CITY OF VANCOUVER

REFERRAL REPORT

Report Date:	May 6, 2025
Contact:	Oskar Eriksson
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RTS No.:	17941
VanRIMS No.:	08-2000-20
Meeting Date:	May 20, 2025

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 2158-2170 West 1st 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 Chris Dikeakos Architects Inc, on behalf of:

- Jacqueline Ward, the registered owner of 2158 West 1st Avenue [*PID: 015-233-855, The East ½ of Lot 8 Block 214 District Lot 526 Plan 590; PID: 015-233-863, Lot 9 Block 214 District Lot 526 Plan 590*]; and

- Millennium Kitsilano Nominee Ltd., the registered owner of 2170 West 1st Avenue [*PID: 016-421-191, The West ½ of Lot 8 Block 214 District Lot 526 Plan 590; PIDs 015-233-782, 015-233-791, 015-233-804, 015-233-812 and 015-233-847, Lots 3-7 Block 214 District Lot 526 Plan 590, respectively*],

to rezone the above properties from RM-4 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.75 to 6.8 and the maximum building height from 10.7 m (35 ft.) to 64.7 m (212 ft.) with additional height for the portion of rooftop amenity space, to permit the development of a 20-storey mixed-use building containing 185

rental units, with a minimum of 20% of the residential floor area secured as below-market rental units, with commercial space on the ground floor, 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 Chris Dikeakos Architecture Inc, received May 1, 2024, with revisions received June 14, 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 approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the CD-1, generally as set out in Appendix C, be approved.

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

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

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

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

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

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

REPORT SUMMARY

This report evaluates an application to rezone the site at 2158-2170 West 1st Avenue from RM-4 (Residential) District to CD-1 (Comprehensive Development) District. The proposal is to permit a 20-storey mixed-use building, with additional height for a rooftop amenity space and with commercial space on the ground floor. The proposal consists of 185 rental units, of which a minimum of 20% of the residential floor area will be secured as below-market rental units.

Staff have assessed the application and conclude that it meets the intent of the *Broadway Plan* (Plan). Staff support the application, subject to design development and other conditions. 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)
- Transit-Oriented Areas (TOA) Designation By-law (2024)
- Transit-Oriented Areas (TOA) Rezoning Policy (2024)
- Community Amenity Contributions Policy for Rezonings (1999, last amended 2024)
- Tenant Relocation and Protection Policy (2015, last amended 2019)
- Rental Incentives Program Bulletin (2012, last amended 2024)
- Urban Forest Strategy (2016, last amended 2018)
- Public Art Policy for Rezoned Developments (2014, last amended 2021)
- Green Buildings Policy for Rezonings (2010, amended 2024)
- Community Amenity Contributions Policy for Rezonings (1999, last amended 2024)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183

REPORT

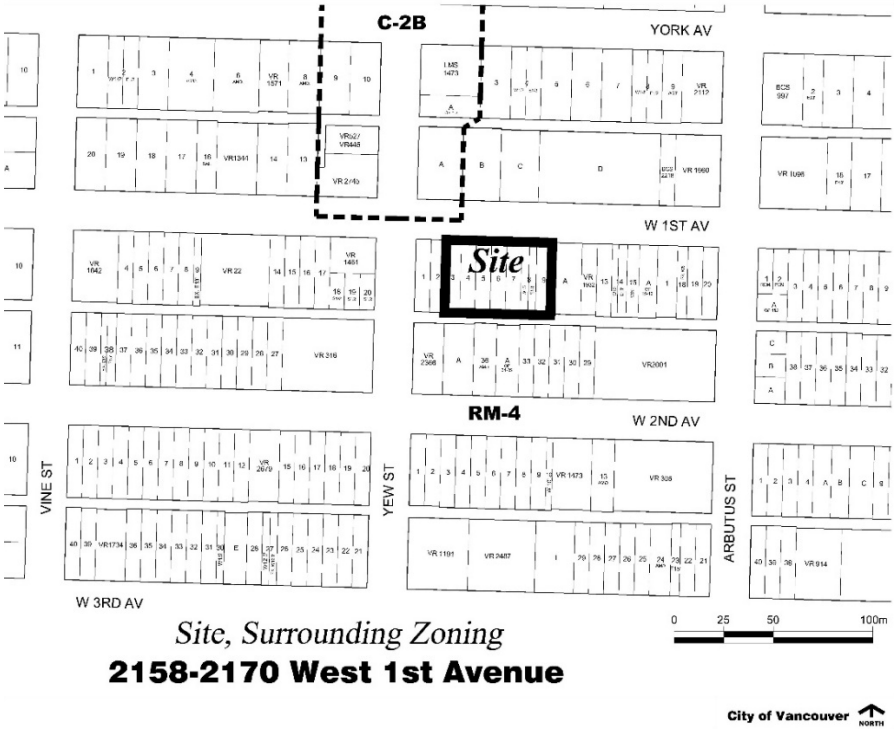
Background/Context

1. Site and Context

The subject site is comprised of eight parcels, located mid-block on the south side of 1st Avenue (see Figure 1). The RM-4 (Residential) zoned site is 175 ft. wide by 120 ft. deep, with a site area of 1,949.1 sq. m (20,980 sq. ft.). The surrounding area contains a mix of purpose-built rental and strata buildings. The properties to the northwest along Yew Street are zoned for commercial use and are currently occupied by restaurants. The subject site is currently developed with two four-storey purpose-built rental buildings, constructed in 1964 and 1955 respectively. The *Tenant Relocation and Protection Policy* (TRPP) for the Plan area applies.

The neighbourhood is undergoing significant change with future redevelopment as per the Plan, as well as with the Skytrain extension. The future Arbutus Station will be located 750 m to the south.

Figure 1: Surrounding Zoning and Context



Neighbourhood Amenities – The following amenities are within close proximity:

- *Parks* – Kitsilano Beach (250 m), Delamont Park (550 m), Seaforth Peace Park (600 m) and Vanier Park (750 m).

- *Community and Cultural Spaces* – Kitsilano Community Centre and Ice Rink (1000 m), Kitsilano Branch Library (1200 m) and False Creek Community Centre (1500 m).

- *Childcare* – Childcare Centre at Henry Hudson Elementary School (Opening Fall 2025 – 450 m), Kitsilano Area Childcare Centre (500 m), Bumble Bear Daycare (600 m) and Reach for the Stars Montessori Learning Academy (600 m).

Local School Capacity – The site is located within the catchment area of Henry Hudson Elementary School and Kitsilano Secondary School. According to the Vancouver School Board (VSB)'s 2020 *Long Range Facilities Plan*, Henry Hudson Elementary School will be operating under capacity in the coming years, with a capacity at 72% by 2031 and Kitsilano Secondary School will be operating just below maximum capacity, at 96% by 2031.The VSB report notes that overall enrolment trends for the wider area are changing. The VSB continues to explore options to reduce pressure on schools in this area, monitor development, and will work with City staff to help plan for future growth.

2. Policy Context

Vancouver Plan – 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 approved Plan will serve as a framework with further implementation planning work to follow over the next two to four years. The site is located within the *Broadway Plan* area which is generally in alignment with the *Vancouver Plan.*

Broadway Plan – The 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 Kitsilano North - Area B (KKNB) sub-area 8.2 of the Plan. The Plan allows for consideration of 20-storey rental buildings up to 6.5 FSR, with a minimum of 20% of the residential floor area secured at below-market rents. Minor increases in height and density can be considered for delivery of ground-level commercial or private childcare.

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

City-initiated zoning changes (rezoning) in areas of Broadway and Cambie Corridor Plans – City staff are currently working on City-initiated zoning amendments for certain areas of Broadway and Cambie Corridor. This initiative aims to standardize regulations and simplify the development process through new zoning district schedules. A referral report outlining proposed zoning amendments is expected to be brought to Council in 2025.

The site is located within the proposed City-initiated rezoning area of the *Broadway Plan*. However, the consideration of these proposed zoning amendments does not prevent the current application from proceeding through a CD-1 rezoning process.

Strategic Analysis

1. Proposal

The proposal is for a 20-storey mixed-use residential building with 185 rental units of which a minimum of 20% of the residential floor area is for below-market units (Figure 2). Commercial space is proposed on the ground floor. The proposed height is 64.7 m (212 ft.) with additional height for a portion with rooftop amenity. A total floor area of 13,253.9 sq. m (142,664 sq. ft.) and a floor space ratio (FSR) of 6.8 are proposed. Two levels of underground parking are to be accessed from the lane.

Figure 2: Proposed Building Looking Southeast

2. Land Use

The proposal is for residential and commercial uses which is consistent with the Plan.

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

In assessing form of development and urban design performance, staff considered the built form expectations of the Plan.

Form of Development – The proposal aligns with the expectations outlined in the Plan, particularly regarding site frontage, block tower limits, tower separation, and podium height. The Plan recommends a maximum tower floorplate of 6,500 sq. ft., while the application proposes a floor plate of 6,800 sq. ft. This modest increase is supportable, when considering the Plan's limit of two towers for this block, and that the proposed tower is significantly set back from adjacent properties and any potential future towers. Therefore, the proposed tower massing will not cause undue impacts on the sunlight, views and air circulation of surrounding areas. The proposal does not provide the below-grade setback the Plan requires, and a condition has been included to ensure a compliant 3.7 m (12 ft.) below-grade setback along the street frontage for green infrastructure and replacement trees. Refer to Urban Design condition 1.1 in Appendix B.

Height – The Plan allows up to 20 storeys for residential use, with minor height increases allowed for ground-level commercial/childcare and rooftop amenities. The proposal complies with the Plan's permitted height limit. The proposed partial storey of common rooftop amenity space is also supported by the Plan.

Density – The Plan allows up to 6.5 FSR for residential use, with a minor density increase of a maximum of 0.3 FSR to encourage the provision of ground-level local-serving retail/service uses. The application complies with the Plan's objective with a proposed density of 6.8 FSR.

Public Realm and Interface – The Plan envisions that the local serving commercial should complement the character and quality of the surrounding neighbourhood and reinforce a fine-grain fabric, with active storefronts, transparent windows, and a focus on visual interest and storefront placemaking. The proposal features three commercial units and a residential entrance at grade, with a transparent frontage. Staff recommend design improvements to the storefronts and the front yard open space to enhance the fine-grain character and create a more inviting and pleasant public space. See Urban Design conditions 1.3 in Appendix B.

Private Amenity Space – The development offers co-located common indoor and outdoor amenities for the residents on the podium roofs and the tower rooftop. However, some of these amenity spaces are small and may not be functional. Staff recommend design improvements to create more functional and appropriately sized indoor and outdoor amenity spaces that meet the needs of the residents. See Urban Design condition 1.6 in Appendix B.

Unit Livability – The unit layout and design should adhere to *High-Density Housing for Families with Children Guidelines*. The application proposes relatively large balcony areas for units on the north face of the building. Staff support the larger balcony areas for these units, as they enhance the livability by providing access to views and a stronger connection to nature. Noting that the proposal does not include balconies for all units, a condition has been added to provide a more equitable distribution of private outdoor space by requiring balconies for all dwelling units, including one-bedroom units and studios. Staff also seek improvements to the balcony design to enhance coastal character expression while mitigating the perceived massing of the tower. Refer to Urban Design condition 1.7 and 1.8 in Appendix B.

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

Conclusion – Staff reviewed the site-specific conditions and concluded that the proposal aligns with 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 185 units, including 151 market rental units and 34 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 Dec 31, 2024

Housing Type	Category	10-Year Targets[1, 2]	Units Approved Towards Targets[2]
Purpose-Built Market Rental Units[3]	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 Kitsilano/Point Grey neighbourhood where this site is located, is 1%. 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 24% two-bedroom and 11% three-bedroom units, thereby meeting the overall family unit mix and three-bedroom requirements of the Plan but falling short of the overall two-bedroom requirement. Also, the family unit mix requirements have not been met in the below-market rental portion. A condition of approval and a provision in the CD-1 By-law has been included to ensure the Plan policy requirement for a minimum of 25% two-bedroom units and minimum of 10% three-bedroom units is met separately in both the market rental and below-market portions. All family units must be designed in accordance with the *High-Density Housing for Families with Children Guidelines*.

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-side 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 re-indexed 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 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	2025 Starting Rents[1]	Average Household Income Served	Average Market Rent[2]	Average Household Income Served	Monthly Cost of Ownership (BC Assessment 2021)[3]	Average Household Income Served	Down payment at 20%
Studio	410 sq. ft.	$1,294	$51,776	$1,960	$78,400	$2,837	$113,480	$106,000
1-bed	504 sq. ft.	$1,470	$58,784	$2,560	$102,400	$3,473	$138,920	$132,000
2-bed	778 sq. ft.	$2,052	$82,080	$3,635	$145,400	$5,193	$207,720	$198,400
3-bed	990 sq. ft.	$2,819	$112,768	$4,412	$176,480	$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 2024 CMHC Rental Market Survey for buildings completed in 2015 or later on the Westside of Vancouver.*
3. *Based on the assumptions: Median of all BC Assessment strata apartment sales prices in Vancouver Westside in 2021 by unit type, 20% down payment, 5% mortgage rate (in-line with qualifying rate), 25-year amortization, $250-$350 monthly strata fees and monthly property taxes at $2.92 per $1,000 of assessed value (2021 assessments and property tax rate).*

To qualify for a below-market rental unit, a household's gross annual income cannot exceed the maximum income requirements for the unit type, (see Figure 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 Program Bulletin*. All residents will have equal access to common indoor and outdoor amenities and facilities shown in Appendix D.

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 185 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 site contains 34 units of existing primary rental housing. 27 out of the 33 existing residential tenancies are eligible under the City's Tenant Relocation and Protection Policy (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 City's *Tenant Relocation and Protection Policy* (TRPP) for the Plan area prior to development permit issuance. Staff have prepared a draft TRP which reflects the *Broadway Plan* tenant protections, summarised in Appendix F of this report.

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

5. Transportation and Parking

The site is well served by public transit, located eight blocks (750 m) north of the future Arbutus Subway Station, two blocks away from Bus No. 2 that runs along Cornwall Street and four blocks from five bus lines running along 4th Avenue.

The proposal includes 99 vehicle parking spaces, 361 bicycle storage spaces, one Class A Loading and one Class B Loading space. Parking, loading, bicycle and passenger loading spaces are required to meet the Parking By-law at the time of development permit. Proposed parking reductions may be considered at the development permit stage with acceptable Transportation Demand Management (TDM) measures. Engineering conditions related to public realm improvements such as upgraded speed humps in the lane, street lighting and new sidewalk are included in Appendix B.

6. Environmental Sustainability and Natural Assets

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

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

There are nine on-site trees and three trees on city land that are proposed for removal due to poor condition and conflict with the building footprint. One tree on the adjacent lot to the west is impacted by the development and the applicant intends to safely retain this tree. A minimum of nine new on-site trees are required and six new street trees are proposed at the ground level. A detailed tree review, and the final number of new trees will be determined through the development permit process. Landscaping is proposed at grade and within the amenity areas located above the podium and rooftop. See Appendix B for landscape conditions.

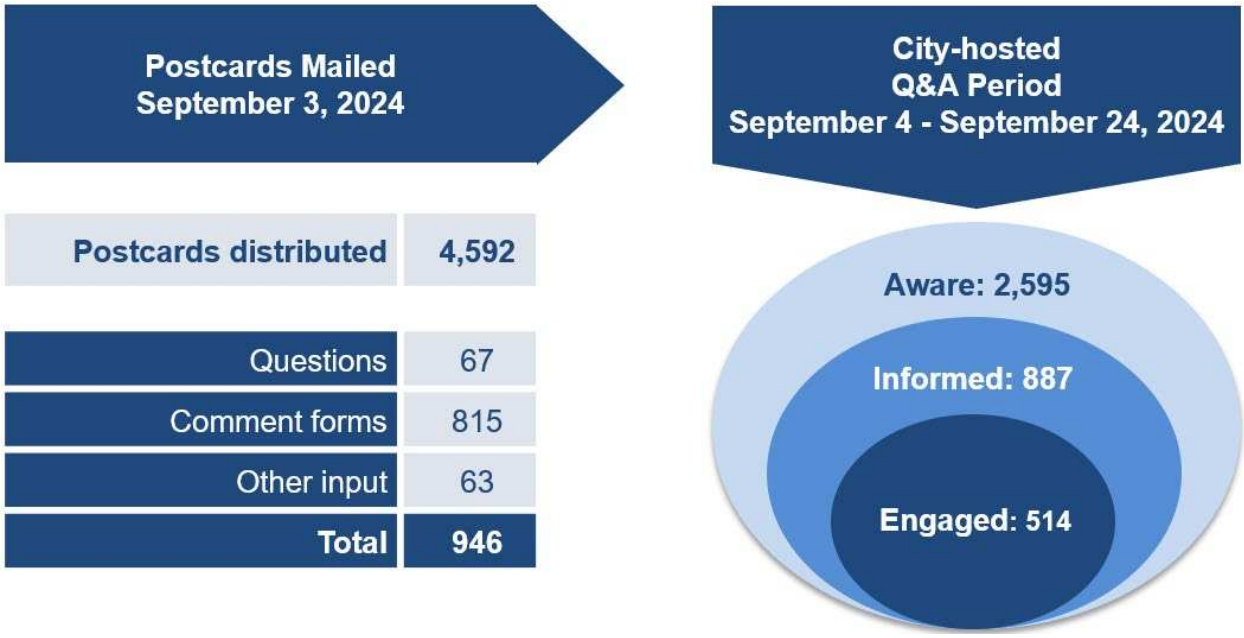
7. Public Input

Public Notification – A rezoning information sign was installed on the site on August 12, 2024. Approximately 4,989 notification postcards were distributed within the neighbouring area on or about September 3, 2024. Application information and an online comment form was provided on the Shape Your City (shapeyourcity.ca/) platform. The website was viewed 5,812 times.

Question and Answer Period – A question and answer period was held from September 4, 2024 to September 24, 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 946 submissions were received. Additionally, an online petition opposing the project garnered 1,902 signatures as of date of report. The concerns included impacts on neighbourhood character, views, affordability, sustainability and that the project would cause overburdened infrastructure.

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 development contributes to the housing stock in the area, particularly with rental housing and below-market rental (BMR) units.
- **Density:** The proposed density, and densification in general, is supported in this neighborhood.
- **Use:** The inclusion of commercial retail spaces within the development is welcomed, promoting a mixed-use environment that supports the local economy and provides amenities for residents.
- **Development:** The development is generally supported and desired, as it aims to address the housing crisis, improve local infrastructure, and contribute positively to the community's growth and vibrancy.

Generally, comments of concern fell within the following areas:

- **Building Height:** The proposed structure is excessively tall and large, which is inconsistent with the neighborhood's scale and character.

- **Neighbourhood Impact:** The project will disrupt and negatively impact the community, leading to overcrowding due to increased housing density. The development does not fit the neighborhood's character and may diminish its unique charm.
- **Location suitability:** The proposal is not appropriate for this location. It would be more appropriate for areas closer to transit nodes, such as Broadway, Downtown, or other similar locations.
- **Traffic and safety:** The increased traffic would lead to congestion, exacerbate the already limited street parking situation, and negatively impact overall traffic safety.

Response to Public Comments

Building height – The scale of the proposed development is consistent with the intent of the Plan for the KKNB sub-area. The project is not impacting a protected public view.

Neighbourhood impact – The proposed development aligns with the intent of the Plan. Future development must adhere to the form of development guidelines outlined in the *Broadway Plan*, ensuring a contextual fit with the neighborhood's character. Further review of the form of development will occur at the development permit stage. Additionally, critical infrastructure and services will be expanded in accordance with the Public Benefit Strategy of the Plan to minimize impacts on existing residents and neighbours.

Location suitability – The project location aligns with expectations of the Plan. The site is well connected to the public transit network and is located 750 m from the future Arbutus Station.

Traffic and safety - This site is required to provide parking and loading as per the Parking By-law, and it is not anticipated that this site will put additional pressure on street parking in the area. The City will continue to monitor parking in the area, and residents may contact the Engineering Department via 3-1-1 regarding on-street parking enquiries and requests. Engineering conditions related to improved safety such as upgraded speed humps in the lane, street lighting and new sidewalk are included in Appendix B.

8. Public Benefits

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

Development Cost Levies (DCLs) – The site is subject to City-wide and Utilities DCLs, 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 set out in the DCL By-laws.

Based on rates in effect as of September 30, 2024 and the proposed 12,669.1 sq. m (136,370 sq. ft.) of residential floor area and 584.7 sq. m (6,294 sq. ft.) of commercial floor area, it is

expected that the project will pay DCLs of $2,213,516. The value of the DCL waiver for the residential floor area is estimated to be $3,221,059.

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 $282,472. 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.

FINANCIAL IMPLICATIONS

As noted in the Public Benefits section, this project is expected to provide 185 rental units, with a minimum of 20% of the residential floor area secured at below-market rates, DCLs as well as a public art contribution. See Appendix G for additional details.

CONCLUSION

The proposed land use, form of development and public benefits are consistent with the Plan. If approved, this application would contribute approximately 185 rental units to the City's rental housing stock, with a minimum of 20% of the residential floor area secured at below-market rates. 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 as 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.

* * * * *

2158-2170 W 1st Avenue
PROPOSED CD-1 BY-LAW PROVISIONS

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

Zoning District Plan Amendment

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

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

Designation of CD-1 District

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

Definitions

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

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

   (b) "Below-Market Rental 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) Institutional Uses, limited to Child Day Care Facility;

(d) Live-Work Use;

(e) Office Uses;

(f) Retail Uses;

(g) Service Uses;

(h) Utility and Communication Uses; and

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

Conditions of Use

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.

5.4 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 combination with a permitted use;

(b) farmers' market;

(c) neighbourhood public house;

(d) public bike share; and

(e) restaurant,

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

Floor Area and Density

6.1 Computation of floor area must assume that the site area is 1,949.1 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.

6.3 The total floor area for commercial uses must be a minimum of 139 m^2.

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

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

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

(i) the total area of these exclusions must not exceed 15% 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.

6.6 The Director of Planning or Development Permit Board may exclude common amenity areas from the computation of floor area, to a maximum of 10% of the total permitted

floor area, if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines.

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

Building Height

7.1 Building height must not exceed 64.7 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 70.2 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.

* * * * *

2158-2170 West 1st 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 Chris Dikeakos Architecture Inc, received May 1, 2024, with revisions received June 14, 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 set back the underground structure a minimum of 12 ft. from the front property line.

Note to Applicant: The intent of this condition is to ensure adequate space and soil volume for trees and green infrastructure, as per *Broadway Plan*, Built Form, and Site Design Section 11.4.8.

1.2 Design Development to reduce the height and massing of the rooftop amenity space and mechanical appurtenances.

Note to Applicant: The intent of this condition is to improve solar performance in the surrounding public realm, including Yew Street and Kitsilano Beach Park.

1.3 Design development to create a more engaging and inviting public realm and local commercial interface along 1st Avenue.

Note to Applicant: Refer to the *Broadway Plan*, Built Form and Site Design Section 11.4.22 -25. This may be achieved by:

(a) Incorporating fine-grained frontage expression with high-quality details and materials that complement the neighbourhood character;

(b) Minimizing the steps and retaining walls to ease access and eliminating guardrails;

(c) Exploring building and landscape features that improve placemaking and wayfinding for this mid-block neighbourhood commercial area.

1.4 Design development to mitigate the impacts on the adjacent properties.

Note to Applicant: Refer to the *Broadway Plan*, Built Form and Site Design Section 11.4. Intent. This may be achieved by:

(a) Grading the side yards no higher than the existing retaining walls along the shared property lines;

(b) Providing at least 8 ft setback from side property lines for all above-grade structures;

(c) Minimizing podium balconies that face the side yards;

(d) Providing planters around the podium roof to lessen privacy and noise impacts.

1.5 Design development to improve the lane environment.

Note to Applicant: Refer to the *Broadway Plan*, Built Form, and Site Design Section 11.1.65-71. This may be achieved by:

(a) Integrating the standalone parkade exit stair into the building;

(b) Minimizing basement protrusion above the grade in the rear yard;

(c) Reducing the exposure of the planter walls and the blank wall of the parkade access ramp;

(d) Mitigating the noise and visual impacts of loading by integrating the loading into the building whenever possible, and providing appropriate lighting, architecturally treated surfaces, screening, doors, and landscaping to reduce impacts on adjacent dwelling units.

Note to Applicant: The Applicant is encouraged to reach out to Planning and Engineering staff to discuss loading options before development application submission to streamline the review process.

1.6 Design development to provide more functional and appropriately sized amenity spaces.

Note to Applicant: Refer to the *Broadway Plan*, Built Form and Site Design – Principle & 11.1.23 – 26, and the *High-Density Housing for Families with Children Guidelines* for livability design. Recommendations include:

(a) Ensure no indoor amenity room is less than 37 sq. m (400 sq. ft.);

(b) Provide an accessible washroom and kitchenette to the amenity spaces on the fifth floor;

(c) Enhance the size and program of outdoor amenity spaces on the tower rooftop;

Note to Applicant: The circulation areas around the amenity room are not considered functional spaces for outdoor amenities. The objective of outdoor amenities is to provide appropriate open spaces that meet the diverse needs of

children and adults. Staff recommend providing outdoor amenity spaces with a minimum of 2.0 sq. m (22 sq. ft.) per unit and dimensions of more than 15 ft.

(d) Outdoor amenity area should 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. Position children's play area adjacent to indoor amenity spaces to enable parental supervision.

(e) Design the lobby to foster social interaction, with features like a lounge area, a mezzanine level for indoor amenities, or bike storage access.

1.7 Design development to provide adequate private open spaces to all dwelling units.

Note to Applicant: Refer to the *Broadway Plan*, Built Form and Site Design Section 11.1.22-23, and the *High-Density Housing for Families with Children Guidelines*. Each balcony should have a minimum depth of 1.8 m (6 ft.) and a minimum area of 4.5 sq. m (48.4 sq. ft.).

1.8 Design development to enhance the architectural design.

Note to Applicant: Refer to the *Broadway Plan*, Built Form and Site Design Principle, and Section 11.4.21-24. Recommendations include but are not limited to:

(a) Articulate the balcony form and expression to create a more visually appealing coastal character while reducing the perceived width of the tower;

Note to Applicant: This may be achieved by incorporating variation in balcony placement and size, reducing the extent of corner-wrapping balconies, and breaking up the continuous horizontal frames.

(b) Emphasize the expression of the podium as the base of the building and better respond to the surrounding fine-grained residential character and scale; and

(c) Demonstrate good practices in sustainable building design, such as optimizing window-to-wall ratio and incorporating solar shading on the south and west façades.

Landscape

1.9 Design development to resolve conflict with neighbour owned tree 101. Arborist tree management plan shows the parkade line modified to reduce excavation near retaining wall directly adjacent to tree 101. However, architectural drawings do not show this modified parkade line.

Note to Applicant: This can be achieved by providing confirmation that existing retaining wall can remain in place, either with modified parkade line as shown on the tree management plan, or with parkade as shown on architectural drawings. If this retaining wall can remain, it should be clearly shown on consultant drawings and noted as such. If this retaining wall cannot remain, further analysis with the project arborist and design team may be required in order to confirm a feasible design that will facilitate retention of

this tree. Unless a signed letter of consent from the neighbouring property owner is provided, this tree is to be retained as per above condition.

1.10 Design development to maximize the amount of replacement trees planted on grade, with access to the water table.

Note to Applicant: The amount of replacement trees located within the 12 ft. underground setback area should be maximized. The planting scheme should take advantage of this condition, with access to the water table. Alternative methods and materials, such as permeable paving, structural soils and soil cells are encouraged in order to support tree health.

1.11 Provision of fully coordinated landscape and architectural drawings sets.

Note to Applicant: Extent of level 21, and level 5 outdoor amenity areas are not coordinated between consultant drawings. All consultant drawings to be coordinated.

1.12 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.

1.13 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.

Housing

1.14 The proposed unit mix, including 62 studio units (33.5%), 58 one-bedroom units (31.4%), 44 two-bedroom units (23.8%) and 21 three-bedroom units (11.4%) is to be revised in the development permit drawings to achieve at least 10% three-bedroom units and 25% two-bedroom units, separately in both the market rental and below-market portions.

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.

1.15 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);

Note to Applicant: Several units show in-suite storage below this minimum size.

(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: Several units, including family sized units, do not have private balconies.

1.16 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.

Sustainability

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

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

Engineering

1.18 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

1.19 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

1.20 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.

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

1.22 Gates/doors are not to swing more than 0.3 m (1 ft.) over the property lines.

Note to Applicant: Sheet A-801 shows a door swing from the "roof stairs" over the lane dedication.

1.23 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.

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

(a) Display of the following notes:

(i) "This plan is "**NOT FOR CONSTRUCTION"** and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and

related permits are issued. Please contact Engineering, Development and Major Projects and/or your Engineering, Building Site Inspector for details."

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

(b) Existing locations of:

(i) Street furniture; and

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

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

(ii) Poles and guy wires.

Note to Applicant: Poles and guywires that are to be removed or relocated must be called out and the existing and proposed locations shown. Letters must be provided from the appropriate public utility companies that confirm that pole relocation proposed is possible.

(c) Deletion of:

(i) proposed portion of 'roof stairs' that encroach into the lane dedication. See sheet A-101.

(ii) existing retaining walls, entrance ramps and other structures from City boulevard along West 1st Avenue.

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.

1.25 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.

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

(a) The minimum 1.3 m (4.3 ft.) side clearance for Class B spaces;

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

Note to Applicant: Council approved amendments to the Parking By-law for loading rates and design requirements. These requirements will apply to site development permits following this rezoning. An additional Class B loading space is required to meet the requirements of the Parking By-law.

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

(a) 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;

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

1.28 Provision of a sewer abandonment plan by the Developer's Engineer that details 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.

1.29 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 rezoning and development permit applications for developments with one or more levels of below-ground structure (but excluding lower density residential buildings with eight 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

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

Note to Applicant: BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be located on private property with no reliance on public property for placement of these

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

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

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

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

Note to Applicant: It is highly recommended that the applicant submits a Key Plan to the City for review as part of the building permit application.

Use of street for temporary power (e.g., temporary pole, pole mounted transformer or ducting) is to be coordinated with the city well in advanced of construction. Requests will be reviewed on a case-by-case basis with justification provided substantiating need of street space against other alternatives. If street use for temporary power is not approved, alternate means of providing power will need to be proposed. An electrical permit will be required.

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

1.32 Show all City supplied building grades (BGs) and entranceway design elevations (DEs) on the architectural and landscape plans, while ensuring any topographic survey used for design purposes is derived from a benchmark with elevations consistent with those denoted on the City issued building grade plan.

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

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

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

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

2.1 Make arrangements to the satisfaction of the General Manager of Engineering Services, the Director of Legal Services, and the Approving Officer for the consolidation of Lots 3 to 7, Lot 9 and the East ½ and West ½ of Lot 8, all of Block 214, District Lot 526, Plan 590 to create a single parcel and subdivision of that site to result in the dedication of the south 2 feet for lane purposes.

Note to Applicant: A subdivision plan and application to the Subdivision and Strata Group is required. For general information see the subdivision website at: http://vancouver.ca/home-property-development/apply-to-subdivide-or-join-properties.aspx

2.2 Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "Services") such that they are designed, constructed, and installed at no cost to the City and all necessary street dedications and rights-of-way for the services are provided. No development permit for the site will be issued until the security for the services are provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. The Services are not excess and/or extended services, and the applicant is not entitled to a Latecomer Agreement.

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

Note to Applicant: Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by Core Group Consultants Ltd. dated April 9, 2024, 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.

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

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

Note to Applicant: Implementation of development(s) at 2158-2170 West 1st Avenue does not require any sewer upgrades to maintain existing sewer and storm flow conditions.

Development to be serviced to the existing 200 mm SAN and 375 mm STM sewers along 1st Avenue.

(c) Provision of street improvements, and appropriate transitions, along West 1st Avenue adjacent to the site, including:

(i) Minimum 2.0 m wide front boulevard;

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

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

(d) Provision of street improvements with appropriate transitions, along the lane adjacent to the site, including full depth pavement reconstruction.

Note to Applicant: Lane reconstruction to meet City “Higher-Zoned Lane” standards. Refer to the City design guidelines and construction standards: https://vancouver.ca/streets-transportation/street-design-construction-resources.aspx

(e) Provision of speed humps in the lane south of West 1st Avenue between Arbutus Street and Yew Street.

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

(g) Provision of Yew Street and West 1st Avenue’s entire intersection street lighting upgrade to current City standards and IESNA recommendations.

(h) 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.

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

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

Note to Applicant: 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.

(j) Provision of street trees where space permits.

Note to Applicant: Final spacing, quantity and location of the trees 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 material, 8' long and 18" deep, center 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.

(k) 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

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

Housing

2.3 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant to secure all residential units as class A for profit affordable rental housing, excluding Seniors Supportive or Assisted Housing, and including at least 20% of the residential floor area that is counted in the calculation of the dwelling unit area per the CD-1 By-law to be secured as below-market rental dwelling housing units, and the remaining units to be secured as market rental units, subject to the conditions set out below for such units, and in accordance with the requirements set out in the *Broadway Plan*, for a term equal to the longer of 60 years and the life of the building and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require. The agreement or agreements will include but not be limited to the following terms and conditions:

(a) A no separate sales covenant;

(b) A no stratification covenant;

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

(d) That the average initial starting monthly rents by unit type for the below-market rental housing dwelling 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 dwelling units will be required prior issuance of an occupancy permit, to the satisfaction of the General Manager of Planning, Urban Design or Sustainability (or successor in function) and the Director of Legal Services;

(f) Following initial occupancy, on a change in tenancy for a below-market rental housing 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 dwelling units, based on the following:

    (i) For new tenants, annual household income cannot exceed 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 dwelling units every 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 dwelling 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 dwelling units, and a summary of the results of eligibility testing for these units; and

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

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

2.4 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, temporary rent top-up or lump sum 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).

Environmental Contamination

2.5 Submit a site disclosure statement to Environmental Services.

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

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

Public Art

2.8 Execute an agreement satisfactory to the Director of Legal Services and the Managing Director of Arts & Culture 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 Head of Public Art.

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

* * * * *

2158-2170 West 1st Avenue
DRAFT CONSEQUENTIAL BY-LAW AMENDMENTS

DRAFT AMENDMENTS TO THE SIGN BY-LAW NO. 11879

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

“2158-2170 West 1st Avenue	[CD-1 #]	[By-law #]	“C-2”

DRAFT AMENDMENTS TO THE NOISE BY-LAW NO.6555

Amend Schedule B (Intermediate Zone) of the Noise Control By-law by adding:

“[CD-1#]	[By-law #]	2158-2170 West 1st Avenue”

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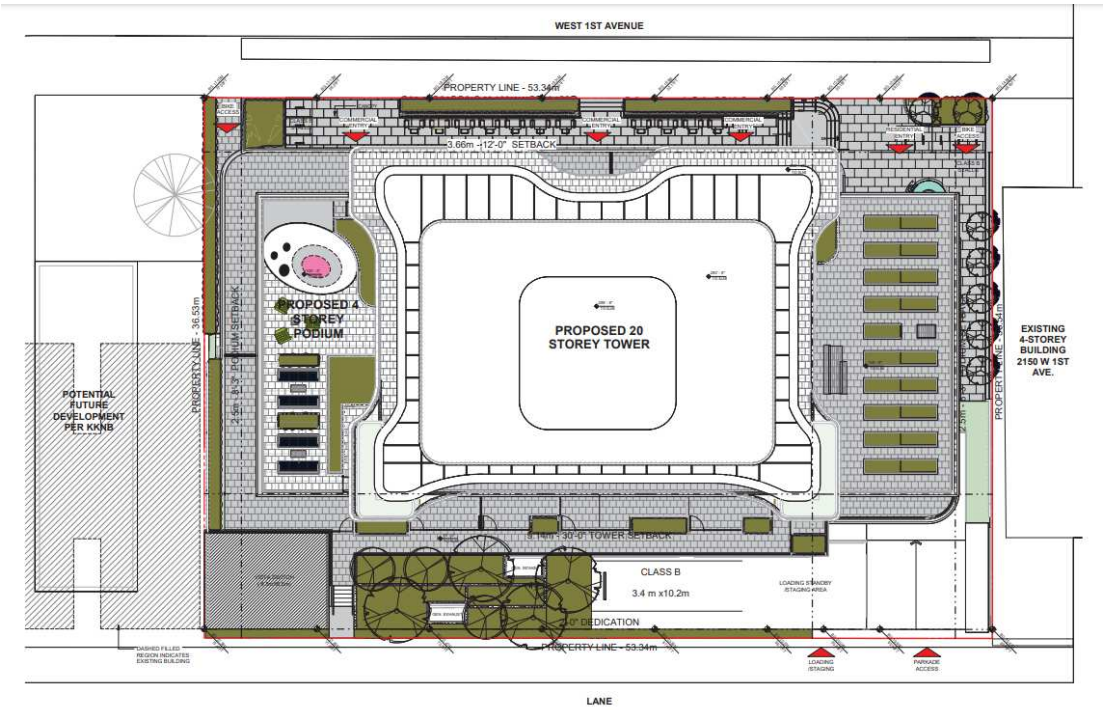
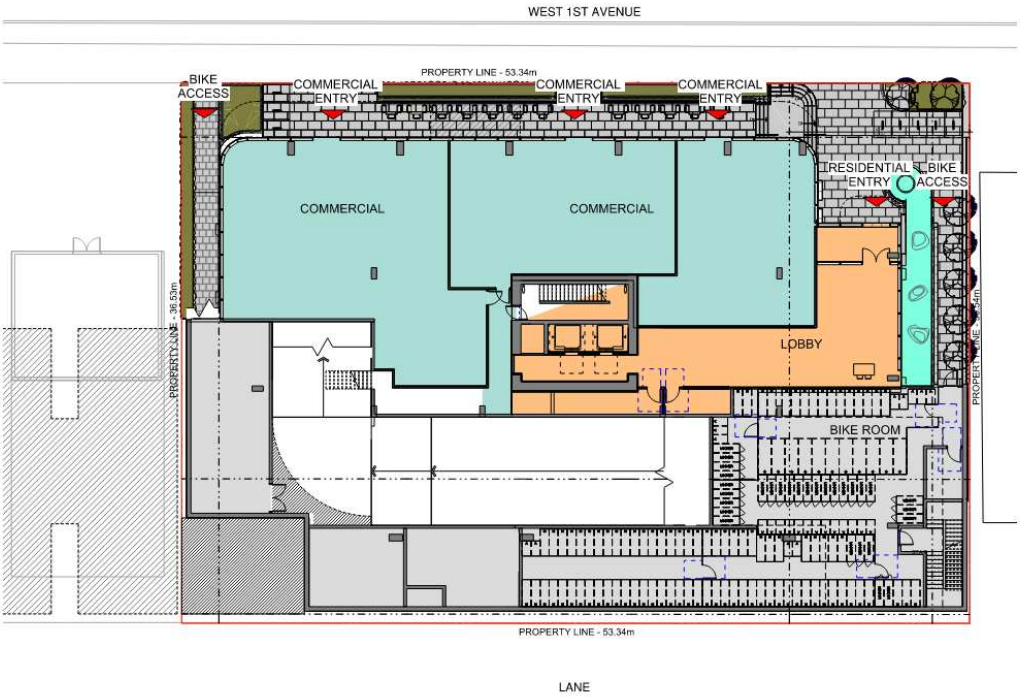
2158-2170 West 1st Avenue
FORM OF DEVELOPMENT DRAWINGS

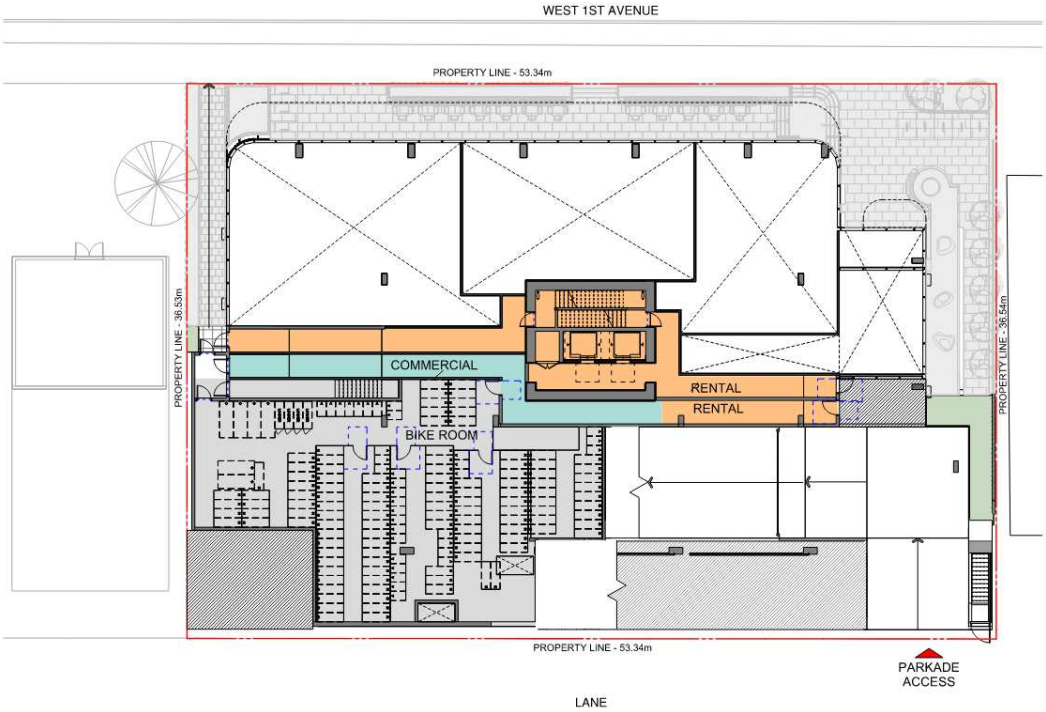
Site Plan



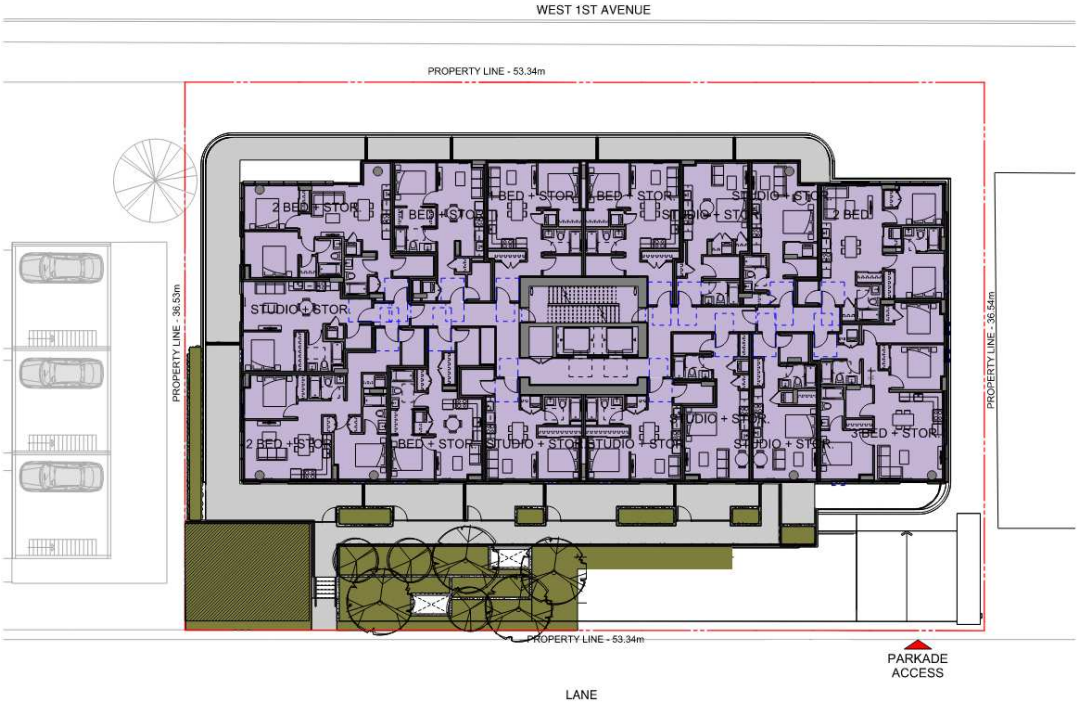
Ground Floor Plan



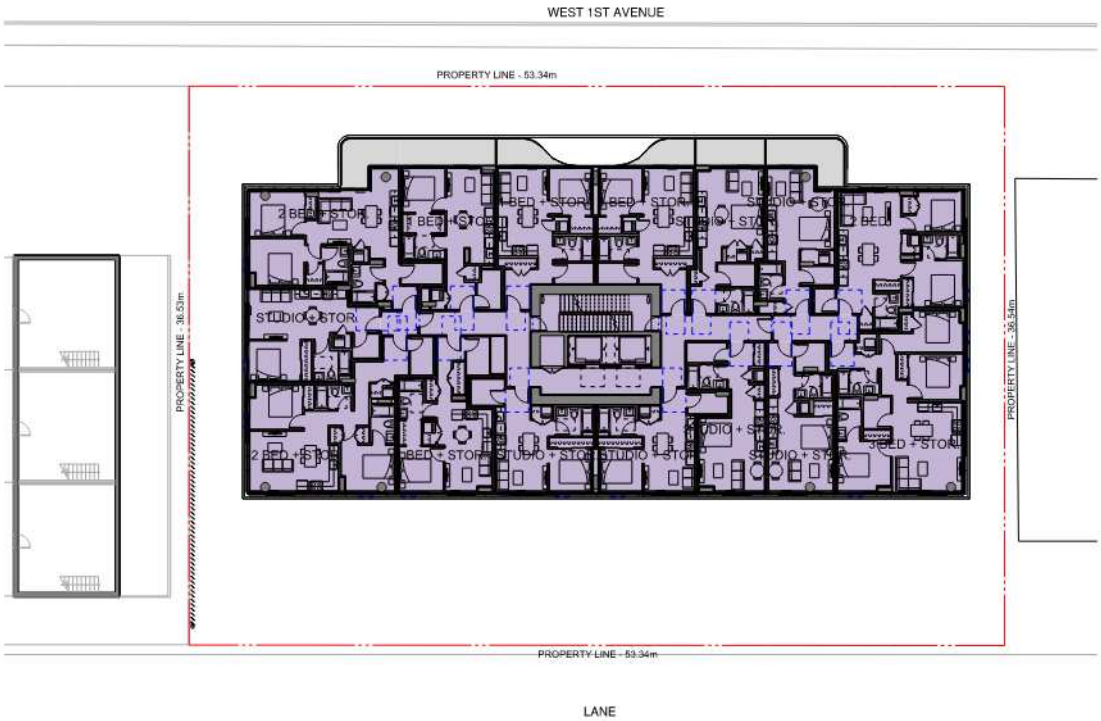
Mezzanine Level Floor Plan



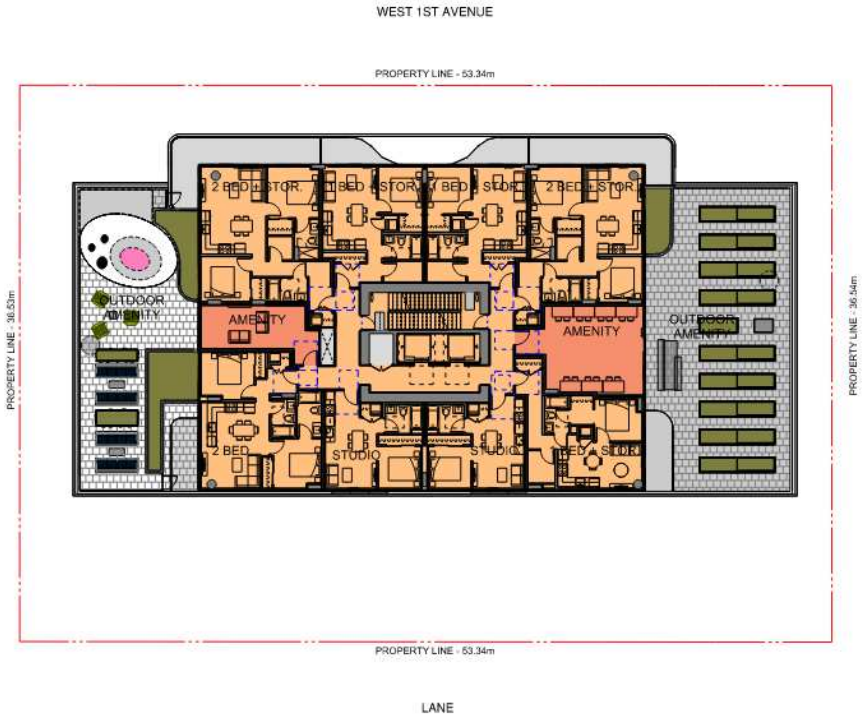
Level 2 Floor Plan



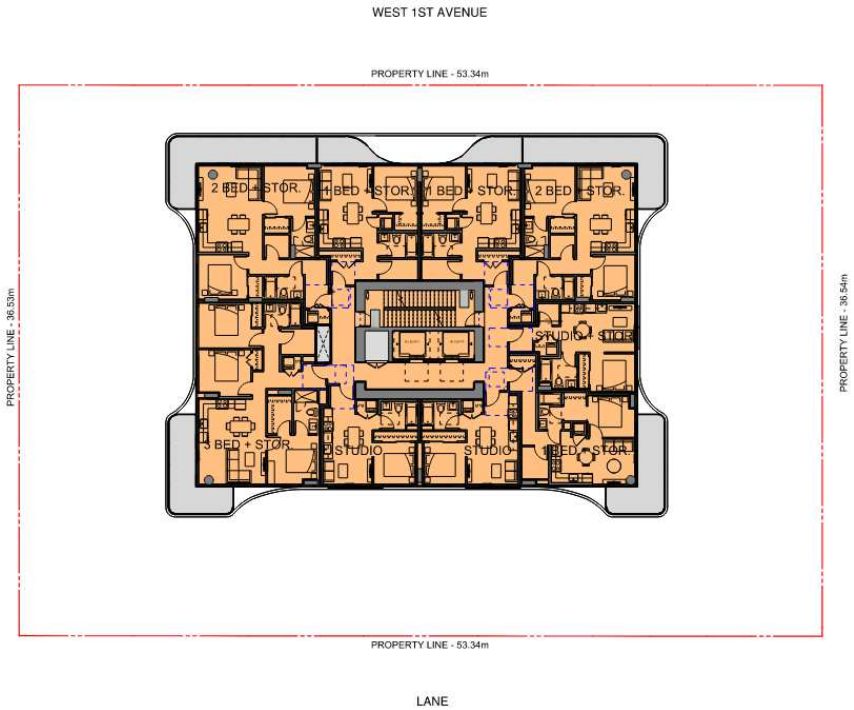
Levels 3-4 Podium Floor Plan



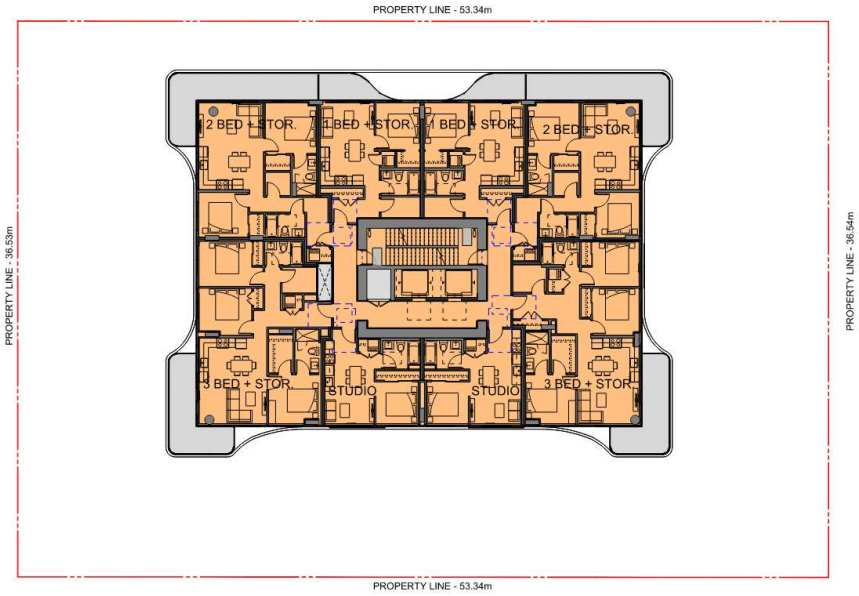
Level 5 Floor Plan with Outdoor Amenity Space



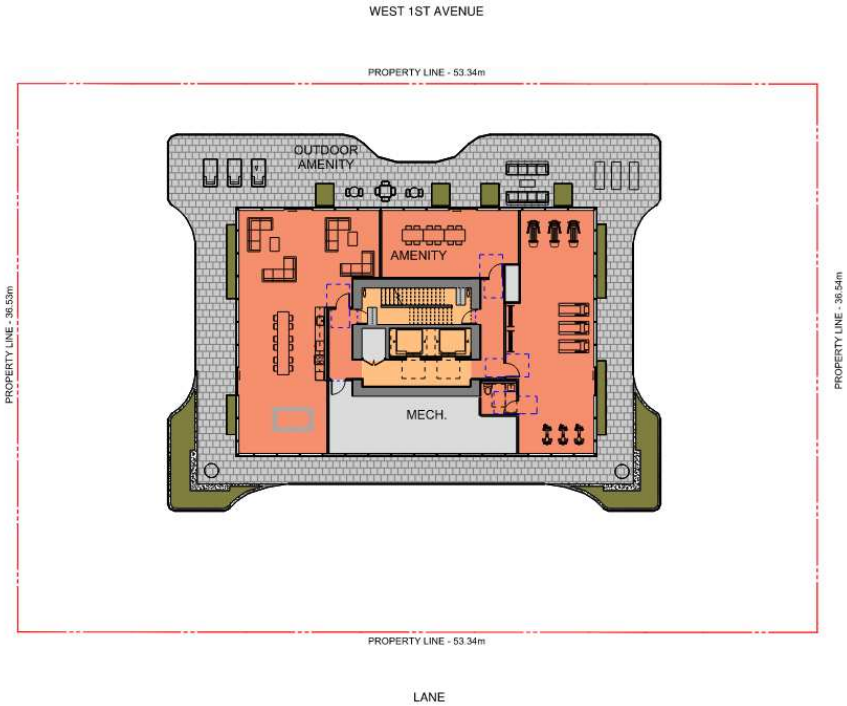
Levels 6-17, Tower Floor Plan



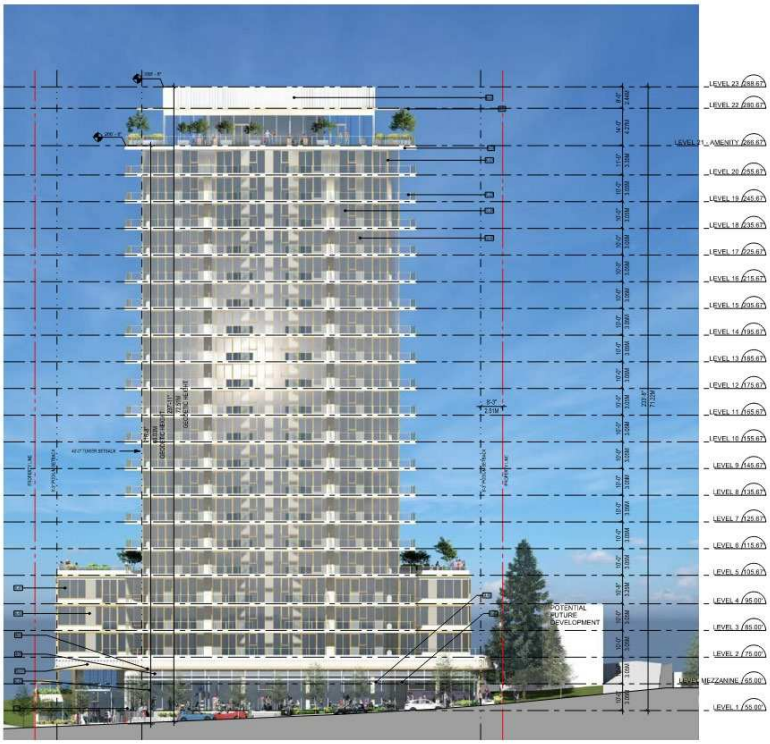
Levels 18-20, Tower Floor Plan



Rooftop Outdoor Amenity Space



North Elevation



East Elevation

South Elevation

West Elevation

Perspective – Looking Southeast

Perspective – Looking Northwest

Perspective – Streetview

Shadow study

MARCH 10 AM

MARCH 12 PM

MARCH 4 PM

MARCH 2 PM

SHADOW STUDIES HAVE TAKEN INTO ACCOUNT
DAYLIGHT SAVING TIME AND TOPOGRAPHY

JUNE 10 AM

JUNE 12 PM

JUNE 4 PM

JUNE 2 PM

SHADOW STUDIES HAVE TAKEN INTO ACCOUNT
DAYLIGHT SAVING TIME AND TOPOGRAPHY

SEPTEMBER 10 AM

SEPTEMBER 12 PM

SEPTEMBER 4 PM

SEPTEMBER 2 PM

SHADOW STUDIES HAVE TAKEN INTO ACCOUNT
DAYLIGHT SAVING TIME AND TOPOGRAPHY

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2158-2170 WEST 1ST AVENUE
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

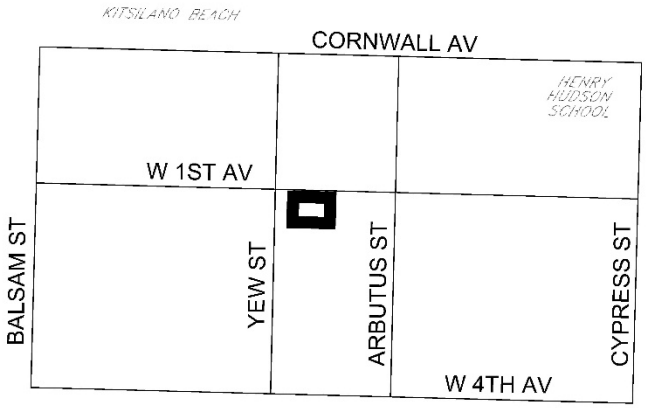
	Date	Results
Event		
Question and Answer Period (City-led)	September 4, 2024 – September 24, 2024	2,595 participants (aware)* • 887 informed • 514 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and Question and Answer Period	September 3, 2024	4,989 notices mailed
Public Responses		
Online questions	September 4, 2024 – September 24, 2024	67 submittals
Online comment forms • Shape Your City platform	July 2024 – February 2025	815 submittals
Overall position • support • opposed • mixed	July 2024 – February 2025	815 submittals • 110 responses • 670 responses • 26 responses
Other input	July 2024 – February 2025	63 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	July 2024 – February 2025	5,812 participants (aware)* • 1,796 informed • 867 engaged

Note: All reported numbers above are approximate.

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

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

2. Map of Notification Area



NOTIFICATION AREA

3. Analysis of All Comments Received

Below is an analysis of all public feedback by topic.

Generally, comments of support fell within the following areas:

- **Housing:** The development contributes to the housing stock in the area, particularly with rental housing and below-market rental (BMR) units.
- **Density:** The proposed density is well-suited for the neighborhood, especially given its proximity to transit, major arterial routes, and popular destinations such as Kitsilano Beach, Downtown Vancouver, and the University of British Columbia (UBC).
- **Use:** The inclusion of commercial retail spaces within the development is welcomed, promoting a mixed-use environment that supports the local economy and provides amenities for residents.
- **Development:** The development is generally supported and desired, as it aims to address the housing crisis, improve local infrastructure, and contribute positively to the community's growth and vibrancy.

Generally, comments of concern fell within the following areas:

- **Building height:** The proposed building height is inappropriate for the area. The building is excessively tall and large, shadowing the surrounding area and obstructing the views of neighbours and local view corridors.

- **Neighbourhood Impact:** The project will disrupt and negatively impact the community, leading to overcrowding due to increased housing density. Public spaces, including streets, parks, and the beach, will become crowded. The development does not align with the neighborhood's character and will detract from its unique charm.

- **Development location:** The proposal is not suitable for this location and would be better suited to areas with better transportation access, such as Broadway, Downtown, or other well-connected areas.

- **Traffic and safety:** The increased traffic would lead to congestion, worsen the already limited street parking situation, and negatively impact overall traffic safety.

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

General comments of support:

- The building is well designed and attractive.
- The development will positively impact and revitalise the neighbourhood.
- The proposed development will assist address the housing crisis.
- The building height is appropriate.

General comments of concern:

- The development will bring too much additional density to an already dense area.
- The units will generally not be affordable, with specific concerns that the below-market rental units will not be affordable.
- The development will shadow the surrounding neighbourhood.

Neutral comments/suggestions/recommendations:

- A lower or mid-rise building would be preferred to what has been proposed, with specific support for building heights ranging from three to 15 storeys.
- Other areas should be prioritised for development first, specifically the immediate area around Broadway or areas of lower density and single detached houses.
- The development site, and the surrounding area should not be considered part of the *Broadway Plan* area.
- Applications of this size and scale should not be considered north of 4th Avenue.

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2158-2170 West 1st 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:
	  ○ 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 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 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 will distribute tenant needs assessment surveys. These surveys will be used in relocation efforts and to identify tenants' needs and preferences. • Applicant will 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 *Tenant Relocation and Protection Policy*, the applicant will commit to assisting in securing a permanent, suitable affordable housing option.
First Right of Refusal	• The applicant will 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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2158-2170 West 1st Avenue
PUBLIC BENEFITS SUMMARY

Project Summary:

A 20-storey building containing 185 rental units, of which 20% of the residential floor area is to be below-market rental units.

Public Benefit Summary:

185 rental units, of which a minimum of 20% of the residential floor area at below-market rates, with DCLs as well as a public art contribution.

	Current Zoning	Proposed Zoning
Zoning District	RM-4	CD-1
FSR (site area = 1,949.1 sq. m (20,980 sq. ft.))	0.75	6.8
Buildable Floor Area	1,461.8 sq. m (15,735 sq. ft.)	13,253.9 sq. m (142,664 sq. ft.)
Land Use	Residential	Mixed-Use

Summary of development contributions expected under proposed zoning

City-wide DCL[1,2]	$148,664
Utilities DCL[1]	$2,064,852
Public Art[3]	$282,472
TOTAL	**$2,495,988**

Other benefits (non-quantified): 185 rental housing units, of which 20% of the residential floor area would be 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 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. The value of the City-wide DCL waiver on the residential floor area is estimated to be $3,221,059.

[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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2158-2170 West 1st Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
2158 West 1st Avenue	015-233-855	The East 1/2 of Lot 8 Block 214 District Lot 526 Plan 590
2158 West 1st Avenue	015-233-863	Lot 9 Block 214 District Lot 526 Plan 590
2170 West 1st Avenue	015-233-782	Lot 3 Block 214 District Lot 526 Plan 590
2170 West 1st Avenue	015-233-791	Lot 4 Block 214 District Lot 526 Plan 590
2170 West 1st Avenue	015-233-804	Lot 5 Block 214 District Lot 526 Plan 590
2170 West 1st Avenue	015-233-812	Lot 6 Block 214 District Lot 526 Plan 590
2170 West 1st Avenue	015-233-847	Lot 7 Block 214 District Lot 526 Plan 590
2170 West 1st Avenue	016-421-191	The West 1/2 of Lot 8 Block 214 District Lot 526 Plan 590

Applicant Information

Architect	Chris Dikeakos Architects Inc.
Applicant	Millenium Properties Ltd
Registered Owners	Jacqueline Ward, Millennium Kitsilano Nominee Ltd.

Development Statistics

	Permitted Under Existing Zoning	Proposed
Zoning	RM-4	CD-1
Site Area	1,949.1 sq. m (20,980 sq. ft.)	1,949.1 sq. m (20,980 sq. ft.)
Land Use	Residential	Mixed-Use
Maximum FSR	0.75	6.8
Maximum Height	10.7 m (35 ft.)	64.7 m (212 ft.) to top of residential parapet 70.2 m (231 ft.) to top of amenity space
Floor Area	1,461.8 sq. m (15,735 sq. ft.)	13,253.9 sq. m (142,664 sq. ft.)
Unit Mix	n/a	

Type	Secured Rental (including 20% of Floor Area as BMR)	
	Count	Percentage
Studio	62	33.5%
1-bed	58	31.4%
2-bed	44	23.8%
3-bed	21	11.4%
Total	185	100%

Parking and Bicycle Spaces	as per Parking By-law	as per Parking By-law Confirmed at the development permit stage
Natural Assets	Nine on-site by-law trees; three City trees; one neighbour's tree	Nine on-site trees proposed for removal. Three City trees proposed for removal. One neighbour's tree to be retained. Approx. 15 new trees proposed. To be confirmed at development permit stage.

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