CITY OF VANCOUVER

REFERRAL REPORT

Report Date: January 21, 2025
Contact: Carly Rosenblat
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Meeting Date: February 4, 2025

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 1045 West 14th Avenue

RECOMMENDATION TO REFER

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

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

RECOMMENDATION FOR PUBLIC HEARING

A. THAT the application by Buttjes Architecture Inc., on behalf of Wall Financial Corporation, the registered owner of the lands located at 1045 West 14th Avenue [*PID 014-667-410; Lot C Block 435 District Lot 526 Plan 1276*], to rezone the lands from RM-3 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 1.0 to 5.95 and the maximum building height from 10.7 m (35 ft.) to 60.4 m (198 ft.), with additional height for the portion with rooftop amenity and mechanical equipment, to permit a 20-storey residential rental building, with 20% of the residential floor area for below-market rental units, 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 Buttjes Architecture Inc., on behalf of Wall Financial Corporation received January 5, 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 Recommendations A and B 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 the site at 1045 West 14th Avenue from RM-3 (Residential) District to CD-1 (Comprehensive Development) District, under the *Broadway Plan* (Plan). The proposal is to permit a 20-storey residential building containing 202 units, with 20% of the residential floor area for below-market rental units.

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

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)
- Broadway Plan (2022, last amended 2024)
- Interim Housing Needs Report (2025)
- Housing Vancouver Strategy (2017)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992, last amended 2022)
- Tenant Relocation and Protection Policy (2015, last amended 2019)
- Rental Incentives Bulletin (2019, last amended 2024)
- Community Amenity Contributions Policy for Rezonings (1999, last amended 2024)
- Green Buildings Policy for Rezonings (2010, last amended 2024)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183

- Urban Forest Strategy (2018)
- Public Art Policy and Procedures for Rezoned Developments (2014, last amended 2021)
- Transit-Oriented Areas (TOA) Designation By-law (2024)
- Transit-Oriented Areas (TOA) Rezoning Policy (2024)

REPORT

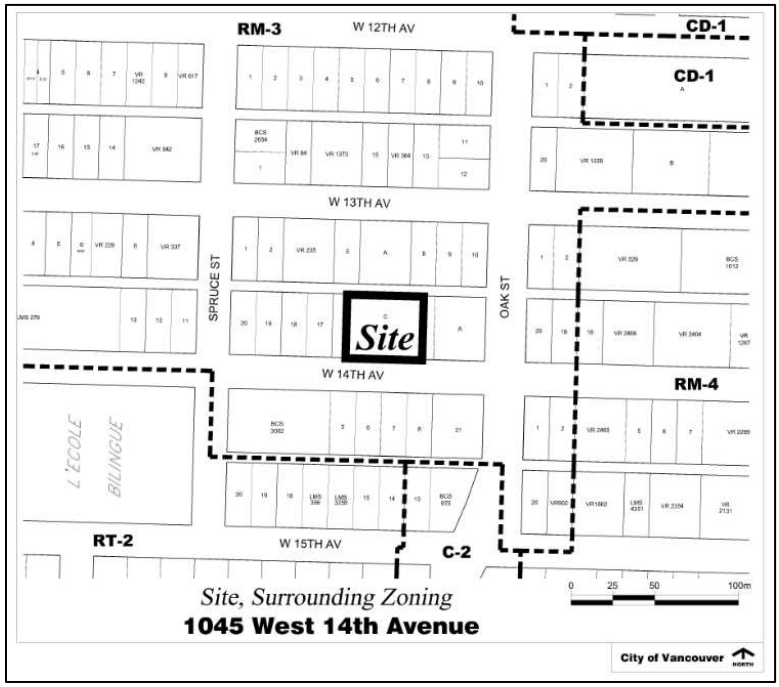
Background/Context

1. Site and Context

The site is comprised of one lot located mid-block on the north side of West 14th Avenue, between Oak and Spruce Streets in the Fairview neighbourhood (see Figure 1). The total site area is 2,321.8 sq. m (24,991 sq. ft.), with a frontage of 60.9 m (200 ft.) along 14th Avenue and a depth of 38 m (125 ft.). There is a lane to the north of the site. The site and surrounding area is zoned RM-3 and developed with ground-oriented, mid-rise and high-rise residential buildings.

The site is developed with a three-storey residential building with 50 rental housing units. 43 tenancies are eligible for tenant protection under the City's *Tenant Relocation and Protection Policy* (TRPP) for the Plan area.

Figure 1: Location Map



Neighbourhood Amenities – The following public and non-profit amenities are within close proximity:

- **Parks:** Shaughnessy Park (800 m), Heather Park (900 m), Choklit Park (1.0 km), Douglas Park (1.0 km), Willow Park (1.1 km), and Laurel Landbridge Park (1.1 km).

- **Cultural/Community Spaces**: Vancouver Public Library, Firehall Branch (1.1 km), Douglas Park Community Centre (1.2 km).

- **Childcare:** Kids in General Child Development Centre (400 m), Extra Steps Preschool (700 m), Kids at Heather Child Care (750 m), Les Petits Artistes Montessori Centre (900 m), Douglas Park Academy (1 km).

Local School Capacity – The site is located within the catchment of Carr Elementary School and Hamber Secondary School. According to the Vancouver School Board (VSB)'s *2020 Long Range Facilities Plan*, Carr Elementary School will be operating at 95% capacity by 2031, while Hamber Secondary School will be operating at 79% capacity 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

Broadway Plan (2022) – The *Broadway Plan* (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 Fairview South – Area B (FSOB) sub-area of the Plan.

The Plan allows for consideration of rezoning at this location for a secured rental building with 20% of the residential floor area for below-market rental units. A maximum density of 6.5 FSR and a maximum height of 20 storeys may be considered where there is a minimum frontage of 45.7 m (150 ft.).

Vancouver Plan (2022) – The *Vancouver Plan* was approved by Council in 2022 and is a land use strategy to guide long-term growth of the City over the next 30 years. The *Vancouver Plan* serves as a framework, with further implementation planning work to follow over the next few years.

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

Housing Vancouver Strategy (2017) – *Housing Vancouver* focuses on the right supply of new homes, including rental, to meet the continuum of housing types. The strategy includes 10-year housing approval targets, which were updated in 2024. The new targets aim for 83,000 net new homes overall, including 30,000 purpose-built market rental and 5,500 purpose-built below-market rental units. This rezoning will contribute towards targets for purpose-built market and below-market rental housing.

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.

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 Three of the TOA legislation. As the Plan allows more height and density, the application is being assessed under the *Broadway Plan* policies.

Strategic Analysis

1. Proposal

The rezoning application proposes a residential rental building containing 202 units with 20% of the residential floor area for below-market rental units (see Figure 2). The proposed building has a total floor area of 13,814 sq. m (148,696 sq. ft.) of residential use, a proposed height of 60.4 m (198 ft.) with additional height for the portion with rooftop amenity and mechanical equipment, and a floor space ratio (FSR) of 5.95. The proposal includes underground vehicle and bicycle parking, accessed from the rear lane.

Figure 2: View of Proposed Building from West 14th Avenue (looking north)



2. Land Use

The proposed residential use is consistent with the Plan.

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

In assessing urban design performance, staff considered the Plan's built-form expectations.

Form of Development – This application is consistent with the Plan for a 20-storey tower with a four-storey podium (see Figure 2). The proposal meets the Plan's expectations for setbacks, tower separation, and floorplate size.

Height – At this location, the Plan anticipates a 20-storey building with an additional partial storey for rooftop amenity and mechanical equipment. The proposed height complies with the Plan.

Density – The Plan allows a density of up to 6.5 FSR in this location and recognizes that the development potential may fall within, below, or above that. The application complies with the Plan's objectives and proposes a density of 5.95 FSR.

Public Realm and Interface – The Plan envisions landscaped setbacks and ground-oriented units to maintain a welcoming and attractive urban environment. The application meets this expectation.

Private Amenity Space – The development offers on-site common indoor and outdoor amenities for the residents atop the podium and tower.

Urban Design Panel – Given the scale and general compliance of the project with the Plan, review by the Urban Design Panel was not required.

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

4. Housing

The *Housing Vancouver Strategy* seeks to deliver a range of housing tenures across the housing continuum. This application, if approved, would add approximately 202 housing units, including 162 market rental units and 40 below-market 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 3).

Figure 3: Progress Towards 10 Year Housing Vancouver Targets (2024-2033) for Secured Market Rental Housing as of September 30, 2024

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

1. New 10-year targets were adopted in 2024, with tracking starting from January 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 2023, the purpose-built apartment vacancy rate was 0.8% in Vancouver. The vacancy rate (based on the Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the South Granville/Oak area, where this site is located, was 0.4%. A vacancy rate of between 3% and 5% is considered to represent a balanced market.

Housing Mix – The Plan requires a minimum of 35% family units, including a minimum of 10% of units with three or more bedrooms and 25% of units with two bedrooms.

This application proposes 35% family units in a mix of two-bedroom and three-bedroom units overall, however, it does not meet the minimum requirements of the Plan for three bedroom units. A provision in the CD-1 By-law and a condition of approval is included in Appendix B requiring the applicant to meet the unit mix requirements separately in both the market rental and below-market portions. Family units must be designed in accordance with the *High Density Housing for Families with Children Guidelines*.

Average Rents and Income Thresholds – Figure 6 below shows starting rents for below-market rental units for 2023. Average market rents and incomes served for newer rental buildings on the westside are shown in the middle two columns, and costs for home ownership are shown in the far right columns. Figure 6 demonstrates that below-market rental housing and market rental housing provide options that are more affordable than home ownership.

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

To be eligible for a below-market rental unit, a household's gross annual income cannot exceed the maximum income requirements for the unit type (see Figure 4), with at least one household member per bedroom. Policy 12.2.17 of the Plan specifies that below-market rental units will be subject to tenant income testing and monitoring requirements, as described in the *Rental Incentive Programs Bulletin*. All residents will have equal access to common indoor and outdoor amenities and facilities shown in Appendix D.

Figure 4 – Below-Market Unit Average Rents, Market Rents in Newer Buildings, Cost of Ownership and Household Incomes Served

		Below-Market Rental Units		Newer Rental Buildings Westside		Monthly Costs of Ownership for Median-Priced Apartment –Westside (with 20% down payment)		
	Proposed Average Unit Size (sq. ft.)	Starting Rents (2023)[1]	Average Household Income Served	Average Market Rent (CMHC, 2023)[2]	Average Household Income Served	Monthly Cost of Ownership (BC Assessment 2021)[3]	Average Household Income Served	Down-payment at 20%
Studio	419	$1,223	$48,928	$1,902	$76,080	$2,837	$113,480	$106,000
1-bed	441	$1,429	$57,152	$2,306	$92,240	$3,473	$138,920	$132,000
2-bed	658	$1,969	$78,752	$3,372	$134,880	$5,193	$207,720	$198,400
3-bed	894	$2,395	$95,808	$4,432	$177,360	$7,982	$319,280	$311,890

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

Security of Tenure – Purpose-built rental housing offers permanent rental housing and security of tenure, unlike rented condominiums or basement suites in the secondary rental market. All 202 units in the proposal would be secured through a Housing Agreement and Section 219

Covenant for the longer of 60 years or the life of the building. Covenants will be registered on title to prohibit the stratification and/or separate sale of individual units.

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

Tenants – The rezoning site contains existing rental residential uses, including 50 units of secondary rental housing. There are 43 eligible tenants under the City's *Tenant Relocation and Protection Policy* (TRPP) for the Plan area.

Should this project be approved by Council, the applicant will be required to submit a Tenant Relocation Plan (TRP) for all eligible tenants that meets the requirements of the City's TRPP for the Plan area prior to Development Permit issuance. Staff have prepared a draft TRP which reflects the Broadway Plan tenant protections, as summarized in Appendix D of this report.

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

5. Transportation and Parking

The site is well serviced by transit and is located within one km of various bus routes and within three blocks of the future Broadway Subway Oak-VGH Station. The site is located along the West 14th Avenue bikeway.

Vehicle and bicycle parking is provided on three levels of underground parking, accessed from the lane. The application proposes 120 vehicle parking spaces and 421 bicycle spaces. Conditions included in Appendix B require the proposal meet the requirements of the Parking By-law.

6. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezonings* requires that rezoning applications satisfy the green and resilient building conditions stated within the Policy. The applicant has submitted preliminary modelling 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 fulfil energy system sub-metering and enhanced commissioning requirements throughout the project.

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

There are 22 on-site trees which are all proposed for removal and two City trees proposed to be retained. Landscape conditions in Appendix B seek additional tree retention measures for the two City trees. The final number of new trees will be determined through the development permit process.

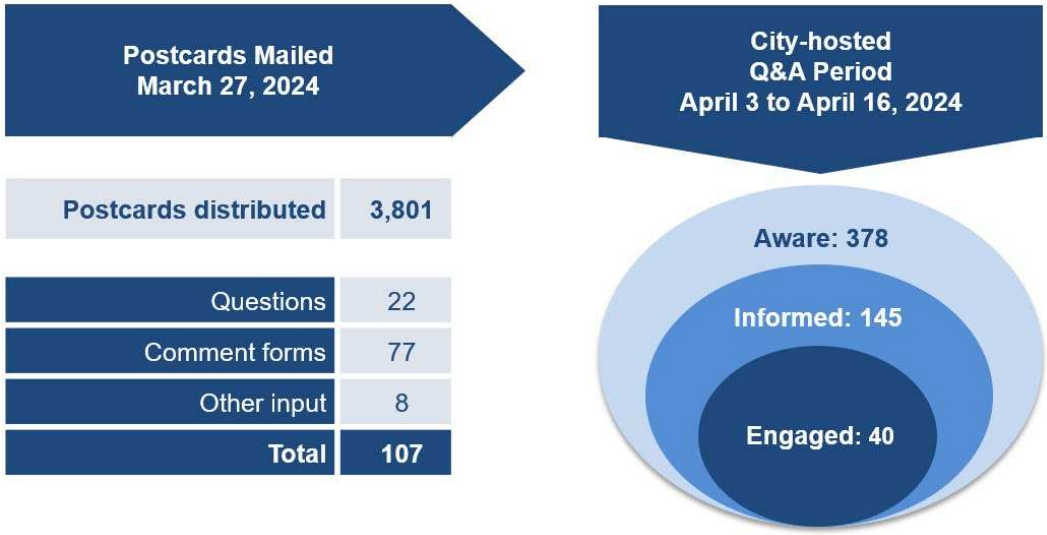
7. Public Input

Public Notification – A rezoning information sign was installed on the site on March 8, 2024. Approximately 3,801 Notification postcards were distributed within the neighbouring area on or about March 27, 2024. Application information and an online comment form was provided on the Shape Your City (shapeyourcity.ca/) platform.

Question and Answer Period – A question and answer period/virtual open house was held from April 3, 2024 to April 16, 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.

Public Response and Comments – Public input is collected via online questions, comment forms, through email, and by phone. A total of 107 submissions were received.

Figure 5: 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:

- **Height and Density:** The proposed height and density in this community is appropriate.
- **Housing Stock:** This development will provide much needed housing stock along transit routes.
- **Building Design:** Appreciate the unique design of the podium and the cladding running down the middle of the building.

Generally, comments of concern fell within the following areas:

- **Height and Shadows:** The building is too high and will cast unfavourable shadows. Commenters have expressed support for up to 12-storeys.

- **Tenant Displacement:** Tenants residing in this building will be displaced into an unaffordable rental market.

- **Traffic:** The development will increase additional congestion and create bottlenecks to access parking.

Response to Public Comments

Height and Shadows – The application meets the Plan's height policies for this block and helps meet the intent of providing new secured rental housing with below-market housing in close proximity to public transit, addressing both supply of housing and affordability in the City.

An analysis of the shadow performance demonstrates that the proposal does not create new shadow impact on parks and public school yards from the spring to fall equinoxes between 10:00am and 4:00pm, as recommended in the Plan.

Tenant Displacement – The Plan includes enhanced tenant protections for eligible tenants in the Plan area to help minimize impacts of displacement due to redevelopment. These enhanced protections include a choice of financial compensation based on length of tenancy or a temporary rent top-up to mitigate rent increases while waiting to return to the new building; assistance from the applicant in finding alternative accommodations (if requested); and the Right of First Refusal to return to the new building at either a 20% discount to city-wide average rents by unit type for the City of Vancouver, as published annually by Canada Mortgage Housing Corporation, or at the tenant's current rent, whichever is less. A complete summary of the requirements of the City's TRPP for the Plan area is included in Appendix D.

Traffic – The proposal is required to meet the Parking By-law. The site is well-served with transportation options including close proximity to frequent transit network and located on the West 14th Avenue bikeway.

8. Public Benefits

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

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

In accordance with the provisions of Section 3.1A (d) of the Vancouver DCL By-law, the applicant has requested a 100% waiver of the City-wide DCLs attributed to the residential area qualifying as Class A "for-profit affordable rental housing". Class A means rental housing where a minimum 20% of the residential floor area is secured as below-market rental units with maximum average rents for each type of unit that do not exceed the rates set out in the DCL By-law.

Based on rates in effect as of September 30, 2024 and the proposed 13,814 sq. m (148,696 sq. ft.) of residential floor area, Utilities DCLs are estimated to be $2,200,701. The value of the waiver of the City-wide DCLs is estimated to be $3,512,200. Compliance with DCL waiver requirements will continue to be assessed through the development permit stage up to occupancy permit issuance at which point the applicant will be required to submit a rent roll that sets out the initial monthly rents for each unit.

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 exceeds 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 $294,418. 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.

Other Benefits – The secured market rental and below-market rental units in this proposed development will contribute to the City's secured rental housing stock.

A summary of the public benefits associated with this application are included in Appendix F.

FINANCIAL IMPLICATIONS

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

CONCLUSION

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

* * * * *

1045 West 14th Avenue
PROPOSED CD-1 BY-LAW PROVISIONS

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

Zoning District Plan Amendment

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

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

Designation of CD-1 District

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

Definitions

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

   (a) for the purpose of calculating the total dwelling unit area for section 5.1 of this by-law, "Dwelling Unit Area" is the floor area of each dwelling unit, measured to the inside of all perimeter walls, excluding any floor area as required by section 6.4 of this by-law; and

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

Uses

4. Subject to 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 Multiple Dwelling; and

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

Conditions of Use

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

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

(a) be suitable for family housing; and

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

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

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

Floor Area and Density

6.1 Computation of floor area must assume that the site area is 2,321.8 m^2, being the site area at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.

6.2 The maximum floor space ratio for all uses combined must not exceed 5.95.

6.3 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.

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

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

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

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

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

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

(i) off-street parking and loading 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.

6.5 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

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

Building Height

7.1 Building height must not exceed 60.4 m.

7.2 Despite section 7.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, if the Director of Planning permits common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portions of the building with the permitted common rooftop amenity space or mechanical appurtenances must not exceed 69.5 m.

Horizontal Angle of Daylight

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

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

8.3 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or 2 angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

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

8.5 An obstruction referred to in section 8.3 above means:

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

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

8.6 The Director of Planning or Development Permit Board may vary the horizontal angle of daylight requirement if:

(a) the Director of Planning or Development Permit Board considers all applicable Council policies and guidelines; and

(b) the minimum distance of unobstructed view is at least 3.7 m.

* * * * *

1045 West 14th 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 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 Buttjes Architecture Inc., on behalf of Wall Financial Corporation received January 5, 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 build upon the public realm, pedestrian interface and neighbourliness.

Note to Applicant: Suggested strategies include open and landscaped yards, especially the sides, are free of development (e.g., walkways, patios) for a gentler transition to the neighbouring sites and to ensure privacy.

Landscape Design

1.2 Design development to ensure safe retention of City trees #1 and #2.

Note to Applicant: Coordination with the Park Board Urban Forestry department is required with regard to any necessary mitigation measures or pruning required. The critical root zone of City tree #2 appears to be encroaching and very close to the parkade excavation work. To ensure successful retention, it may require shifting or reduction of parkade width to accommodate a buffer zone. A root zone exploration should be undertaken on City tree #2 in advance to further assess and confirm requirements. Further design development is required to comment on the specific conditions of safe tree retention, in coordination with the design team, Park Board, and City staff teams including Engineering, Development Planning and Landscape groups.

1.3 Design development to enhance the public-private realm, with special attention to the front and lane interface.

Note to Applicant: This may be achieved by, but not limited to the following:

(a) further refining the landscape and planting along the front, in respect to section 14.1.4 of the Broadway Plan, and the future Greenway along West 14th Avenue;

(b) provision of an enhanced lane interface and exploration of seating adjacent to the city sidewalk to maximize pedestrian safety and comfort to support the

implementation of a high quality pedestrian public realm, refer to Urban Design condition 1.1; and

(c) provision of visually interesting and prominent entrances along the front streetscape and rear lane.

Standard conditions:

1.4 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": 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.

1.5 Provision of detailed architectural and landscape cross sections (minimum 1/4" inch 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.

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

1.7 Provision of a Tree Management Plan as part of the Landscape Plans, in coordination with an arborist report tree management plan.

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

1.8 Provision of an arborist "Letter of Undertaking" to include signatures by the owner and arborist.

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

Park Board – Urban Forestry

1.9 Provision of an arborist report to include a pruning plan demonstrating the amount of pruning required for City tree #2 to meet ANSI 300 best management practices.

1.10 Provision of detailed tree retention methodologies for City tree #2.

Note to Applicant: Details to include an underground setback and excavation methods that minimize disturbances.

Sustainability

1.11 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezonings* (amended November 27, 2024) 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*.

Housing

1.12 The proposed unit mix, including 38 studio units (19%), 93 one-bedroom units (46%), 51 two-bedroom units (25%) and 20 three-bedroom units (10%) is to be revised to include a minimum of 10% three-bedroom units and 25% two-bedroom units, separately in both the market rental and below market rental portions.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the market rental units and 35% of the below-market rental units, designed to be suitable for families with children, of which at least 25% must be two-bedroom units and at least 10% must be three-bedroom units.

1.13 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: Provide balcony dimensions on the Development Permit drawings.

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

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

Engineering

Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:

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

Note to Applicant: Amenities designed below grade require written confirmation from a waste hauler that access and pick up from the location can be made without reliance of the lane for extended bin storage. If this cannot be confirmed, then an on-site garbage bin staging area is to be provided adjacent the lane.

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

1.20 Submission of a landscape and site plan to reflect the public realm changes including all of the off-site improvements sought for this rezoning. Where a design or detail is not available, make note of the improvement on the landscape plans. The landscape plan is to include the following:

(a) The following statements are to be added on the site and landscape plans.

(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 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil volumes. Root barriers shall be of rigid construction, 8 feet long and 18 inches deep, centre on each street tree adjacent to the sidewalk and any off street bike facility. Planting depth of root ball must be below sidewalk grade. Contact Park Board at pbdevelopment.trees@vancouver.ca for inspection after tree planting completion.”

(iii) “The required Green Infrastructure improvements on W 14th Ave. will be as per City-issued design.” and;

Note to Applicant: Callouts and dimensions must be included along with the note. An Engineering Project Coordinator will engage the Developer to facilitate the delivery of any City design after Development Permit issuance.

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

(iv) “Off-site assets are to be constructed to the satisfaction of the General Manager of Engineering Services and as per the approved City geometric design, with the final design and location to be determined once the City geometric is received.”

Note to Applicant: Drawings submitted as part of the Development Permit application will be preliminary, with appropriate placeholders and the final off-site geometric design will be provided by the City of Vancouver. An Engineering Project Coordinator will engage the Developer to facilitate the delivery of any City design after Development Permit issuance.

(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 pavers, structures, and plantings from City boulevard on West 14th Avenue.

Note to Applicant: Surface treatments in hardscape areas of the boulevard are to be in standard concrete only. Softscape areas of the boulevard are to be in grass.

Note to Applicant: Where a design detail is not available, make note of the improvement on the plan. Public realm changes include all off-site improvements sought for this rezoning.

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

1.21 Provision of parking access, per Parking By-law Section 4 and the Design Supplement, including minimum 6.7 m (22 ft.) ramp width at the enter phone/RFID reader.

1.22 Provision of loading spaces, per the Parking By-law Section 5 and the Design Supplement, including a clear unloading area or raised rear dock, minimum 1.8 m (5.9 ft.) wide, with suitable access to facilitate goods loading /unloading.

Notes to applicant: Reference the Class A loading space provided on architectural plan RZ-104. Council approved amendments to the Parking Bylaw for loading rates and design requirements. These requirements will apply to site development permits following this rezoning.

1.23 Provision of passenger space(s) per Parking By-law Section 7 and the Design Supplement, including minimum 4.0 m (13.1 ft.) width and 5.5 m (18 ft.) length for the first Class A space.

1.24 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/20241127/documents/pspc4.pdf and will be due prior to issuance of the Development Permit.

1.25 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) dimensions of columns and column encroachments into parking spaces;

(c) 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

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

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

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

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

1.27 Provision of all third-party utility services (e.g., BC Hydro, TELUS, 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.

1.28 A Key Plan shall be submitted by the applicant and approved by the City prior to any third party utility drawing submissions and third party utility service drawings will not be reviewed by the City until the Key Plan is defined and achieves the following objectives:

(a) The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan https://vancouver.ca/files/cov/engineering-design-manual.PDF; and

(b) All third party service lines to the development is to be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant is to provide documented acceptance from the third party utilities prior to submitting to the City.

Note to Applicant: It is highly recommended that the applicant 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

1.29 Submission to Engineering of an updated architectural plan showing City supplied building grades (BGs) and entranceway design elevations (DEs), while ensuring any topographic survey used for design purposes is derived from the City supplied benchmark.

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

Building Grade design is in the preliminary state. Finalized building grades are required prior to Development Permit application.

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, the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services and the General Manager of Arts, Culture and Community Services, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:

2.1 Provision of a Natural Watercourse Covenant.

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

2.2 Provision of a Services Agreement to detail the on- 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 Rezoning Site, or any portion thereof, of for any building or improvements thereon will be issued until the letter of credit, as security for the Services, is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. Except as explicitly provided for in Condition 2.3 (a), 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 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 CitiWest dated November 10, 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: Note to Applicant: Implementation of development(s) at 1045 W 14th Avenue does not require any sewer upgrades.

Development to be serviced to the existing 500 mm combined sewer on W 14th Avenue.

(c) Provision of street improvements with appropriate transitions, along West 14th Avenue adjacent to the site, including:

(i) minimum 2.1 m wide broom finish saw-cut concrete sidewalk;

(ii) 2.0 m wide front boulevard;

(iii) mid-block curb bulge in front of trees identified as City 1 and City 2, including road reconstruction if/as required to accommodate the curb bulge;

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

Note to Applicant: Road reconstruction on West 14th Avenue to meet City Higher Zoned Street standards.

(v) 50 mm depth mill and inlay, from curb to curb along the site's frontage.

Note to Applicant: Note to Applicant: City of Vancouver to provide approved Geometric design. All elements of the Geometric design must be constructed to meet City Standards including, but not limited to relocation of existing catch basins or installation of new catch basins where required to accommodate the geometric design. Final design of these street improvements should also follow the upcoming Broadway Public Realm Plan.

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

(i) Full depth lane pavement reconstruction.

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

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

(e) Provision of speed humps in the lane south of West 13th Avenue between Spruces Street and Oak Street.

(f) Provision of intersection improvements at Oak Street and West 14th Avenue, including:

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

(ii) Entire intersection street lighting upgrade to current City standards and IESNA recommendations

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

(g) Provision of green infrastructure improvements adjacent to the site to the satisfaction of the General Manager of Engineering Services, including installation of:

(i) A bioswale feature on West 14th Avenue site frontage, west of the Tree protection zone, to treat and retain 90% of average annual rainfall from the right-of-way (RoW) to the greatest extent practical.

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

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

https://vancouver.ca/home-property-development/green-rainwater-infrastructure-design-resources.aspx

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

(i) Provision of new or replacement ducts bank 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 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’ 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.

(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/20241127/documents/pspc4.pdf and will be due prior to issuance of the Development Permit.

2.3 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) Intersection improvements at Oak Street and West 14th Avenue including upgrades to the existing traffic signal, an accessible pedestrian signal (APS) and an entire intersection street lighting upgrade, per condition 2.2(f).

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

Housing

2.4 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant to secure all residential units as class A for profit affordable rental housing (as defined in the Vancouver Development Cost Levy By-law No. 9755), excluding Seniors Supportive or Assisted Housing, and including at least 20% of the residential floor area that is counted in the calculation of the dwelling unit area per the CD-1 By-law to be secured as below-market rental housing units, and the remaining units to be secured as market rental units, subject to the conditions set out below for such units, and in accordance with the requirements set out in the Broadway Plan, for a term equal to the longer of 60 years and the life of the building, and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require. The agreement or agreements will include but not be limited to the following terms and conditions:

(a) A no separate-sales covenant;

(b) A no stratification covenant;

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

(d) That the average initial starting monthly rents by unit type for the below-market rental housing units in the project will be at least 20% below the average market

rent for private rental apartment units city-wide as published by the most recent Canada Mortgage and Housing Corporation in the Rental Market Survey Data Tables for Vancouver at the time when the Occupancy Permit is issued;

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

(f) Following initial occupancy, on a change in tenancy for a below-market rental housing unit, the starting rent for such new tenancy will be at least 20% below the rent for private market rental apartments units city-wide as published by the Canada Mortgage and Housing Corporation in the most recent Rental Market Survey Data Tables for Vancouver for that unit type at the time of the change in tenancy;

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

i. For new tenants, annual household income cannot exceed (4) four times the annual rent for the unit (i.e. at least 25% of household income is spent on rent); and
ii. There should be at least one occupant per bedroom in the unit.

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

i. For such tenants, annual household income cannot exceed five times the annual rent for the unit (i.e. at least 20% of income is spent on rent); and
ii. There should be at least one occupant per bedroom in the unit.

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

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

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

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

(a) Provide a Tenant Relocation Plan to the satisfaction of the General Manager of Planning, Urban Design and Sustainability as per the *Broadway Plan* and the

Tenant Relocation and Protection Policy that is effective at the time of submission of the Development Permit Application.

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

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

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

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

Public Art

2.6 Execute an agreement satisfactory to the Director of Legal Services and the Managing Director of Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager.

Note to Applicant: Consult with the Head of Public Art regarding opportunities for investments in public spaces as per the Plan.

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

Environmental Contamination

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

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

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

(c) If required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements constructed on the site pursuant to this rezoning untilseparate 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: 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 priorityover 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 aform satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

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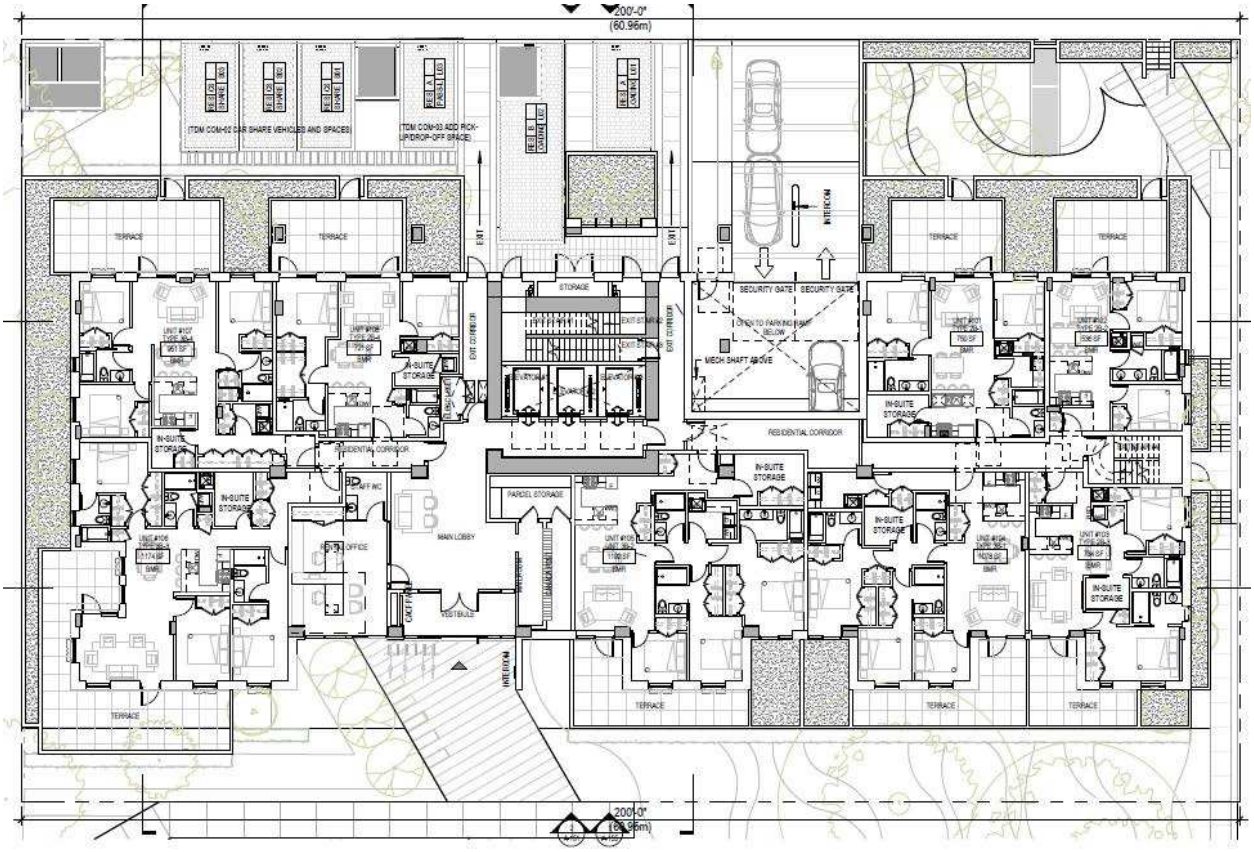
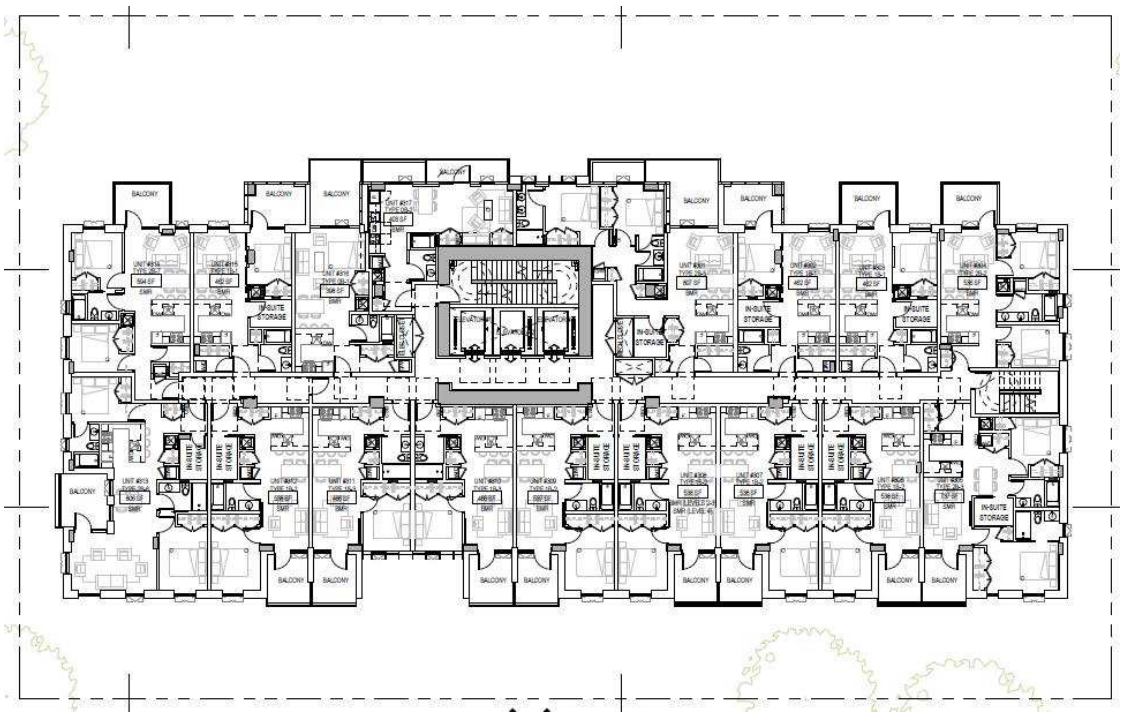
1045 West 14th Avenue
FORM OF DEVELOPMENT DRAWINGS

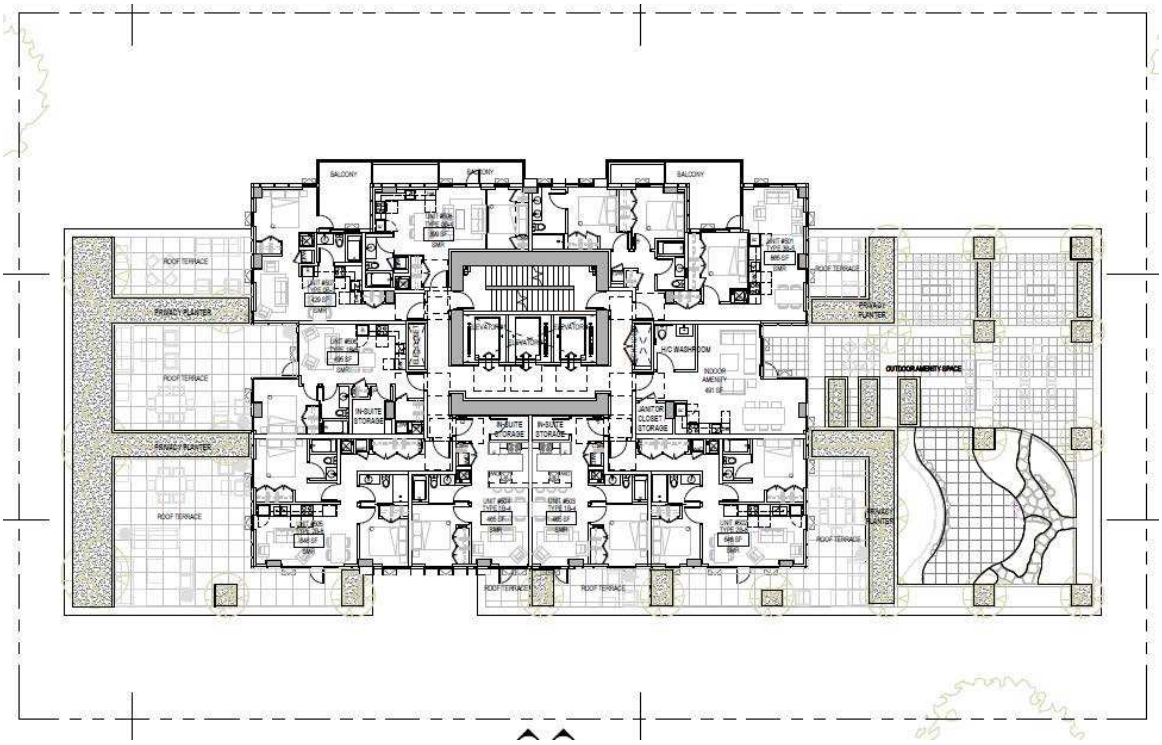
Level One



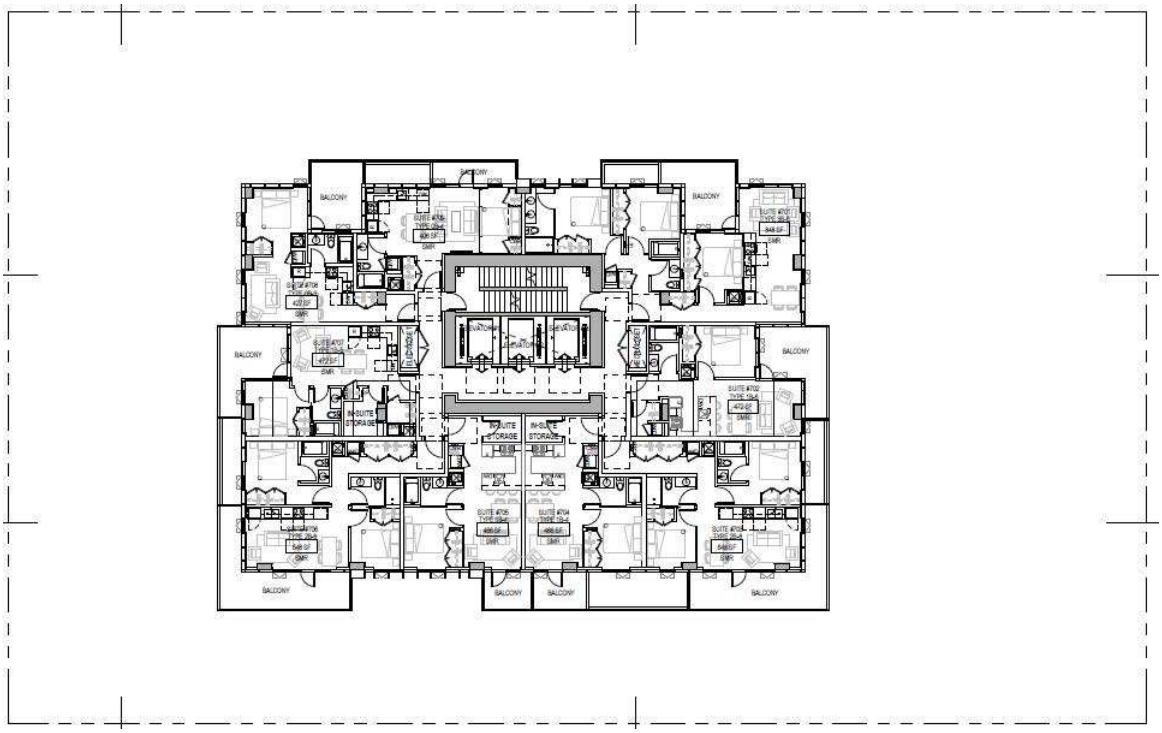
Levels Two-Four



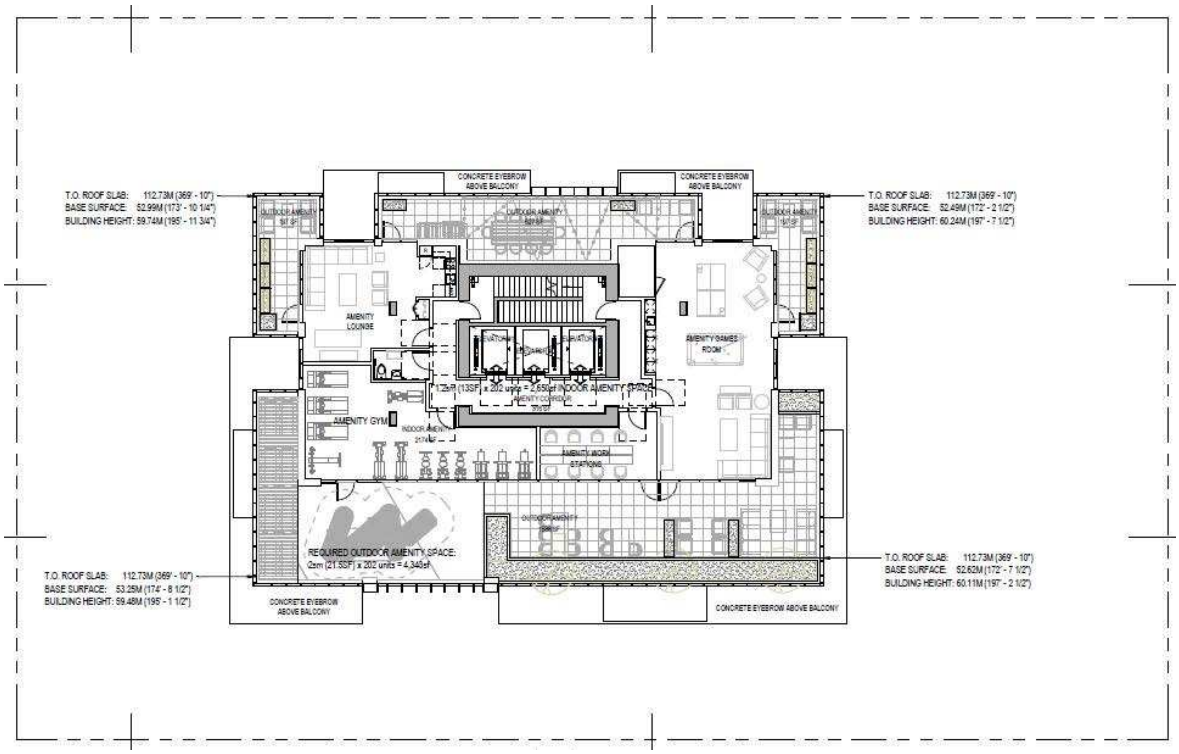
Level Five



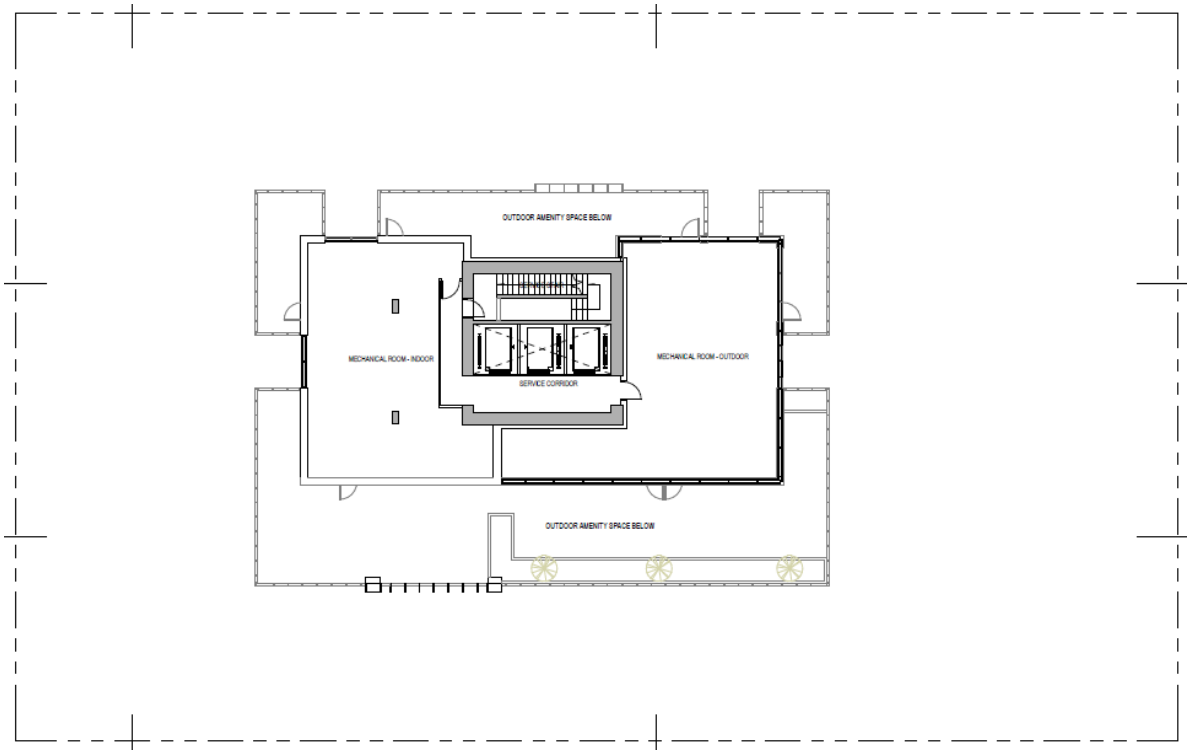
Level 6-20



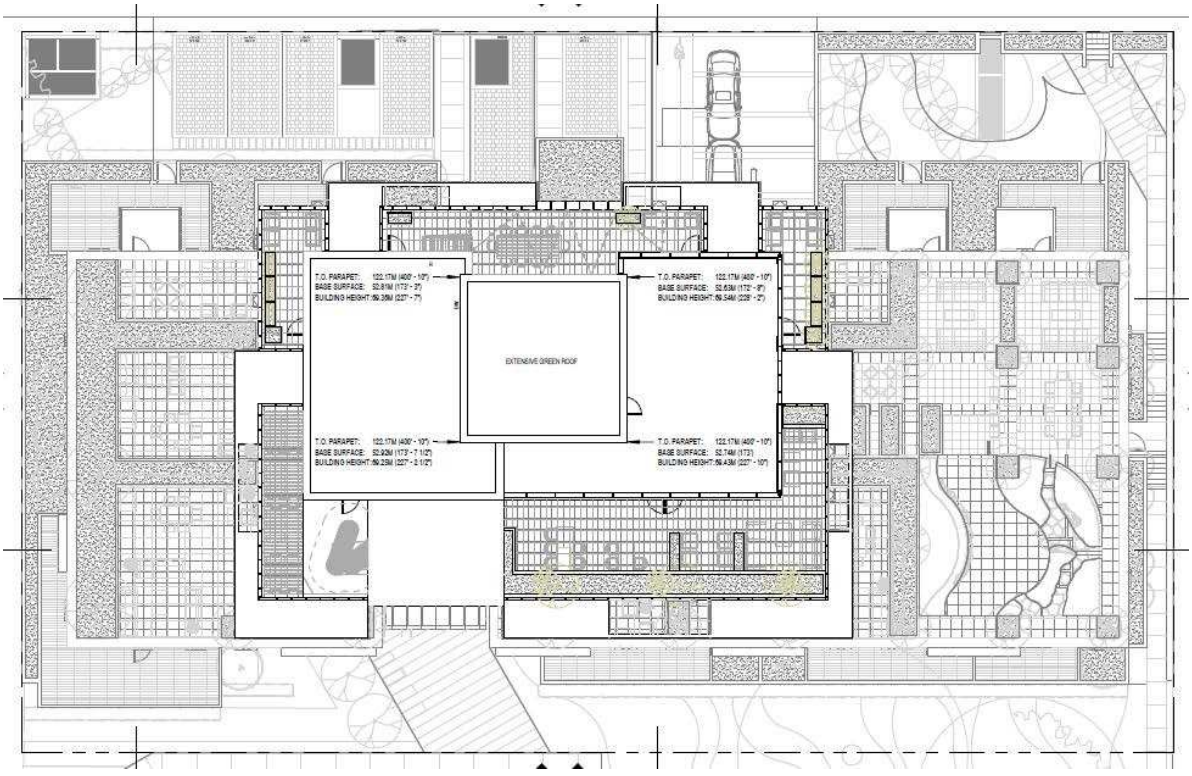
Rooftop Amenity Space



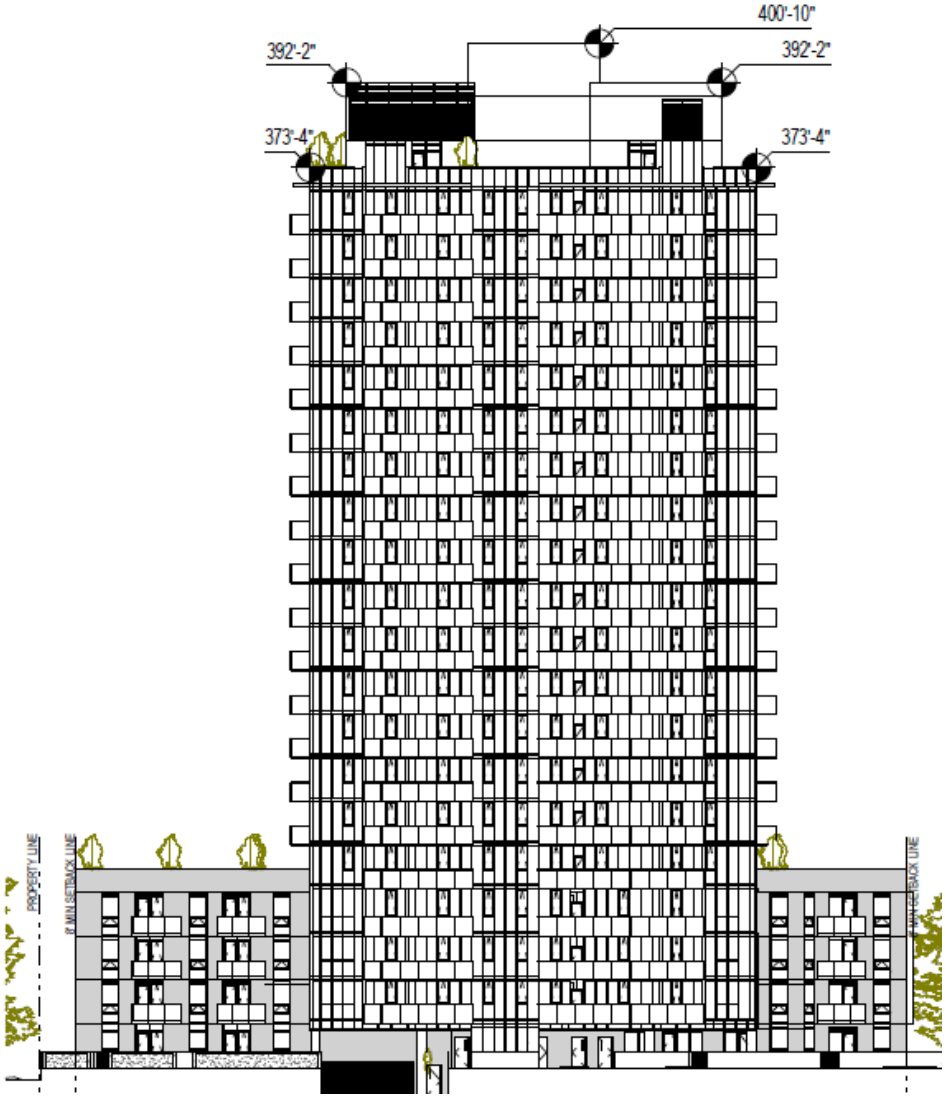
Mechanical Penthouse



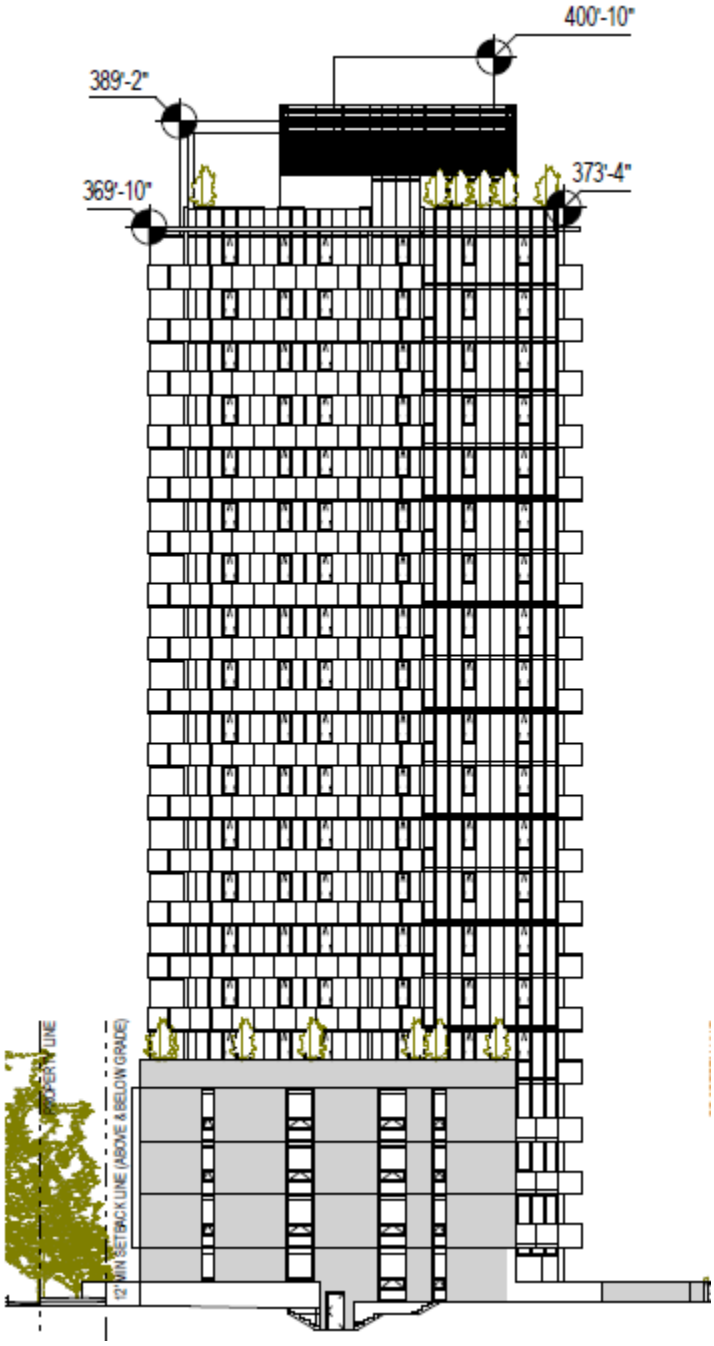
Roof Plan



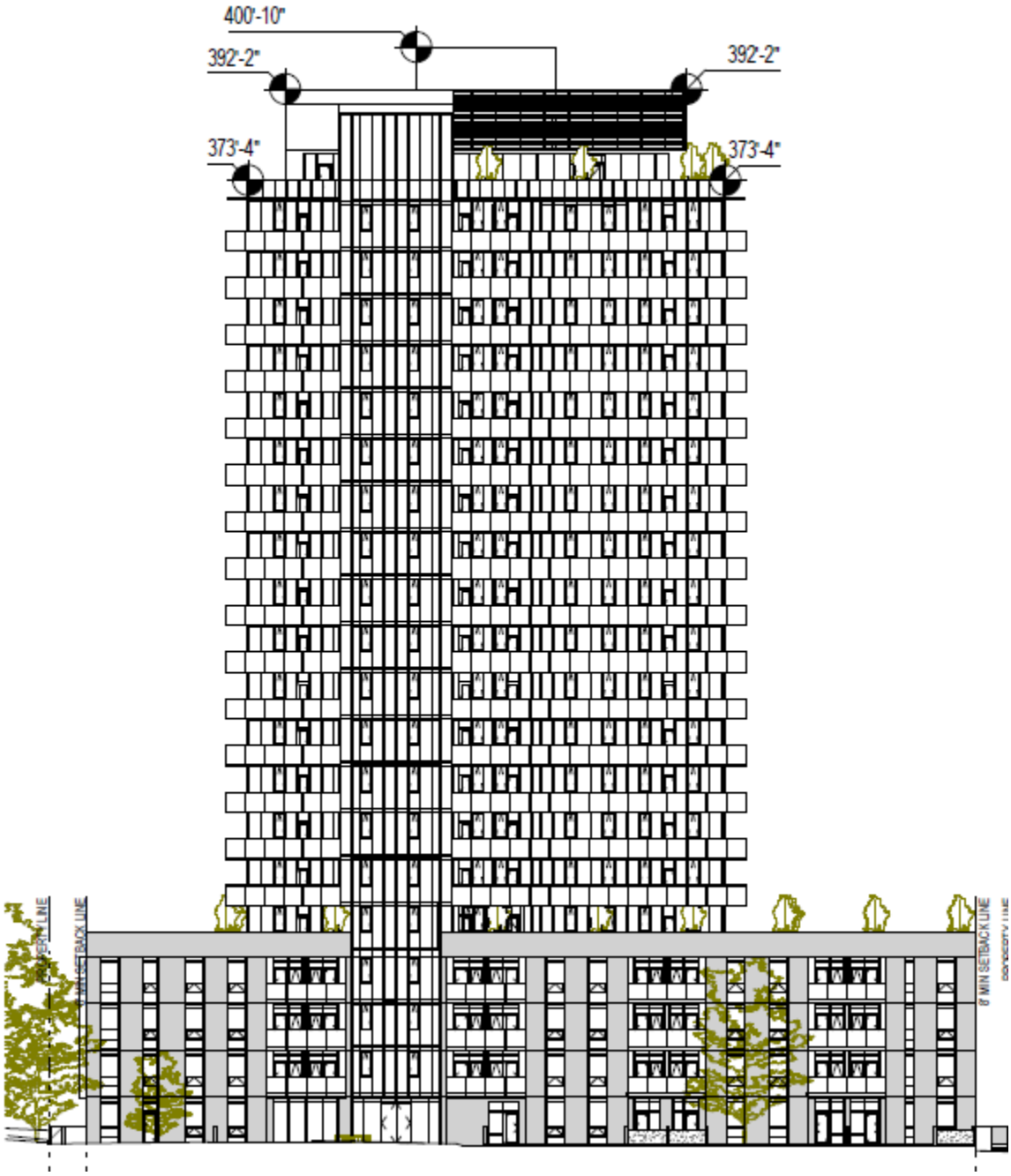
North Elevation



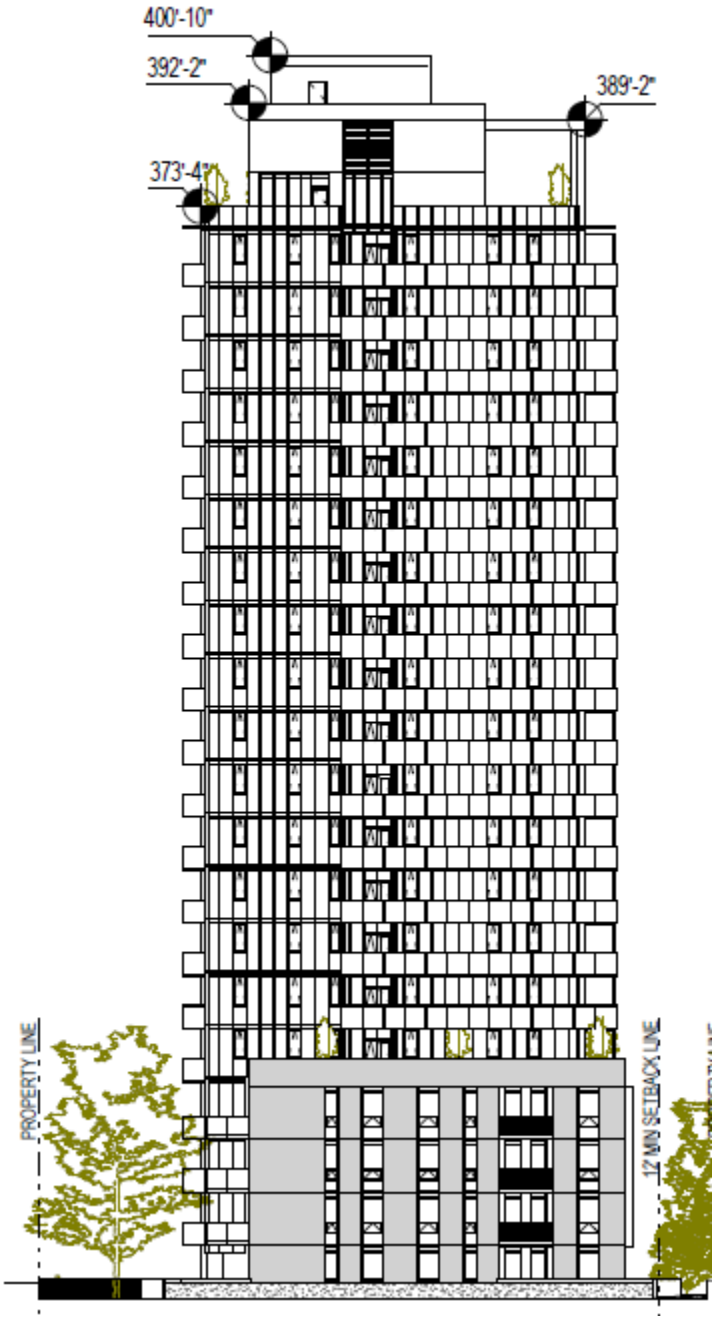
East Elevation



South Elevation



West Elevation



Shadow Studies



1 1045_RZ_SHADOW STUDY_MARCH 20_10AM (UCT -7)
1" = 100'-0"



2 1045_RZ_SHADOW STUDY_MARCH 20_12 NOON (UCT -7)
1" = 100'-0"



3 1045_RZ_SHADOW STUDY_MARCH 20_2PM (UCT -7)
1" = 100'-0"



4 1045_RZ_SHADOW STUDY_MARCH 20_4PM (UCT -7)
1" = 100'-0"



1 1045_RZ_SHADOW STUDY_SEPT 22_10AM (UTC -7)
1" = 100'-0"



2 1045_RZ_SHADOW STUDY_SEPT 22_12 NOON (UCT -7)
1" = 100'-0"



3 1045_RZ_SHADOW STUDY_SEPT 22_2PM (UCT -7)
1" = 100'-0"



4 1045_RZ_SHADOW STUDY_SEPT 22_4PM (UCT -7)
1" = 100'-0"

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1045 West 14th Avenue
SUMMARY OF DRAFT TENANT RELOCATION PLAN TERMS

Tenant Relocation and Protection Requirements	Tenant Relocation Plan Offer
Financial Compensation	The choice of either: • Compensation in the form of free rent, a lump sum payment, or a combination of both, will be available for each unit eligible for Tenant Relocation Plan according to the following schedule: o 4 months' rent for tenancies up to 5 years; o 5 months' rent for tenancies over 5 years and up to 10 years; o 6 months' rent for tenancies over 10 years and up to 20 years; o 12 months' rent for tenancies over 20 years and up to 30 years; o 18 months' rent for tenancies over 30 years and up to 40 years; and o 24 months' rent for tenancies over 40 years. Or: • For tenants that wish to exercise their Right of First Refusal to return to the new building, a temporary rent top-up to mitigate rent increases while waiting to return to the new building. Or: • A one-time lump sum rent top-up payment, equivalent to the estimated value of a rent top-up for 36 months (3 years). •
Notice to End Tenancies	• Landlord to provide regular project updates to tenants throughout the development approvals process. • A minimum of four months' notice to end tenancy after all permits are issued is required (e.g. all development, building, and demolition permits in place).
Moving Expenses (flat rate or arrangement of an insured moving company)	• A flat rate of $750 or $1000 will be provided to all eligible tenants depending on the type of unit.
Assistance in Finding Alternate Accommodation (3 options)	• Staff will distribute tenant needs assessment surveys. These surveys will be used in relocation efforts and to identify tenants' needs and preferences.

	• Applicant will be required to commit to monitor rental market and provide tenants requesting assistance with three options in Vancouver that best meet the tenants' identified priorities.
Additional Support for Low Income Tenants or Tenants Facing Other Barriers to Appropriate Housing	• For low income tenants and tenants facing other barriers to housing, as defined in the TRP Policy, the applicant will be required to commit to assisting in securing a permanent, suitable affordable housing option.
First Right of Refusal	• The applicant will be required to commit to offering all eligible tenants the Right of First Refusal to return to the new building at either a 20% discount to city-wide average market rents by unit type for the City of Vancouver, as published annually, or at the tenant's current rent, whichever is less

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1045 West 14th Avenue
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

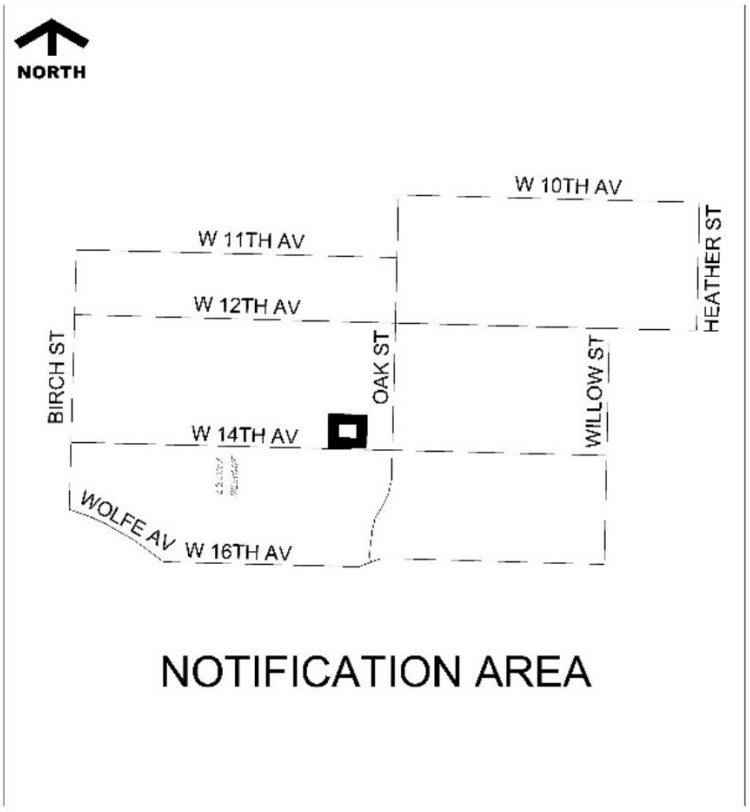
	Date	Results
Events		
Question and Answer Period (City-led)	April 3, 2024 – April 16, 2024	378 participants (aware)* • 145 informed • 40 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	March 27, 2024	3,801 notices mailed
Public Responses		
Online questions	April 3, 2024 – April 16, 2024	22 submittals
Online comment forms • Shape Your City platform	March 2024 – September 2024	77 submittals
Overall position • support • opposed • mixed	March 2024 – September 2024	76 submittals • 33 responses • 32 responses • 11 responses
Other input	March 2024 – September 2024	8 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	June – August, 2020	285 participants (aware)* • 143 informed • 36 engaged

Note: All reported numbers above are approximate.

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

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

2. Map of Notification Area



3. Analysis of All Comments Received

Below is an analysis of all public feedback by topic.

Generally, comments of support fell within the following areas:

- **Height and density:** The proposed height and density in this community is appropriate.
- **Housing Stock:** This development will provide much needed housing stock along transit routes.
- **Building design:** Appreciate the unique design of the podium and the cladding running down the middle of the building.

Generally, comments of concern fell within the following areas:

- **Height and shadows:** The building is too high and will cast unfavourable shadows. Commenters have expressed support for up to 12-storeys.
- **Tenant displacement:** Tenants residing in this building will be displaced into an unaffordable rental market.

- **Traffic:** The development will increase additional congestion and create bottlenecks to parkingThe following miscellaneous comments were received from the public (note: these were topics that were not ranked as highly as above).

General comments of support:

- This development will add family housing.
- Development is in a favourable location close to amenities, bike routes, and the hospital.
- Development fits the neighbourhood context.
- Amenities and green spaces proposed by the development is supported.
- Building will approve liveability.
- Support for EV parking and helps support the City's sustainability objectives.
- Added density will assist with local businesses.
- Tenant protections are supported.

General comments of concern:

- General opposition for this rezoning.
- The building is unattractive.
- The building is too high and will impact views and the flight path to the hospital.
- Extra height provided for amenity is too high.
- The rezoning will create noise, disruptions, and increase crime.
- Local businesses will be negatively impacted.
- The development creates environmental concerns and the destruction of wildlife.
- The development will destroy the community.
- The streetscape and walkability of the area will be affected by this development.
- Existing building is structurally sound and should not be redeveloped.

Neutral comments/suggestions/recommendations:

- Additional height should be implemented.
- Consider street-level retail.
- Additional pet-friendly areas should be considered.
- Existing zones should be used rather than a CD-1.
- Rezoning Planner should be listed on the webpage.
- A second entrance should be considered at the rear of the building.
- Further community consultation should have occurred for this project.
- A portion of the units should be allocated for senior residents or families visiting the hospital.
- Additional trees should be considered.
- Solar panels should be considered in this development.
- Community centres and schools should be built to support densification.
- The City's Renters Office should be reinstated.
- The development should consider consolidating the two buildings at the NE section of the block.
- Additional traffic calming measures should be implemented.

* * * * *

1045 West 14th Avenue
PUBLIC BENEFITS SUMMARY

Project Summary

20-storey residential building with 202 rental units with 20% of the floor area secured as below market rental units and the remainder as market rental units.

Public Benefit Summary:

The proposal would provide 202 rental units with 20% of the floor area secured as below market rental units through a Housing Agreement for the greater of 60 years and the life of the building.

	Current Zoning	Proposed Zoning
Zoning District	RM-3	CD-1
Floor Space Ratio (Site area = 2,321.8 sq. m (24,991 sq. ft.)	1.0	5.95
Floor Area	2,321.8 sq. m (24,991 sq. ft.)	13,814 sq. m (148,696 sq. ft.)
Land Use	Residential	Residential

Summary of Development Contributions Expected under Proposed Zoning

City-wide DCL[1,2]	$0
Utilities DCL[1]	$2,200,701
Public Art	$294,418
TOTAL	**$2,495,115**

[1] Based on by-laws in effect as of September 30, 2024; by-laws 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, see the City's DCL Bulletin for more details.

[2]This application has requested and is expected to be eligible for a Class A (100%) waiver of the City-wide DCL applicable to the residential portion of the building. The value of the anticipated DCL waiver is estimated to be $3,512,200. The application is therefore subject to the maximum average starting rents and unit sizes by unit type applicable to "class A for-profit affordable rental housing" as per the By-law. These requirements will be secured by a Housing Agreement, and compliance will be assessed through the development permit stage to occupancy permit issuance.

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1045 West 14th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

PROPERTY INFORMATION

Address	1045 West 14th Avenue
Property Identifier (PID)	014-667-410
Legal Description	Lot C Block 435 District Lot 526 Plan 1276
Registered Owners	Wall Financial Corporation, Inc. No. 130394

APPLICANT INFORMATION

Applicant	Buttjes Architecture Inc.

SITE STATISTICS

Site Area	2,321.8 sq. m (24,991 sq. ft.)

DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	**Proposed**
Zoning	RM-3	CD-1
Land Use	Residential	Residential
Density	1.0 FSR	5.95 FSR
Maximum Height	10.7 m (35.1 ft.)	60.4 m (198 ft.) to the top of the residential parapet and a maximum of 69.5 m (228 ft.) to the top of the rooftop mechanical equipment.
Floor Area	2,321.8 sq. m (24,991 sq. ft.)	13,814 sq. m (148,696 sq. ft.)
Parking and Bicycle Spaces	As per Parking By-law	Vehicle parking spaces: 120 Class A bicycle spaces: 410 Class B bicycle spaces: 11 Loading spaces: 2
Natural assets	22 on-site trees 2 city trees	Remove 22 on-site trees. Retain two existing City trees. (Final number of trees determined at Development Permit)

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