CITY OF VANCOUVER

REFERRAL REPORT

Report Date: April 1, 2025
Contact: Zoë Acton
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VanRIMS No.: 08-2000-20
Meeting Date: April 15, 2025

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 1770 West 12th 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-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

RECOMMENDATION FOR PUBLIC HEARING

A. THAT the application by DIALOG, on behalf of Burrard and Twelfth Property (Nominee) Ltd., the registered owner of the lands located at 1770 West 12th [*PID 032-283-849; Lot 1 District Lot 526 Group 1 New Westminster District Plan EPP138293*], 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 6.8 and the maximum building height from 36.6 m (120 ft.) to 76.6 m (251 ft.) with additional height for the portion with rooftop amenity, to permit the development of a 24-storey mixed-use rental building containing 264 rental units, of which 20% of the residential floor area will be secured as below-market rental units, and ground-floor commercial uses, be approved in principle;

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

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by DIALOG, received May 8, 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 subject to the 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.

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

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

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

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

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

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

REPORT SUMMARY

This report evaluates an application to rezone 1770 West 12th Avenue from RM-3 (Residential) District to a CD-1 (Comprehensive Development) District, under the *Broadway Plan* (Plan). The proposal is to permit a 24-storey mixed-use rental building containing 264 units, with 20% of the residential floor area for below-market rental units, and commercial space on the ground floor.

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)
- Community Amenity Contributions Policy for Rezonings (1999, last amended 2024)
- Green Buildings Policy for Rezonings (2010, last amended 2024)
- Tenant Relocation and Protection Policy (2015, last amended 2019)
- Public Art Policy and Procedures for Rezoned Developments (2014)
- Urban Forest Strategy (2018)
- Latecomer Policy (2021)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183
- Transit-Oriented Areas (TOA) Designation By-law (2024)
- Transit-Oriented Areas (TOA) Rezoning Policy (2024)

REPORT

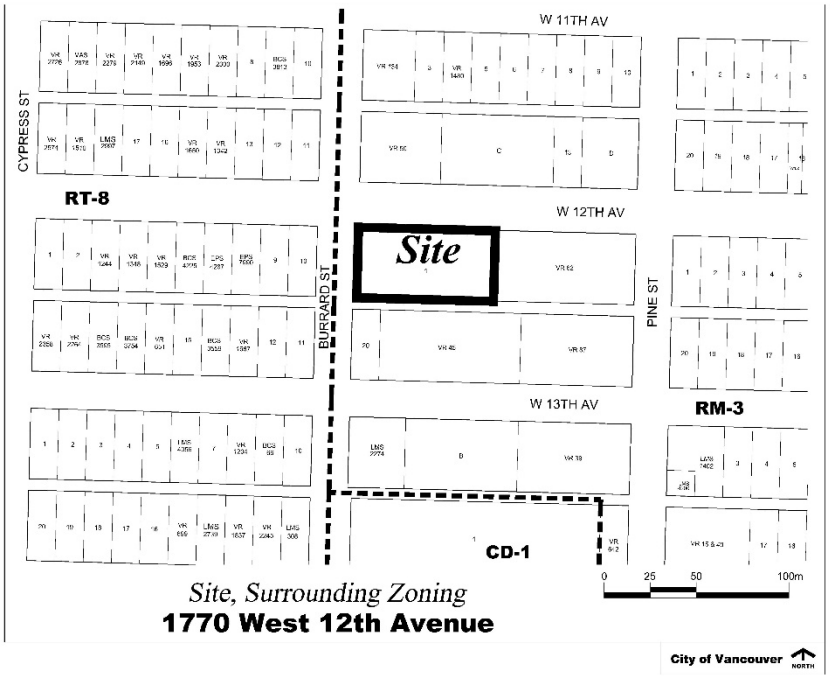
Background/Context

1. Site and Context

The site is comprised of one lot located on the southeast corner of Burrard Street and West 12th Avenue in the Fairview neighbourhood (see Figure 1). The total site area is 2,827.3 sq. m (30,433 sq. ft.), with a frontage of 74.1 m (243 ft.) along West 12th Avenue and a depth of 38.1 m (125 ft.). The site is currently zoned RM-3 (Residential) District and is developed with a three-storey apartment building with a lane to the south. The site is surrounded by RM-3 and RT-8 zoned residential properties, developed with residential buildings.

The rezoning site contains existing rental residential uses, including six units of secondary rental housing, of which five units were tenanted at the time of application. All five existing residential tenancies are eligible 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:** Granville Park (250 m), Arbutus Greenway Park (650 m), 6th and Fir Park (700 m), Angus Park (700 m), Delamont Park (750 m), Shaughnessy Park (800 m), Connaught Park (900 m), and Granville Loop Park (900 m).

- **Cultural/Community Spaces:** Vancouver Public Library Firehall Branch (650 m), False Creek Community Centre (1.3 km), Kitsilano Community Centre (1.3 km), and Kitsilano Neighbourhood House (1.4 km).

- **Childcare:** Lord Tennyson Out of School Care (300 m), Collective Tennyson Childcare Centre (300 m), West Point Grey Under Three Day Care (400 m), Montessori Day Care (450 m), CEFA Early Learning Vancouver (550 m), Reach for the Stars Montessori (750 m), and Kitsilano Area Childcare Society (750 m).

Local School Capacity – The site is located within the catchment of Shaughnessy Elementary School and Kitsilano Secondary School. According to the Vancouver School Board (VSB)'s *2020 Long Range Facilities Plan*, Shaughnessy Elementary School will be operating under enrollment capacity, with a capacity utilization of 81% by 2031 and Kitsilano Secondary School will be under enrollment capacity, with a capacity utilization of 96% by 2031.

The City coordinates with the VSB to inform decision-making and reduce enrolment pressure, recognizing that some schools are full, but there is overall surplus capacity within their system. The VSB continues to monitor development and work with City staff to help plan for future growth.

2. Policy Context

Vancouver Plan – The *Vancouver Plan* was approved by Council on July 22, 2022, and is a land use strategy to guide long-term growth of the City over the next 30 years. The *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* which is generally in alignment with the *Vancouver Plan.*

Broadway Plan – 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 secured rental housing with a minimum of 20% of the residential floor area secured at below-market rents. A maximum density of 6.5 FSR and a maximum building height of 20 storeys may be considered where there is a minimum frontage of 45.7 m (150 ft.). Increased building height, generally up to six additional storeys, can be considered in circumstances where additional building height helps achieve better urban design outcomes. Minor increases in height and density may be considered where ground-level local-serving retail/service use or childcare use is provided.

Interim Housing Needs Report – 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.

This rezoning would facilitate the delivery of secured rental housing including a component of below market rental units and address the data and findings within the HNR.

Housing Vancouver Strategy – Housing Vancouver focuses on the right supply of new homes, including rental, to meet the continuum of housing types. The strategy includes 10-year housing approval targets, which were updated in 2024. The new targets aim for 83,000 net new homes overall, including 35,500 purpose-built rental units. If approved, this rezoning will contribute towards targets for purpose-built market and below-market rental housing units.

Transit-Oriented Areas (TOA) Designation By-law and Transit-Oriented Areas (TOA) Rezoning Policy – To align with provincial legislation, Council adopted a by-law and rezoning policy that establishes minimum 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 Plan policies.

Strategic Analysis

1. Proposal

The rezoning application proposes a 24-storey mixed-use rental building consisting of 264 units of which 20% of the residential floor area will be secured for below-market rental units. Two live-work units and a commercial retail unit are proposed (Figure 2). The proposal includes a total of 171 vehicles spaces and 477 bicycle spaces, which are located underground and accessed from the rear lane.

Figure 2: View of proposed building looking southeast

2. Land Use

The proposed residential, live-work, and commercial uses are consistent with the Fairview South – Area B (FSOB) sub-area of the Plan.

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

The proposal was assessed for urban design performance considering built form and site design expectations for high-rise, mixed-use buildings in the Plan. The proposed form of development generally complies with the urban design and development criteria of the Plan.

Form of Development – The Plan supports a residential tower up to 20 storeys on a four-storey podium. However, the Plan acknowledges that increases in building height, generally up to six additional storeys, can be considered in circumstances where additional building height helps achieve better urban design outcomes. The proposal includes 24 storeys on a six-storey podium. This application is generally consistent with the Plan for the tower typology and meets the expectations for site requirements, setbacks, floor plate. Due to the large site area, increases to the tower and podium height are necessary to achieve the allowable density while maintaining the building efficiency. These changes are minor, do not unduly impact the adjacent context, and keep within the Plan's urban design objectives. Staff have prepared urban design conditions to further mitigate the building scale and improve the neighbourhood fit.

Height – The proposed height of 76.6 m (251 ft) is appropriate and meets the urban design objectives of the Plan.

Density – The Plan estimates a density of up to 6.5 FSR with an additional 0.3 FSR for delivery of ground-level local-serving retail/service uses. The application complies with the Plan's objectives with a proposed density of 6.8 FSR.

Shadowing – The proposal presents no shadow impacts on public open spaces, parks or schools.

Public Realm and Interface – The Plan envisions buildings that complement the character and qualities of the surrounding neighbourhood and encourage small scale ground-level retail. The proposal includes residential patios and entrances fronting 12th Avenue and storefronts fronting Burrard Street to activate building edges and create an engaging pedestrian experience. Staff have prepared a condition to increase the setback along Burrard Street to support "spill over" retail activities, landscaping and urban elements such as seating, signage, and bike racks.

Private Amenity Space – The development offers on-site common indoor and outdoor amenities for the residents at the podium and tower rooftop. An additional common outdoor amenity is located at ground level in a south courtyard facing the lane.

Urban Design Panel – A review by the Urban Design Panel was not required due to the project's modest scale and general consistency with the Plan's expectations.

Staff have 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 264 units, including 208 market rental units and 56 below-market rental units (20% of the residential floor area), to the City's inventory of rental housing, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 3).

Figure 3: Progress Towards 10 Year Housing Vancouver Targets (2024-2033) for Secured Market Rental Housing as of Dec 31st, 2024

Housing Type	Category	10-Year Targets[1]	Units Approved Towards Targets[2]
Purpose-Built Market Rental Units[2]	Market Rental	30,000	5,633 (19%)
	Developer-Owned Below Market Rental	5,500	768 (14%)
	Total	35,500	6,401 (18%)

1. New 10-year targets were adopted in 2024, with tracking starting from January 1st, 2024.
2. Previous targets established in 2017 included 20,000 purpose-built rental, market and below-market combined, with tracking starting in 2017. As of December 31st, 2023, 87% of the previous targets had been reached.
3. Unit numbers exclude the units in this proposal, pending council's approval of this application.

Vacancy Rates – Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2024, the purpose-built apartment vacancy rate was 1.6% in Vancouver. The vacancy rate (based on the Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the South Granville/Oak area, which this site is located, is 1.0%. 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 40% family units in a mix of two-bedroom and three-bedroom units, thereby exceeding the Plan. These units must be designed in accordance with the *High Density Housing for*

Families with Children Guidelines. The application as proposed is consistent with the policy and a provision is included in the CD-1 By-law to meet the minimum unit mix requirements.

Average Rents and Income Thresholds – Figure 4 below shows starting rents for below-market rental units for 2024. 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 right-hand columns. Figure 4 demonstrates that below-market rental housing and market rental housing provide options that are more affordable than home ownership.

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

Figure 4: Below-Market Unit Average Rents, Market Rents in Newer Westside 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	Starting Rents (2025)[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	454 sq. ft.	$1,294	$51,776	$1,902	$76,080	$2,837	$113,480	$106,000
1-bed	559 sq. ft.	$1,470	$58,784	$2,306	$92,240	$3,473	$138,920	$132,000
2-bed	772 sq. ft.	$2,052	$82,080	$3,372	$134,880	$5,193	$207,720	$198,400
3-bed	1,018 sq. ft.	$2,819	$112,768	$4,434	$177,360	$7,982	$319,280	$311,890

1. *Starting rents shown are calculated based on a 20 per cent discount to city-wide average market rents as published by CMHC in the October 2024 Rental Market Survey. Rents at initial occupancy will set at the same discount to city-wide average market rent current at the time of occupancy permit issuance.*
2. *Data from October 2023 CMHC Rental Market Survey for buildings completed in 2014 or later on the Westside of Vancouver*
3. *Based on the assumptions: Median of all BC Assessment strata apartment sales prices in Vancouver Westside in 2021 by unit type, 20% down-payment, 5% mortgage rate (in-line with qualifying rate), 25-year amortization, $250-$350 monthly strata fees and monthly property taxes at $2.92 per $1,000 of assessed value (2021 assessments and property tax rate).*

To qualify for a below-market rental unit, a household's gross annual income cannot exceed the maximum income requirements for the unit type, 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*.

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 264 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. 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 six existing secondary rental units. Five out of the six existing residential tenancies are eligible under the TRPP for the Broadway 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 TRPP for the Plan area prior to development permit issuance. Staff have prepared a draft TRP which reflects the Plan tenant protections, summarised in Appendix E of this report.

The existing residential tenancies are governed by the Residential Tenancy Act (British Columbia).

5. Parking and Transportation

The site is well serviced by transit, located three blocks from bus and rapid bus service along Broadway and 600 m from the future South Granville Subway Station.

Vehicle and bicycle parking is provided on three levels of underground parking, accessed from the lane. The application proposes 171 vehicle parking spaces and 477 bicycle spaces. Conditions included in Appendix B require that the proposal meet the requirements of the Parking By-law. Conditions of approval also include reconstruction of the lane, new speed humps, and new duct banks.

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 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 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 8 on-site trees and 10 city trees that are proposed for removal. The final number of new trees will be determined through the development permit process. A new rainwater tree trench is required to advance sustainability objectives. See Appendix B for form of development and landscape conditions.

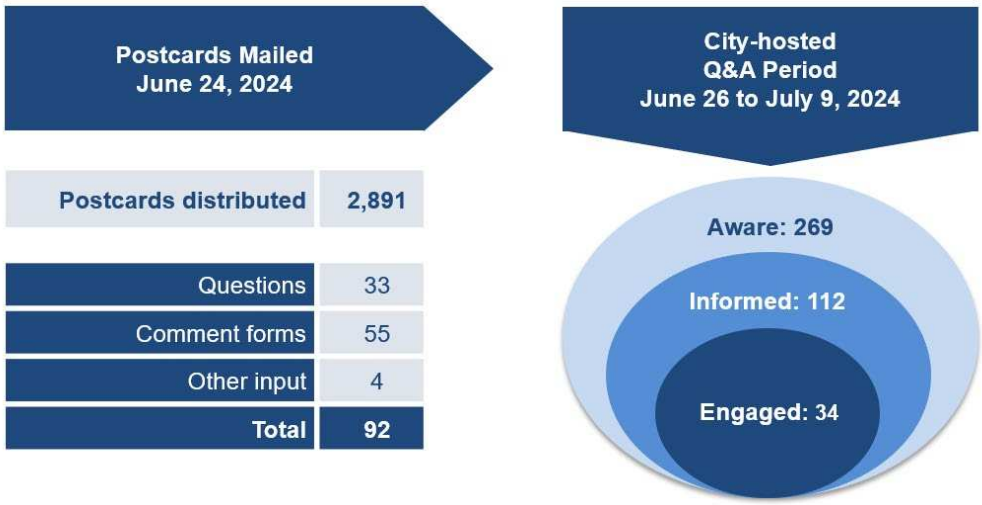
7. Public Input

Public Notification – A rezoning information sign was installed on the site on June 12, 2024. Approximately 2,891 notification postcards were distributed within the neighbouring area on or about June 24, 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 was held from June 26 to July 9, 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 92 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:

- **Housing:** The proposed development will increase housing units in the neighbourhood, including affordable options.
- **Height, density, and massing:** Height, density, and massing are appropriate and supported.
- **Location:** The development is supported due to its proximity to transit hubs and will introduce commercial and retail spaces to benefit the local area.

Generally, comments of concern fell within the following areas:

- **Height and density:** The height and density is excessive for an area predominantly characterized by low to mid-rise developments.

- **Traffic and parking:** The development is presumed to increase congestion, exacerbate parking shortages, and worsen accessibility in the surrounding area.

- **Tree removal:** There are concerns regarding the removal of the trees on site and nearby.

- **Neighbourhood character:** The development takes away the neighbourhood character, history, and natural environment by incorporating high rises. The project would also not provide any value to the community.

Staff Response

Height and density – The proposed density is consistent with the intent of the Plan for the FSOB sub-area. See the Form of Development section of the report.

Parking and traffic management – The project will comply with the Parking By-law and the applicant is proposing a Transportation Demand Management (TDM) Plan, which provides for reductions in minimum parking requirements in exchange for providing enhanced transportation demand management measures. The site is located in close proximity to frequent transit bus service and within the area of a future transit station at South Granville Station, which is expected to reduce reliance on vehicles. Appendix B includes Engineering conditions to enhance the safety of all roadway users around this development.

Tree removal– The Plan recognizes the need to increase tree canopy cover in the city. City policies aim to retain as many healthy trees as possible, which are reflected in the applicant's future landscape plan, for which new green elements are to be introduced. The final number of trees will be determined through the development permit process.

Neighbourhood character – The Plan includes a comprehensive approach to creating a built environment that supports thriving, resilient, and liveable communities by incentivizing new housing options in close proximity to transit, shopping, services, and amenities. The proposal is meeting the requirements to include common spaces such as indoor and outdoor amenities that are sized, located and programmed appropriately to promote a sense of community. The proposal also includes retail space.

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 at below-market rents, 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 floor 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 referenced in the DCL By-laws.

Based on rates in effect as of September 30, 2024 and the proposed 18,871.5 sq. m (203,133 sq. ft.) of residential floor area and 354.5 sq. m (3,815 sq. ft.) of commercial floor area, DCLs are estimated to be $3,124,394. The value of the anticipated City-wide DCL waiver on the residential floor area is estimated to be $4,797,324. 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. Both City-wide and Utilities DCLs on the commercial floor area cannot be waived, and the Utilities DCL cannot be waived on the residential floor area.

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 $409,754.

A summary of the public benefits associated with this application is included in Appendix G.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The proposed land use, housing mix, and form of development is consistent with the intent of the *Broadway Plan*. If approved, this application would contribute 264 rental units with 20% of the floor area secured as below market rental units to the City's rental housing stock and the delivery of ground floor commercial space.

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

* * * * *

1770 West 12th 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 6.6 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) Cultural and Recreational Uses;

   (b) Dwelling Uses, limited to Mixed-Use Residential Building;

   (c) Live-Work Use;

   (d) Office Uses;

(e) Retail Uses;

(f) Service Uses;

(g) Utility and Communication Uses; and

(h) Accessory Uses 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.

5.3 Commercial uses and live-work use must only be provided on the first storey of the building.

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

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

(b) farmers' market;

(c) neighbourhood public house;

(d) public bike share; and

(e) restaurant,

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

Floor Area and Density

6.1 Computation of floor area must assume that the site area is 2,827.3 m^2, being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.

6.2 The maximum floor space ratio for all uses combined is 6.8 and must include a combination of residential use and commercial use.

6.3 The floor space ratio for retail uses and services uses combined must not exceed 0.30.

6.4 A minimum of 139 m^2 must be provided for retail uses and service uses combined.

6.5 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.

6.6 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.

6.7 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

6.8 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 76.6 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 85.4 m.

Access to Natural Light

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.

* * * * *

1770 West 12th 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 DIALOG, received May 8, 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 Increase the setback to the tower from the rear property line to 30 ft. to ensure adequate tower separation from a potential tower directly south.

Note to Applicant: Refer to Broadway Plan 11.1.7 a. Setback from centre line of lane to proposed tower should be a minimum of 40 feet. This may be achieved by shifting proposed tower closer to front setback line at north and rotating so long dimension runs parallel to 12th Avenue. An adjustment to the floor plate size may also be required.

1.2 Design development to improve public realm interface along Burrard Street.

Note to Applicant: Refer to Broadway Plan 11.1.38 and 11.4.8. This may be achieved by increasing setback to 12 ft. above and below grade at all parkade levels to allow for planting of significant trees and provide opportunities for restaurant/café' patios and urban elements that animate the public realm.

1.3 Design development to mitigate the building massing, improve the lane interface, and reduce the overlook impact to the adjacent neighouring sites.

Note to Applicant: This may be achieved by:

(a) Providing setbacks for the upper levels of the podium to maintain a 4-storey street wall compatible with the existing neighbourhood character. Refer to Broadway Plan 11.4.2 and 11.4.18; and

(b) Relocating the bike storage to parkade and setting back south face of east wing to align with the live-work studio to west, to support a pedestrian friendly lane interface. Refer to Broadway Plan 11.1.10.

1.4 Design development to front building facades to express a finer grain urban fabric and ensure development is sensitive to neighbourhood context.

Note to Applicant: Refer to Broadway Plan 11.1.27 and 11.1.43. The intent is to provide human scaled design that responds to pattern and character of existing neighbourhood. This may be achieved by articulating smaller increments and modules in the façade, particularly at ground level.

Landscape Design

1.5 Design development for landscaped areas within the underground setback areas to maximize tree canopy cover to align with the Urban Forest Strategy.

Note to Applicant: This can be achieved by relocating proposed trees along West 12th Avenue to be within the property lines, in below grade setback areas. Wherever possible, trees within this setback should not be planted in raised or contained planters. Alternative methods and materials, such as permeable paving, structural soils and soil cells are encouraged. Refer to Urban Design Condition 1.2

1.6 Provision of revised and coordinated landscape documents with respect to tree retention items.

(a) Illustrate and show all existing trees as per arborist documents, note or show if they are retained or removed, and show trees labelled as per arborist documents;

(b) Illustrate, and dimension tree protection barriers, including any phased protection barriers; and

(c) Note all areas requiring arborist supervision, and any critical arborist notes relating to retention of existing trees.

1.7 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.

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

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

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

Final location, quantity, tree species to the satisfaction of the General Manager of Engineering. Contact Engineering Services (Streets Design Branch) at 604-871-6131 to confirm planting location. New tree must be of good standard, minimum 6 cm calliper and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. New street trees to be confirmed prior to issuance of the building permit. Call Park Board at 311 for tree species selection and planting requirements. Park Board to inspect and approve after tree planting completion. This condition can be deleted if captured within Engineering conditions.

Urban Forestry

1.10 The Broadway corridor setback requirements of 3.7 m apply to this development. The setback ensures any future repairs to the underground parkade wall will be done on private property and it will mitigate boulevard tree/third party utility conflicts.

Sustainability

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

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

Housing

1.12 The proposed unit mix, including 36 studio units (13.6%), 122 one-bedroom units (46.2%), 79 two-bedroom units (29.9%) and 27 three-bedroom units (10.2%) is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 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. Positioning this adjacent to the children's play area enables 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).

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.

Economic Development

1.15 Recommend alignment of live/work units to the alley.

Engineering

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

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

1.17 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

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

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

for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.

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

1.19 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.

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

1.21 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.

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

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

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

(ii) "Tree species, final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil volumes. Installation of Engineered Soil may be required to obtain appropriate soil volumes based on site conditions. Root barriers shall be of rigid construction, 8 feet long and 18 inches deep, centre on each street tree adjacent to the sidewalk and any off-street bike facility. Planting depth of root ball must be below sidewalk grade. Contact Park Board at pbdevelopment.trees@vancouver.ca for inspection after tree planting completion".

(iii) “The required Green Infrastructure improvements on 1770 W 12th Ave will be as per City-issued design.”

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

(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) special paving from the City boulevard along Burrard Street and W 12th Avenue.

(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 DP application. Encroachment agreements may be required for non-standard streetscape materials on City property.

Note to Applicant: Where a design detail is not available, make note of the improvement on the plan. Public realm changes include all off-site improvements sought for this rezoning. The Streets Design Guidelines are viewable online at https://vancouver.ca/streets-transportation/streetscape-design-guidelines.aspx and are to be used alongside the City design guidelines and construction standards.

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

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

1.24 Provision of Loading spaces, per the Parking By-law Section 5 and the Design Supplement,

(a) Convenient, internal, stair-free loading access to/from all site uses.

Note to Applicant: CRU – Rental Office does not have access with the current design.

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

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

(b) Dimension of columns and column encroachments into parking spaces;

(c) Identification of columns in the parking layouts;

(d) 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

(e) 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 a Final Hydrological Study, to the satisfaction of the General Manager of Engineering Services and the Director of Planning, which addresses the requirements outlined in the Groundwater Management Bulletin.

Note to Applicant: A revised version of the Groundwater Management Bulletin was released on November 1, 2024. All RZ and DP applications for developments with 1 or more levels of below-ground structure (but excluding lower density residential buildings with 8 or fewer units) located in an area of concern for groundwater will have to meet the requirements of the revised Bulletin. Further information on requirements can be found here: https://guidelines.vancouver.ca/bulletins/bulletin-groundwater-management.pdf

1.27 Provision of a sewer abandonment plan by the Developer's Engineer that details the following:

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

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

1.28 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.

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

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

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

(b) All third party service lines to the development 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.

Note to Applicant: 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

1.30 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.

The 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, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

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

Note to Applicant: Records indicate a natural watercourse passes through this site. A legal agreement ensuring that, should the watercourse be discovered or impact the site during development and beyond, 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 Rezoning Site (collectively called the "Services") such that they are designed, constructed, and installed at no cost to the City and all necessary street dedications and rights-of-way for the Services are provided all to the satisfaction of the General Manager of Engineering Services. No development permit for the Rezoning Site, or any portion thereof, or for any building or improvements thereon will be issued until the letter of credit, as security for the Services, is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. Except as explicitly provided for in Condition 2.3.(a), the Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

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

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

Note to Applicant: Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by Aplin Martin dated March 19, 2024, no water main upgrades are required to service the development.

The main servicing the proposed development is 150 mm. Should the development require water service connections larger than servicing main, the developer shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost of the upgrading. The maximum water service connection size is 300 mm.

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

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

Note to Applicant: Implementation of development(s) at 1770 West 12th Avenue does not require any sewer upgrades.

Development to be serviced to the existing 250 mm SAN and 525 mm STM sewers along West 12th Avenue.

The post-development 10-year flow rate discharged to the storm sewer shall be no greater than the 5-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development

estimate shall utilize the 2100 IDF curves to account for climate change. This shall be demonstrated by preparation of a Rainwater Management Plan with all necessary supporting calculations and drawings prior to the issuance of the development permit.

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

(i) Minimum 2.0 m wide front boulevard;

(ii) Minimum 3.0 m wide broom finish saw-cut concrete sidewalk;

(iii) Corner curb ramp;

(d) Provision of street improvements, and appropriate transitions, along W 12th Avenue adjacent to the site, including:

(i) Minimum 2.4 m wide broom finish saw-cut concrete sidewalk;

(ii) Corner curb ramps;

Note to Applicant: Final design of these street improvements should also follow the Broadway Public Realm Plan.

(e) Provision of improvements at the intersection of Burrard St and W 12th Ave including:

(i) Upgrades to the existing traffic signal including pedestrian countdown timers, accessible pedestrian signals (APS);

(f) Provision of street improvements with appropriate transitions, along the lane south of 12th Avenue, adjacent to the site, including:

(i) Full depth pavement reconstruction;

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

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

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

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

(g) Provision of speed humps in the lane south of West 12th Ave between Burrard Street and Pine Street.

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

(i) Installation of a Rainwater Tree Trench (RTT) along Burrard Street.

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 sidewalk 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.

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

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

(j) 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.

Note to Applicant: The kiosk shall be fed by BC Hydro underground grid. As such, a right-of-way (ROW) space shall be provided on-site to accommodate BC Hydro pad mounted transformer.

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

(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..

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) Traffic signal upgrades per condition 2.2(e).

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, excluding Seniors Supportive or Independent Living 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 dwelling housing units, and the remaining units to be secured as market rental units, subject to the conditions set out below for such 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 90 days 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 dwelling unit, the starting rent for such new tenancy will be at least 20% below the rent for private rental apartment units city-wide as published by the Canada Mortgage and Housing Corporation in the most recent Rental Market Survey Data Tables for Vancouver for that unit type at the time of the change in tenancy;

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

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

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

(h) That the applicant will verify the ongoing eligibility of existing tenants in below-market rental housing units every (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 ACCS Deputy General Manager, Arts, Culture and Tourism 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.

Note to Applicant: Applicant to 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, and to 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 If applicable:

(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.

* * * * *

1770 W 12th Avenue
CONSEQUENTIAL BY-LAW AMENDMENTS

SIGN BY-LAW No. 11879

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

"1770 West 12th Avenue	[CD-1 #]	[By-law #]	C-2"

NOISE CONTROL BY-LAW No. 6555

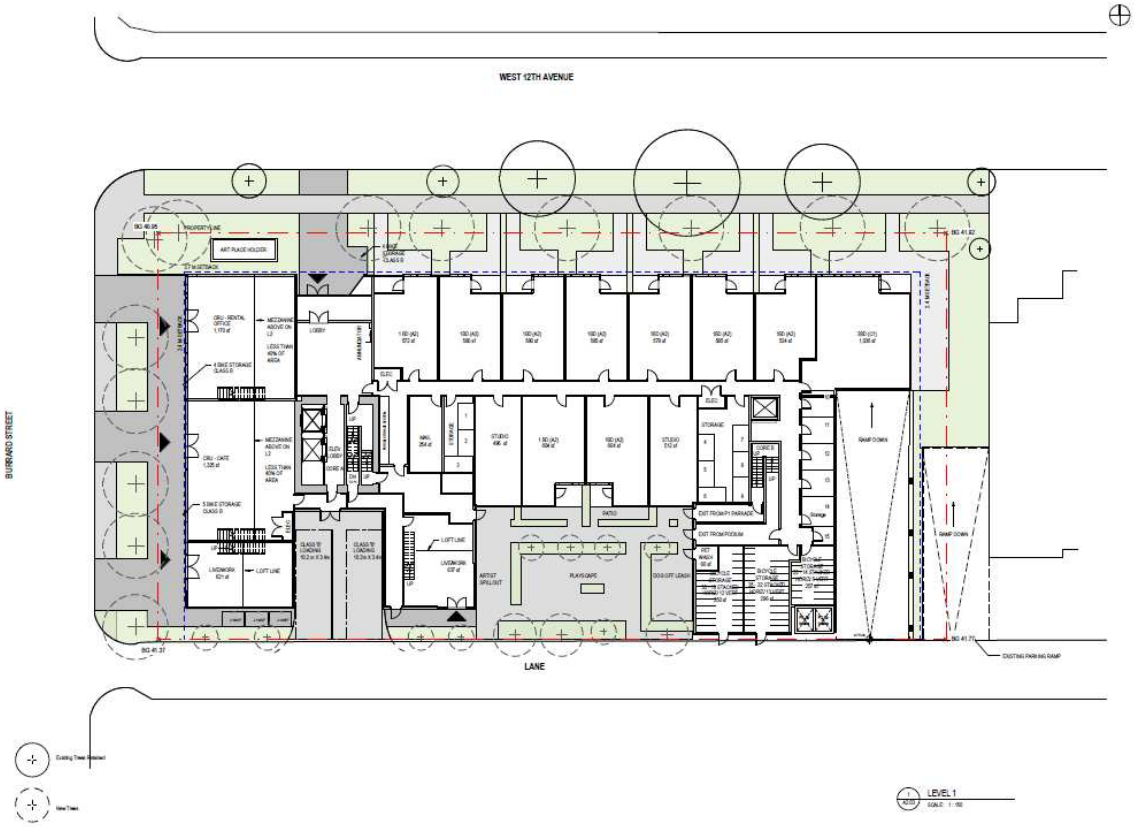
Amend Schedule B (Intermediate Zone) by adding the following:

"[CD-1 #]	[By-law #]	1770 West 12th Avenue"

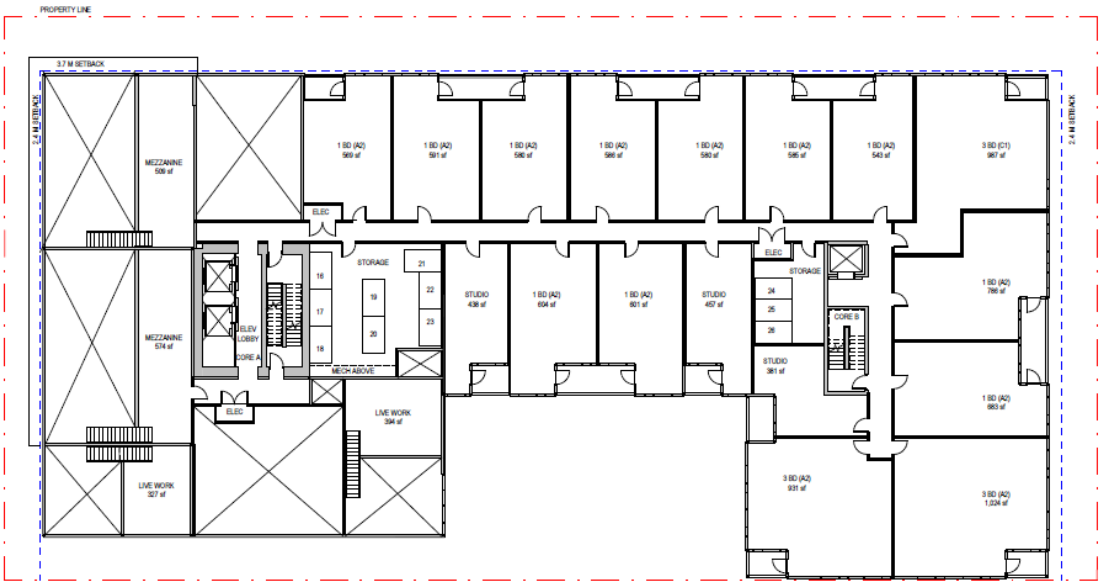
* * * * *

1770 West 12th Avenue
FORM OF DEVELOPMENT DRAWINGS

Ground Floor Plan

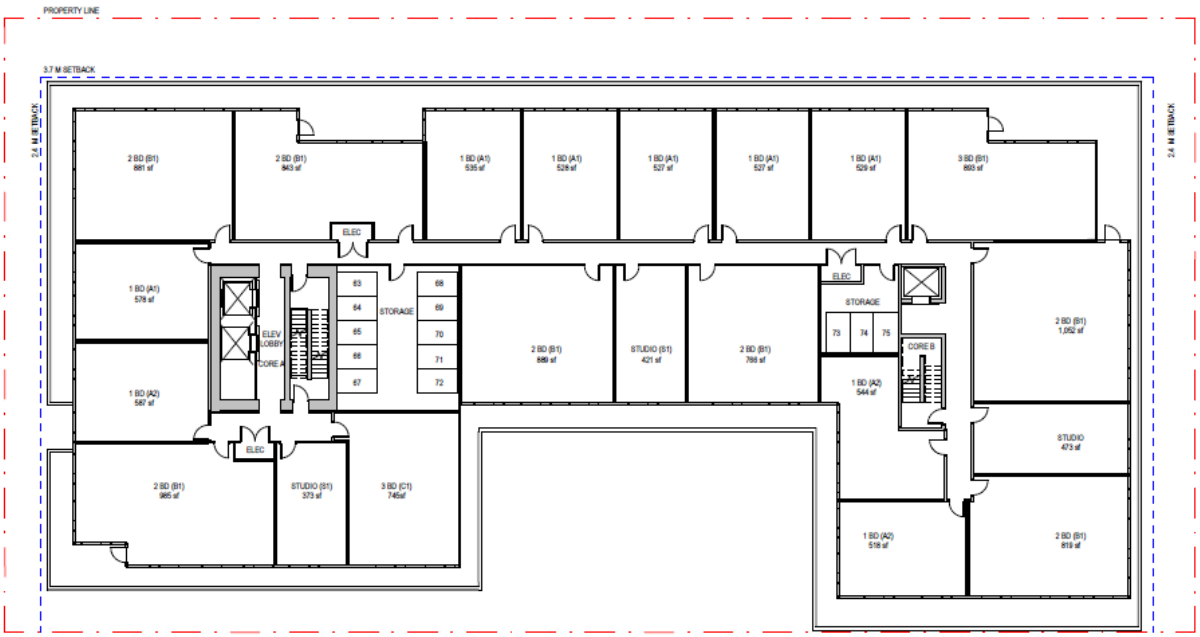


Podium L2 Floor Plan

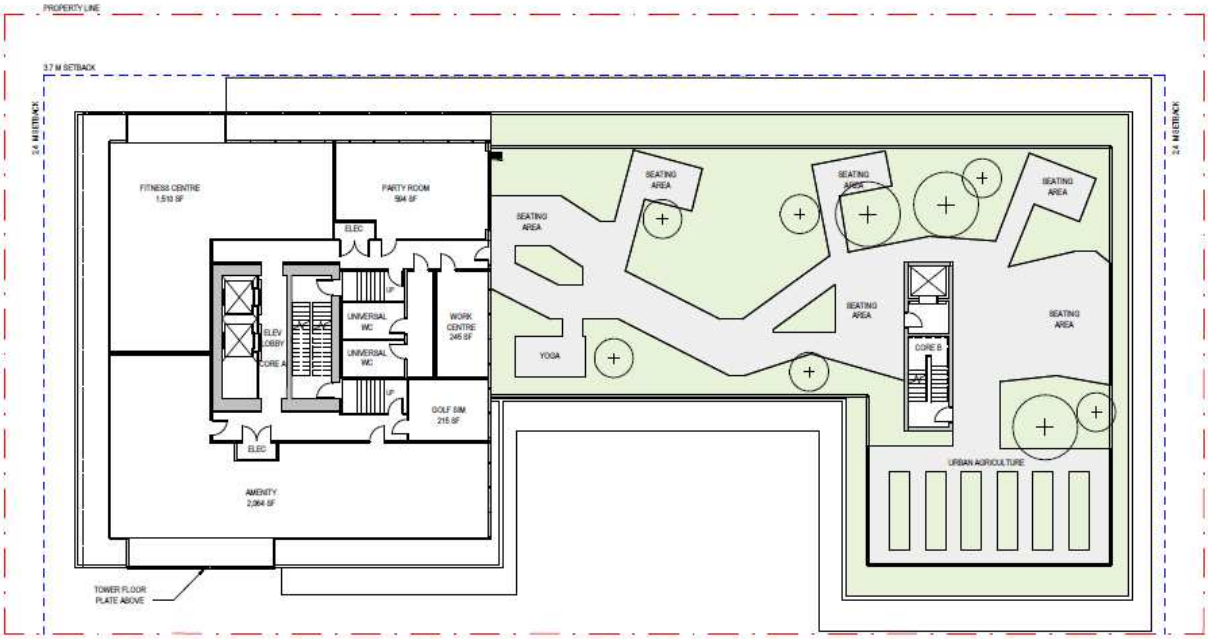


Podium L3-L4 Floor Plan

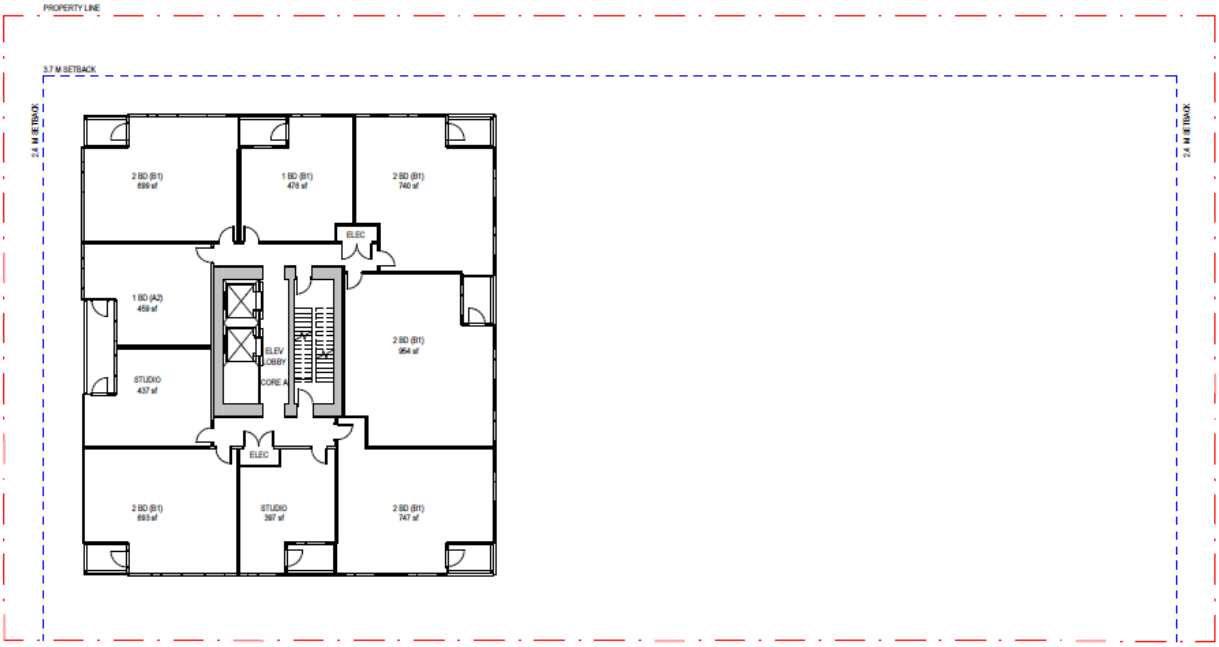
Podium L5-L6 Floor Plan



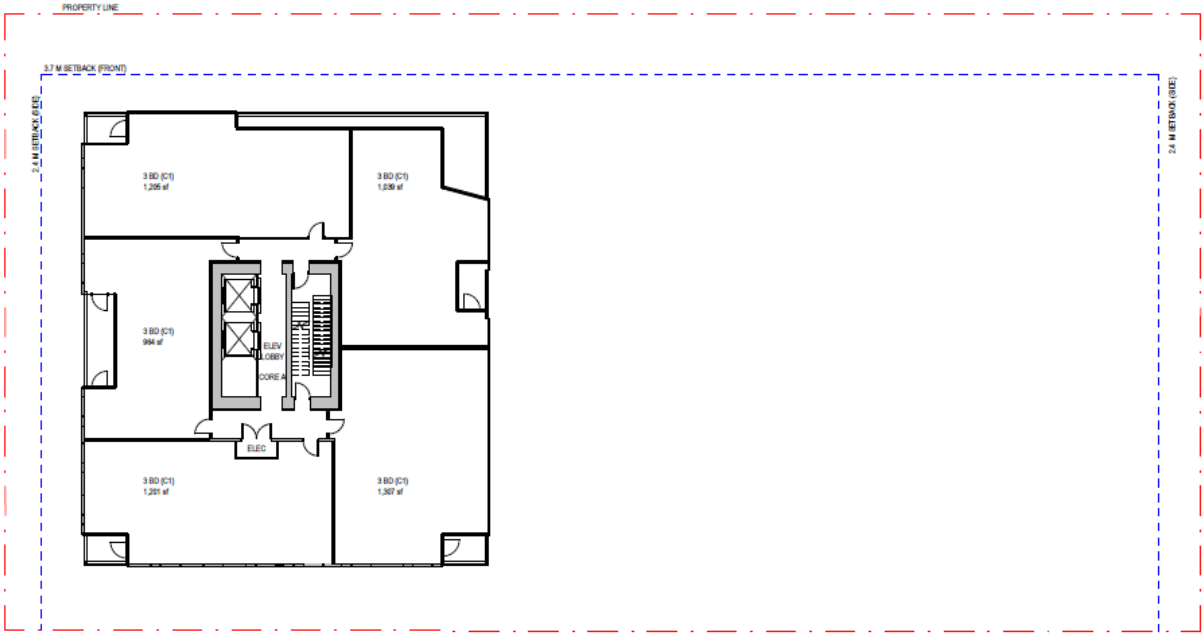
Amenity L7 Floor Plan



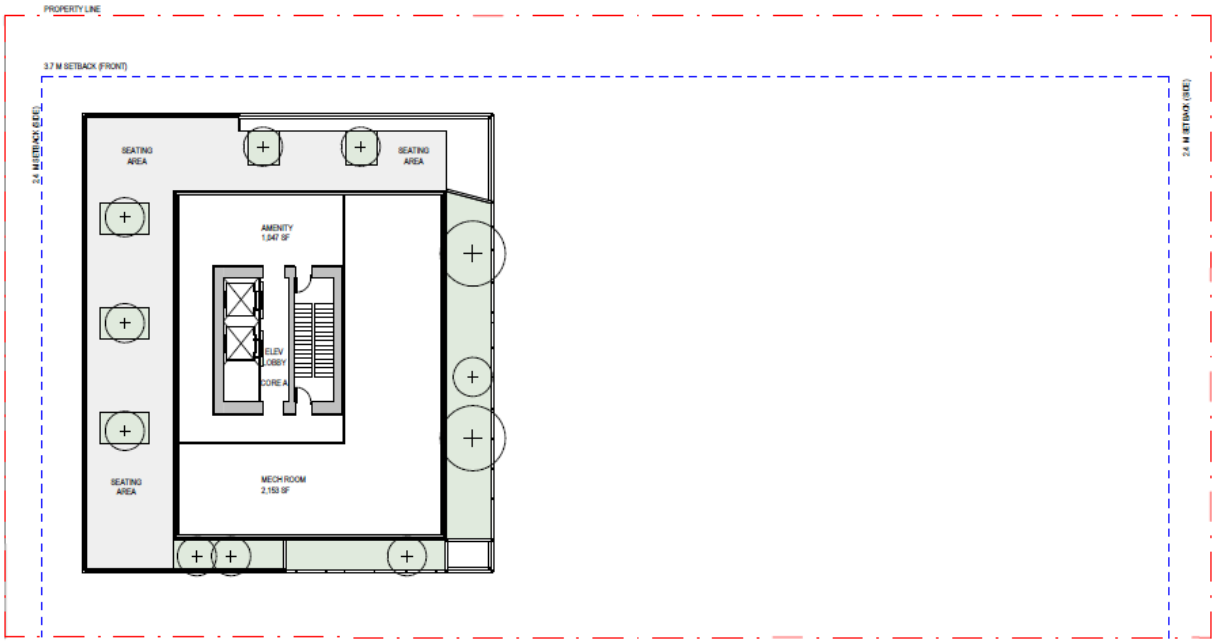
L8-L20 Typical Floor Plan



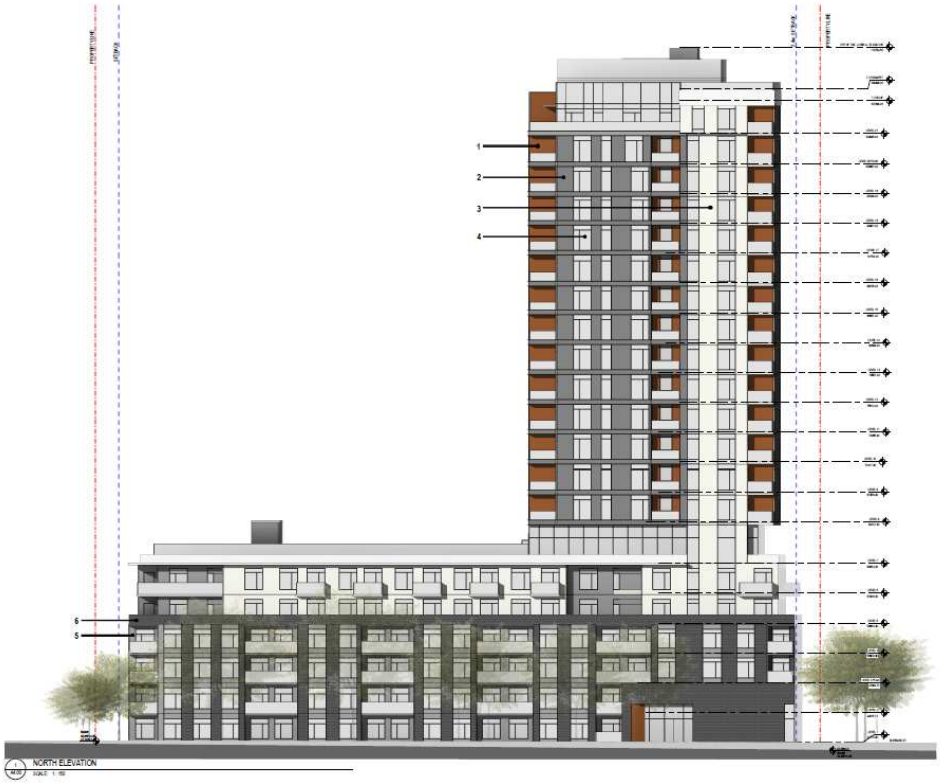
L21 Tower Floor Plan



L21 Rooftop Amenity Floor Plan



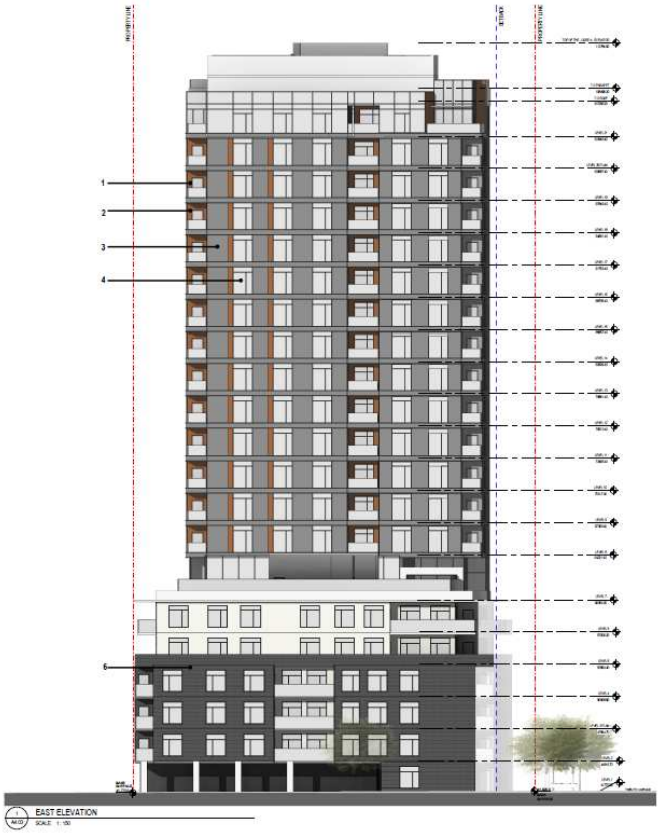
North Elevation



West Elevation

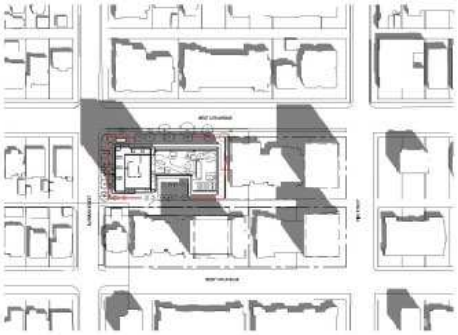
South Elevation

East Elevation

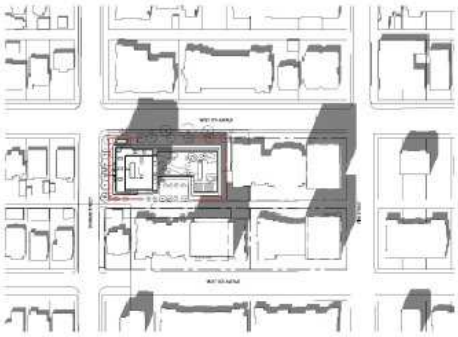


Summer Solstice Shadow Study

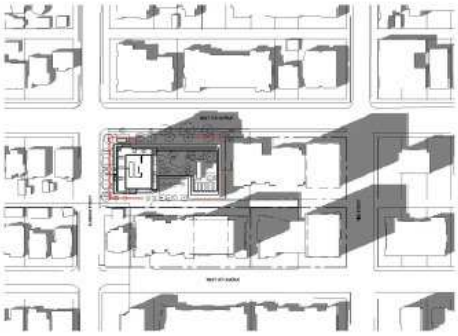
10 AM



12 PM



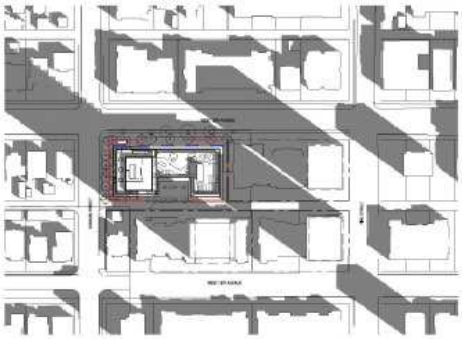
2PM



4PM

JUNE 21
Daylight Savings Time Included (UTC-7)

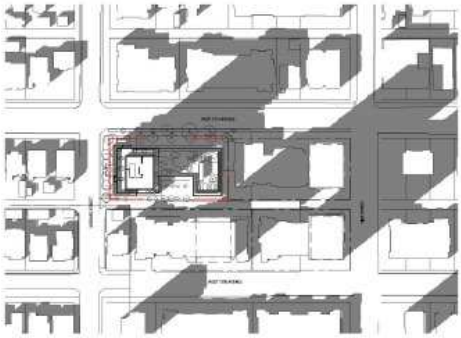
Spring and Fall Equinox Shadow Study



10 AM

12 PM

2PM



4PM

SEPT 21
Daylight Savings Time Included (UTC-7)

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1770 West 12th Avenue
SUMMARY OF TENANT RELOCATION PLAN TERMS

Tenant Relocation and Protection Requirements	Tenant Relocation Plan Offer

Financial Compensation	The choice of either:
	• Compensation in the form of free rent, a lump sum payment, or a combination of both, will be available for each unit eligible for Tenant Relocation Plan according to the following schedule:
	  ○ 4 months' rent for tenancies up to 5 years;
	  ○ 5 months' rent for tenancies over 5 years and up to 10 years;
	  ○ 6 months' rent for tenancies over 10 years and up to 20 years;
	  ○ 12 months' rent for tenancies over 20 years and up to 30 years;
	  ○ 18 months' rent for tenancies over 30 years and up to 40 years; and
	  ○ 24 months' rent for tenancies over 40 years.
	Or:
	• For tenants that wish exercise their Right of First Refusal to return to the new building, a temporary rent top-up to mitigate rent increases while waiting to return to the new building.
	Or:
	• A lump sum rent top-up payment, equivalent to the estimated value of a rent top-up for 33 months.

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 have distributed 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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1770 West 12th Avenue
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

	Date	Results
Event		
Question and Answer Period (City-led)	June 26, 2024 – July 9, 2024	269 participants (aware)* • 112 informed • 34 engaged
Public Notification		
Postcard distribution – Question and Answer Period	June 24, 2024	2,891 notices mailed
Public Responses		
Online questions	June 26, 2024 – July 9, 2024	33 submittals
Online comment forms • Shape Your City platform	June 2024 – January 2025	55 submittals
Overall position • support • opposed • mixed	June 2024 – January 2025	55 submittals • 20 responses • 27 responses • 8 responses
Other input	June 2024 – January 2025	4 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	June 2024 – January 2025	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:

- **Housing:** The proposed development will increase housing units in the neighbourhood, including affordable options.
- **Height, density, and massing:** height, density, and massing are appropriate and supported.
- **Location:** The development is supported due to its proximity to transit hubs and will introduce commercial and retail spaces to benefit the local area.

Generally, comments of concern fell within the following areas:

- **Height and density:** The proposal's height and density is excessive for an area predominantly characterized by low to mid-rise developments.
- **Traffic and parking:** The development is presumed to increase congestion, exacerbate parking shortages, and worsen accessibility in the surrounding area.
- **Tree removal:** There are concerns regarding the removal of the trees on site and nearby.

- **Neighbourhood character:** The development takes away the neighbourhood character, history, and natural environment by incorporating high rises. The project would also not provide any value to the community.

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 project includes well-designed bicycle parking facilities.
- The amenities and infrastructure provided by the project support the local community.
- Building design is attractive.

General comments of concern:

- The neighborhood does not welcome commercial and retail development.
- There are concerns regarding the affordability of the new housing units.
- The tower will block existing views.
- The construction will increase noise and pollution, negatively affecting the neighborhood.
- The proposal raises concerns about the displacement of current tenants.

Neutral comments/suggestions/recommendations:

- Consideration is needed regarding the rapid development of the area under the Broadway Plan.
- Redeveloping existing parkades and maintaining retail along main streets are suggested.
- The public desires more green infrastructure on the streets.
- Development up to a maximum of 14 storeys are welcomed.

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1770 West 12th Avenue
PUBLIC BENEFITS SUMMARY

Project Summary

A 24-storey mixed-use building with 264 rental housing units, of which 20% of the residential floor area are secured at below-market rents, live-work, and commercial uses.

Public Benefit Summary:

264 rental housing units, of which 20% of the residential floor area at below-market rates, secured with 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 = 2,827.3 sq. m (30,432 sq. ft.))	1.0	6.8
Floor Area	3,392.8 sq. m (36,519 sq. ft.)	18,871.5 sq. m (203,133 sq. ft.)
Land Use	Residential	Residential, Live-Work, Commercial

Summary of Development Contributions Expected under Proposed Zoning

City-wide DCL[1,2]	$90,117
Utilities DCL[1]	$3,034,277
Public Art[3]	$409,754
TOTAL	**$3,534,148**

Other benefits (non-quantified): 264 secured rental housing units, of which 20% of the residential floor area would be rented at below-market rates, secured for the greater of 60 years and the life of the building.

[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] 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 at $4,797,324. 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.

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

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1770 West 12th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

PROPERTY INFORMATION

Address	1770 W 12th Avenue
Property Identifier (PID) and Legal Description	PID 032-283-849; Lot 1 District Lot 526 Group 1 New Westminster District Plan EPP138293
Property Owner	Burrard and Twelfth Property (Nominee) Ltd.

APPLICANT INFORMATION

Architect/Applicant	DIALOG Greystar

SITE STATISTICS

Site Area	2,827.3 sq. m (30,432 sq. ft.)

DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	**Proposed**
Zoning	RM-3	CD-1
Land Use	Residential	Residential, Live-Work, Commercial
Density	1.0 FSR	6.8 FSR
Maximum Height	36.6 m (120 ft.)	76.6 m (251 ft.) (Top of Parapet) 85.4 m (280 ft.) (Top of Elevator)
Floor Area	3,392.8 sq. m (36,519 sq. ft.)	18,871.5 sq. m (203,133 sq. ft.)
Parking and Bicycle Spaces	As per Parking By-law	Vehicle parking spaces: 171 Class A bicycle spaces: 477 Class B bicycle spaces: 4 Loading spaces: 2
Natural assets	8 on-site trees 10 city trees	Confirmed at the development permit stage

* * * * *