020 and 016-950-038 respectively],* and
- Atelier Phoenix I Holdings Ltd., the registered owner of
  - 65-95 East 3rd Avenue [*Lots 9 and 10 Block 13 District Lot 200A Plan 197*; *PIDs 015-342-492 and 015-343-731 respectively*],

to rezone the lands from I-1 (Industrial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 3.0 to 6.0 and the building height from 30.5 m (100 ft.) to 41.4 m (136 ft.) to permit a mixed-use development with industrial, office and ground floor retail space in an

eight-storey building with additional height for the portion with rooftop amenity, be approved in principle;

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

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Gensler Architecture & Design Canada Inc., received February 16, 2024;

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

B. 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.

C. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule A, 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 new CD-1 By-law.

D. THAT subject to approval of the CD-1 By-law, the Vancouver Development Cost Levy By-law and the Vancouver Utilities Development Cost Levy By-law be amended to include this CD-1 in the definition of “mixed-employment (light industrial)”, generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Vancouver Development Cost Levy By-law and the Vancouver Utilities Development Cost Levy By-law at the time of enactment of the new CD-1 By-law.

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

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

(ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw 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

(ii) 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 43-95 East 3rd Avenue from I-1 (Industrial) District to CD-1 (Comprehensive Development) District under the *Broadway Plan.* The proposal is to permit the development of an eight-storey mixed-use building with additional height for the portion with rooftop amenity. It contains industrial and office uses with retail on the ground floor with a minimum of 3.0 FSR of industrial space. It proposes a total floor area of approximately 13,491 sq. m (145,218 sq. ft.), a maximum building height of 41.4 m (136 ft.) and an overall floor space ratio (FSR) of 6.0.

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

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- *Broadway Plan* (2022, last amended 2024)
- *Vancouver Plan (*2022)
- *Transit-Oriented Areas (TOA) Designation By-law* (2024)
- *Transit-Oriented Areas (TOA) Rezoning Policy* (2024)
- *Industrial Spaces Guidelines* (2023)
- *Industrial Lands Policy* (1995, last amended 2023)
- *I-1 (Industrial) District Schedule* (last amended 2023)
- *Green Buildings Policy for Rezonings* (2010, last amended 2024)
- *Public Art Policy and Procedures for Rezoned Developments (*2014)
- *Urban Forestry Strategy* (2014, last amended 2018)
- *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*
- *Latecomer Policy (2021)*

REPORT

Background/Context

1. Site and Context

The subject site is comprised of four legal parcels located on the northwest corner of East 3rd Avenue and Quebec Street with a total site area of approximately 2,248.5 sq. m (24,203 sq. ft). The site has a frontage of 60.8 m (200 ft.) on East 3rd Avenue and a depth of 37.1 m (122 ft.) on Quebec Street. It is zoned I-1 (Industrial) District as is the surrounding Mount Pleasant Industrial Area (MIAA) of the *Broadway Plan* (the “Plan”), as seen in Figure 1. The surrounding blocks contain mainly industrial and office buildings, ranging in height from two to six storeys. Taller developments are permitted along the eastern and northern edges of the MIAA with up to 11 storeys. The site currently contains a surface parking lot and two two-storey industrial and office buildings.

Figure 1: Site and surrounding context

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. The site is located within the *Broadway Plan* area which is generally in alignment with the *Vancouver Plan.*

Broadway Plan – The Broadway Plan (the "Plan") is a comprehensive community plan for the area within Vine Street to Clark Drive and 1st Avenue to 16th Avenue. The 30-year plan focuses on opportunities to integrate new housing, jobs, and amenities around the new Broadway Subway. The site is located within the Mount Pleasant Industrial Area (MIAA), which is sub-area 10.1 of the Plan. It is intended as a combination of light industrial functions and office uses to support traditional industrial uses on the ground floor and strategically increase opportunities to support the innovation economy. The Plan permits up to 11-storey mixed-use buildings with up to 6.0 FSR if a minimum of 50% (3 FSR) of floor area are designated as industrial uses.

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 located within 800 m (Tier 3) of four TOAs. As the TOA By-law only applies to residential and commercial zoning, this location is exempted from the minimum height and density requirements.

Strategic Analysis

1. Proposal

The application proposes an eight-storey industrial and office building with a floor area of 13,491 sq. m (145,218 sq. ft.), resulting in an FSR of 6.0 with a minimum of 3 FSR proposed as industrial space. The proposed building height is 41.4 m (136 ft.) (see Figure 2, and additional drawings in Appendix E).

The proposal contains industrial and retail uses on the ground floor with industrial and office uses above, including a total of 7,027 sq. m. (75,638 sq. ft.) of industrial uses, 5,722.2 sq. m (61,593 sq. ft.) of office space and 742 sq. m (7,987 sq. ft.) for retail.

Figure 2: Proposal from Southeast perspective

2. Land Use

The uses proposed in the application (industrial, office and retail) are consistent with the intent of the I-1 District Schedule, the Plan as well as the *Vancouver Plan.*

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

Form of Development – This application is generally consistent with the Plan for an eight-storey tower with a podium (see Figure 2) including height, tower separation and tower floor plate size.

Height – The Plan anticipates a maximum of 11 storeys with a building height of 46.5 m (152.5 ft.). The proposed building height of 41.4 m (136 ft.) at eight storeys is within the Plan's permitted maximum. The Council-approved protected public view 3.2 – Queen Elizabeth Park extends across the site and the tower development complies with the height parameters of the protected view.

Density – The Plan estimates a density of up to 6.0 FSR. The application complies with the objectives of the Plan and proposes a density of 6.0 FSR.

Public Realm and Interface – The Plan envisions active ground floor frontages and active lanes with pedestrian interface that contribute to the eclectic nature of the industrial areas with continuous industrial and commercial uses that provides transparency and visual interest to the streetscape.

The proposal includes Privately-Owned Public Spaces (POPS) along Quebec Street and East 3rd Avenue next to the adjacent Gordon Campbell Building on 70-78 East 2nd Avenue, which is listed in the *Vancouver Heritage Register (VHR)*. Public access to the POPS will be secured via a Statutory Right-of-Way.

Staff have prepared conditions to enhance the overall public realm interface, address *Crime Prevention Through Environmental Design* (*CPTED*) considerations and to further strengthen the pedestrian activity in this vibrant Mount Pleasant Industrial Area.

Private Amenity Space – The development offers on-site common indoor and outdoor amenities for the building occupants at the rooftop of the podium at Level 4 and rooftop of the tower at Level 9.

Urban Design Panel – A review by the Urban Design Panel was not required due to consistency with the Plan's expectations and the industrial nature of the context.

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

4. Transportation and Parking

The application proposes a total of 137 vehicular parking spaces, 3 loading spaces and 74 bicycle spaces are proposed in three levels of underground parking, accessed from the lane. The application will be required to comply with the Parking By-law. The Director of Planning is supportive of the proposed parking and loading provision. At the time of development permit application, relaxation of loading requirements would be supportable based on review of proposed uses and site constraints.

Nearby Transportation Infrastructure – The site is well-served by rapid transit and bicycle networks. It is located within 800 m from four current and future SkyTrain Stations: Olympic Village Station, Main Street - Science World Station, Great Northern Way - Emily Carr Station as well as Mount Pleasant Station. It is also one block south of frequent bus transportation on 2nd Avenue and six blocks south of the rapid bus service along the Broadway Corridor. The site also located just east of the Ontario Greenway bikeway.

5. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezonings* requires that rezoning applications satisfy the green and resilient building conditions stated within the Policy. The applicant has submitted preliminary modelling analysis detailing design and construction strategies to meet anticipated energy and emissions and embodied carbon targets in Vancouver Building By-law, a summary of the resilient building measures considered for the application,

and a commitment to fulfill energy system sub-metering and enhanced commissioning requirements throughout the project.

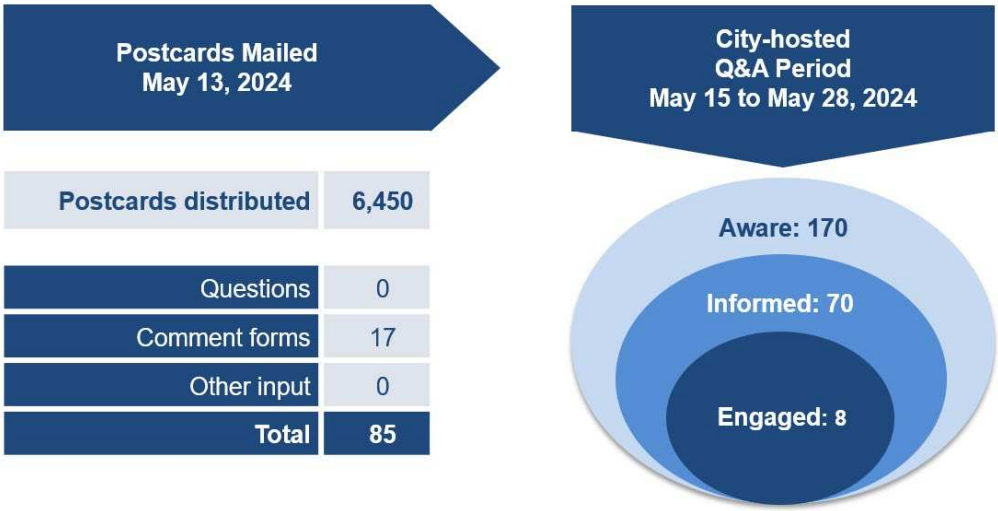
Natural Assets – The *Urban Forest Strategy* was developed to find ways to help preserve, protect and strengthen Vancouver's urban forest and tree canopy for the future. The Protection of Trees By-law aims to maintain a healthy urban forest by requiring permission be sought to remove trees which meet certain conditions. The intent is to retain and protect as many healthy, viable trees as possible, while still meeting the challenges of development, housing priorities and densification. This is in keeping with City goals to achieve resilient and healthy natural systems in our urban areas.

There are no existing trees on the site and no street trees on City streets adjoining the site. Six street trees are proposed along East 3rd Avenue and Quebec Street and four more trees with additional shrubs on Level 4 and the rooftop.

6. PUBLIC INPUT (refer to Appendix D)

Public Notification – A rezoning information sign was installed on the site on April 23, 2024. Approximately 6,450 notification postcards were distributed within the neighbouring area on or about May 13, 2024. Application information and an online comment form was provided on the Shape Your City (shapeyourcity.ca/) platform.

Figure 3: Overview of Notification and Engagement



Question and Answer Period/Virtual Open House – A question and answer period/virtual open house was held from May 15, 2024 to May 28, 2024. 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. The virtual approach allowed people to access materials online and engage at different levels at a time and location of their choosing. Members of the public could submit questions, which staff actively monitored and responded to publicly.

Public Response and Comments – Public input is collected via online questions, comment forms, through email, and by phone. A total of 17 submissions were received.

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

Generally, comments of support fell within the following areas:

- **Neighbourhood:** The proposed development suitable for this location and appropriate for the neighbourhood context.
- **Building Design:** This building design is attractive, with specific support for the materiality, rooftop amenity space, and balconies.
- **Location:** The location is ideal given its proximity to multiple SkyTrain stations.

Generally, comments of concern fell within the following areas:

- **Building Use:** Office and commercial uses are not supported in this location.
- **Building Vacancy:** There are concerns that the office and commercial spaces will be vacant, like other buildings within the neighbourhood.

7. PUBLIC BENEFITS

Commercial Linkage Contribution – The application is subject to the *Community Amenity Contributions Policy for Rezonings* with CACs based on target contributions as the applicant is proposing a non-stratified commercial development in the Plan area. The applicant has offered a cash contribution of $834,081 based on the net increase in leasehold mixed-employment / light industrial floor area of 6,745.7 sq. m (72,610 sq. ft.) and the target rate of $123.65 per sq. m applicable to this application.

The contribution is to be allocated towards the Broadway Plan Public Benefit Strategy, per the *CAC Policy*. As a condition of by-law enactment, a covenant is required to be registered on title to prohibit both the separate sale and the strata subdivision of the property.

Development Cost Levies (DCLs) – The application is subject to the City-wide DCL and Utilities DCL. DCLs which will be calculated on the floor area specified in the development permit. Based on the DCL By-laws in effect as of September 30, 2024 and the proposed 13,491 sq. m (145,218 sq. ft.) floor area $3,376,123 of DCLs are expected from the project.

DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the City's DCL Bulletin for details on DCL rate protection.

Public Art Program – The application is subject to the *Public Art Policy and Procedures for Rezoned Developments* as the proposed floor area meets the minimum 9,290 sq. m (100,000 sq. ft.). Applicants may elect to provide on-site artwork or cash-in-lieu (at 80% of the public art budget), which must be discussed with Public Art staff before by-law enactment. The public art budget will be calculated on the floor area proposed at the development permit stage. Based on the current (2016) rate, the public art budget is estimated to be $287,527. As a condition of by-law enactment, a legal agreement is required to be registered on title to specify and define all obligations with respect to the elected option.

A summary of the public benefits for this application is provided in Appendix F.

FINANCIAL IMPLICATIONS

As noted in the Public Benefits section, this project is expected to provide a Commercial Linkage Fee, DCL and Public Art contribution. See Appendix F for additional details.

CONCLUSION

Staff have reviewed the application to rezone 43-95 East 3rd Avenue from I-1 to CD-1 to permit development of a mixed-use industrial and office building. Staff conclude that the application is consistent with the objectives of the Plan.

The General Manager of Planning, Urban Design and Sustainability recommends that the rezoning application be referred to Public Hearing together with a draft CD-1 By-law as generally shown in Appendix A. Further it is recommended that, subject to the Public Hearing, the application be approved in principle, subject to the applicant fulfilling the Conditions of Approval in Appendix B.

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43-95 East 3rd Avenue
DRAFT 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 plans 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) Cultural and Recreational Uses;

   (b) Institutional Uses;

   (c) Manufacturing Uses;

   (d) Office Uses;

   (e) Retail Uses;

   (f) Service Uses;

   (g) Transportation and Storage Uses;

   (h) Utility and Communication Uses;

   (i) Wholesale Uses; and

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

Conditions of Use

4.1 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building except for:

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

(b) farmers' market;

(c) neighbourhood public house;

(d) public bike share; and

(e) restaurant,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions that 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.

4.2 Creative products manufacturing and office uses are not permitted on the first storey, or on any storey with its floor level within 2 m above finished grade.

Floor Area and Density

5.1 Computation of floor area must assume that the site area is 2,248.5 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 must not exceed 6.0, except that the floor space ratio for industrial uses must not be less than 3.0.

5.3 For the purposes of this by-law, Industrial Uses means:

(a) manufacturing uses;

(b) transportation and storage uses;

(c) utility and communication uses;

(d) wholesale uses;

(e) service uses limited to: catering establishment, laboratory, laundry or cleaning plant, motor vehicle repair shop, photofinishing or photography laboratory, production or rehearsal studio, repair shop - class A, sign painting shop, and work shop; and

(f) cultural and recreational uses, limited to artist studio - class B.

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

5.5 Computation of floor area must exclude:

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

(i) the total area of all such exclusions must not exceed 12% of the floor area being provided, and

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

(b) patios and roof decks, if the Director of Planning first approves the design of sunroofs and walls; and

(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, and

(d) all storage area below base surface.

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

Building Height

6.1 Building height must not exceed 41.4 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 and mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portions of the building with permitted common rooftop amenity space or mechanical appurtenances must not exceed 47 m.

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43-95 East 3rd Avenue
CONDITIONS OF APPROVAL

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

PART 1: CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared Gensler Architecture & Design Canada Inc., received February 16, 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 the overall public realm interface and to further strengthen the pedestrian activity in this vibrant Mount Pleasant Industrial Area by the following:

(a) At the proposed Privately-Owned Public Space (POPS) along Quebec Street and East 3rd Avenue:

(i) Ensure that the POPS is inclusive and accessible, supports a diversity of activities and users, and has clear, welcoming and intuitive wayfinding from the street intersections.

Note to Applicant: Refer also to the Plan, Sections 15.2.14 to 15.2.18 and Urban Design condition 2.1.

(ii) Provision of improved architectural and material treatments at the covered area to ensure a high level of perceived safety and pedestrian comfort at all hours.

Note to Applicant: The intent of this condition is to address *CPTED* concerns at this covered area through exploration of improved architectural and material treatments at exterior walls, columns and soffits.

(b) Along Quebec Street and East 3rd Avenue street frontages:

(i) Provision of continuous weather protection along the full width of the east and south ground level façades.

Note to Applicant: An architecturally-integral, demountable glass canopy should be of high-quality, durable materials and finishes, should be sloped for

positive drainage away from the public realm, and should include integrated rainwater scuppers and leaders, and lighting. An approximate depth to height ratio of 7:10 or 6:9 is encouraged. Refer also to the Plan, Section 11.1.34.

(c) Along the rear lane:

(i) Demonstrate design strategies to activate the laneway with exploration of improved landscape transition.

Note to Applicant: Refer also to the Plan, Sections 11.9.15 to 11.9.18.

1.2 Design development to the exposed party wall along west elevation with design strategies such as material treatment and panel reveals with well-resolved pattern.

Note to Applicant: Exposed party walls may be highly visible for a significant duration of time and should be an integral elements of the building design.

1.3 Parking, loading, bicycle, and passenger loading spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law; except that the Director of Planning supports the proposed relaxation of loading spaces at the time of development permit application due to the site constraints caused by the provision of a POPS and as demonstrated in the applicant test-fit drawings. Based on the current proposal, a minimum of 3 Class B loading spaces are required.

Note to Applicant: Refer also to Engineering Condition 1.23.

Economic Development

1.4 The applicant is to maintain 50% of the floor area for Production, Distribution and Repair (PDR) industrial uses to comply with the Plan to achieve a maximum of 6.0 FSR in the Mount Pleasant Industrial Area (MIAA).

Note to Applicant: PDR industrial uses are defined as:

(a) Manufacturing Uses;

(b) Transportation and Storage Uses;

(c) Utility and Communication Uses;

(d) Wholesale Uses;

(e) Service Uses limited to: Catering Establishment, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Photofinishing or Photography Laboratory, Production or Rehearsal Studio, Repair Shop - Class A, Sign Painting Shop, and Work Shop; and

(f) Cultural and Recreational Uses, limited to Artist Studio - Class B.
are those listed under section 3.1.1.1(a) of the I-1 District Schedule. Creative Products Manufacturing is not permitted on the ground floor.

1.5 Digital Entertainment and Information Communication (DEICT) is not considered an industrial use.

1.6 Maintain floor-to-floor heights for above-grade industrial spaces at 17 ft. or higher to conform with the *Industrial Spaces Guidelines*.

1.7 Maintain floor-to-floor heights for ground floor industrial spaces at 20 ft. or higher to conform with the *Industrial Spaces Guidelines*.

Landscape

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

Note to Applicant: The plans should be at 1/8 in.: 1 ft. scale minimum. The plant list should include the common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the landscape 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.

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

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

1.10 Provision of an Outdoor Lighting Plan.

Note to Applicant: Refer to Dark Night Design Principles. https://vancouver.ca/files/cov/outdoor-lighting-design-tips.pdf. Provide dimmers and timers for lights where feasible.

1.11 Provision of a high-efficiency automatic irrigation system for all planted areas.

Note to Applicant: Provide a partial irrigation plan demonstrating intent, including notations, legend and symbols to confirm stub out and hose bib locations. Hose bibs to be provided for large private patios (sized 100 sq. ft or larger). Any limitations to the installation of hose bibs on private decks to be brought to the attention of staff in the written response.

1.12 Provision of landscape features intended to create bird-friendly design.

Note to Applicant: Bird-friendly plants should be included on the plant palette, enabling bird habitat conservation and bird habitat promotion. Refer to the *Bird Friendly Design Guidelines* for examples of landscape features that may be applicable and provide a

design rationale for the features noted. Refer to:
http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf,
http://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf

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

1.14 Coordination for the provision of new street trees or any proposed City-owned tree removals or City-owned tree pruning adjacent to the development site.

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. New street trees to be confirmed prior to issuance of the building permit.

Provide a notation on the plan as follows: "Final location, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be eight ft. long and 18 in. deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".

Sustainability

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

Engineering

1.16 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (*Design Guidelines*, *Construction Standards* and Encroachment By-law, 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

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

Note to Applicant: Prepare a mitigation plan to minimize street use during excavation and construction (i.e., consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60-day lead time is required for any major crane erection and 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

1.18 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.

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

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

Note to Applicant: Draw and label container outlines and if the site is mixed use, demonstrate separated solid waste amenities for use types, and label each amenity.

Amenities designed below grade require written confirmation from a waste hauler that access and pick up from the location can be made without reliance of the lane for extended bin storage. If this cannot be confirmed, then an on-site garbage bin staging area is to be provided adjacent the lane. Pick up operations should not require the use of public property for storage, pick up or return of bins to the storage location.

1.21 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 eight 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 6 cm 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 ft. long and 18 in. 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".

(iii) "The required Green Infrastructure improvements on East 3rd Avenue and Quebec Street will be as per City-issued design."

"On East 3rd Avenue, install a rainwater tree trench (RTT) to treat and retain 90% of average annual rainfall from the Right-of-Way (RoW) to the greatest extent practical."

"On Quebec Street, install two bioretention systems in curb bulges to treat and retain 90% of average annual rainfall from the RoW to the greatest extent practical."

Note to Applicant: Callouts must be included along with the note.

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

(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) Deletion of:

(i) Proposed planting and portions of raised planter with seating proposed within the sidewalk Statutory Right-of-Way area along Quebec Street.

(d) 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 development permit 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. Refer to the *Streets Design Guidelines* for more information: https://vancouver.ca/streets-transportation/streetscape-design-guidelines.aspx. They are to be used alongside the City *Design Guidelines* and *Construction Standards*.

1.22 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.

The preparation of the related TDM legal agreement, due prior to Development Permit issuance, includes the requirement for collection of a fee by Development Building and Licences for service as approved in the following Council Report: https://council.vancouver.ca/20231003/documents/r2.pdf and will be due prior to issuance of the development permit.

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

Note to Applicant: Council-approved amendments to the Parking By-law for loading rates and design requirements. These requirements will apply to site development permits following this rezoning.

Note to Applicant: Refer also to Urban Design Condition 1.3.

1.24 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) section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and to the underside of raised security gates considering mechanical projections and built obstructions; and

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

1.25 Provision of the developer's engineer is to submit a sewer abandonment plan that details the abandonment or removal of all existing storm, sanitary, and combined connections to the development site.

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

1.26 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.

1.27 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 *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

1.28 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.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Urban Design

2.1 Provision of a Statutory Right-of-Way (SRW) for public use over the proposed Privately-Owned Public Space (POPS) along Quebec Street and East 3rd Avenue.

Note to Applicant: The final dimensions are to be determined through the development permit process but should be consistent with this rezoning application. Refer also to Urban Design Condition 1.1 a).

Engineering Services

2.2 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for consolidation of Lots 9 to 12, Block 13, District Lot 200A, Plan 197 to create a single parcel.

Note to Applicant: Easement 309216M (Encroachment Agreement between Lots 9 and 10) is on the title for the sites. This agreement should be released from title with consolidation of the lots; however, as this encroachment agreement is not in favour of the City, its release is not a condition of redevelopment of these properties.

2.3 Provision of a Statutory Right-of-Way (SRW) for public pedestrian use over a portion of the site, adjacent to Quebec Street, to achieve a 1.5 m offset distance from the property line. The SRW will be free of any encumbrance such as structure, stairs, planter walls, and mechanical vents at grade and is to accommodate the underground parking structure within the SRW agreement.

Note to Applicant: The preparation of this legal agreement includes the requirement for collection of a fee by Development Building and Licences for service as approved in the following Council Report: https://council.vancouver.ca/20231003/documents/r2.pdf and will be due prior to issuance of the development permit.

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. The Services are not excess and/or extended services, and the applicant is not entitled to a Latecomer Agreement.

(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 VDZ+A dated November 3, 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 200 mm, the developer shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost of the upgrading. The maximum water service connection size is 300 mm.

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

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

Note to Applicant: Implementation of development(s) at 43 East 3rd Avenue does not require any sewer upgrades.

Development to be serviced to the existing 250 mm SAN and 525 mm STM sewers in the lane south of East 2nd Avenue.

(c) Provision of street improvements, and appropriate transitions, along East 3rd Avenue adjacent to the site, including:

(i) Minimum 1.2 m wide front boulevard,

(ii) Minimum 2.4 m wide broom finish saw-cut concrete sidewalk,

(iii) Corner curb ramp,

(iv) Curb and gutter, including road reconstruction as required to accommodate the new curb and gutter, and

Note to Applicant: Road reconstruction on East 3rd Avenue to meet *Higher-Zoned Street* standards.

(v) Removal of the existing driveway crossings and reconstruction of the curb and gutter, boulevard and sidewalk.

(d) Street improvements, and appropriate transitions, along Quebec Street adjacent to the site, including:

(i) Minimum 1.2 m wide front boulevard,

(ii) Minimum 2.4 m wide broom-finish saw-cut concrete sidewalk,

(iii) Corner curb ramp,

(iv) Curb and gutter including road reconstruction if/as required to accommodate the curb and gutter,

(v) Minimum 2.4 m wide raised asphalt protected bike lane, and

(vi) Type E curb between the sidewalk and bike lane.

Note to Applicant: The City will provide a geometric design for all of these street improvements. Final design of these street improvements should also follow the recently approved *Broadway Public Realm Plan*.

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

(i) Full depth pavement reconstruction, and

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

(ii) New standard concrete lane crossing, with new lane returns and ramps on both sides, at the lane entrance on Quebec Street.

Note to Applicant: Refer to the *Design Guidelines* and *Construction Standards*.https://vancouver.ca/streets-transportation/street-design-construction-resources.aspx

(f) Provision of speed humps in the lane north of East 3rd Avenue between Quebec and Ontario Streets.

(g) Provision Green Infrastructure (GI) improvements to the satisfaction of the General Manager of Engineering Services, including:

(i) Installation of a rainwater tree trench (RTT) along the boulevard on East 3rd Avenue to treat and retain 90% of average annual rainfall from the Right-of-Way (RoW) to the greatest extent practical.

Note to Applicant: These improvements generally include placement of street trees, structural soil or soil cell and perforated pipe sub drain connected to the sewer system under proposed boulevard to provide the minimum soil volume storage for street trees as per the Engineering Design Manual. Selected tree species to be coordinated with Urban Forestry, Streets and Transportation.

Note to Applicant: GI should be used to manage rainwater from the street Right-of-Way as required in the Rain City Strategy. The retention standard for the Right-of-Way is to treat and retain 90% of average annual rainfall where possible. These design standards are applied to the prescribed GI measures listed above.

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

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

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

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

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

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

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.

(k) 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 ft. long and 18 in. 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.

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

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

The preparation of this legal agreement includes the requirement for collection of a fee by Development Building and Licences for service as approved in the following Council Report: https://council.vancouver.ca/20231003/documents/r2.pdf and will be due prior to issuance of the development permit.

Commercial Linkage Contribution

2.5 Pay to the City a contribution of $834,081 to be allocated to support the delivery of the Broadway Plan Public Benefits Strategy, which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City, and in a form and on terms and conditions satisfactory to the Director of Legal Services.

Non-stratification Covenant

2.6 Enter into a Covenant pursuant to Section 219 of the Land Title Act satisfactory to the Director of Legal Services prohibiting both the separate sale and the strata subdivision of the consolidated property.

Public Art

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

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

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

Environmental Contamination

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

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

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

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

Agreements

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-laws.

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.

* * * * *

43-95 East 3rd Avenue
DRAFT CONSEQUENTIAL AMENDMENTS

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

DRAFT AMENDMENTS TO THE SIGN BY-LAW

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

"43-95 East 3rd Avenue [CD-1 #] [By-law #] I-1"

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

Amend Schedule A (Activity Zone) by adding the following:

"[CD-1 #] [By-law #] 43-95 East 3rd Avenue"

DRAFT AMENDMENTS TO THE VANCOUVER DEVELOPMENT COST LEVY BY-LAW NO. 9755

In section 1.2, Council amends the definition of "mixed-employment (light industrial)" by striking out ";" at the end of the definition and substituting ", and the land zoned as [CD-1 ( )] [By-law #] with respect only to those uses that the CD-1 by-law permitted on [date of enactment];"

DRAFT AMENDMENTS TO THE VANCOUVER UTILITIES DEVELOPMENT COST LEVY BY-LAW NO. 12183

In section 1.2, Council amends the definition of "mixed-employment (light industrial)" by striking out ";" at the end of the definition and substituting ", and the land zoned as [CD-1 ( )] [By-law #] with respect only to those uses that the CD-1 by-law permitted on [date of enactment];"

* * * * *

43-95 EAST 3RD AVENUE
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

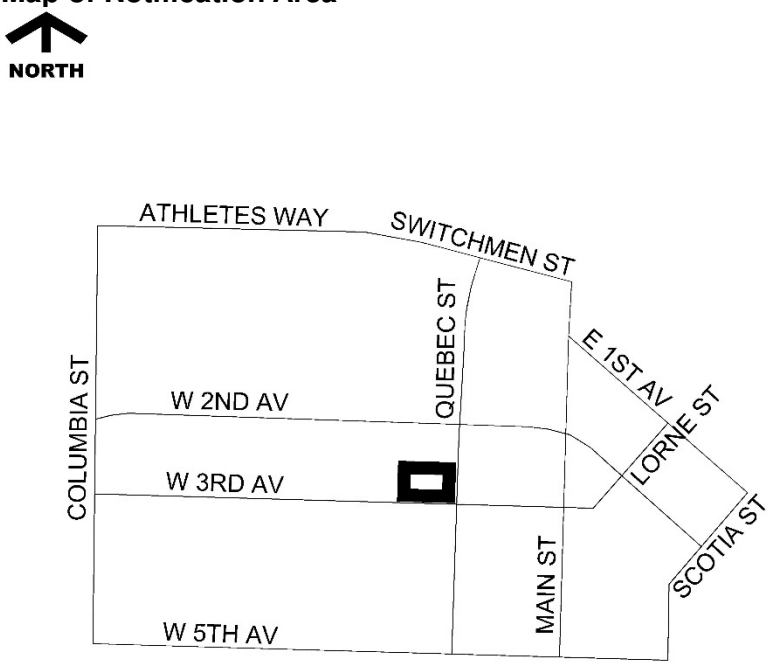
	Date	Results
Event		
Question and Answer Period/Virtual open house (City-led)	May 15, 2024 – May 28, 2024	170 participants (aware)* • 70 informed • 8 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	May 13, 2024	6,450 notices mailed
Public Responses		
Online questions	May 15, 2024 – May 28, 2024	0 submittals
Online comment forms • Shape Your City platform	March 2024 – August 2024	17 submittals
Overall position • support • opposed • mixed	March 2024 – August 2024	17 submittals • 11 responses • 5 responses • 1 response
Other input	March 2024 – August 2024	0 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	March 2024 – August 2024	561 participants (aware)* • 229 informed • 17 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



NOTIFICATION AREA

3. Analysis of All Comments Received

Below is an analysis of all public feedback by topic.

Generally, comments of support fell within the following areas:

- **Neighbourhood:** The proposed development suitable for this location and appropriate for the neighbourhood context.
- **Building Design:** This building design is attractive, with specific support for the materiality, rooftop amenity space, and balconies.
- **Location:** The location is ideal given its proximity to multiple SkyTrain stations.

Generally, comments of concern fell within the following areas:

- **Building Use:** Office and commercial uses are not supported in this location.
- **Building Vacancy:** There are concerns that the office and commercial spaces will be vacant, like other buildings within 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 support:

- The building form, mass and use is supported with particular emphasis on the provision of commercial use at ground level.
- This development will support business in the neighbourhood.
- This development will support community and neighbourhood residents.
- The development of an underutilised site is supported.
- The proposal aligns with Policy and support's the City's goals.
- The provision of Privately-owned Public Space.
- The expansion of the bicycle lane is supported.

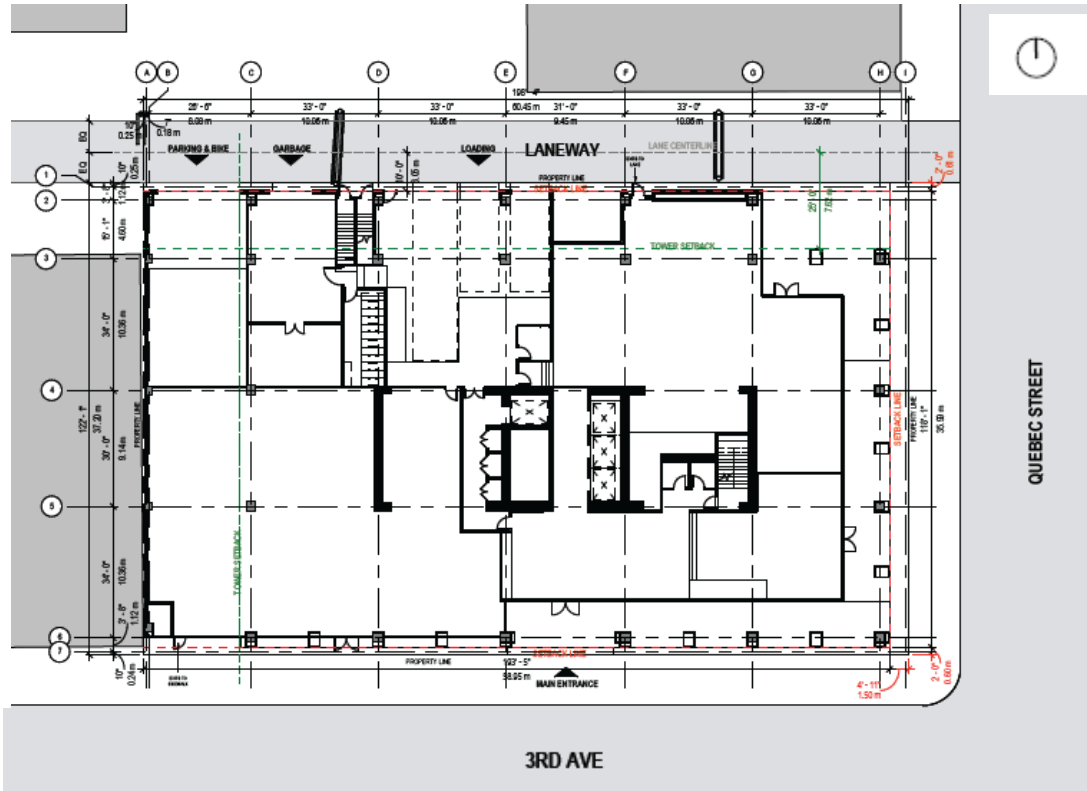
Neutral comments/suggestions/recommendations:

- High density housing would be preferred to the provision of office or commercial use in this location.
- Rezoning applications should not be required for proposals that align with policy or should be streamlined.

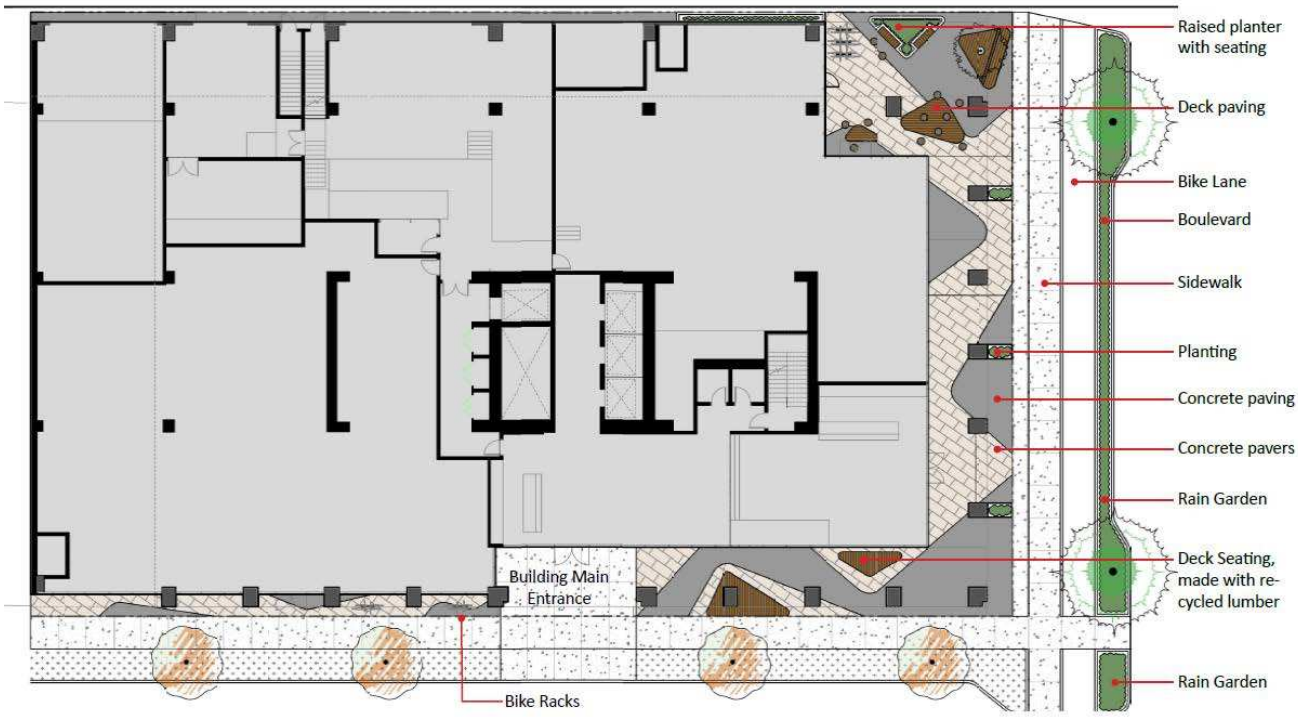
* * * * *

43-95 East 3rd Avenue
FORM OF DEVELOPMENT DRAWINGS

Site Plan

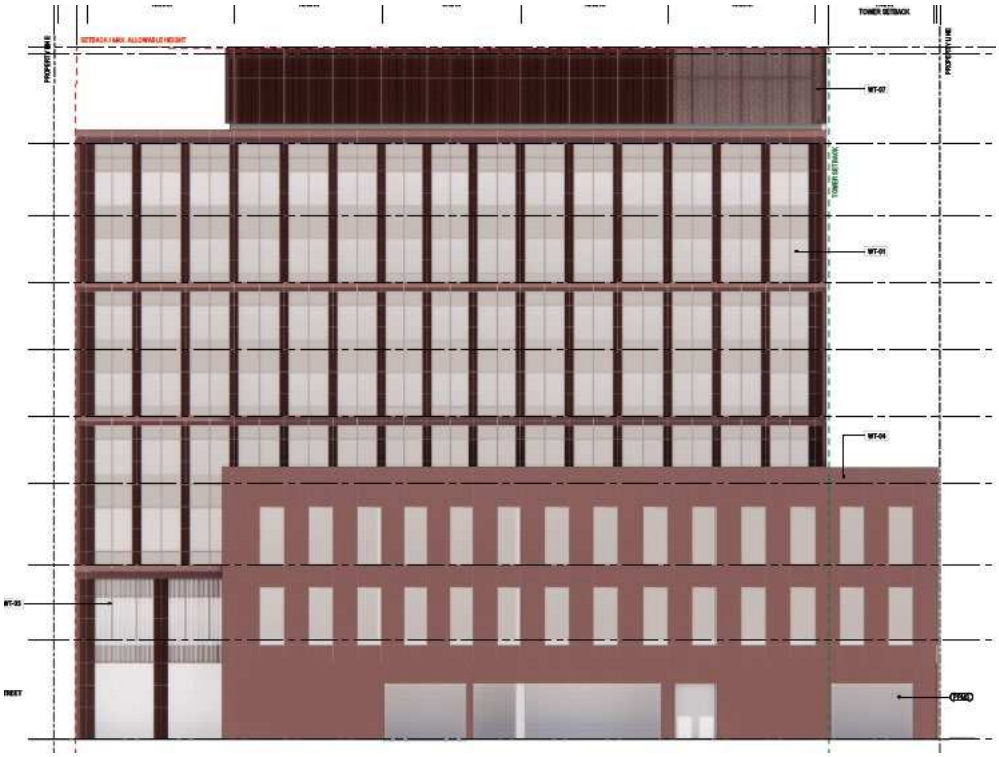


Landscape Plan

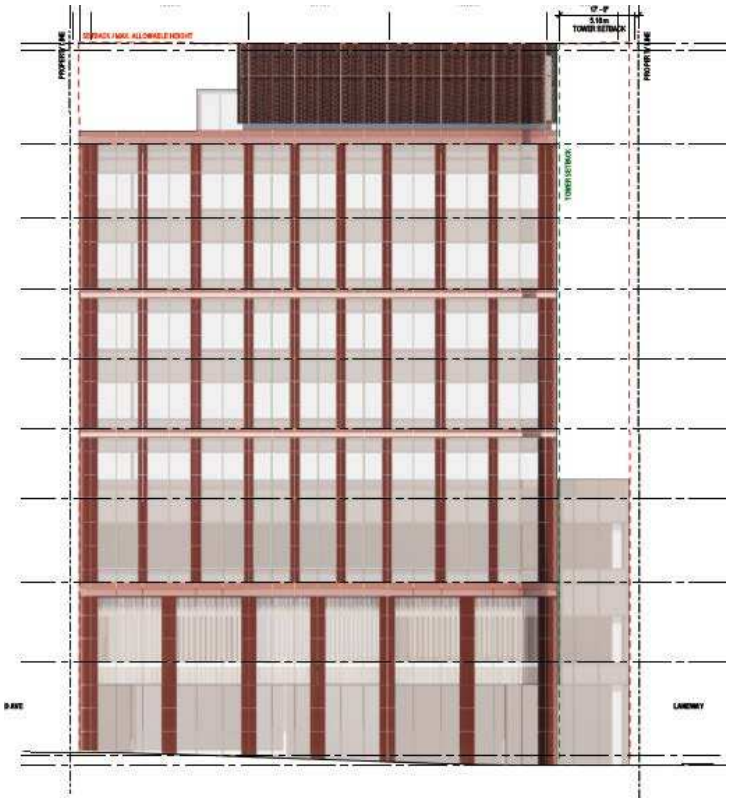


South Elevation

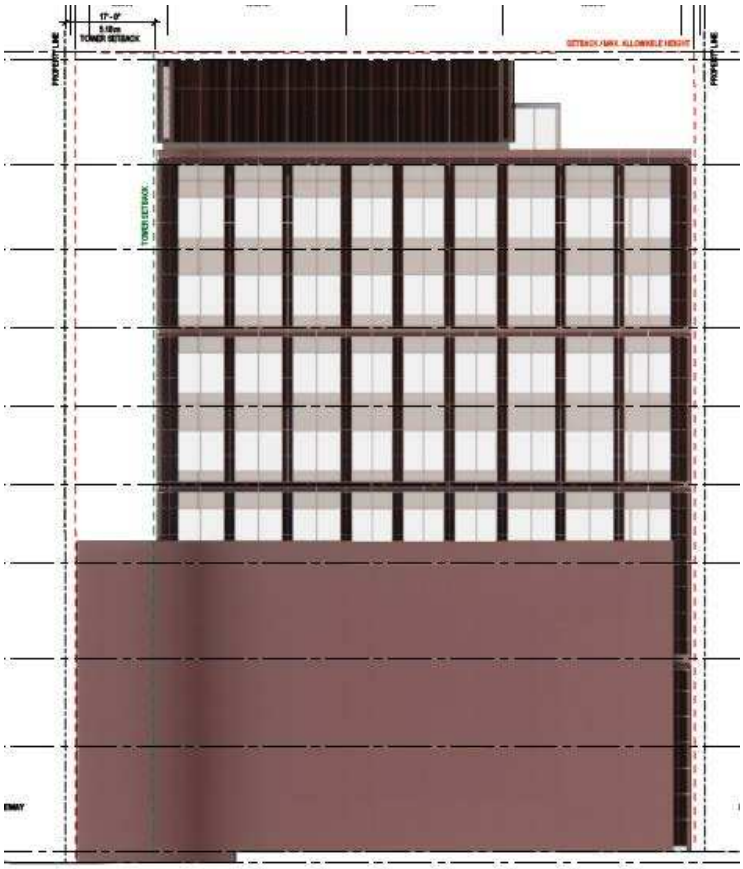
North Elevation



East Elevation



West Elevation

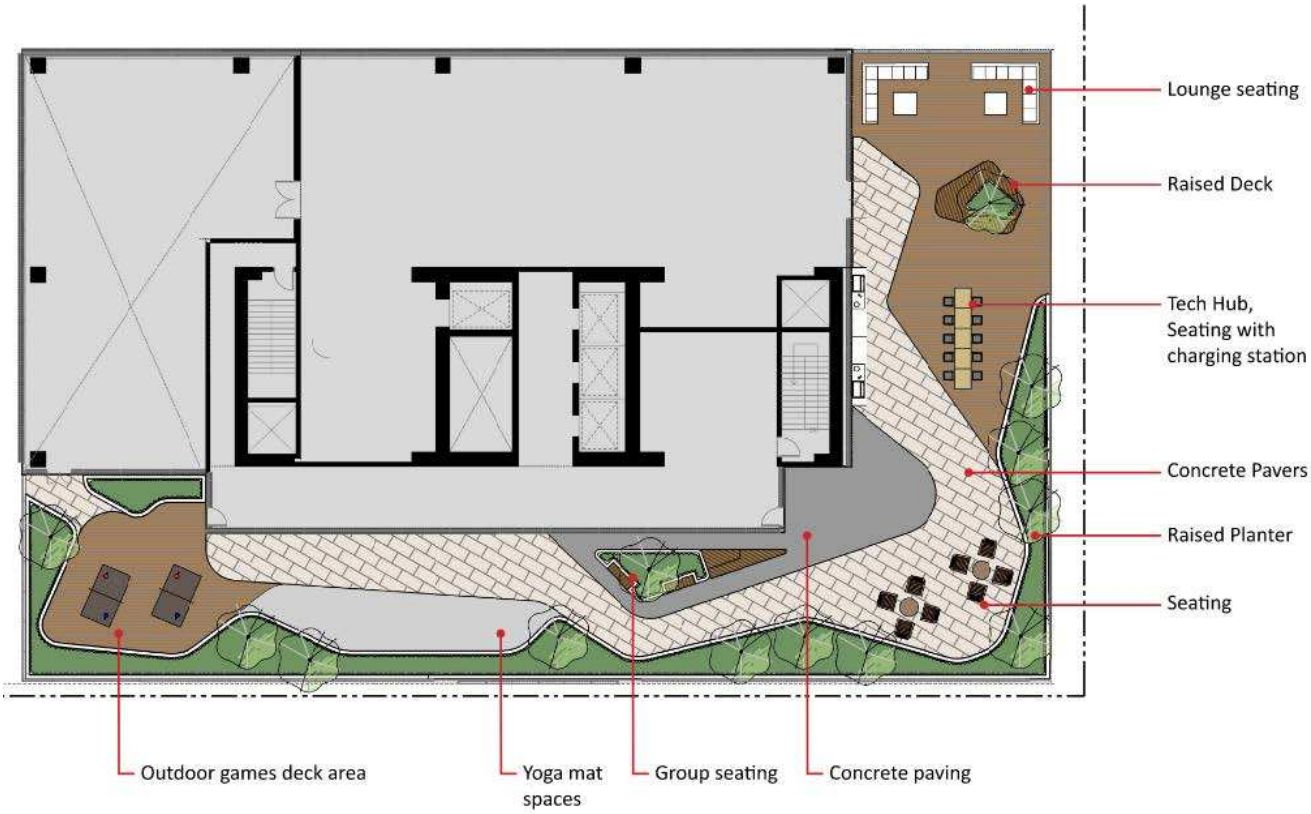


Ground Level and Mezzanine Floor Plan

Floor Plan Level 4

Floor Plan Level 5 and 7

Rooftop Amenities



Shadow Study

Perspectives

View from Southeast

View from Northeast

43-95 East 3rd Avenue
PUBLIC BENEFITS SUMMARY

Project Summary:

Proposal for an eight-storey mixed-use building containing industrial, retail and office uses.

Public Benefit Summary:

The proposal will provide DCLs, a public art contribution, and commercial linkage contribution allocated to support the delivery of the Broadway Plan Public Benefits Strategy.

	Current Zoning	Proposed Zoning
Zoning District	I-1	CD-1
FSR (site area = 2,248.5 sq. m [24,203 sq. ft])	3.0	6.0
Floor Area (sq. ft.)	72,608 sq. ft.	145,218 sq. ft.
Land Use	Industrial	Industrial/Office

Summary of Development Contributions Expected Under Proposed Zoning

City-wide DCL[1]	$2,570,575
Utilities DCL[1]	$805,548
Public Art[2]	$287,527
Commercial Linkage Contribution	$834,081
TOTAL VALUE OF PUBLIC BENEFITS	**$4,497,731**

Other Benefits (non-quantified): N/A

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

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

* * * * *

43-95 East 3rd Avenue
APPLICANT, PROPERTY AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description	Property Owner
43 East 3rd Avenue	016-950-020	Lots 11 and 12 Block 13 District Lot 200A Plan 197	Atelier Phoenix II Holdings Ltd. Inc.
	016-950-038		
65-95 East 3rd Avenue	015-343-731	Lots 9 and 10 Block 13 District Lot 200A Plan 197	Atelier Phoenix I Holdings Ltd. Inc.
	015-342-492		

Applicant Information

Architect	Gensler Architecture & Design Canada Inc.
Developer	Gensler Architecture & Design Canada Inc.

Development Statistics

	Permitted Under Existing Zoning	Proposed	
Site Area	24,203 sq. ft. (2,248.5 sq. m)		
Zoning	I-1 (Industrial)	CD-1	
Uses	Uses per I-1	Industrial, Office, Retail	
Max. Density	3.0 FSR	6.0 FSR	
Floor Area	6,745.5 sq. m (72,608 sq. ft.)	Industrial	7,027 sq. m. (75,638 sq. ft.)
		Retail	742 sq. m (7,987 sq. ft.)
		Office	5,722.2 sq. m (61,593 sq. ft.)
		Total	**13,491 sq. m (145,218 sq. ft.)**
Max. Height	30.5 m (100 ft.)	Top of Level 8 Parapet: 41.4 m (136 ft.) Top of Mechanical/Amenity Roof: 47.0 m (154 ft)	
Parking, Loading and Bicycle Spaces	Per Parking By-law	**Parking Total**	137
		Loading Spaces	4 Cl. A, 3 Cl. B and 0 Cl. C
		Bicycle Parking	62 Class A, 12 Class B
Natural Assets	No on-site by-law trees, no City trees	No trees to be retained, 10 on-site trees To be confirmed at development permit stage	

* * * * *