



## REFERRAL REPORT

Report Date: April 9, 2024  
Contact: Daniel Feeney  
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RTS No.: 16298  
VanRIMS No.: 08-2000-20  
Meeting Date: April 23, 2024

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: CD-1 Rezoning: 5350-5430 Heather Street

### **RECOMMENDATION TO REFER**

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

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

### **RECOMMENDATION FOR PUBLIC HEARING**

- A. THAT the application by Rize Alliance Properties Ltd. on behalf of Comma-Minto Properties (Heather) Nominee Ltd., the registered owner of the lands located at 5350-5430 Heather Street [*Lots 3 to 7, Block 877 District Lot 526 Plan 8838; PIDs: 007-506-953, 009-918-345, 009-918-353, 009-918-361 and 009-918-370 respectively*], to rezone the lands from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 6.28 and the building height from 11.5 m (38 ft.) to 60 m (197 ft.) with additional height for the portion with rooftop amenity to permit two 18-storey residential buildings containing 344 rental units, with 20% of the residential floor area secured as below-market rental units, be approved in principle;

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

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Dialog, received April 24, 2023, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

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 zoning amendment 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 Subdivision By-law be amended, generally as set out in Appendix C subject to approval of the CD-1 By-law;

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

- D. THAT Recommendations A to C 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; 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 5350-5430 Heather Street to a CD-1 (Comprehensive Development) District. The proposal is for two 18-storey buildings with an additional partial storey for a rooftop amenity space on the north tower. The proposal consists of 344 rental residential units, of which 20% of the residential floor area would be below-market rental (BMR) units.

The proposed use and form of development are consistent with the intent of the *Cambie Corridor Plan* (the Plan). Staff recommend that the application be referred to a Public Hearing,

with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it in principle, subject to the Public Hearing, and conditions contained in Appendix B.

### **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

- Cambie Corridor Plan and Cambie Corridor Public Realm Plan (2018)
- Vancouver Plan (2022)
- Housing Vancouver Strategy (2017)
- Housing Needs Report (2022)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992, last amended 2020)
- Green Buildings Policy for Rezonings (2010, last amended 2023)
- Community Amenity Contributions Policy for Rezonings (1999, last amended 2023)
- Development Cost Levy By-law No. 9755
- Utilities Development Cost Levy By-law No. 12183
- Public Art Policy and Procedures for Rezoned Developments (1994, last amended 2014)
- Urban Forest Strategy (2014, last amended 2018)
- Latecomer Policy (2021)
- Provincial Bill 47- Housing Statues (Transit Oriented Areas) Amendment Act, adopted November 30, 2023

### **REPORT**

#### ***Background/Context***

##### **1. Site and Context**

The subject site is zoned R1-1 and located mid-block on the east side of Heather Street, south of West 37th Avenue (Figure 1). The properties consist of a five-lot assembly, with a frontage of 93 m (305 ft.) along Heather Street, a depth of 42.2 m (142 ft.), and a total site area of 3,923.3 sq. m (42,230 sq. ft.). The lots are currently developed with five single-detached houses. At the time of application, the houses were owner-occupied and the *Tenant Relocation and Protection Policy* does not apply.

**Figure 1: Location Map – Site and Context**

The surrounding area is zoned primarily residential and commercial. The neighbourhood is undergoing significant change, with several buildings approved or under construction. Nearby properties have redevelopment potential, ranging from six storeys to 57 storeys at Oakridge Centre, located one block south. The Heather Lands redevelopment is also located one block to the north with building heights ranging from three to 28 storeys.

**Neighbourhood Amenities** – The following neighbourhood amenities are within the vicinity:

- *Public Parks* – Oak Meadows Park (250 m), Queen Elizabeth Park (425 m), and Montgomery Park (725 m). The future Oakridge Centre (500 m) will include a new rooftop park.
- *Cultural Spaces/Community Spaces* – The future Oakridge Centre (300 m) will include a library, seniors centre, cultural performance space and community centre. Rezoning was approved for a youth centre at 5812 Cambie Street (550 m) and an artist live-work space at 5910 Cambie Street (650 m).
- *Childcare* – Garderie L'ile Aux Enfants (125 m) and the future expanded childcare facility at the Jewish Community Centre (375 m). Oakridge Centre and Oakridge Transit Centre (300 m) have been approved for new childcare facilities. Rezoning was also approved for a childcare facility at 5812 Cambie Street (550 m).

**Local School Capacity** – The site is within the catchment area of Annie B. Jamieson Elementary and Eric Hamber Secondary School. According to the Vancouver School Board (VSB)'s *2020 Long Range Facilities Plan* from January 25, 2021, Jamieson Elementary will be operating above capacity by 2029, with a utilization rate of 113%. Hamber Secondary School will be operating under capacity by 2029, with a utilization rate of 86% respectively.

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

## 2. Policy Context

**Vancouver Plan** – The *Vancouver Plan* was approved by Council on July 22, 2022 and is a land use strategy to guide long-term growth of the City over the next 30 years. The plan serves as a framework, with further implementation planning work to follow over the next two to four years. The site is located within the *Cambie Corridor Plan* boundaries, which is generally in alignment with the *Vancouver Plan*.

**Cambie Corridor Plan (Plan)** – The properties are located within the Oakridge Municipal Town Centre (MTC) neighbourhood of the *Plan*. Redevelopment is guided by Subsection 4.3.4 which anticipates high density and mixed-use development that connects the Heather Lands and Oakridge Centre. Policies support opportunities for affordable housing with improved streetscapes, parks, shops, and services. Specifically, Section 4.3.4 “Heather Street (Local Shopping Street): 37th-41st Avenues” allows for residential and mixed-use buildings up to 18 storeys for proposals with 100% rental housing with 20% of residential floor area as below-market rental (BMR).

Choice-of-use at grade can be considered for proposals located between 37th and 39th Avenue. The *Plan* also permits a partial storey for an indoor rooftop amenity space that is contiguous with outdoor amenity space.

**Bill 47, Housing Statutes (Transit-Oriented Areas) Amendment Act (2023)** – In November 2023, the Province passed legislation which establishes minimum height and densities for developments within Transit Oriented Areas (TOAs). The City is reviewing these directions and will report back to Council with an implementation plan in June 2024. The legislation prohibits Council from refusing an application on the basis of the prescribed heights and densities set out in the regulations. Council may continue to consider applications and make decisions as it relates to the application before them at a Public Hearing.

**Housing Vancouver Strategy (2017)** – Housing Vancouver focuses on the right supply of new homes, including rental, to meet a continuum of housing types. Overall, 72,000 new homes are targeted for the 10-year period from 2018-2027, including 12,000 social, supportive and non-profit co-operative units, and 20,000 purpose-built rental units. If approved, this rezoning will contribute towards the targets for secured rental units.

**Housing Needs Report (2022)** – On April 27, 2022, Council resolved at a public meeting to receive a *Housing Needs Report* (“HNR”) prepared by staff. Further to the BC Provincial government's requirement, Council must consider the most recent HNR when developing a development plan, or when amending a development plan in relation to Council's housing policies respecting affordable housing, rental housing and special needs housing. This zoning amendment would facilitate the delivery of secured rental housing, including a component of below-market rental units, and address the data and findings within the HNR.

### **Strategic Analysis**

#### 1. Proposal

The proposal is for two 18-storey residential buildings with 344 units of rental residential, of which 20% of the floor area will be secured at below-market rates (Figure 2).

A total floor area of 24,638 sq. m (265,201 sq. ft.) and a floor space ratio (FSR) of 6.28 are proposed. Three levels of underground parking are accessed from the lane.

**Figure 2: Building Massing as Viewed from Heather Street**



## 2. Land Use

The proposed residential use is consistent with the *Plan*.

## 3. Form of Development, Height and Density

In assessing urban design performance, staff consider the “High-Density Residential Areas” and the “MTC High-Density Buildings” built form guidelines in the *Plan*. Public realm guidance is also provided in the *Cambie Corridor Public Realm Plan*.

**Form of Development** – This application is consistent with the *Plan* for two 18-storey residential towers on a four-storey podium (see Figure 2). The proposal meets the *Plan*’s expectations for the number of towers on the block, tower separation, floor plate size, and provision of private amenities.

**Height** – The proposed 18 storeys are within the *Plan*’s permitted maximum. The CD-1 by-law includes additional height to accommodate a potential partial-storey rooftop amenity as per the *Plan*. The partial storey would be set back to limit its visibility.

**Density** – The *Plan* anticipates a density that is site-specific and varies with urban design performance as per the *Plan*’s built form guidelines. The proposal meets these expectations and proposes a density of 6.28 FSR.

**Public Realm** – As per the *Cambie Corridor Public Realm Plan*, an east-west mid-block Secondary Active Link is proposed between the towers. This link ensures pedestrian connections through the neighbourhood and reduces the length of the block. Secondary active links are expected to create an informal and engaging pedestrian experience. Staff have prepared a condition to further enhance the design of the active link.

**Private Amenity Space** – The development offers several on-site amenities for residents with common indoor and outdoor amenities at and above grade. Staff have prepared a condition to further enhance and improve access to the common amenities.

**Urban Design Panel** – The Urban Design Panel reviewed the project on September 27, 2023, and supported this application with recommendations to improve overall accessibility, provide more equitable access to amenities in both buildings, and further refine the architectural expression (see Appendix D).

Staff reviewed the recommendations of the Urban Design Panel, as well as the site-specific conditions, and have concluded that the proposal reflects the built form of the *Plan* 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 344 housing units, including 275 market rental units and 69 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 for Purpose-Built Market and Developer-Owned Below-Market Rental Housing as of December 31, 2023**

Housing Type	Category	10-Year Targets <sup>1</sup>	Units Approved Towards Targets <sup>2</sup>
Purpose-Built Market Rental Housing Units	Market Rental	16,000	15,843 (99%)
	Developer-Owned Below-Market Rental	4,000	1,525 (38%)
	<b>Total</b>	<b>20,000</b>	<b>17,368 (87%)</b>

1. Tracking progress towards 10-year Housing Vancouver targets began in 2017

2. Unit numbers exclude the units in this proposal, pending Council's approval of this application.

**Vacancy Rates** – Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2023, the purpose-built apartment vacancy rate was 0.8% in Vancouver. The vacancy rate (based on the Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the Westside/Kerrisdale area, which this site is located, is 1.1%. A vacancy rate of between 3% and 5% is considered a balanced market.

**Housing Mix** – The *Family Room: Housing Mix Policy for Rezoning Projects* policy requires a minimum of 35% family units. This application proposes 36% family units in a mix of two-bedroom and three-bedroom units, thereby exceeding the policy. These units must be designed in accordance with the *High-Density Housing for Families with Children Guidelines*. The application as proposed is consistent with the policy and a provision is included in the CD-1 By-law to maintain the minimum unit mix requirements.

**Average Rents and Income Thresholds** – Figure 5 sets out the proposed average starting rents for the below-market units. These starting rents are applicable for the below-market units which will comprise at least 20% of the residential floor area that is counted in the calculation of the floor space ratio. The units will be targeted to moderate income households.

Average market rents in newer rental buildings on the westside are also shown in the middle two columns in Figure 5. The market rental housing component will provide options that are

more affordable than home ownership, as illustrated in Figures 5 and 6.

**Figure 5: Below-Market Unit Average Rents, Market Rents in Newer Buildings and Household Incomes Served**

	Below-Market Units Average Starting Rents (2023) <sup>1</sup>	Average Market Rent in Newer Buildings – Westside (CMHC, 2022) <sup>2</sup>	Average Household Income Served	DCL By-Law Maximum Averages – Westside (CMHC, 2022) <sup>3</sup>	Average Household Income Served
Studio	\$1,223	\$1,902	\$76,080	\$2,235	\$89,408
1-bed	\$1,429	\$2,306	\$92,240	\$2,576	\$103,048
2-bed	\$1,969	\$3,372	\$134,880	\$3,567	\$142,692
3-bed	\$2,395	\$4,434	\$177,360	\$4,095	\$163,812

1. Starting rents shown are calculated based on a 20% discount to city-wide average market rents for all units as published by CMHC in the 2023 Rental Market Survey Data Tables.
2. Data from October 2023 CMHC Rental Market Survey for buildings completed in 2014 or later on the Westside of Vancouver
3. For studio, 1-, 2-, and 3-bedroom units, the maximum DCL rents are the average rents for all apartments in purpose-built rental buildings built since the year 2015 in the City of Vancouver as published by CMHC in the fall 2023 Rental Market Report, plus 10%.

To be eligible for a below-market rental (BMR) unit, a household's gross annual income must not exceed the income requirements for the unit type, with at least one household member per bedroom. Per the *Cambie Corridor Plan*, eligibility requirements for the below-market units are described in the Rental Incentive Programs Bulletin. All residents will have access to common indoor and outdoor amenities.

**Figure 6: Cost of Ownership and Household Incomes Served**

	Monthly Costs of Ownership for Median-Priced Apartment with 20% down-payment – Westside (BC Assessment 2021) <sup>1</sup>	Average Household Income Served – Westside	Down-payment at 20% – Westside Apartment
Studio	\$2,837	\$113,480	\$106,000
1-bed	\$3,473	\$138,920	\$132,000
2-bed	\$5,193	\$207,720	\$198,400
3-bed	\$7,982	\$319,280	\$311,980

1. Based on the assumptions: Median of all BC Assessment strata apartment sales prices in Vancouver Westside in 2021 by unit type, 20% down-payment, 5% mortgage rate (in-line with qualifying rate), 25-year amortization, \$250-\$350 monthly strata fees and monthly property taxes at \$2.92 per \$1,000 of assessed value (2021 assessments and property tax rate).

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



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

**Tenants** – The rezoning site contains existing rental residential uses, including six units of secondary rental housing. However, there are no eligible tenants as defined under the City’s *Tenant Relocation and Protection Policy* (TRPP). All residential tenancies are protected under the provincial Residential Tenancy Act. If any eligible tenants are identified through the City’s regulatory approvals process, the applicant will be required to provide a Tenant Relocation Plan (TRP) that meets the City’s *TRPP*.

## 5. Transportation and Parking

The site is well served by transit, located northwest of the Oakridge-41st Avenue Canada Line Skytrain station with bus service along Cambie Street and 41st Avenue. Bicycle lanes are located along 41st Avenue, 37th Avenue, Cambie, Heather and Willow Streets.

Vehicle and bicycle parking is provided over three levels of underground parking, accessed from the lane. The application proposes 226 vehicle spaces, two Class B loading spaces, along with 642 bicycle spaces. Parking and loading are to meet the Parking By-law at the development permit stage.

Engineering conditions require transportation improvements, including street, lane, and lighting upgrades. A water service connection upgrade is also required. Conditions also require the construction of a new, paved mid-block active link with new, pedestrian-scale lighting, set out in Appendix B.

## 6. Environmental Sustainability and Natural Assets

**Green Buildings** – The *Green Buildings Policy for Rezonings* requires that applications satisfy the green and resilient building conditions. The applicant has submitted a preliminary modelling analysis to meet energy, emissions and embodied carbon targets. Examples include resilient building measures, a commitment to energy system sub-metering, and enhanced commissioning requirements. Conditions are provided in Appendix B.

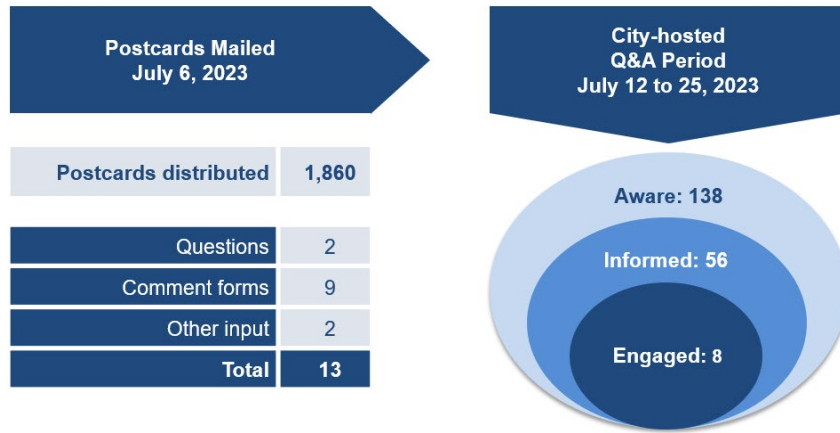
**Natural Assets** – The *Urban Forest Strategy* seeks to preserve, protect and strengthen Vancouver’s urban forest and tree canopy. The Protection of Trees By-law requires permission to remove trees which meet certain conditions in an effort protect as many healthy, viable trees as possible, while still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

The application proposes retention of seven existing street trees along Heather Street as well as one off-site tree. There are 21 on-site trees proposed for removal due to poor condition and conflict with the building footprint. Approximately 47 new trees are proposed. Landscaping is proposed for both the mid-block connection and open spaces surrounding the tower along with provisions to create a green roof. See Appendix B for landscape conditions.

**Public Input**

**Public Notification** – A rezoning information sign was installed on the site on June 26, 2023. Approximately 1,860 notification postcards were distributed within the neighbouring area on or about July 6, 2023. Notification and application information, and an online comment form, was provided on the City’s Shape Your City Vancouver (<https://www.shapeyourcity.ca/>) platform.

**Figure 7: Overview of Notification and Engagement**



**Question and Answer Period** – A Question and Answer Period was held from July 12, 2023 to July, 25, 2023 on the Shape Your City platform. The Question and Answer Period consisted of an open question online event where questions were submitted and posted with a response over a period of two weeks. The webpage received a total of 138 visitors during this period. A digital model was also posted for online viewing. Approximately 202 visitors accessed the webpage (Figure 7).

**Public Response** – Input was provided via online questions, comment forms, by email and phone. A total of 13 submissions were received.

Comments of support were for the proposed architectural design and the Active Link. Support was also expressed for the provision of additional rental, below-market rental, and amenity spaces. A summary of all responses is included in Appendix D.

**7. Public Benefits**

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

The applicant is proposing that 276 residential units be secured as market rental housing and approximately 68 residential units (4,928 sq. m) be secured as below-market rental housing, at 20% below the CMHC average market rents for the area with rents capped at the Residential Tenancy Agreement (RTA) annual allowable rental increase regardless of a change in tenancy.

Real Estate Services staff reviewed the application and the costs of securing the 344 rental housing units, and have determined no additional CAC is expected. As a condition of by-law

enactment, a Housing Agreement and Section 219 Covenant are required to be registered on title to preclude, among other things, stratification of the building, separate sale of individual units, and rentals for less than one month at a time.

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

This application has requested and is expected to be eligible for a Class A (100%) waiver of the City-wide DCLs applicable to this residential building. This application is therefore subject to the maximum starting rents by unit type applicable to “class A for-profit affordable rental housing” as per the Vancouver Development Cost Levy By-law, if applicable and as may be amended from time to time. These requirements will be secured by a Housing Agreement, and compliance will be assessed through the development permit stage to occupancy permit issuance, ensuring that a final rent roll that sets out the initial monthly rents is submitted.

Based on rates in effect as of September 30, 2023 and the proposed 24,638 sq. m (265,201 sq. ft.) of residential floor area, it is estimated that the project will pay DCLs of \$3,622,646. The value of the anticipated City-wide DCL waiver on the residential floor area is estimated to be \$5,781,382.

DCL rates are subject to future adjustment by Council including annual inflationary adjustments. 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** – The application is subject to a public art contribution estimated at \$525,098. The final contribution will be calculated based on rate in effect and the floor area at the development permit stage. Applicants may elect to provide on-site artwork or cash-in-lieu (at 80% of the public art budget).

See Appendix F for Cambie Corridor Public Benefits Implementation Tracking and Appendix G for a summary of the public benefits expected from this application.

### **Financial Implications**

As noted in the Public Benefits section, the site will provide secure market-rental units including below-market rental units, DCLs and public art contribution. See Appendix G for details.

### **CONCLUSION**

The proposed land use, density, housing affordability, form of development and public benefits are consistent with the *Cambie Corridor Plan*. The proposal would add 344 secured-market rental units with 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 CD-1 By-law provisions generally shown in Appendix A with a recommendation that these be approved, subject to the Public Hearing, along with the conditions of approval listed in Appendix B, including approval in principle of the form of development as shown in plans included as Appendix E.

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**5350-5430 Heather Street  
PROPOSED CD-1 BY-LAW PROVISIONS**

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

**Zoning District Plan Amendment**

1. This by-law amends the Zoning District Plan attached as multilevel 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 6.4 of this by-law; and
  - (b) "Below-market Rental Housing 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 registered on title to the property.

**Uses**

4. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this by-law or in a development permit, the only uses permitted within this CD-1 and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
  - (a) Dwelling Uses, limited to Multiple Dwelling; and
  - (b) Accessory Uses customarily ancillary to the uses permitted in this section.

### **Conditions of Use**

- 5.1 A minimum of 20% of the total dwelling unit area must be below-market rental housing units.
- 5.2 The design and layout of at least 35% of the total number of below-market rental housing 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.

### **Floor Area and Density**

- 6.1 Computation of floor area must assume that the site area is 3,923.3 m<sup>2</sup>, 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 6.28.
- 6.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 6.4 Computation of floor area and dwelling unit area must exclude:
  - (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that:
    - (i) the total area of these exclusions must not exceed 12% of the permitted floor area, and
    - (ii) the balconies must not be enclosed for the life of the building;
  - (b) patios and roof decks, if the Director of Planning considers the impact on privacy and outlook;
  - (c) floors or portions thereof that are used for:
    - (i) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,
    - (ii) bicycle storage, and
    - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;
  - (d) entries, porches and verandahs if the Director of Planning first approves the design;
  - (e) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

- 6.5 The Director of Planning or Development Permit Board may exclude common amenity areas from the computation of floor area, to a maximum of 10% of the total permitted floor area, if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines.
- 6.6 Where floor area associated with residential storage area is excluded, a minimum of 20% of excluded floor area above base surface must be located within the below-market rental housing units as storage area.

### **Building Height**

- 7.1 Building height must not exceed 60 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 64 m.

### **Horizontal Angle of Daylight**

- 8.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 8.2 For the purposes of section 8.1 above, habitable room means any room except a bathroom or a kitchen.
- 8.3 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or 2 angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 8.4 The plane or planes referred to in section 8.3 above must be measured horizontally from the centre of the bottom of each window.
- 8.5 An obstruction referred to in section 8.3 means:
- (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 8.6 The Director of Planning or Development Permit Board may vary the horizontal angle of daylight requirement if the Director of Planning or Development Permit Board considers all applicable Council policies and guidelines and:
- (a) the minimum distance of unobstructed view is at least 3.7 m; or
  - (b) the habitable room is within a unit assigned to below-market rental housing units containing a minimum of 3 bedrooms, where the horizontal angle of daylight requirement is varied for no greater than 1 of the habitable rooms in the unit.

\* \* \* \* \*

**5350-5430 Heather Street  
CONDITIONS OF APPROVAL**

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

**PART 1: CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT**

*Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by Dialog received April 24, 2023 provides that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with the development application.*

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

**Urban Design**

1.1 Design development to enhance the public realm interface as follows:

- (a) Provide a 1.5 m (5 ft.) inside boulevard within the setback including planting, low shrubs, and trees as per the Plan and;
- (b) Further animate the secondary active link.

Note to Applicant: To improve user experience of the secondary active link, consider provision of informal seating at both ends of the active link, an informal access to children's play area, accessible units as possible, and lighting or signage for wayfinding.

1.2 Design development to ensure equitable access to indoor and outdoor amenities for all residents.

Note to Applicant: Suggested strategies include provision of co-located rooftop indoor with outdoor amenities at both towers; provision of informal access to at grade courtyard amenities, accessible washroom and kitchenette facilities, and introduction of podium top indoor amenity space at the north tower. Refer to the *High Density Housing for Families with Children Guidelines* at <https://guidelines.vancouver.ca/guidelines-high-density-housing-for-families-with-children.pdf>

1.3 Explore further limiting underground structures within setbacks.

Note to Applicant: Generally the below-grade front yard setback should be minimum of 3.7 m (12 ft.) per the plan to allow for rainwater infiltration and in ground boulevard planting.

1.4 Design development to provide a green roof as per the requirements of the Roof-Mounted Energy Technology and Green Roofs Bulletin.

Note to Applicant: It should be noted on the architectural and landscape plans the type of green roof proposed including the percentage. Refer to: <https://bylaws.vancouver.ca/bulletin/bulletin-roof-mounted-energy-technologies-and-green-roofs.pdf>

- 1.5 Identification on the architectural and landscape drawings of any built features intended to create a bird-friendly design.

Note to Applicant: Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

### **Crime Prevention through Environmental Design (CPTED)**

- 1.6 Provisions for Crime Prevention Through Environmental Design (CPTED) including:

- (a) particular regard for mischief in alcoves and vandalism such as graffiti; and
- (b) encouraging natural visual surveillance.

Note to Applicant: Below grade exterior spaces such as patios, exit stairs, light wells, and other similar conditions, should be considered with regard to security, access, path lighting and location of windows that encourage natural visual surveillance.

- 1.7 Design development to improve visibility and security in the underground parking in accordance with the Parking By-law including:

- (a) overhead lighting and step lights at exit stairs and doors;
- (b) 24 hour lights and walls painted white; and
- (c) visibility at doors, lobbies, stairs and other access route

### **Landscape**

- 1.8 Design development to provide a high-quality and useable outdoor amenity area for the South Tower.

Note to Applicant: This comment was issued at the pre-submittal stage and should be incorporated at the Development Permit stage.

- 1.9 Design development to provide increased screening of the proposed parkade ramp with as much soft landscaping as possible.

Note to Applicant: Explore increasing planting areas near the parkade ramp that can accommodate large trees and shrubs, or an overhead parkade trellis complete with climbing vines.

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

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

- 1.11 Provision of a detailed Landscape Plan illustrating soft and hard landscaping for the complete site, including rooftops.

Note to Applicant: The plans should be at 1/8 inch: 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.

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

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

- 1.13 Provision of a "Tree Management Plan", coordinated with arborist report to show:

- (a) Scaled and dimensioned tree protection barriers around the trees on private and public property coordinated with Arborist Report;
- (b) Tree numbering for all on site and off site trees; and
- (c) Notations of all recommendations from Arborist, i.e. trigger points, grading and pruning specifications, etc.

- 1.14 Provision of an arborist "letter of undertaking" to include signatures by the owner, contractor and arborist.

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

- 1.15 Coordination for the provision of new street trees or any proposed City owned tree removals adjacent to the development site, where applicable, and specifically for Trees 08, 09, 10, and 11.

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

Provide a notation on the plan as follows, "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".

- 1.16 Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 9.3 sq. m (100 sq. ft.).

Note to Applicant: On the plan, illustrate irrigation connection points and hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed. Hose bibs are requested to encourage patio gardening and hand watering on private patio and amenity decks.

- 1.17 Provision of an outdoor Lighting Plan.

## Sustainability

- 1.18 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning* (amended July 25, 2023), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>.

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin *Green Buildings Policy for Rezoning – Process and Requirements* (amended April 28, 2017 or later).

## Engineering

- 1.19 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](mailto: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>

- 1.20 The owner or representative is to contact Engineering Services at [StreetUseReview@vancouver.ca](mailto: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.

- 1.21 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.
- 1.22 Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.
- 1.23 Provision of written confirmation that a waste hauler can access and pick up from the location shown, prior to Development Permit issuance.

Note to Applicant: Pick up operations should not require the use of public property for storage, pick up or return of bins to the storage location.

[Guidelines: Garbage and Recycling Storage Facility Design \(vancouver.ca\)](#)

- 1.24 Submission to Engineering 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 6 cm (2 inch) caliper, and installed with approved root barriers, tree guards and appropriate soil volumes. Root barriers shall be of rigid construction, 2.4 m (8 ft.) long and 0.45 m (1.5 ft.) 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. Call Park Board for inspection after tree planting completion".
  - (b) Existing locations of:
    - (i) Street furniture; and
    - (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.
  - (c) Proposed stairs set back minimum 0.3 m (1 ft.) from the property line.
  - (d) Streetscape designed in compliance with the Cambie Corridor Streetscape Design Guidelines.

Note to Applicant: Where a design detail is not available, make note of the improvement on the plan. Public realm changes include all the off-site improvements sought for this rezoning. The Streets Design Guidelines are viewable online at <https://vancouver.ca/streets-transportation/streetscape-design-guidelines.aspx> and are to be used alongside the City construction and design manuals.
- 1.25 Design development to improve access and design of loading spaces and demonstrate compliance with the Parking and Loading Design Supplement by performing the following:
- (a) Confirmation that the slope of the loading bay does not exceed 5%;
  - (b) Elimination of encroachments and/or obstructions into loading spaces;

Note to Applicant: The proposed vista switch currently conflicts with the proposed Class B loading space. Relocation of the Class B loading space is required; and
  - (c) Provision of a minimum of one Class A passenger loading space at grade as per the Cambie Corridor Plan.
- 1.26 Design development to improve the parkade layout and access design and demonstrate compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services:

- (a) Improved two-way flow for vehicles on the ramp and in the parking areas through provision of the following:
    - (i) 2.7 m (8.8 ft.) x 2.7 m (8.8 ft.) corner cut at the top and bottom of every ramp.
  - (b) Confirmation that the drive aisle gate is a minimum 6.1 m (20 ft.) wide;
  - (c) Confirmation that column encroachments, setbacks and parking space widths comply with the Parking and Loading Design Supplement; and  
Note to Applicant: Column encroachments are not permitted in single module stalls. 2.3 m (7.5 ft.) of vertical clearance is required for access and maneuvering to all accessible spaces.
  - (d) Confirmation that vertical clearance of overhead projections into vehicle parking spaces are not less than 1.2 m (4.0 ft.) and projection into the space is not more than 1.2 m (4.0 ft.).  
Note to Applicant: Overhead projections into accessible spaces are not permitted.
- 1.27 Provision of the following information as part of the architectural drawing submission at the Development Permit stage to facilitate a complete Transportation review:
- (a) Dimension of any/all column encroachments into parking stalls;
  - (b) Identification of all columns in the parking layouts;
  - (c) Dimensions for typical parking spaces;
  - (d) Dimensions of additional setbacks for parking spaces due to columns and walls;
  - (e) Dimensions of manoeuvring aisles and the drive aisles at the parkade entrance and all gates;
  - (f) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates;  
Note to Applicant: These clearances must consider mechanical projections and built obstructions.
  - (g) Areas of minimum vertical clearances labelled on parking levels;
  - (h) Design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, accessible spaces, and at all entrances;  
Note to Applicant: The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.
  - (i) Indication of the stair-free access route from the Class A bicycle spaces to reach the outside;  
Note to Applicant: Stair ramps are not generally acceptable.
- 1.28 This development will be required to provide on-site rainwater management in accordance with Building By-law requirements (Book II, Division B, Article 2.4.2.5) in effect in January 2024.  
Note to Applicant: The applicant will be required to demonstrate compliance with these requirements at the building permit application stage. See [vancouver.ca/rainwater](http://vancouver.ca/rainwater) for more information.

- 1.29 Submission of measured hydrogeological monthly construction-related discharge to sewer reports prior to Building Permit issuance.

Note to Applicant: The monitoring must include daily average flow rates and be submitted monthly to [groundwater@vancouver.ca](mailto:groundwater@vancouver.ca). A hold will be placed on the issuance of a Building Permit for excavation. To remove the hold, provide an anticipated start date for excavation, and the contact details for the professional services that have been retained to conduct this monitoring, to [groundwater@vancouver.ca](mailto:groundwater@vancouver.ca)

Groundwater has been extracted from the site of Oakridge Mall (41st and Cambie St.) since 1958. During this time, groundwater levels are estimated to have been lowered by up to 6 m (19.5 ft.) at Oakridge, with a generally reduced impact the further you are from the site. This artificially low water level is to be roughly maintained by Oakridge, in accordance with their Groundwater Management Strategy, but that may change over time. For additional information, the Groundwater Management Strategy is available through the Land Title Office (<https://ltsa.ca/>). The City of Vancouver is providing this information for general purposes only, and makes no warranties or representations as to the completeness, accuracy or reliability of this information.

Development applicants should retain their own geotechnical and/or hydrogeological expertise in order to determine their best course of conduct, and should not simply rely on this information.

- 1.30 Provision of immediate notification to the City of any changes that may be material to the City's review of the submitted final hydrogeological study (e.g., if the proposed excavation depth increases).

Note to Applicant: E-mail the City at [groundwater@vancouver.ca](mailto:groundwater@vancouver.ca). If groundwater is encountered during construction, on-site storage will be required to contain a minimum of one hour groundwater discharge. During a rainfall event, all groundwater must be held on-site and only discharged to the City's storm system following the rain event. Total discharge from the site (groundwater and rainwater) shall not exceed the pre-development release rate.

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

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

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

- 1.32 Provision of all third-party utility services (e.g., BC Hydro, Telus, and Shaw) to be underground and BC Hydro service to the site to be primary. All electrical plants will 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](mailto:umb@vancouver.ca).

- 1.33 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, 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.

Refer to Key Plan Process and Requirements Bulletin:  
<https://vancouver.ca/files/cov/Key%20Plan%20Process%20and%20Requirements.pdf>

- 1.34 Show all City supplied building grades on the architectural and landscape plans, and when providing additional property line elevations for proposed entrances, interpolate a continuous grade between the elevations provided on the City supplied building grade plan.

Note to Applicant: Building grade design is in the preliminary state. Finalized building grades are required prior to DP application.

For further information contact [Streets.Design@vancouver.ca](mailto:Streets.Design@vancouver.ca) and follow the link to the City web page <https://vancouver.ca/home-property-development/building-grades-for-sidewalk-and-street-elevation.aspx>.

## Housing

- 1.35 The proposed unit mix, including 78 studio units (23%), 142 one-bedroom units (41%), and 94 two-bedroom units (27%), and 30 three-bedroom units (9%) are to be included in the development permit drawings.

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

- 1.36 The development should be designed in accordance with the High-Density Housing for Families with Children Guidelines, including the provision of:
- (a) An outdoor amenity area to include areas suitable for a range of children's play activities and urban agriculture appropriate in size for the scale of the project, and situated to maximize sunlight access (S. 3.3.2, 3.4.3);

- (b) A minimum of 2.3 sq. m. (24.7 sq. ft.) of bulk storage for each dwelling unit (S. 4.4.2);
- (c) A multi-purpose indoor amenity space at least 37 sq. m (398 sq. ft.) 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 m by 2.7 m (6 ft. by 9 ft.) minimum dimensions (S. 4.3.2).

Note to Applicant: Include dimensions for bulk storage, balconies and amenity spaces

- 1.37 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. Provide a table with the size of the rental and below market rental units.

One of the indoor amenity spaces requires a kitchenette and accessible washroom, preferably connected to the outdoor areas. It is recommended to add a washroom to the amenity area on Level 19, as per the Cambie Corridor Plan: "Integration of outdoor kitchen space and access to washroom facilities is encouraged to support communal meals and gathering." The amenity rooms in both buildings must be accessed by residents in both buildings.

## PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

### Engineering

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

- 2.1 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for consolidation of Lots 3, 4, 5, 6, and 7, Block 877, District Lot 526, Plan 8838 to create a single parcel.
- 2.2 Provision of a Statutory Right of Way (SRW) for public pedestrian and cyclist use of a mid-block connection through the site between Heather Street and the lane.
- 2.3 Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the Rezoning Site (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights-of-way for the Services are provided all to the satisfaction of the General Manager of Engineering Services. No development permit for the Rezoning Site, or any portion thereof, or for any building or improvements thereon will be issued until the letter of credit, as security for the Services, is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits

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

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

- (a) Provision of adequate water service to meet the 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 R.F. Binnie & Associates Ltd. dated April 3rd, 2023, no water main upgrades are required to service the development.

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

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

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

Note to Applicant: Implementation of development at 5350-5340 Heather Street does not require any upgrades in order to maintain acceptable sewer flow.

Development to be serviced to the future 375 mm SAN and 525 mm STM in Heather Street.

Note to Applicant: This site connects to the future Heather Street UDCL as per the Utilities Capital Project List (2023-2032).

The applicant is to regularly inform the Development Water Resources Management (DWRM) Branch ([utilities.servicing@vancouver.ca](mailto:utilities.servicing@vancouver.ca)) of their updated construction and occupancy schedule as the development progresses.

This will assist the DWRM Branch in scheduling the sewer delivery.

The UDCL project list is shown in the following link:

<https://vancouver.ca/files/cov/PDS%20-%202022%20DCL%20Update%20-%20Appendix%20E%20UDCL%20Project%20List.PDF>

- (c) Provision of Heather St. improvements with appropriate transitions, adjacent to the site including:

- (i) Minimum 1.83 m (6.0 ft.) wide front boulevard;
- (ii) 2.44 m (8.0 ft) wide broom finish saw-cut concrete sidewalk; and
- (iii) Curb and gutter, curb bulges, raised crossing, and/or protected bike lane, and road reconstruction if/as required to accommodate a "car light" design treatment.

Note to applicant: The Cambie Corridor Plan identifies this section of Heather Street as an opportunity to create a "car light" connection. The



design has not been finalized at this time, but a geometric design for these street improvements will be provided at a later stage.

- (d) Provision of Heather St. improvements with appropriate transitions, adjacent to 5310 and 5330 Heather St. including:
  - (i) minimum 1.83 m (6.0 ft.) wide front boulevard;
  - (ii) 2.44 m (8.0 ft.) wide broom finish saw-cut concrete sidewalk;

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.
- (e) Provision of Laneway improvements adjacent to the site, including:
  - (i) Reconstruction of the laneway along the development site's frontage per City "Higher Zoned Lane" pavement structure specifications, complete with center-valley drainage; and
  - (ii) Installation of two new catch basins in Lane, one at the low side of the frontage and a second 65 m (213 ft.) further upstream.

Note to Applicant: A new storm main extension will be required in the Lane to connect the catch basins.
- (f) Provision of street trees where space permits.

Note to Applicant: Final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. Tree species to the approval of the City Arborist. Street tree planting to include appropriate soil volumes and approved root barriers of rigid construction, 2.4 m (8 ft.) long and 0.45 m (1.5 ft.) deep, centre on each street tree adjacent to the sidewalk and any off-street bike facility.
- (g) Provision of installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
- (h) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site, and lane lighting to current City standards and IESNA recommendations.
- (i) Provision of entire intersection lighting upgrade at Heather St. and W 37th Ave., Heather St. and W 38th Ave. (mid-block), and Heather St and W 39th Ave. to current City standards and IESNA recommendations.
- (j) Provision of new or replacement duct bank that meets current City standard.

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

Note to Applicant: The detailed Electrical Design will be required prior to the start of any associated electrical work to the satisfaction of the General Manager of Engineering Services, and, in conformance with current City Engineering Design Manual, Construction Specifications, Standard Detail Drawing, Canadian Electrical Code and the Master Municipal Construction Documents.
- (k) 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.

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

- (a) New sidewalk and boulevard with appropriate transitions adjacent 5310 and 5330 Heather St., per condition 2.3 (d).

Note to Applicant: The benefiting area is 5310 and 5330 Heather Street.

Note to Applicant: An administrative recovery charge will be required from the applicant in order to settle the latecomer agreement.

The amount, which will be commensurate with the costs incurred by the City to administer the latecomer scheme, will be provided by the City and specified in the latecomer agreement.

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

## Housing

- 2.5 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 Section 219 Covenant to secure all residential units as class A for-profit affordable rental housings, excluding Seniors Supportive or Assisted Housing, and including at least 20% of the residential floor area that is counted in the calculation of the floor space area per the CD-1 By-law secured as below-market rental housing, 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 Cambie Corridor Plan, for the longer of 60 years or the life of the building, and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require. The agreement or agreements will include but not be limited to the following terms and conditions:

- (a) A no separate sales covenant;
- (b) A no stratification covenant;
- (c) A provision that none of such units will be rented for less than one month at a time;
- (d) That the average initial starting monthly rents by unit type for the below-market rental housing units in the project will be at least 20% below the average market rent for private rental apartment units city-wide as published by the most recent Canada Mortgage and Housing Corporation in the Rental Market Survey Data Tables for Vancouver at the time when the Occupancy Permit is issued;
- (e) That a rent roll indicating the agreed maximum average initial monthly rents for the below-market rental housing units will be required prior 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 unit, the starting rent for such new tenancy will be at least 20% below the rent for private rental apartment units city-wide as published by the Canada Mortgage and Housing Corporation in the most recent Rental Market Survey Data Tables for Vancouver for that unit type at the time of the change in tenancy;
- (g) That the applicant will verify eligibility of new tenants for the below-market rental housing units, based on the following:
  - (i) For new tenants, annual household income cannot exceed (4) four times the annual rent for the unit (i.e. at least 25% of household income is spent on rent); and
  - (ii) There should be at least one occupant per bedroom in the unit.
- (h) That the applicant will verify the ongoing eligibility of existing tenants in below-market rental housing units every five (5) years after initial occupancy:
  - (i) For such tenants, annual household income cannot exceed 5 times the annual rent for the unit (i.e. at least 20% of income is spent on rent); and
  - (ii) There should be at least one occupant per bedroom in the unit.
- (i) On an annual basis, or at the request of the City, the applicant will report to the City of Vancouver on the operation of the below-market rental housing units which will ensure that the City can confirm that the units are being operated as agreed, and will include a rent roll for the below-market rental housing units, and a summary of the results of eligibility testing for these units; and
- (j) Such other terms and conditions as the General Manager of Planning, Urban Design 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.

- 2.6 If eligible tenants are identified to be residing on the site, the applicant will deliver a Tenant Relocation Plan to the satisfaction of the General Manager Planning, Urban Design and Sustainability and will enter into a 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 *Tenant Relocation and Protection Policy*;
  - (b) Provide a notarized declaration 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 tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant; and

- (c) Provide a Final Tenant Relocation Report prior to issuance of the Occupancy Permit.

The Report must outline the names of tenants; indicate the outcome of their search for alternate accommodations; summarize the total monetary value given to each tenant (moving costs, rents, any other compensation); and include a summary of all communication provided to the tenants.

### **Sustainability**

- 2.7 The applicant will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services, that requires the future owner of the building to report energy use data, on an aggregated basis, for the building as a whole and certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

### **Public Art**

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

Note to Applicant: Please contact public art staff at [publicart@vancouver.ca](mailto:publicart@vancouver.ca) to discuss your application.

### **Environmental Contamination**

- 2.9 If applicable:
- (a) Submit a site disclosure statement to Environmental Services;
  - (b) As required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
  - (c) If required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements constructed on the site pursuant to this rezoning until separate Certificates of Compliance, satisfactory to the City, for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

**Agreements**

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

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

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

\* \* \* \* \*

**5350-5430 Heather Street**  
**DRAFT CONSEQUENTIAL AMENDMENT**

**DRAFT AMENDMENT TO THE SUBDIVISION BY-LAW NO. 5208**

Council amends Schedule A of the Subdivision By-law in accordance with the plan labelled Schedule A and attached to and forming part of this By-law, by deleting the following properties from the R1-1 maps forming part of Schedule A of the Subdivision By-law:

- (a) PID 007-506-953; Lot 3 Block 877 District Lot 526 Plan 8838;
- (b) PID 009-918-345; Lot 4 Block 877 District Lot 526 Plan 8838;
- (c) PID 009-918-353; Lot 5 Block 877 District Lot 526 Plan 8838;
- (d) PID 009-918-361; Lot 6 Block 877 District Lot 526 Plan 8838; and
- (e) PID 009-918-370; Lot 7 Block 877 District Lot 526 Plan 8838.

\* \* \* \* \*

**5350-5430 Heather Street**  
**ADDITIONAL INFORMATION**

**1. URBAN DESIGN PANEL MINUTES**

The Urban Design Panel (UDP) reviewed this application on September 27, 2023. A summary of the decision is provided below. The full meeting minutes can be found [online](#):

**EVALUATION: Support with Recommendations (8/0)**

**Introduction:** Rezoning Planner Daniel Feeney, provided an overview of the policy for this site. Development Planner, Samantha Patterson then gave an overview of the neighbourhood context in relation to the proposal, followed by the expectations of the built form guidelines for this project. Samantha Patterson then gave a brief description of the proposed project.

The Applicant then gave an overview of their rezoning rational for the proposal. Staff and Applicant team then took questions from the panel.

**Panel's Consensus:**

Having reviewed the project, it was moved by STEFAN AEPLI and seconded by PEEROJ THAKRE and was the decision of the Urban Design Panel:

THAT the Panel Recommend Support with recommendations to the project with the following recommendations to be reviewed by City staff:

1. In general Panel supports the height, density and massing.
2. Some Panelists suggested a drop off zone near the tower entry at the active link and Heather Street.
3. Some Panelists suggested the active link should give back to the community with the integration of seating and other pedestrian friendly design elements.
4. Design development to provide some grade level units with accessible entries.
5. Further consideration to improve privacy and accessibility to the active link and Heather Street interface.
6. Further consideration to the provision of equitable access to indoor and outdoor amenities for both buildings.

## 2. PUBLIC ENGAGEMENT SUMMARY

### 2.1 List of Engagement Events, Notification, and Responses

	Date	Results
<b>Event</b>		
Question and Answer Period (City-led)	July 12, 2023 – July 25, 2023	138 participants (aware)* <ul style="list-style-type: none"> <li>• 56 informed</li> <li>• 8 engaged</li> </ul>
<b>Public Notification</b>		
Postcard distribution – Notice of rezoning application and virtual open house	July 6, 2023	1,860 notices mailed
<b>Public Responses</b>		
Online questions	July 12, 2023 – July 25, 2023	2 submittal
Online comment forms <ul style="list-style-type: none"> <li>• Shape Your City platform</li> </ul>	June 2023 – July 2023	9 submittals
Overall position <ul style="list-style-type: none"> <li>• support</li> <li>• opposed</li> <li>• mixed</li> </ul>	June 2023 – July 2023	9 submittals <ul style="list-style-type: none"> <li>• 8 responses</li> <li>• 0 responses</li> <li>• 1 responses</li> </ul>
Other input	June 2023 – December 2023	2 submittal
<b>Online Engagement – Shape Your City Vancouver</b>		
Total participants during online engagement period	June 2023 – December 2023	686 participants (aware)* <ul style="list-style-type: none"> <li>• 264 informed</li> <li>• 12 engaged</li> </ul>

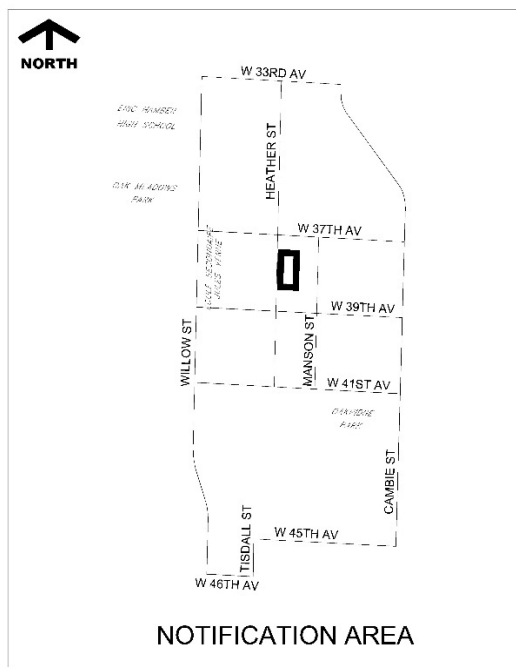
*Note: All reported numbers above are approximate.*

\* 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.



## 2.2 Map of Notification Area



## 2.3 Analysis of All Comments Received

Below is an analysis of all public feedback by topic.

Generally, comments of support fell within the following areas:

- Support for proposed height, massing and density.
- A good location given the proximity to public transit and in particular the Oakridge-41st Avenue Canada Line Station.

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

Generally, comments of concern fell within the following areas:

- Affordability of the units.
- There is no public school in the neighbourhood for existing and future residents.
- The proposed height reported on City materials does not match the application booklet.
- Vehicles of residents will overflow on to local roads making it more difficult to find street parking in the area. Miscellaneous comments were received and were not ranked as highly as above.

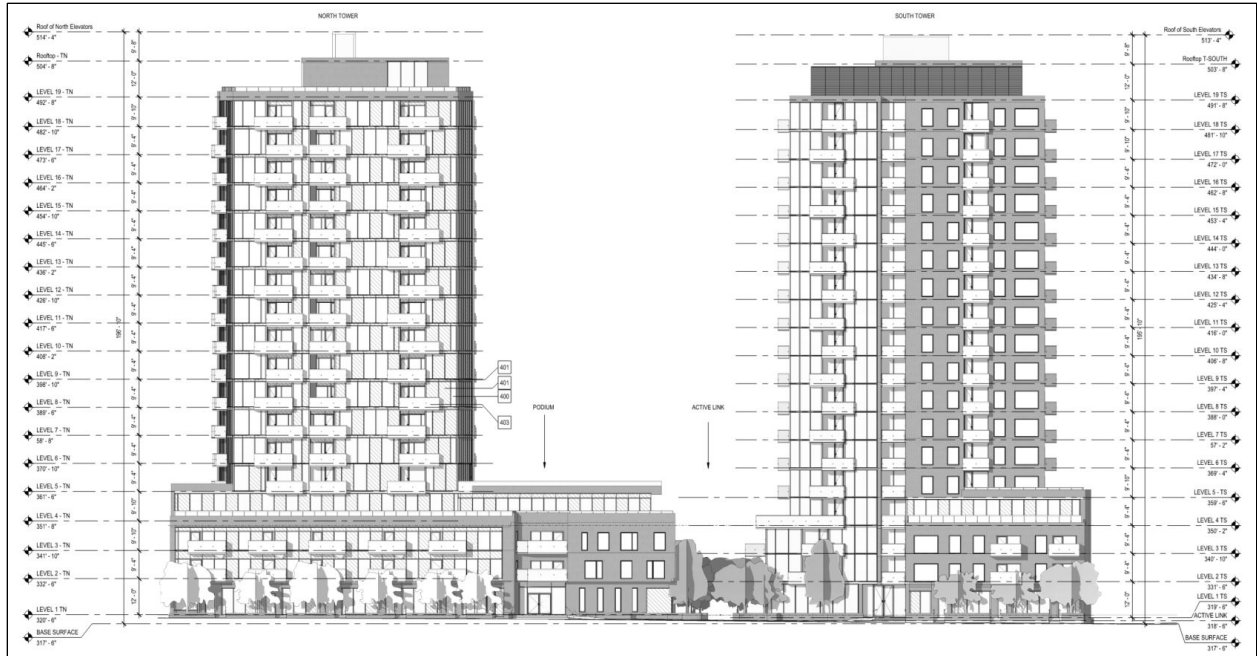
*General neutral comments/recommendations:*

- The units should be co-op or social housing.
- There should be retail at grade.
- Should be denser given the proximity to public transit.
- There should be a bike lane.
- The proposal aligns with the Cambie Corridor Plan so it should be prezoned and should not need to go through the Urban Design Panel. These processes slow down the delivery of housing.
- All areas of the development should be accessible to folks with disabilities.
- The active link is too narrow. Consider adjusting the podium or plant placement to enable the widening of the area.
- Request for detailed number of each type of unit, number of non-market rental units and a traffic study for the whole Cambie Corridor (as opposed to site-specific traffic studies).

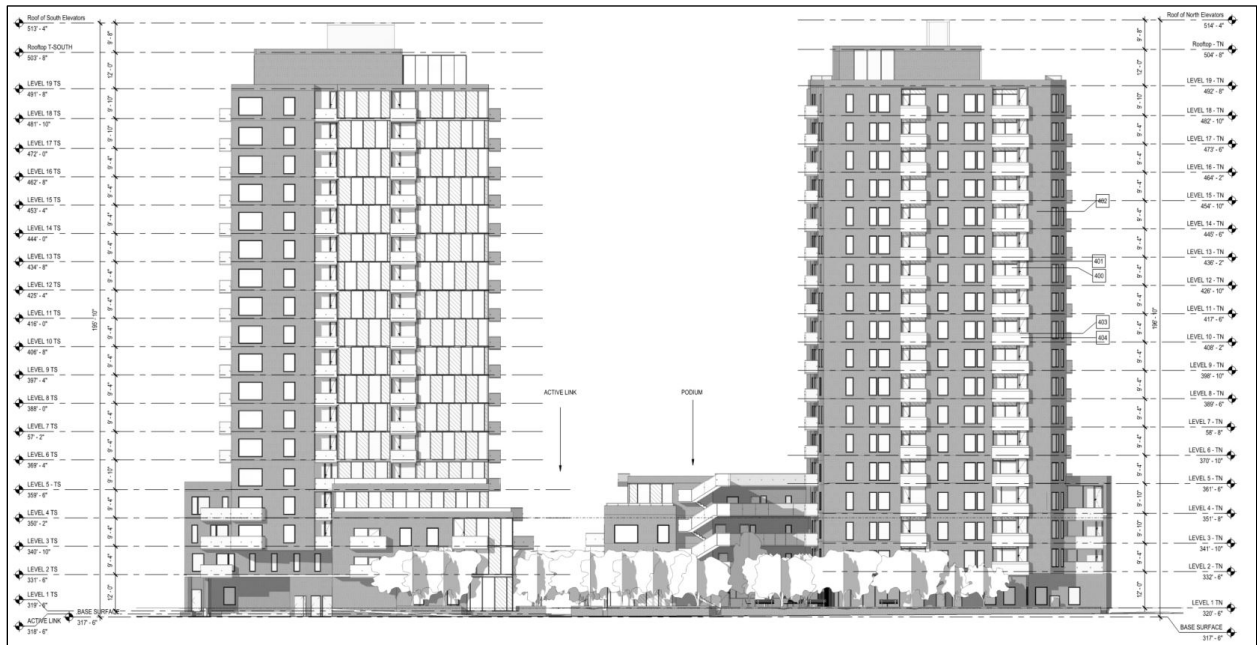
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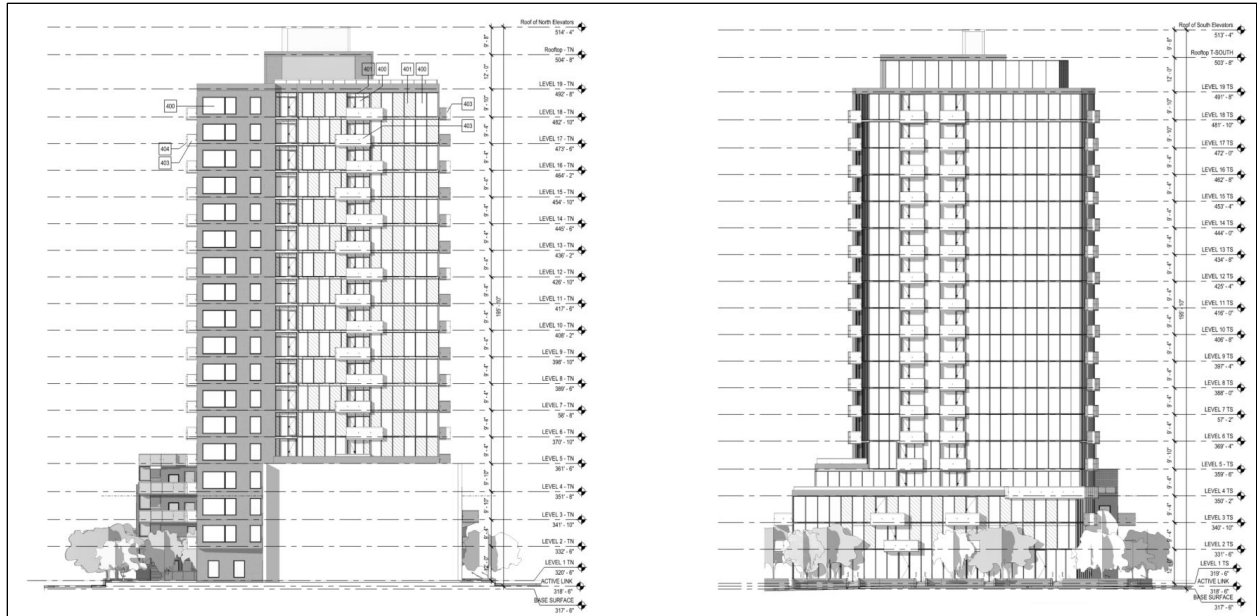
Perspective – View from Heather Street (West Elevation)



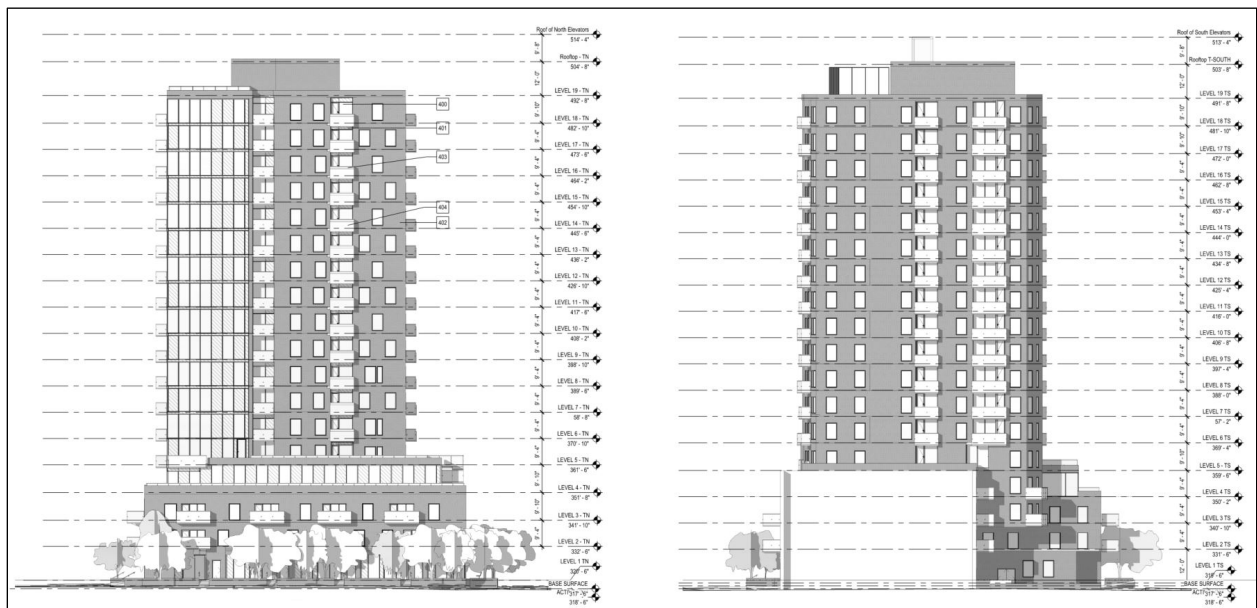
Perspective – View from the Rear Lane (East Elevation)



Perspective – View from the North (North Elevation)



Perspective – View from the South (South Elevation)



Residential Floor Plans  
(Level 2 on Top and Level 3 on Bottom)



### Residential Floor Plan (Typical Tower Floorplates)



### Perspective View – From the Rear Lane



**Perspective View – From Heather Street**



**Perspective View at Street Level – From Heather Street**



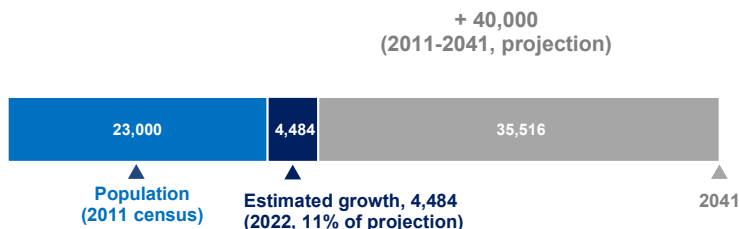
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**PUBLIC BENEFITS IMPLEMENTATION DASHBOARD  
CAMBIE CORRIDOR PLAN (2018) – North of 57th Avenue  
Updated 2022 year-end**

**POPULATION GROWTH<sup>a</sup>**

The Cambie Corridor has grown by approximately **4,484** people since the 2011 census. The plan projects an additional growth of approximately **35,700** people by 2041.

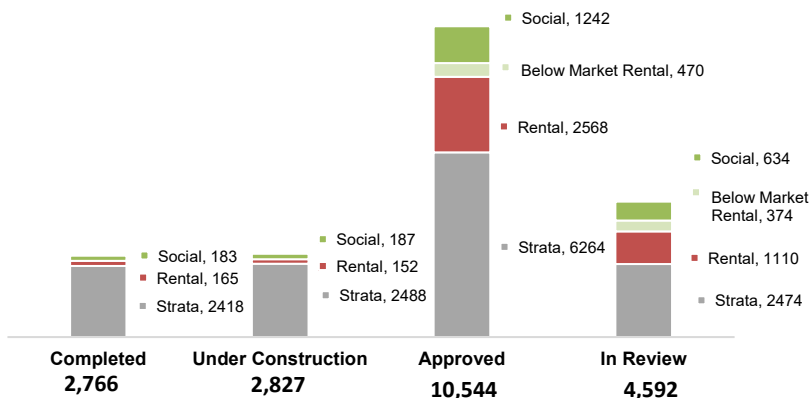


**DEVELOPMENT ACTIVITY (UNITS)<sup>b</sup>**

Recent rezoning approvals:

- [4992 Ash Street](#)
- [277-291 West 42nd Avenue](#)
- [7969-7989 Cambie Street](#)
- [3353 Cambie Street](#)
- [5412 Cambie Street](#)

*\*This list does not include any townhouse developments under the RM-8A/AN Districts Schedule*



**PUBLIC BENEFITS ACHIEVED AND IN PROGRESS (North of 57th Avenue)<sup>c</sup>**

✓ On track to achieving targets      → Some progress toward targets, more work required      ○ Targets require attention

TARGETS <small>See Chapter 13 of the Cambie Corridor Plan for more details</small>	COMPLETED	UNDER CONSTRUCTION	PLANNING/ DESIGN	PROGRESS
<b>HOUSING<sup>d</sup></b> ~ 4,700 additional secured market rental units ~ 2,250 social housing units ~ 400 additional below-market units (gross numbers of units reported)	165 secured market rental units 85 social housing units 98 TMH <sup>e</sup>	152 secured market rental units 187 social housing units		7% of secured rental target achieved 12% of social housing target achieved ○
<b>CHILDCARE</b> ~ 1,080 spaces for all age groups	Restoration of 8 Oaks Acorn childcare outdoor area	138 spaces for 0-4 yrs children (Oakridge Civic Centre, Eric Hamber Secondary School) 60 spaces for 5-12 yrs children (Oakridge Civic Centre)		18% of childcare spaces target achieved →
<b>TRANSPORTATION / PUBLIC REALM</b> Upgrade/expand walking and cycling networks Complete Street design on Cambie St and major streets "Car-light" Heather St Greenway	45th Ave bikeway improvements Interim Plazas (17th Avenue and Cambie Street; 18th Avenue and Cambie Street) 29th Avenue & Cambie Street Plaza and Public Art • R4 Rapid Bus on 41st Avenue Cambie Complete Streets (35th Avenue to McGuigan Avenue) Ontario and 16th curb bulge bio-retention Oak Street and 27th Avenue pedestrian and bike signal Eastbound complete street on W King Edward (Yukon to Columbia) & improved crossing at W King Edward Avenue / Yukon Street	King Edward Avenue Complete Street (Yukon to Columbia streets) 49th Avenue transportation upgrades Slow Streets Installation (Ontario and 33rd Ave)	54th Avenue Curb Bulge bio-retention upgrade Cambie Street and 31st Avenue closure Cambie Street Complete Streets (30th Ave to 41st Ave) Alberta St transportation and green rainwater infrastructure upgrades	✓

<b>CULTURE</b> <ul style="list-style-type: none"> <li>5 new artist studios</li> </ul>	Five public art installations	Cultural space, performance theatre, outdoor performance space at Oakridge Civic Centre	12 public art installations	✓
<b>CIVIC / COMMUNITY</b> Oakridge Civic Centre Oakridge Library renewal and expansion Additional library branch Hillcrest Community Centre (fitness centre expansion) Firehall #23 Community Policing Centre		Oakridge Civic Centre (seniors centre, youth centre, childcare, library, community centre)	VanDusen & Bloedel Strategic Plan	✓
<b>HERITAGE</b> <ul style="list-style-type: none"> <li>5% allocation from cash community amenity contributions in Cambie Corridor</li> </ul>	James Residence Milton Wong Residence 5% allocation from cash community amenity contributions	Turner Dairy retention		✓
<b>SOCIAL FACILITIES</b> Renewal and expansion of Oakridge Seniors Centre Youth Hub Non-profit organization centre Additional Seniors' Centre		Oakridge Seniors Centre and Youth Centre		✓
<b>PARKS AND OPEN SPACES</b> New parks on large sites Queen Elizabeth Master Plan and Phase 1 upgrades 6 plazas and enhanced open spaces Neighbourhood park improvements	Upgrades to Riley Park and Hillcrest Park Lillian To Park (17th Avenue and Yukon Street) Playground renewal at Douglas Park Queen Elizabeth Park tennis court resurfacing	Oakridge Centre Park	Alberta Street Blue-Green System and Columbia Park Renewal Queen Elizabeth Master Plan Heather Park off-leash dog area Little Mountain Plaza and Wedge Park	✓

## EXPLANATORY NOTES

The Public Benefits Implementation Dashboard assists in monitoring progress toward the delivery of public benefits anticipated from the community plans. Data in this tracker reflects activity within the plan boundaries (and significant public benefits adjacent to the plan area) since Plan approval.

<sup>a</sup> **Population Growth:** Growth is calculated by taking the difference between the latest census year and the base population and adding an estimate based on floor area completed between the latest census and the present quarter.

<sup>b</sup> **Development Activity:** The Development Activity Chart includes Building Permits, Development Permits, and rezoning applications:

- Completed: Occupancy Permit issuance
- Under Construction: Building Permit issuance
- Approved: Approved Rezoning Applications and Development Permits submitted without a rezoning
- In review: In Review Rezoning Applications and Development Permits submitted without a rezoning

<sup>c</sup> **Public Benefits Achieved:** Public benefits in planning/design typically include large City- or partner-led projects or master plans that have begun a public process or have made significant progress in planning or design stages, but have not yet moved to construction. Public benefits secured through developer-initiated applications are not included in the planning/design column and not counted towards public benefits achieved prior to construction as numbers and status may change throughout the permitting process.

<sup>d</sup> **Housing - Planning/Design:** Housing units in developer-initiated applications are not included in the planning/design column and not counted towards public benefits achieved prior to construction as numbers and status may change throughout the permitting process.

<sup>e</sup> **Temporary Modular Housing (TMH):** are modular homes that provide supportive housing services to residents with low and moderate incomes who have a need for transitional housing. See the [Housing Vancouver webpage](#) for more information. These 98 social housing units are temporary modular housing that were not anticipated in the Cambie Corridor Plan; therefore, they do not count towards the Plan's housing goal.

\* \* \* \* \*

**5350-5430 Heather Street  
PUBLIC BENEFITS SUMMARY**

**Project Summary**

Two 18-storey buildings containing 344 secured-rental residential units, with 20% of the floor area at below-market rental units.

**Public Benefit Summary:**

The proposal offers 344 secured-rental housing units with 20% of the floor as below-market rental, a DCL payment, and public art contribution.

	<b>Current Zoning</b>	<b>Proposed Zoning</b>
Zoning District	R1-1	CD-1
FSR (site area of 4341.7 sq. m. (46,733 sq. ft.))	0.70	6.28
Buildable Floor Space	2,746 sq. m (29,558 sq. ft.)	24,638 sq. m (265,201 sq. ft.)
Land Use	Residential	Residential

**Summary of Development Contributions Expected under Proposed Zoning**

City-wide DCL <sup>1, 2</sup>	\$0
Utilities DCL <sup>1</sup>	\$3,622,646
Public Art <sup>3</sup>	\$525,098
<b>TOTAL</b>	<b>\$4,147,744</b>

**Other Benefits** (non-quantified components): 344 secured-market rental units including 20% of the floor area as below-market rental units with rental rates calculated based on a 20% discount to city-wide average market rents as published by CMHC in the fall 2022 Rental Market Report.

<sup>1</sup> Based on by-laws in effect as of September 30, 2023; by-laws are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection, see the City's [DCL Bulletin](#) for more details.

<sup>2</sup> The applicant has requested a DCL waiver for the residential floor area of the proposal and will be subject to the maximum average rents by unit type for the below-market units, in accordance with the DCL By-law, as secured by an amendment to the Housing Agreement. The value of the City-wide DCL waiver on the residential floor area is approximately \$5,781,382.

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

\* \* \* \* \*

**5350-5430 Heather Street  
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

**Property Information**

Address	Property Identifier (PID)	Legal Description
5350 Heather Street	007-506-953	Lot 3 Block 877 District Lot 526 Plan 8838
5370 Heather Street	009-918-345	Lot 4 Block 877 District Lot 526 Plan 8838
5390 Heather Street	009-918-353	Lot 5 Block 877 District Lot 526 Plan 8838
5410 Heather Street	009-918-361	Lot 6 Block 877 District Lot 526 Plan 8838
5430 Heather Street	009-918-370	Lot 7 Block 877 District Lot 526 Plan 8838

**Applicant Information**

Applicant	Rize Alliance Properties Ltd.
Architect	Dialog
Property Owner	Comma-Minto Properties (Heather) Nominee Ltd.,

**Site Statistics**

Site Area	3,923.3 sq. m (42,230 sq. ft.)
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**Development Statistics**

	Permitted Under Existing Zoning	Development Permitted Under Proposed Zoning		
Zoning	R1-1	CD-1		
Uses	Residential	Multiple Dwelling (Residential)		
Max. Density	0.70 FSR	6.28 FSR		
Floor Area	1,239 sq. m (13,336 sq. ft.)	Up to 24,638 sq. m (265,201 sq. ft.)		
Height	11.5 m (38 ft.)	Top of parapet: 60 m (197 ft.) Top of appurtenances: 64 m (210 ft.)		
Unit Mix	n/a	<b>Type</b>	<b>Market Rental</b>	
			Count	Percentage
		<b>Studio</b>	78	22.7%
		<b>1-bed</b>	142	41.3%
		<b>2-bed</b>	94	27.3%
		<b>3-bed</b>	30	8.7%
<b>Total</b>	344	100%		
Parking, Loading and Bicycle	as per Parking By-law	as per Parking By-law Confirmed at the development permit stage		
Natural Assets	7 City trees 22 on- and off-site trees	7 street trees to be retained; 1 off-site tree to be retained ; 21 on-site trees proposed for removal; 47 new trees are proposed Confirmed at the development permit stage		