



REFERRAL REPORT

Report Date: March 12, 2024
Contact: Scott Erdman
Contact No.: 604-873-7271
RTS No.: 16265
VanRIMS No.: 08-2000-20
Meeting Date: April 9, 2024

TO: Vancouver City Council
FROM: Acting General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 1302-1318 East 12th Avenue

RECOMMENDATION TO REFER

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

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

RECOMMENDATION FOR PUBLIC HEARING

- A. THAT the application by David Wong Architect, on behalf of XGX Apartments Ltd., the registered owner of the lands located at 1302-1318 East 12th Avenue [*Lots A to C of Lot A Block 171 District Lot 264A Group 1 New Westminster District Plan BCP7041; PIDs 025-730-185, 025-730-193, and 025-730-207 respectively*], to rezone the lands from RM-11N (Residential) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 1.70 to 3.21 and the maximum building height from 13.7 m (45 ft.) to 24.18 m (79 ft.) to permit a six-storey mixed-use building containing 33 secured market rental residential units with commercial space on the ground floor, be approved in principle;

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

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by David Wong Architect, received April 20, 2022, and supplemental plans received January 16, 2023, provided that 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 CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability.
- C. THAT subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the new CD-1, generally as set out in Appendix C, be approved.
- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the CD-1, generally as set out in Appendix C;

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

- E. THAT Recommendations A to D be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (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 1302-1318 East 12th Avenue to CD-1 (Comprehensive Development) District, under the *Grandview-Woodland Community Plan* (the "*Plan*"), to permit a six-storey mixed-use development with commercial uses, at grade and residential above, with 33 secured market rental units.

The proposed uses and form of development are consistent with the intent of the *Plan*. Staff recommend that the application be referred to a Public Hearing, with the recommendation of the

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

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)
- Grandview-Woodland Community Plan (2016)
- 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)
- Urban Forest Strategy (2014, last amended 2018)
- Green Buildings Policy for Rezonings (2010, last amended 2023)
- Community Amenity Contributions Policy for Rezonings (1999, last amended 2023)
- Latecomer Policy (2021)
- Development Cost Levy By-law No. 9755 (2008, last amended 2023)
- Utilities Development Cost Levy By-law No. 12183 (2018, last amended 2023)

PROVINCIAL AUTHORITY

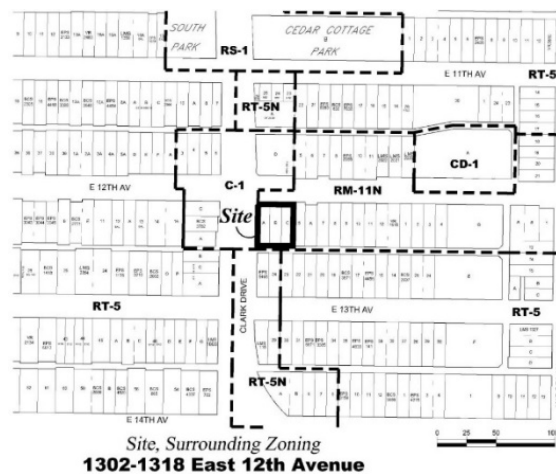
- Bill 47, Housing Statutes (Transit-Oriented Areas) Amendment Act, adopted November 30, 2023

REPORT

Background/Context

1. Site and Context

The subject site is located in Kensington-Cedar Cottage, at the southeast corner of East 12th Avenue and Clark Drive (Figure 1). The area is incorporated in the *Grandview-Woodland Community Plan* as part of the “Commercial-Broadway Station Area Precinct”. The property has a site area of 1,056 sq. m (11,373 sq. ft.) with a frontage of 28.4 m (93 ft.) along East 12th Avenue and a depth of 35 m (115 ft.). The current zoning is RM-11N and while the property is a vacant lot today, it formerly contained commercial uses. Properties at this intersection include two gas stations and a small commercial node. The surrounding context is residential (detached/duplex housing), with new mid-rise residential projects under construction nearby.

Figure 1: Location Map – Site and Context

Neighbourhood Amenities – The following amenities are within close proximity:

- *Parks:* Cedar Cottage Park (200 m), China Creek South Park (210 m), Clark Park (350 m)
- *Institutional:* Queen Alexandra Elementary School (260 m), Vancouver Community College (550 m), Tye Elementary School (850 m), Charles Dickens Elementary School (900 m)
- *Other Community Facilities:* Mount Pleasant Neighbourhood House (1 km), Kensington Branch Public Library (1.2 km), Trout Lake Community Centre and ice rink (1.3 km)
- *Transportation:* Commercial-Broadway Station (800 m)

Local School Capacity – The site is within the catchment area of Queen Alexandra Elementary and Vancouver Technical Secondary School. According to the Vancouver School Board (VSB)'s *2020 Long Range Facilities Plan*, both Queen Alexandra Elementary and Vancouver Technical Secondary School will be operating below capacity by 2031, with a utilization rate of 43% and 78%, 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

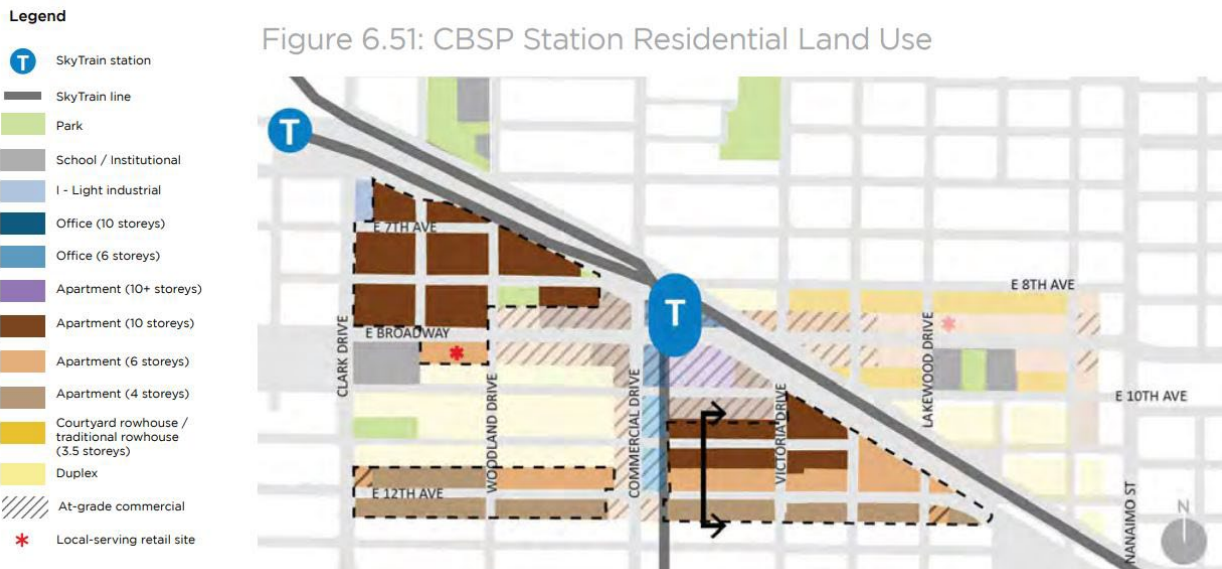
Vancouver Plan – The *Vancouver Plan* was approved by Council on July 22, 2022 and is a land use strategy to guide long-term growth of the City over the next 30 years. The plan serves as a framework, with further implementation planning work to follow over the next two to four years. Central to the *Vancouver Plan* are relevant “Big Ideas” related to (1) Equitable Housing and Complete Neighbourhoods, and (2) An Economy that Works for All. The site is located within the *Grandview-Woodland Community Plan* boundaries, which is generally in alignment with the *Vancouver Plan*.

Grandview-Woodland Community Plan – The site is within the Station Residential area in the Commercial Broadway Station Precinct of the *Plan* (see Figure 2). This area is expected to evolve to accommodate new low- and mid-rise apartment building forms in a compact

neighbourhood that is within easy walking distance of the transit interchange at Commercial-Broadway. Public realm improvements should be provided with new development, including increased sidewalk width, street trees, amenities such as bike racks, and feature lighting.

Following approval of the *Plan* in 2016, this site was pre-zoned to RM-11N as part of *Plan* implementation, to allow for residential uses, with height up to four storeys, and density up to 1.7 FSR. For sites zoned RS, RT or RM, the *Plan* also enables the inclusion of commercial uses at grade on sites with former small-scale retail, and supports rezoning processes related to these sites. Although this subject site has been vacant for some time, it previously contained a small commercial building with three businesses including a small grocery store.

Figure 2: Commercial-Broadway Station Precinct Land Use Map



Provincial Legislation – Housing Statutes (Transit-Oriented Areas) Amendment Act – Bill 47 – 2023 – In November 2023, the Province passed legislation for minimum development objectives around Transit-Oriented Areas (TOA). Staff are reviewing the legislation and will report back to Council within the Provincial deadline of June 2024, along with an implementation strategy. The legislation does not limit Council from considering applications within locations designated as a TOA, and Council may continue to consider applications and make decisions as it relates to the application before them at a Public Hearing.

Housing Needs Report – On April 27, 2022, Council resolved at a public meeting to receive a *Housing Needs Report* (“HNR”) by staff. Further to the Provincial government’s requirement, Council must consider the most recent housing needs report when developing a development plan, or when amending a development plan in relation to Council housing policies respecting affordable housing, rental housing and special needs housing. This application implements Council-approved direction on housing contained in the *Plan*, which is well supported by the data and findings within the *HNR*.

Housing Vancouver – *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.

Strategic Analysis

1. Proposal

The proposal is for a six-storey (24.18 m (79 ft.)), mixed-use building with commercial uses at grade and 33 secured market rental residential units above (Figure 3). A total floor area of 3,388.4 sq. m (36,472 sq. ft.) and FSR of 3.21 are proposed. Two levels of underground parking are accessed from the lane.

Figure 3: Perspective from Clark Drive/East 12th Avenue intersection



2. Land Use

The proposed residential and commercial uses are consistent with land uses supported in the *Plan*, and with the site's historical uses.

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

In assessing urban design performance, staff take into consideration the urban design principles of the *Grandview-Woodland Community Plan*. The proposal is generally consistent with the height, density, and urban design principles set out in the *Plan*, as outlined below.

Form of Development

The *Plan* anticipates four-storey apartments on this site, with opportunities to re-introduce former small-scale retail/commercial components through rezoning. The proposal includes six storeys with commercial space at grade to support community and business interests with local-serving retail at this commercial node. The scale of the proposed building would be similar to what could be considered at the other corners of this intersection either through the *Grandview-Woodland Community Plan* or through the *Broadway Plan*. While a full six-storey building is appropriate and contributes to the prominent street corner, the proposal includes significant step-backs on the fifth and the sixth floors to improve the transition to the adjacent properties and to minimize the building's scale as viewed from the lane.

Figure 4: Perspective from East 12th Avenue



Height – The proposed height of 24.18 m (79 ft.) is appropriate for a six-storey mixed use building, noting that the significant grade change on the site contributes to the overall building height. Building step-backs are provided as noted above to address this condition.

Density – The proposed density of 3.21 FSR is consistent with the expectations of the *Plan* for a six-storey mixed use building. The amount of space proposed for commercial uses is 0.66 FSR.

Public Realm – Clark Drive and East 12th Avenue are busy traffic corridors with little to no buffer space and few public realm features, which makes the walking experience uncomfortable. The proposal provides a 5.5 m (18 ft.) sidewalk improvement on Clark Drive and East 12th Avenue with bike racks and in-ground lighting to enhance the streetscape, public realm and walkability. Provision of at-grade commercial space also assists in strengthening and activating this street corner.

Shadowing – Due to the site orientation, shadows are directed towards East 12th Avenue and avoid the residential sites across the lane. The building's stepped profile will reduce impacts on neighbouring properties on the east side.

Private Amenity Space – The development offers common indoor and outdoor amenity space on the 6th storey accessible to all the building’s residents. Staff have prepared a condition to further enhance the functionality and quality of the common amenity spaces.

Urban Design Panel – The Urban Design Panel reviewed the application on July 20, 2022 and April 12, 2023 and supported this application on April 12, 2023 (see Appendix D). Staff have included conditions addressing the commentary of the Urban Design Panel.

Staff reviewed the recommendations of the Urban Design Panel, as well as the site-specific conditions, and concluded that the proposal is generally in line with the density, height and built form intentions of the *Grandview-Woodland Community Plan*. Staff support the application subject to formal modifications provided in the Urban Design conditions detailed in Appendix B.

4. Housing

The *Housing Vancouver Strategy* seeks to deliver a range of housing tenures across the housing continuum. This application, if approved, would add approximately 33 units of rental housing units to the City’s inventory of rental housing, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 5).

Figure 5: Progress Towards 10 Year Housing Vancouver Targets for Secured Market Rental Housing as of December 31, 2023

Housing Type	10-Year Targets	Units Approved Towards Targets
Purpose Built Market Rental Units	16,000	15,843 (99%)

Note that tracking progress towards 10-year Housing Vancouver targets began in 2017. Unit numbers exclude the units in this proposal, pending Council’s approval of this application.

Vacancy Rate – Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2022, the purpose-built apartment vacancy rate was 0.9% in Vancouver. The vacancy rate (based on Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the Mount Pleasant/Renfrew Heights, where this site is located, is 0.5%. A vacancy rate of between 3% and 5% is considered to represent a balanced market.

Housing Mix – The *Family Room: Housing Mix Policy for Rezoning Projects* policy requires a minimum of 35% family units (including two or more bedrooms). This application proposes 51% two-bedroom family units thereby exceeding the policy. The applicant is encouraged to include three-bedroom units in the proposal. Family units must be designed in accordance with the *High-Density Housing for Families with Children Guidelines*. The application as proposed is consistent with the policy and a provision is included in the CD-1 By-law to meet the minimum unit mix requirements.

Average Rents and Income Thresholds – Average rents for units on the eastside are shown in Figure 6. Rent increases, over time, are subject to the Residential Tenancy Act. Average market rents in newer rental buildings on the eastside are shown in Figure 6. The market rental units will provide options which are significantly more affordable than average home ownership costs as illustrated below.

Security of Tenure – Purpose-built rental housing offers secure rental tenure. All 33 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.

Tenants – The site does not currently have any existing rental residential uses and there are no eligible tenants as defined under the City’s Tenant Relocation and Protection Policy (TRPP).

Figure 6: Market Rents in Newer Eastside Buildings, Costs of Ownership and Household Income Served

Unit	Newer Rental Buildings Eastside		Monthly Costs of Ownership for Median-Priced Apartment – Eastside (with 20% down payment)		
	Average Market Rent ¹	Average Household Income Served	Monthly Costs of Ownership ²	Average Household Income Served	Down-Payment at 20%
Studio	\$1,653	\$66,120	\$2,200	\$88,000	\$79,550
1-bed	\$1,925	\$77,000	\$2,885	\$115,400	\$108,000
2-bed	\$2,619	\$104,760	\$3,809	\$152,360	\$141,300
3-bed	\$3,212	\$128,480	\$5,565	\$222,600	\$213,000

¹ Data from the October 2022 CMHC Rental Market Survey for apartments in purpose-built rental buildings completed in the year 2013 or later on the Eastside of Vancouver

²Based on the following assumptions: median of all BC Assessment apartment sales prices in Vancouver Eastside in 2021 by unit type, 20% down-payment, 5% mortgage rate (in-line with Bank of Canada conventional 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).

5. Parking and Transportation

Clark Drive is a primary arterial street with frequent bus service, and the 99 B-line rapid bus service along Broadway is three blocks away. The transit hub at Commercial-Broadway Station is 800 m away, and nearby cycling routes are located along East 10th Avenue, East 14th Avenue, and Woodland Drive.

Parking, loading and bicycle spaces must be provided in accordance with the requirements of the Parking By-law. Two levels of underground parking is proposed, accessed from the lane. A total of 25 vehicle spaces, 54 Class A and 6 Class B bicycle spaces, and one Class B loading space are proposed. Given that the site is close to several transit routes, the proposal is eligible for vehicle parking reductions. Further parking reductions through transportation demand management (TDM) strategies may be explored during the development permit stage.

A number of public realm improvements are sought along Clark Drive and East 12th Avenue, including widened sidewalks for pedestrian use and upgraded street lighting. Detailed Engineering conditions are included in Appendix B.

6. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezoning* requires that rezoning applications satisfy the green and resilient building conditions, including detailed strategies to meet energy, emissions and embodied carbon targets. This application complies with the policy.

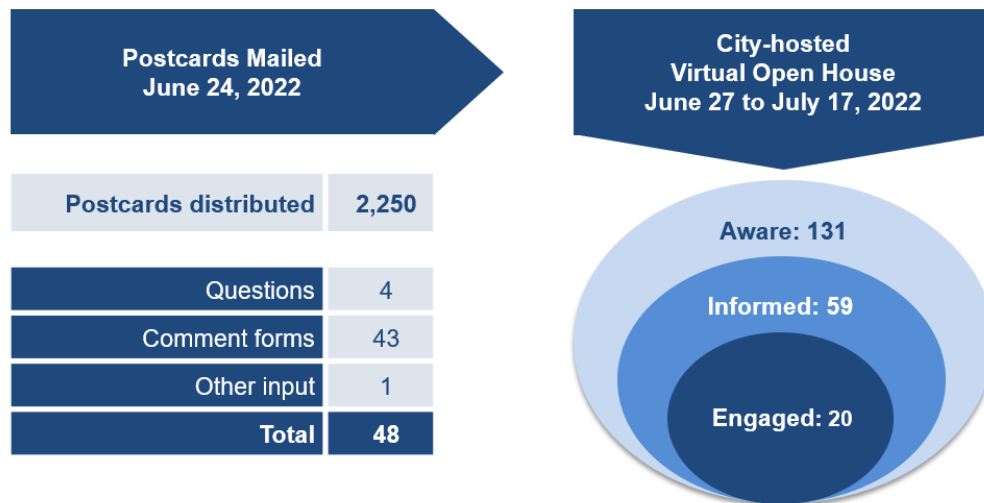
Natural Assets – The *Urban Forest Strategy* seeks to protect and strengthen Vancouver’s urban forest and tree canopy. The Protection of Trees By-law requires permission to remove trees that meet certain conditions to protect as many healthy, viable trees while still meeting the challenges of development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

There are two off-site city trees and no existing on-site trees. Three new off-site street trees are proposed (and retention of the existing two city trees), in addition to a green wall, and landscaping in the outdoor amenity areas. See Appendix B for landscape and tree conditions.

7. Public Input

Public Notification – Site signs were installed on June 9, 2022. Approximately 2,250 notification postcards were distributed within the neighbouring area on or about June 24, 2022. Notification and application information, and an online comment form, was provided. A virtual Q&A period was held from June 27, 2022 to July 17, 2022 on the Shape Your City platform. Approximately 131 visitors accessed the webpage and 48 submissions were received (Figure 7).

Figure 7: Overview of Notification and Engagement



Generally, comments of support were for the addition of housing and commercial space on the empty lot, and for the proposed height, density, and location. Comments of concern noted the building’s height, the viability of commercial uses at this location, and traffic/safety concerns for this busy intersection.

Response to Public Comments – Staff note that although the building is six storeys in height at the corner, it terraces down to four storeys to the east, to provide a sensitive transition towards the surrounding context. Regarding the re-introduction of commercial uses, staff note that there is already a small existing commercial node at this intersection, and that providing local-serving retail will help promote walkability and convenience for residents in the neighbourhood.

8. Public Benefits

Community Amenity Contributions (CACs) – The *Community Amenity Contributions Policy for Rezonings* provides an exemption from CACs for certain routine, lower density secured market rental housing rezoning applications that comply with the City's rental policies. This application meets the criteria for an exemption as an RM zoned site proposed to rezone to no more than six storeys, with no existing rental units to be demolished.

The applicant has proposed that all 33 residential units be secured as rental housing for the longer of 60 years and the life of the building. 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 the City-wide DCL and Utilities DCL. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage.

This application is eligible for a waiver of a portion of the City-wide DCLs, however the applicant has elected not to seek the waiver. As per Section 3.1B of Vancouver Development Cost Levy By-law, the decision to seek the waiver is made at the rezoning application stage. Should the applicant wish to request a DCL waiver at a later stage, the applicant would be expected to return to Council for a subsequent public hearing to amend the rezoning conditions.

Based on rates in effect as of September 30, 2023 and the proposed 29,024 sq. ft. of residential space, and the 7,449 sq. ft. of commercial space, the total DCLs are estimated to be \$1,242,456.

Public Art Program – No public art contribution is applicable to this rezoning as the proposed floor area of the project is below the minimum threshold.

FINANCIAL IMPLICATIONS

As noted in the Public Benefits section, this project is expected to provide a DCL payment. See Appendix F and G for additional details.

CONCLUSION

The application proposes a six-storey mixed-use development, with commercial uses at grade and 33 secured market rental units above, under the *Grandview-Woodland Community Plan*. Staff conclude that the proposed land uses and form of development are an appropriate urban design response to the site and its context, and are consistent with the intent of the *Plan*.

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

* * * * *

**1302-1318 East 12th Avenue
PROPOSED CD-1 BY-LAW PROVISIONS**

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

Zoning District Plan Amendment

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

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

Designation of CD-1 District

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

Uses

3. 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) Cultural and Recreational Uses;
 - (b) Dwelling Uses, limited to Mixed-Use Residential Building, Multiple Conversion Dwelling, and Multiple Dwelling;
 - (c) Institutional Uses;
 - (d) Live-Work Use;
 - (e) Office Uses;
 - (f) Retail Uses;
 - (g) Service Uses;
 - (h) Utility and Communication Uses; and
 - (i) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

- 4.1 The design and layout of at least 35% of the total number of dwelling units must:
- (a) be suitable for family housing; and
 - (b) have 2 or more bedrooms.
- 4.2 No portion of the first storey of a building, to a depth of 10.7 m from the front wall of the building and extending across its full width, may be used for residential purposes except for entrances to the residential portion.
- 4.3 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building, other than the following:
- (a) display of flowers, plants, fruits and vegetables in combination with a permitted use;
 - (b) farmers' market;
 - (c) neighbourhood public house;
 - (d) public bike share; and
 - (e) restaurant,
- except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this by-law.

Floor Area and Density

- 5.1 Computation of floor area must assume that the site area is 1,056 m², being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.
- 5.2 The maximum floor space ratio for all uses combined is 3.21.
- 5.3 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.
- 5.4 Computation of floor area must exclude:
- (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, 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 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and
- (f) all storage area below base surface for non-dwelling uses.

5.5 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.

Building Height

6. Building height must not exceed 24.20 m.

Horizontal Angle of Daylight

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

7.2 For the purposes of section 7.1 above, habitable room means any room except a bathroom or a kitchen.

7.3 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.

7.4 The plane or planes referred to in section 7.3 above must be measured horizontally from the centre of the bottom of each window.

7.5 An obstruction referred to in section 7.3 above means:

- (a) any part of the same building excluding permitted projections; or
- (b) the largest building permitted on any adjoining site.

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

- (a) the Director of Planning or Development Permit Board considers all applicable Council policies and guidelines; and
- (b) the minimum distance of unobstructed view is at least 3.7 m.

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**1302-1318 East 12th Avenue
CONDITIONS OF APPROVAL**

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

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by David Wong Architect, on behalf of the registered owner, received April 20, 2022, with supplementary drawings received January 16, 2023, and provided 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 provide improvements to the public realm interface along Clark Drive and East 12th Avenue, as follows:
 - (a) enhance pedestrian interest and scale to ground level storefront, display and weather protection systems through robust detailing, colour, use of lighting, and/or texture;
 - (b) provide durable and high quality materials at building base;
 - (c) improve the presence and articulation of residential entry; and
 - (d) design development to enhance the corner building expression at Clark Drive and East 12th Avenue.
- 1.2 Design development to improve the livability of the dwelling units.

Note to Applicant: Ensure all habitable rooms, including dens and study rooms, have direct light and ventilation access. Re-orient balcony doors towards the street and lane and not interior side yard.
- 1.3 Design development to improve the quality of indoor and outdoor amenity space for the residents.

Note to Applicant: Encourage a green roof to improve the quality of rooftop outdoor amenity space.

- 1.4 Design development to ensure high quality materials and level of detailing.

Note to Applicant: While it is understood that materials and detailing may evolve during the development permit stage, the submission should demonstrate a commitment to provide durable, high-quality materials and robust detailing. This is to ensure visual interest, and maintenance and enhancement of the neighbourhood character through architectural quality, durability and longevity.

- 1.5 Provide 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 <https://guidelines.vancouver.ca/guidelines-bird-friendly-design.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 Design

- 1.8 Adherence to the objectives set forth in the *Grandview-Woodland Community Plan*, in keeping with the general intent of this document, as required, and in coordination with Engineering condition 1.25 and Urban Design condition 1.1.

Note to Applicant: For public-private realm treatment, refer to sections 9.1 and 9.3 of the *Plan*. Special attention is needed in regard to the provision of new street trees, publicly accessible furniture/benches near entrances, and surface treatment. Further details to be illustrated on the Landscape Plan.

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

Note to Applicant: The plans should be at 1/8 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 Landscape Plan and keyed to the Plant List. The Landscape Plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

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

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

- 1.11 Provision of a vegetative cover calculation sheet, included with the landscape plans.

Note to Applicant: Include a comparison of the percentage vegetative cover as a ratio of the overall site and a separate calculation of the ratio of vegetative coverage to total building roof area.

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

- 1.13 Provision of an outdoor lighting plan.

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

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

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

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

Note to Applicant: Bird friendly plants should be included on the plant palette, enabling bird habitat conservation and bird habitat promotion. Refer to the Bird Friendly Design Guidelines for examples of landscape features that may be applicable, and provide a design rationale for the features noted. Refer to: <http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf> <http://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf>

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

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

Housing

- 1.17 The proposed unit mix, including 16 one-bedroom units (48.5 %), and 17 two-bedroom units (51.5%) is to be included in the Development Permit drawings.

Note to Applicant: Three-bedroom units are highly encouraged.

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 designed to be suitable for families with children.

- 1.18 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).

Note to Applicant: Recommend incorporating a children's play area in the outdoor amenity area, adjacent to the indoor amenity area to enable adult supervision.

- (b) a minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each dwelling unit (S. 4.4.2);

Note to Applicant: In suite storage is highly encouraged for family units.

- (c) a multi-purpose indoor amenity space appropriate in size for the scale of the project, with a wheelchair accessible washroom and kitchenette. Consider positioning this adjacent to the children's play area to enable parental supervision from the amenity room (S. 3.7.3);

Note to Applicant: Demonstrate on the Development Permit drawings a wheelchair accessible washroom and kitchenette in the amenity room, and positioning the children's play area adjacent to the indoor amenity to allow for adult supervision.

- (d) a balcony for each unit with 1.8 m by 2.7 m minimum dimensions (S. 4.3.2).

Note to Applicant: Demonstrate on the Development Permit drawings that the balconies meet the minimum dimensions.

Sustainability

- 1.19 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning* (amended May 2, 2018), 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

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

Note to Applicant: Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time 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 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 if shotcrete will be required for the site.

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 building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services at shoringreview@vancouver.ca for details.

Design guidelines and construction standard: <https://vancouver.ca/streets-transportation/street-design-construction-resources.aspx>

Steps to getting a shoring and excavation street use permit: <https://vancouver.ca/home-property-development/construction-street-use-permits.aspx#shoring-and-excavation>

- 1.22 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.
- 1.23 Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.
- 1.24 Gates/doors are not to swing more than 0.3 m (1 ft.) over the property lines or into the SRW area.
- 1.25 Submission of an updated landscape and site plan to reflect the public realm changes including all of the off-site improvements sought for this rezoning. Where a design or detail is not available, make note of the improvement on the landscape plans. The landscape plan is to include the following:
 - (a) the following statement is to be added on the site and landscape plans; “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 Services and/or your Engineering, Building Site Inspector for details”; and
 - (b) provision of street trees where space permits. Final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. Tree species to the approval of the City Arborist. Street tree planting to include appropriate soil volumes and approved root barriers of rigid construction, 8 ft. long and 18 in. deep, centre on each street tree adjacent to the sidewalk and any off street bike facility.

Note to Applicant: Where a design detail is not available, make note of the improvement on the plan. Public realm changes include all of 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.
- 1.26 Provision of a Shared Use Loading Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the Class B loading space between the commercial and residential uses and labelling of the space as ‘Residential and Commercial Loading’.
- 1.27 Design development to improve access and design of bicycle parking by performing the following:
 - (a) automatic door openers for all doors providing access to Class A bicycle storage.

- 1.28 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) provide turning swaths for the vehicle ramps to confirm two way traffic flow;
 - (b) provide 2.6 m (8 ft 6 in.) width for small vehicle spaces adjacent one side wall, or if a column is located more than 1.2 m from either end of the wall;
 - (c) provide 2.7 m (8 ft. 10 in.) width for standard vehicle spaces adjacent one side wall, or if a column is located more than 1.2 m from either end of the wall; and
 - (d) confirmation that 2.3 m (7.5 ft.) of vertical clearance is provided for access and maneuvering to all accessible spaces.
- 1.29 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) provision of a standard widened loading throat to facilitate maneuvering.
- 1.30 Provision of the following information as part of the architectural drawing submission at the development permit stage to facilitate a complete Transportation review:
- (a) a complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided;
 - (b) all types of parking and loading spaces individually numbered and labelled;
 - (c) dimension of any/all column encroachments into parking stalls;
 - (d) identification of all columns in the parking layouts;
 - (e) dimensions of additional setbacks for parking spaces due to columns and walls;
 - (f) dimensions of maneuvering aisles and the drive aisles at the parkade entrance and all gates;
 - (g) 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.
- (h) areas of minimum vertical clearances labelled on parking levels;
 - (i) 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.

- (j) 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.

- (k) existing street furniture including bus stops, benches etc. to be shown on plans; and
- (l) the location of all poles and guy wires to be shown on the site plan.

- 1.31 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 development will be required to demonstrate compliance with these requirements at the building permit application stage. See Vancouver.ca/rainwater for more information.

- 1.32 Developer's Engineer to submit a sewer abandonment plan to the City that details the abandonment or removal of all existing storm, sanitary, and combined connections to the development site.

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

- 1.33 Submission of a Key Plan shall be submitted by the applicant and approved by the City prior to any third party utility drawing submissions. It is highly recommended that the applicant submit a Key Plan to the City for review as part of the Building Permit application. Third party utility service drawings will not be reviewed by the City until the Key Plan is defined and achieves the following objectives:

- (a) The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan <https://vancouver.ca/files/cov/engineering-design-manual.PDF>; and
- (b) All third party service lines to the development is to be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant is to provide documented acceptance from the third party utilities prior to submitting to the City.

Note to Applicant: 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.

- 1.34 Provision of written confirmation that clarifies garbage pick-up operations and that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage.

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.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

- 2.1 Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the consolidation of Lots A, B and C, all of Lot A, Block 171, District lot 264A, Group 1, New Westminster District, Plan BCP7041 to create a single parcel.

Note to Applicant: An application for a Permit to Use City Property must be submitted to Development and Major Projects for the proposed canopy encroaching onto City Street. Canopies must be fully demountable and comply with all applicable requirements of the Vancouver Building By-law (Section 1.8.8).

- 2.2 Provision of a building setback and surface statutory right of way (SRW) for public pedestrian use over a portion of the site, along Clark Drive and East 12th Avenue to achieve a 5.5 m offset distance measured from the back of the existing curbs for widened sidewalks.

Note to Applicant: The SRW will be free of any permanent obstruction such as structure, mechanical vents, stairs, and planter walls at grade and is to accommodate the underground parking structure within the SRW agreement.

- 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.

(i) Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by Creus Engineering Ltd. dated April 11, 2022, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 300 mm along East 12th Avenue. The mains along Clark Drive cannot be used to service the development. 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.

(i) Implementation of development(s) at 1302-1318 East 12th Avenue does not require any sewer upgrades.

Note to Applicant: Development to be serviced to the existing 250 mm SAN and 600 mm STM on East 12th Avenue.

(c) Provision of street improvements along Clark Drive adjacent to the site and appropriate transitions including the following:

(i) minimum 1.22 m (4.0 ft.) wide front boulevard (measured from the back of the existing curb) with street trees where space permits;

(ii) minimum 3.05 m (10.0 ft.) wide broom finish saw-cut concrete sidewalk; and

(iii) hard surface treatment in the space remaining between the sidewalk and the building.

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

(i) minimum 1.22 m (4.0 ft) wide front boulevard (measured from the back of the existing curb) with street trees where space permits;

(ii) broom finish saw-cut concrete sidewalk from the edge of the front boulevard to the property line; and

(iii) hard surface treatment within the SRW area.

- (e) Provision of improvements at the intersection of Clark Drive and East 12th Avenue, including:
 - (i) Upgrades to the existing traffic signal including accessible pedestrian signals (APS).
- (f) Provision of rebuilt laneway along the development site's frontage per City "Higher Zoned Lane" pavement structure specifications with a centre valley cross section. Install a new catch basin in the laneway.
- (g) Provision of a new standard concrete lane crossing, new lane returns, and ramps on both sides of the crossing at the lane crossing on Clark Drive.
- (h) Provision of upgraded street lighting (roadway and sidewalk) and existing lane lighting adjacent to the site to current City standards and IESNA recommendations.
- (i) 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.

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 COV Engineering Design Manual, Construction Specifications, Standard Detail Drawing, Canadian Electrical Code and the Master Municipal Construction Documents. Submission of the detailed Electrical Design does not occur until the Rezone has been enacted and a City Project Coordinator is assigned to the project.

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

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) Intersection upgrades per condition 2.3 (e).

Note to Applicant: The benefitting area for these works is under review.

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.

2.5 Provision of all third party utility services (e.g., BC Hydro, Telus and Shaw) to be underground. BC Hydro service to the site shall be primary.

- 2.6 Provision of written confirmation that all required 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.

Housing

- 2.7 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant to secure all residential units as secured market rental housing units, excluding Seniors Supportive or Assisted Housing, pursuant to the City's *Grandview-Woodland Community Plan*, for a term equal to the longer of 60 years and the life of the building, subject to a no-separate-sales covenant and a no-stratification covenant, a provision that none of such units will be rented for less than one month at a time, and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require.

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

Sustainability

- 2.8 Enter into such agreements as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services determine are necessary that require the owner to report energy use data, on an aggregated basis, for the building as a whole and for certain common areas and building systems. Such agreement or agreements will also provide for the hiring of a qualified service provider to assist the owner for a minimum of three years in collecting and submitting energy use data to the City.

Environmental Contamination

- 2.9 As 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 to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as registerable charges pursuant to the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with 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-law and at no cost to the City.

The preceding agreements shall provide security to the city including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in 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.

* * * * *

1302-1318 East 12th Avenue
DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE SIGN BY-LAW No. 11879

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

“1302-1318 East 12th Avenue [CD-1 #] [By-law #] C-2”

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

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

“[CD-1 #] [By-law #] 1302-1318 East 12th Avenue”

* * * * *

1302-1318 East 12th Avenue
ADDITIONAL INFORMATION

1. Urban Design Panel Minutes

The Urban Design Panel (UDP) reviewed this application on April 12, 2023. A summary of the decision is provided below. The full meeting minutes can be found online:

<https://vancouver.ca/files/cov/udp-minutes-04122023.pdf>

EVALUATION: Support with Recommendations (4/3)

Introduction: Rezoning Planner Scott Erdman, provided an overview of the policy for this site. Development Planner, Ryan Dinh 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. Ryan Dinh 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 MR. STOVELL and seconded by MS. LELE and was the decision of the Urban Design Panel:

THAT the Panel Recommend Support with recommendations with the following recommendation:

- 1) Urban Design Panel to review the project at the development permit application stage, addressing the comments made by Panel.

Summary of Panel Commentary:

Panel noted the resubmission did not successfully address the comments from the previous UDP's review, and insufficient detail was provided to meaningfully review the project beyond overall form and massing, height and density.

Panel noted to improve the corner expression, residential entry and further enhancements to the public realm.

Panel noted there needs to be more details on livability of units.

Panel noted there needs to be more information on materiality.

Panel noted there needs to be more information on natural ventilation and mechanical systems.

2. Public Consultation Summary

List of Engagement Events, Notification, and Responses

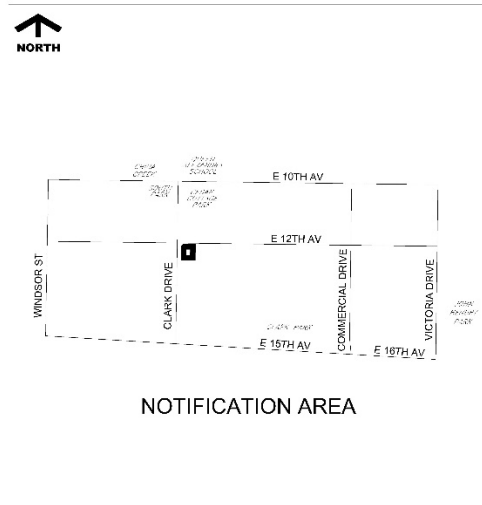
	Date	Results
Event		
Virtual open house (City-led)	June 27, 2022 – July 17, 2022	131 participants (aware)* <ul style="list-style-type: none"> • 59 informed • 20 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	June 24, 2022	2,250 notices mailed
Public Responses		
Online questions	June 27, 2022 – July 17, 2022	4 submittal
Online comment forms <ul style="list-style-type: none"> • Shape Your City platform 	May 2022 – November 2023	43 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	May 2022 – November 2023	43 submittals <ul style="list-style-type: none"> • 33 responses • 6 responses • 4 responses
Other input	May 2022 – November 2023	1 submittal
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	May 2022 – November 2023	707 participants (aware)* <ul style="list-style-type: none"> • 246 informed • 47 engaged

Note: All reported numbers above are approximate.

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

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

Map of Notification Area



Analysis of All Comments Received

Below is an analysis of all public feedback by topic.

Generally, comments of support fell within the following areas:

- **Neighbourhood context and housing stock:** Support to convert the lot which has been vacant for many years into much need housing. Adding commercial space to the area is welcomed.
- **Height, density and location:** The proposed height and density is appropriate however, given the site's proximity to public transition, even greater density would be supported.
- General support for the application

Generally, comments of concern fell within the following areas:

- **Height and density:** The height of the proposal is too tall in an area that generally has single family homes.
- **Commercial use:** There are concerns about the viability of a business at the intersection of Clark Drive and 12th Avenue as there are no vehicle parking spaces and a low volume of pedestrians.
- **Traffic and laneway:** The Clark Drive and 12th Avenue intersection is very busy so there are concerns about the safety of vehicles exiting the back lane onto an arterial road. Further, the laneway in its current state may not be able to handle the increase in vehicle activity from the new residents.

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

General comments of support:

- This is a good location given the proximity to transit.
- No displacement of residents.
- Nice design, specifically the rooftop amenity space, green roof and materials.

General comments of concern:

- Privacy of and shadows cast on surrounding residents.
- Increase in traffic at the intersection due to construction.
- The development process is time consuming and expensive.
- The liveability and unit size of the 2-bedroom units.
- Vehicles from residents in the building will overflow on to local streets and make it difficult to find street parking in the area.

General neutral comments/recommendations:

- The commercial space should not be leased to marijuana dispensaries, mushroom dispensaries nor convenience stores and should be leased to restaurants and boutiques.
- There should be at least one vehicle parking spot for each unit.
- There should be less vehicle parking spaces given the City's sustainability goals and the site's proximity to transit. Some of the vehicle parking spaces should be replaced with car share spaces or electric bikes.
- The units should be below-market rental.
- There should be more greenery and the sidewalk on 12th Avenue should be improved.
- The application conforms to the Grandview-Woodland Community Plan.
- The building should be 4-storeys.
- There should be more developments like this along 12th Avenue.
- Traffic safety improvements is needed at the Clark Drive and 12th Avenue intersection.

1302-1318 East 12th Avenue
FORM OF DEVELOPMENT

Perspective – Looking southeast



Perspective – Looking southwest



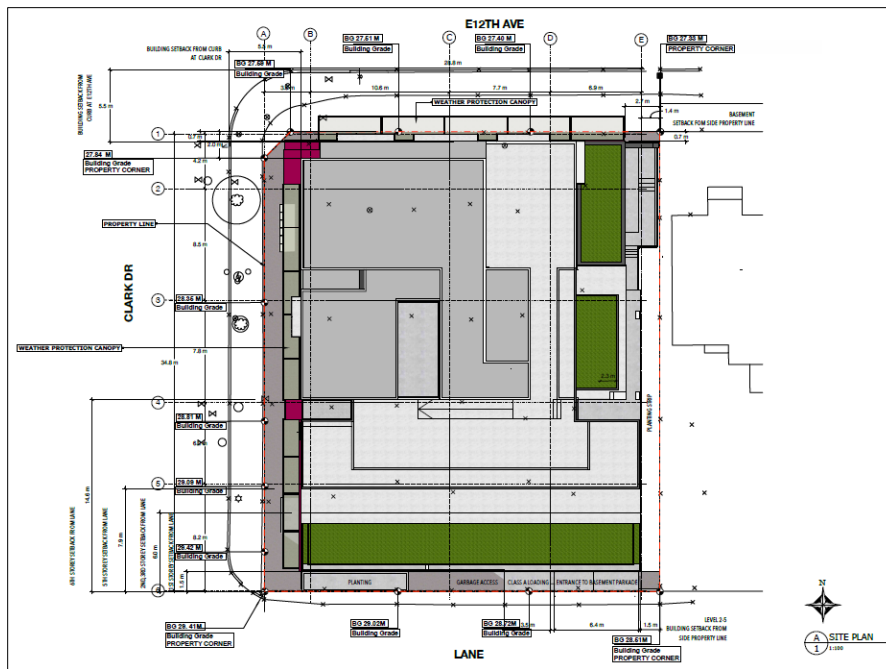
Perspective – Looking north from the lane



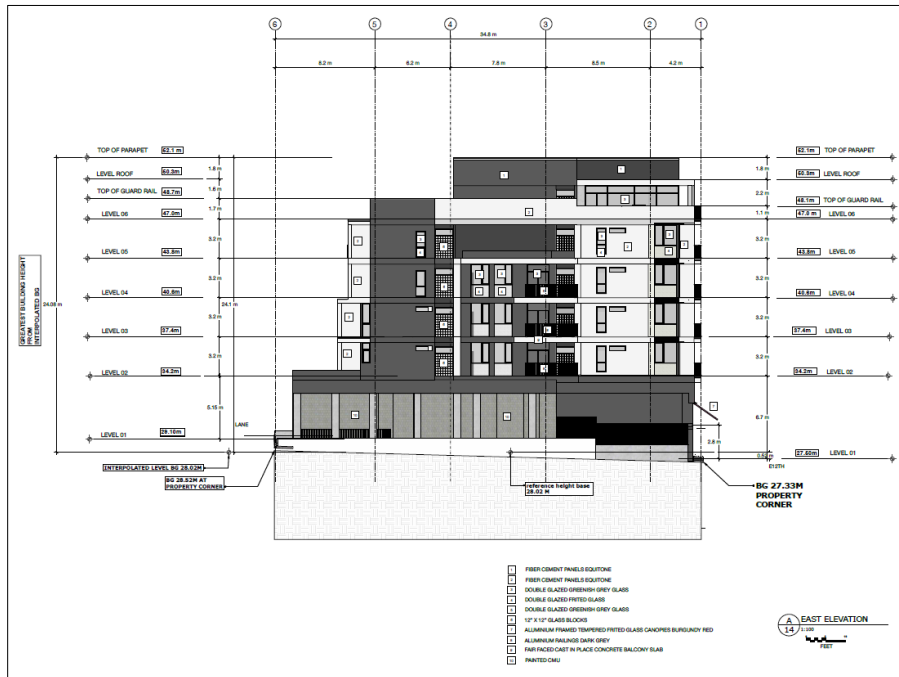
Perspective – Looking west from the lane



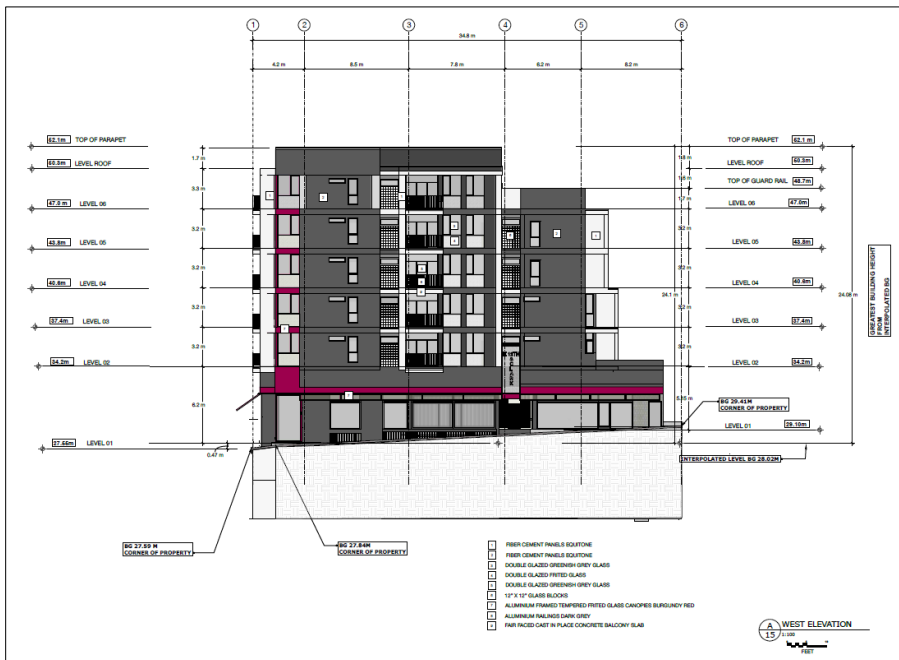
Site Plan



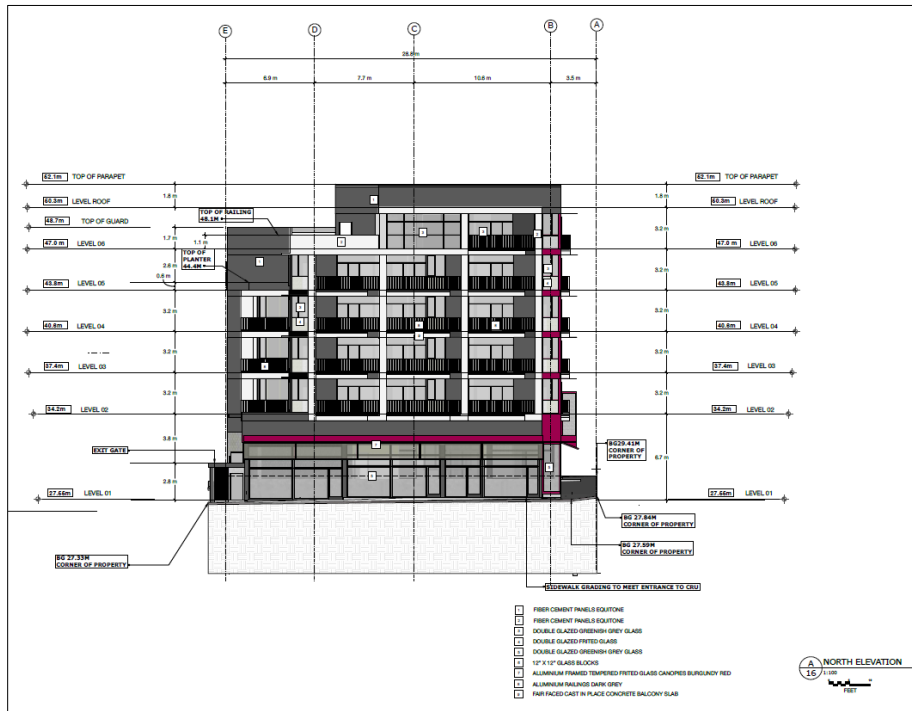
East Elevation



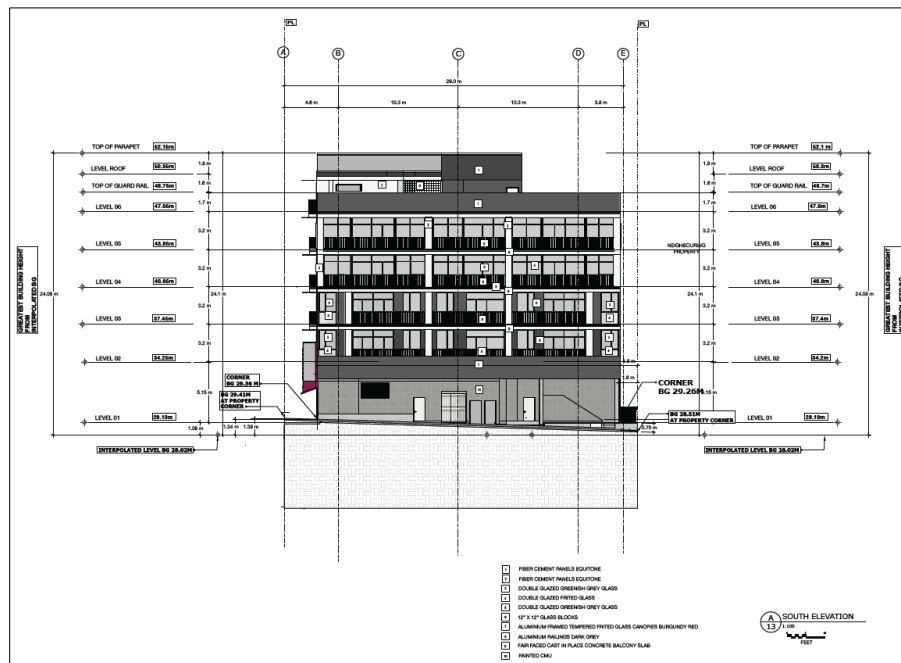
West Elevation



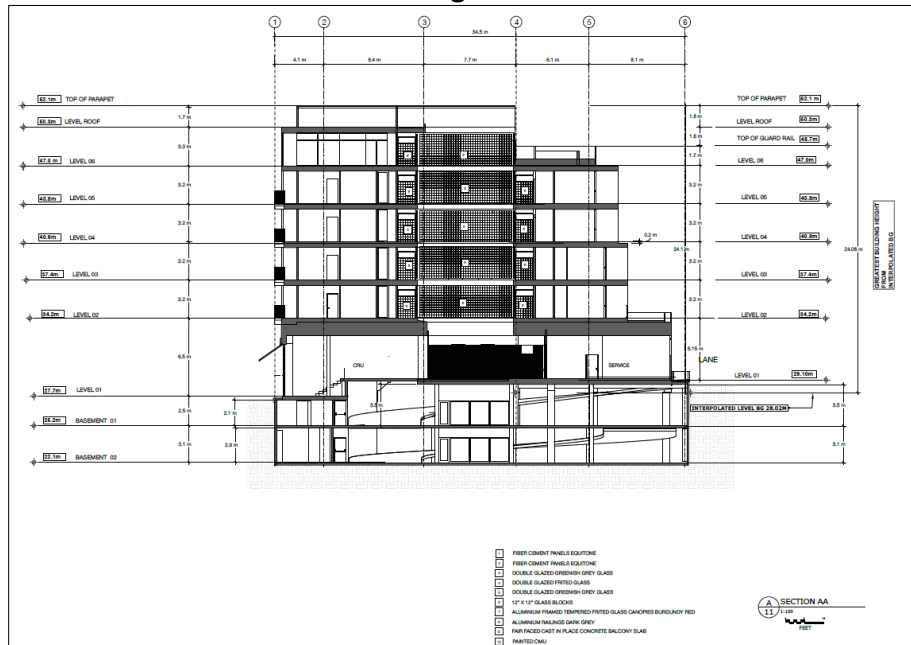
North Elevation



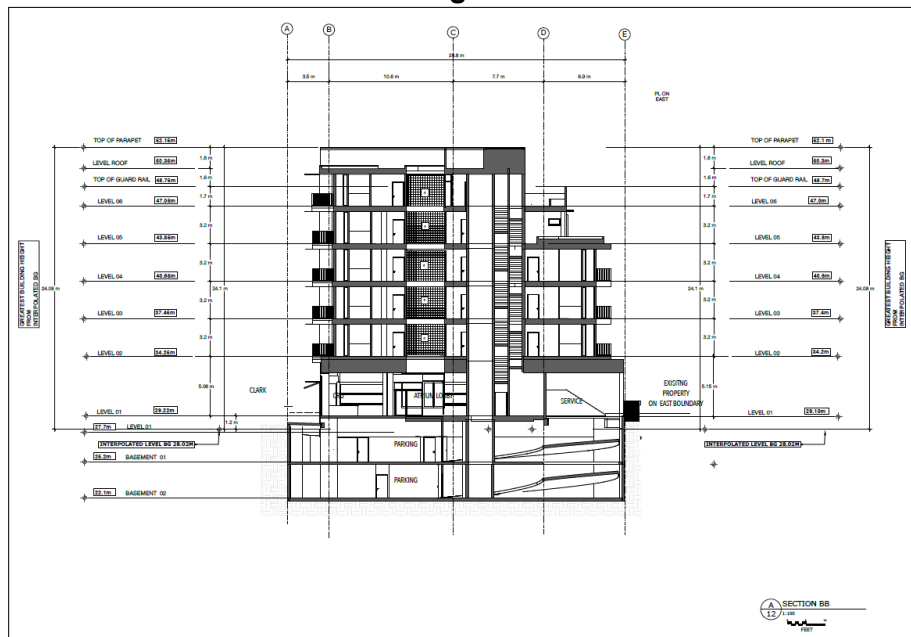
South Elevation



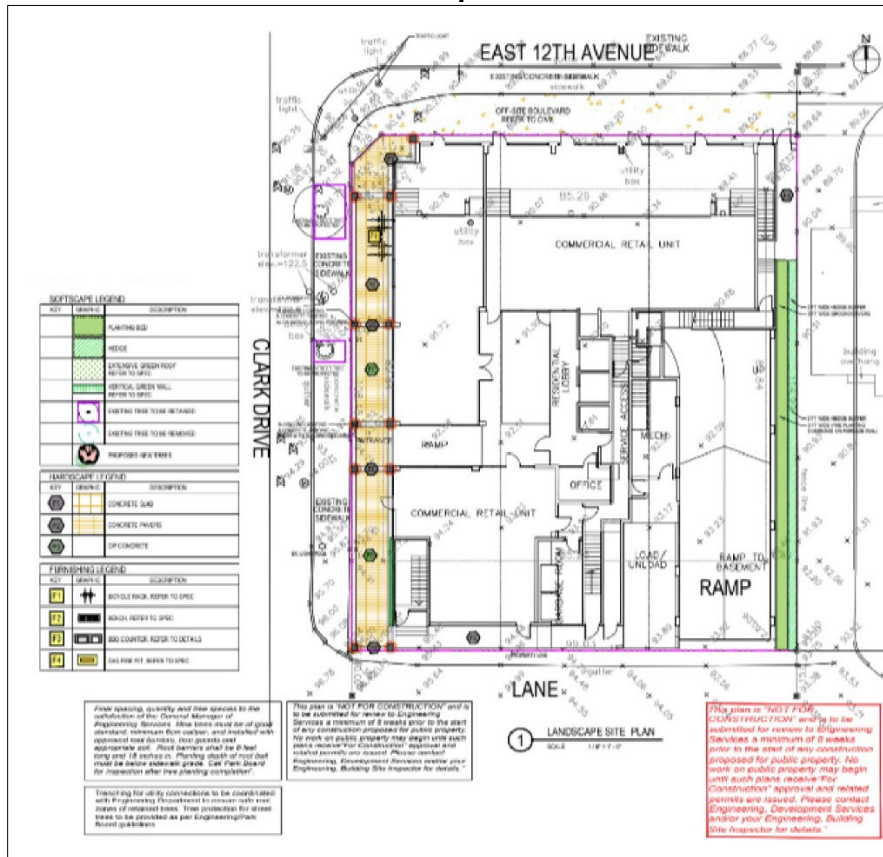
Building Section



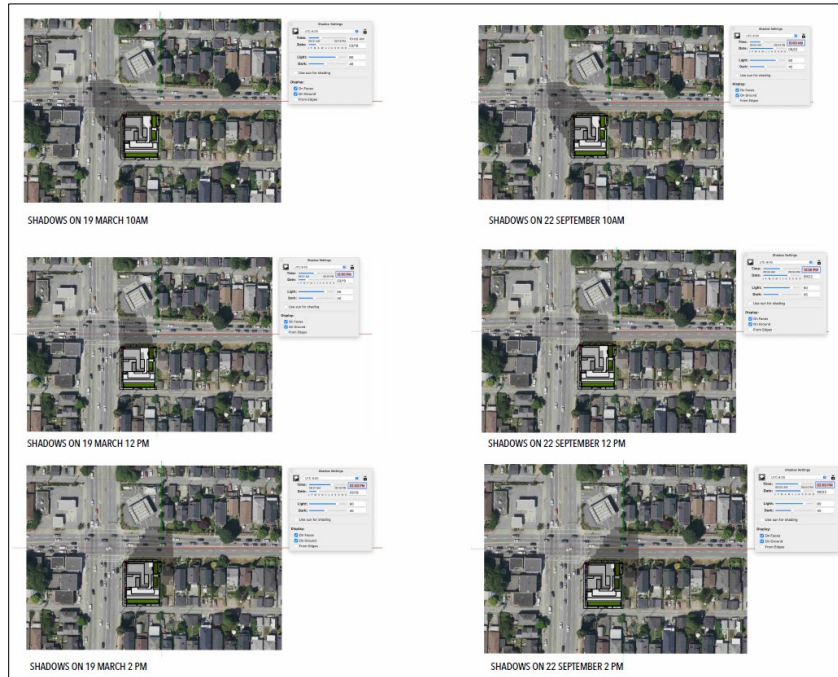
Building Section



Landscape Plan



Shadow Studies



PUBLIC BENEFITS IMPLEMENTATION DASHBOARD
GRANDVIEW-WOODLAND COMMUNITY PLAN (2016)
Updated 2022 year-end

POPULATION GROWTH^a

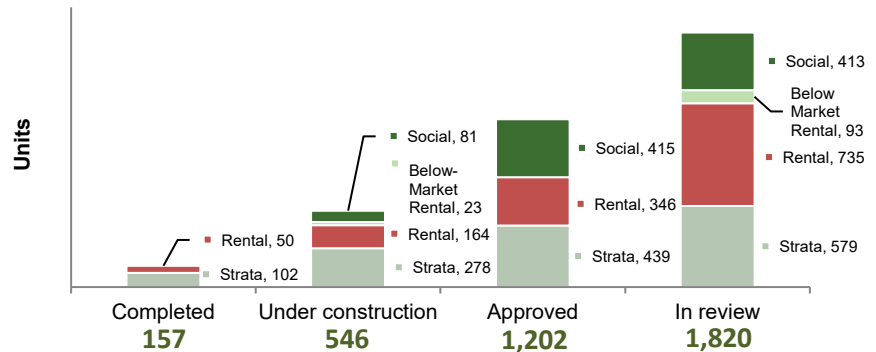
The Grandview-Woodland study area has grown by approximately **562** people since the 2016 census. The plan projects a growth of approximately **9,500** people by 2041.



DEVELOPMENT ACTIVITY (UNITS)^b

Recent rezoning approvals:

- [2037-2061 East Broadway](#)
- [1885 E Pender St](#)
- [1650 E 12th Ave](#)
- [1943-1967 E Hastings St](#)
- [1766 Frances St](#)
- [2246-2268 E Broadway](#)



PUBLIC BENEFITS ACHIEVED AND IN PROGRESS SINCE 2016

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

TARGETS	COMPLETED	UNDER CONSTRUCTION	PLANNING/DESIGN	PROGRESS
<p>See Chapter 16 of the Grandview-Woodland Community Plan for more details</p> <p>HOUSING</p> <ul style="list-style-type: none"> • 1,400 non-market units • 1,400 secured market rental units (Gross numbers of units reported) 	<ul style="list-style-type: none"> • 50 secured market rental units • New RT-5, RM-8A/AN, RM-11, RM-12 districts in GW to support increase in housing diversity 	<ul style="list-style-type: none"> • 81 non-market units • 164 market rental units • 23 below market rental units 		<p>6% of non-market housing target achieved</p> <p>○</p> <p>17% of secured rental target achieved</p> <p>✓</p>
<p>CHILDCARE</p> <ul style="list-style-type: none"> • ~ 159 new spaces for children 0-4 years • ~ 65 renewed spaces for children 0-4 years • ~ 90 new spaces for school aged children 5-12 years • ~190 renewed spaces for children 5-12 years 	<ul style="list-style-type: none"> • 71 new spaces for children 0-4 years • 40 new spaces for children 5-12 years • 28 renewed spaces for children 5-12 years 	<ul style="list-style-type: none"> • 20 new spaces for school aged children 5-12 years 	<ul style="list-style-type: none"> • 138 new spaces (two 69-space facilities) for children 0-4 years as part of Britannia Community Centre renewal 	<p>44% of new childcare spaces 0-4 years target achieved</p> <p>✓</p> <p>67% of new childcare spaces 5-12 years target achieved</p> <p>✓</p> <p>18% of renewed childcare spaces 5-12 years target achieved</p> <p>✓</p>

				0% of renewed childcare spaces 0-4 years target achieved 
TRANSPORTATION / PUBLIC REALM	<ul style="list-style-type: none"> • Safety improvements for all modes with a focus on vulnerable road users and complete street designs • Upgrades and additions to cycling network • Upgrades to walking environment and sidewalk network • Street network and signal upgrades • New and enhanced plazas as part of redevelopment of key sites • Redesign Commercial Drive as a complete street 	<ul style="list-style-type: none"> • E 10th Ave corridor improvements (Woodland Dr to Victoria Dr) • Nanaimo St upgrades – improved pedestrian crossings, painted bike lane, traffic signals • Interim street closure at Woodland St and 2nd Ave • Interim plaza at Kamloops St/Hastings St • Pandora/Portside Greenway Slow Street • Charles St Slow Street temporary measure 	<ul style="list-style-type: none"> • Conceptual designs for Portside Greenway 	
CULTURE	<ul style="list-style-type: none"> • Creation of 23,000 sq.ft. of artist work space integrated with mixed-use sites containing low-income housing for artists and cultural workers • Seek up to 18,000 sq. ft. of non-profit creation/production studios • Seek cultural spaces as part of Britannia Community Centre redevelopment 		<ul style="list-style-type: none"> • Cultural amenities including art gallery, studios, performance and rehearsal space at Carving Centre as part of Britannia Community Centre renewal (<i>planning</i>) 	
CIVIC / COMMUNITY	<ul style="list-style-type: none"> • Britannia Community Centre renewal and expansion • Fire Hall #9 renewal • Community Policing Centre lease renewal 		<ul style="list-style-type: none"> • Britannia Community Centre renewal (library, recreation centre, childcare) (<i>planning</i>) • Fire Hall #9 (<i>planning/design</i>) 	
HERITAGE	<ul style="list-style-type: none"> • 5% allocation from cash community amenity contributions in Grandview-Woodland 	<ul style="list-style-type: none"> • 10% allocation from cash community amenity contributions • New RT-5 zone supports retention of existing heritage and character structures 		
SOCIAL FACILITIES	<ul style="list-style-type: none"> • Aboriginal Mother Centre Society renewal and expansion • Kiwassa Neighbourhood House renewal and expansion • Vancouver Aboriginal Friendship Centre Society renewal and expansion • Urban Native Youth Association redevelopment • Kettle Friendship Society redevelopment 		<ul style="list-style-type: none"> • Social enterprise space for an Indigenous Social Enterprise at 1st Ave & Clark Dr (<i>design</i>) • Food hub, urban farm, shared social and meeting space, social and cultural non-profit hub, as part of Britannia Community Centre renewal (<i>planning</i>) • Major integrated addictions withdrawal management facility at 1636 Clark Dr (<i>design</i>) 	
PARKS	<ul style="list-style-type: none"> • Renewal and improvement of 8 neighbourhood parks • Install new synthetic turf to replace existing field (location TBD) • Upgrade one track facility (location TBD) 	<ul style="list-style-type: none"> • Pandora Park renewal • Templeton Park Playground renewal • Cedar Cottage Park renewal 	<ul style="list-style-type: none"> • Templeton Park Track renewal • Grandview Park playground improvements 	<ul style="list-style-type: none"> • John Hendry Master Plan • Expansion of WC Shelly Park 

-
- Create new and enhanced plaza areas as part of redevelopment of key sites
 - Introduce new shared space areas
 - Increase tree planting in neighbourhood
 - Work with school boards to allow community use of neighbourhood schools and greenspaces during non-school times
-

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.

^a **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.

^b **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

^c **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.

^d **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.

* * * * *

**1302-1318 East 12th Avenue
PUBLIC BENEFITS SUMMARY**

Project Summary

Rezone to allow for a six-storey mixed-use building with commercial uses at grade, and 33 secured market rental residential units above.

Public Benefit Summary:

The proposal offers 33 secured market rental residential units and a DCL payment.

	Current Zoning	Proposed Zoning
Zoning District	RM-11N	CD-1
FSR (site area = 1,056 sq. m (11,373 sq. ft.))	1.70	3.21
Floor Area	1,795 sq. m (19,334 sq. ft.)	3,388.4 sq. m (36,472 sq. ft.)
Land Use	Residential	Mixed-Use

Summary of development contributions expected under proposed zoning

City-wide DCL ^{1,2}	\$795,111
Utilities DCL ¹	\$477,345
TOTAL	\$1,242,456

Other benefits (non-quantified components): 33 secured-market rental units.

¹ Based on rates 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 and the floor area proposed at the development permit stage. A development may qualify for 12 months of in-stream rate protection, see the City's [DCL Bulletin](#) for details.

² This application is eligible for a waiver of the City-wide DCL, however the applicant has elected not to seek the waiver. As per Section 3.1B of the Vancouver Development Cost Levy By-law, the applicant's decision regarding the waiver for projects requiring rezoning is to be made at the rezoning application stage and the relevant requirements should be secured in the conditions of enactment. Should the applicant wish to request a DCL waiver at a later stage, the application would be expected to return to Council for a subsequent public hearing to amend the rezoning condition.

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1302-1318 East 12th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
1302 East 12th Avenue	025-730-185	Lot A of Lot A Block 171 District Lot 264A Group 1 New Westminster District Plan BCP7041
1308 East 12th Avenue	025-730-193	Lot B of Lot A Block 171 District Lot 264A Group 1 New Westminster District Plan BCP7041
1318 East 12th Avenue	025-730-207	Lot C of Lot A Block 171 District Lot 264A Group 1 New Westminster District Plan BCP7041

Applicant Information

Architect	David Wong Architect
Property Owner	XGX Apartments Ltd.

Development Statistics

	Permitted Under Existing Zoning	Proposed Development
Zoning	RM-11N	CD-1
Site Area	1,056 sq. m (11,373 sq. ft.)	1,056 sq. m (11,373 sq. ft.)
Uses	Residential	Mixed Use
Floor Area	1,795 sq. m (19,334 sq. ft.)	3,388.4 sq. m (36,472 sq. ft.)
Floor Space Ratio (FSR)	1.70 FSR	3.21 FSR
Height	13.7 m (45 ft.)	Top of parapet: 24.18 m (79 ft.)
Unit Mix	n/a	Studios: 0 (0%) One-Bedrooms: 17 (52%) Two-Bedrooms: 16 (48%) Three-Bedrooms: 0 (0%)
Parking, Loading and Bicycle Spaces	as per Parking By-law	As per Parking By-law To be determined at development permit stage
Natural Assets	0 on-site trees 2 off-site trees	2 off-site trees retained 3 new off-site trees retained

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