

REFERRAL REPORT

Report Date: November 26, 2024
Contact: Zoe Acton
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RTS No.: 17651
VanRIMS No.: 08-2000-20
Meeting Date: December 10, 2024

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 1190 West 10th 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 JTA Development Consultants, on behalf of Beverly Manor Ltd., the registered owner of the lands located at 1190 West 10th Avenue:
- *PID 015-014-509; Lot 3 Block 374 District Lot 526 Plan 991;*
 - *PID 015-014-754; Lot A, Except the South 40 Feet, Block 374 District Lot 526 Plan 991; and*
 - *PID 015-014-711; The South 40 Feet of Lot A Block 374 District Lot 526 Plan 991;*

to rezone the lands from RM-3 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 1.0 to 6.8 and the maximum building height from 36.6 m (120 ft.) to 66.6 m (218 ft.) with additional height for the portion with rooftop amenity, to permit the development of a 21-storey mixed-use rental building with 20% of the residential floor area for below-market rental units and 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 Studio One Architecture, received January 9, 2024, 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 and the General Manager of Planning, Urban Design and Sustainability.
- C. THAT subject to the approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the new CD-1, generally as set out in Appendix C, be approved.
- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the CD-1, generally as set out in Appendix C;

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

- E. THAT Recommendations A to D be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City, and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

This report evaluates an application to rezone the property at 1190 West 10th Avenue from RM-3 (Residential) District to a CD-1 (Comprehensive Development) District, under the *Broadway Plan* (Plan). The proposal is to permit a 21-storey mixed-use rental building containing 172 units, with 20% of the residential floor area for below-market rental units, and commercial space on the ground floor.

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

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)
- Broadway Plan (2022, last amended 2024)
- Housing Needs Report (2022)
- Housing Vancouver Strategy (2017)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992, last amended 2022)
- Community Amenity Contributions Policy for Rezoning (1999, last amended 2024)
- Green Buildings Policy for Rezoning (2010, last amended 2023)
- Tenant Relocation and Protection Policy (2015, last amended 2019)
- Public Art Policy and Procedures for Rezoned Developments (2014, last amended 2021)
- Urban Forest Strategy (2018)
- Latecomer Policy (2021)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183
- Transit-Oriented Areas (TOA) Designation By-law (2024)
- Transit-Oriented Areas (TOA) Rezoning Policy (2024)

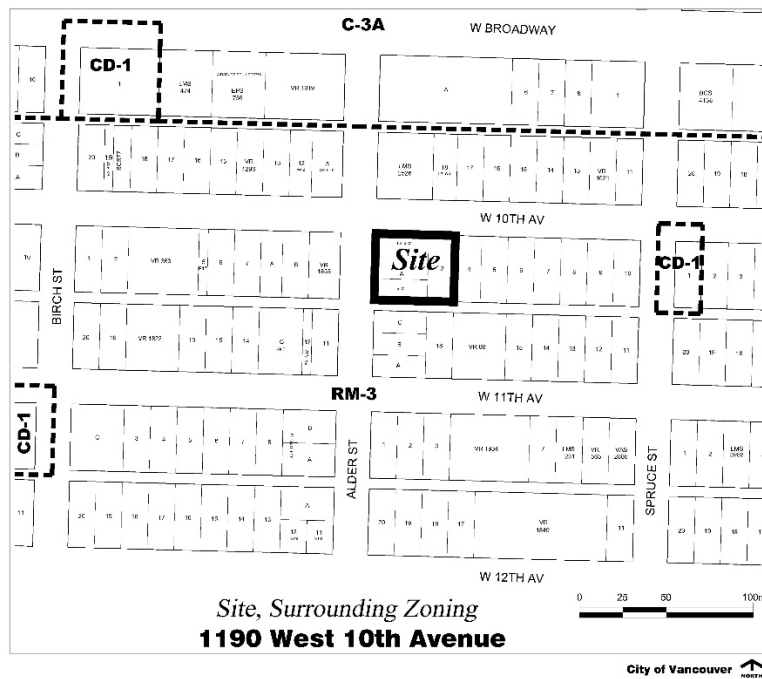
REPORT

Background/Context

1. Site and Context

The site is comprised of three lots located on the southeast corner of Alder Street and West 10th Avenue in the Fairview neighbourhood (see Figure 1). The total site area is 1,744.5 sq. m (18,778 sq. ft.), with a frontage of 51.2 m (168 ft.) along West 10th Avenue and a depth of 37.2 m (122 ft.). The site is currently zoned RM-3 (Residential) District and is developed with a three-storey rental apartment building with a lane to the south of the site. The site is surrounded by RM-3 zoned residential properties developed with ground-oriented detached houses, duplexes, or three-storey apartment buildings. The rezoning site contains 35 existing primary rental units, of which 31 units were tenanted when the rezoning application was submitted. All 31 existing residential tenancies are eligible under the City's *Tenant Relocation and Protection Policy* (TRPP) for the Plan area.

Figure 1: Location Map



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

- **Parks:** Choklit Park (350 m), Charleston Park (600 m), Granville Loop Park (600 m), Laurel Landbridge Park (600 m), Sutcliffe Park (650 m), and Willow Park (700 m).
- **Cultural/Community Spaces:** Vancouver Public Library Firehall Branch (500 m), and False Creek Community Centre (1.1 km).
- **Childcare:** L'Ecole Bilingue Kindercare and Les Grands Enfants (400 m), The Family Montessori School (500 m), Developmental Disabilities Association of Vancouver-Richmond (550 m), Kids and Company - Vancouver West (600 m), YMCA of Greater Vancouver (700 m), and Oasis Montessori Academy (900 m).

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

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

2. Policy Context

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

Broadway Plan (2022) – The *Broadway Plan* (Plan) is a comprehensive community plan for the area within Vine Street to Clark Drive and 1st Avenue to 16th Avenue. The 30-year plan focuses on opportunities to integrate new housing, jobs, and amenities around the new Broadway Subway. The site is located within the Fairview South – Area A (FSOA) sub-area of the Plan.

The Plan allows for consideration of rezoning at this location for secured rental housing with a minimum of 20% of the residential floor area for below-market rental units. A maximum density of 6.5 FSR and a maximum building height of 20 storeys may be considered where there is a minimum frontage of 45.7 m (150 ft.). Minor increases in height and density may be considered where ground-level local-serving retail/service use or childcare use is provided.

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

Housing Vancouver Strategy (2017) – Housing Vancouver focuses on the right supply of new homes, including rental, to meet the continuum of housing types. The strategy includes 10-year housing approval targets, which were updated in 2024. The new targets aim for 83,000 net new homes overall, including 35,500 purpose-built rental units. If approved, this rezoning will contribute towards targets for purpose-built market and below-market rental housing units.

Transit-Oriented Areas (TOA) Designation By-law and Transit-Oriented Areas (TOA) Rezoning Policy (2024) – To align with provincial legislation, Council adopted a by-law and rezoning policy that establishes minimum heights and densities for developments within Transit-Oriented Areas (TOAs). This site is within Tier three of the TOA legislation.

As the Plan allows more height and density, the application is being assessed under the Plan policies.

Strategic Analysis

1. Proposal

The rezoning application proposes a 21-storey mixed-use rental building consisting of 172 units with 20% of the residential floor area for below-market rental units and commercial uses on the ground floor (Figure 2). The proposal includes a total of 70 vehicle spaces and 324 bicycle spaces, which are located underground and accessed from the rear lane.

Figure 2: View of proposed building looking southeast



2. Land Use

The proposed residential and commercial uses are consistent with the Fairview South – Area A (FSOA) sub-area of the Plan.

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

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

Form of Development – The proposal for a 21-storey tower with rooftop amenity and a 4-storey podium is consistent with the Plan (see Figure 2). The proposal meets the Plan's expectations with regards to height, frontage, setbacks, tower separation, and floorplate size.

Height – The Plan anticipates a 20-storey tower with the possibility of a minor increase in height for providing services such as retail. The proposed 21-storey tower accommodates commercial use at grade and is within the Plan's anticipated maximum height.

Density – The Plan estimates a density up to 6.5 FSR with the possibility of a minor increase in for providing services such as retail up to 6.8 FSR. Upon calculation performed by staff, the proposed density rendered at 6.86 FSR, therefore, an Urban Design condition has been added to reduce density in accordance with the Plan.

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

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

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 172 units, including 138 market rental units and 34 below-market rental units (20% of the residential floor area), to the City’s inventory of rental housing, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 3).

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

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

1. New 10-year targets were adopted in 2024, with tracking starting from January 1st, 2024.

2. Previous targets established in 2017 included 20,000 purpose-built rental, market and below-market combined, with tracking starting in 2017. As of December 31st, 2023, 87% of the previous targets had been reached.

3. Unit numbers exclude the units in this proposal, pending council’s approval of this application.

Vacancy Rates – Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2023, the purpose-built apartment vacancy rate was 0.8% in Vancouver. The vacancy rate (based on the Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the South Granville/Oak, which this site is located, is 0.4%. A vacancy rate of between 3% and 5% is considered to represent a balanced market.

Housing Mix – The Plan requires a minimum of 35% family units, including a minimum of 10% of units with three or more bedrooms and 25% of units with two bedrooms. This application proposes 35.5% family units in a mix of 23.8% two-bedroom and 11.6% three-bedroom units, thereby not meeting this policy in the market rental portion. A condition of approval and a provision in the CD-1 By-law has been included to ensure the Plan policy requirement for a minimum of 25% two-bedroom units and minimum of 10% three-bedroom units is met separately in both the market rental and below-market portions. All family units must be designed in accordance with the *High Density Housing for Families with Children Guidelines*.

Average Rents and Income Thresholds – Figure 4 below shows starting rents for below-market rental units for 2023. Average market rents and incomes served for newer rental buildings on the Westside are shown in the middle two columns, and costs for home ownership are shown in the far right columns. Figure 4 demonstrates that below-market rental housing and market rental housing provide options that are more affordable than home ownership.

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

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

		Below-Market Rental Units		Newer Rental Buildings Westside		Monthly Costs of Ownership for Median-Priced Apartment – Westside (with 20% down payment)		
	Proposed Average Unit Size	Starting Rents (2023) ¹	Average Household Income Served	Average Market Rent (CMHC, 2023) ²	Average Household Income Served	Monthly Cost of Ownership (BC Assessment 2021) ³	Average Household Income Served	Down-payment at 20%
Studio	454 sq. ft.	\$1,223	\$48,920	\$1,902	\$76,080	\$2,837	\$113,480	\$106,000
1-bed	559 sq. ft.	\$1,429	\$57,160	\$2,306	\$92,240	\$3,473	\$138,920	\$132,000
2-bed	772 sq. ft.	\$1,969	\$78,760	\$3,372	\$134,880	\$5,193	\$207,720	\$198,400
3-bed	1,018 sq. ft.	\$2,395	\$95,800	\$4,434	\$177,360	\$7,982	\$319,280	\$311,890

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

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

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

The Housing Agreement will secure not less than 20% of the residential floor area that is counted in the calculation of the floor space ratio for below-market units to be rented at rates targeted to meet the affordability needs of moderate-income households. Rent increases during each tenancy are capped at the Residential Tenancy Act annual allowable rental increase. Conditions related to securing the units are contained in Appendix B.

Tenants – The rezoning site contains 35 existing primary rental units, of which 31 units were tenanted when the rezoning application was submitted. All 31 existing residential tenancies are eligible under the City's *Tenant Relocation and Protection Policy* (TRPP) for the Plan area.

The applicant will provide a Tenant Relocation Plan (TRP) for eligible tenants which meets the requirements of the City's TRPP for the Plan area. The draft TRP is summarised in Appendix E of this report.

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

5. Parking and Transportation

The site is well serviced by transit, located one block from bus and rapid bus service along Broadway and 500 m from the future South Granville Subway Station.

Vehicle and bicycle parking is provided on two levels of underground parking, accessed from the lane. The application proposes 70 vehicle parking spaces and 324 bicycle spaces. Conditions included in Appendix B require that the proposal meet the requirements of the Parking By-law.

6. Environmental Sustainability and Natural Assets

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

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

There are 18 on-site trees which are all proposed for removal and three off-site trees, two of which are proposed for retention. The landscape plan proposes approximately 18 new on-site trees. The final number of new trees will be determined through the development permit process. See Appendix B for form of development and landscape conditions.

7. Public Input

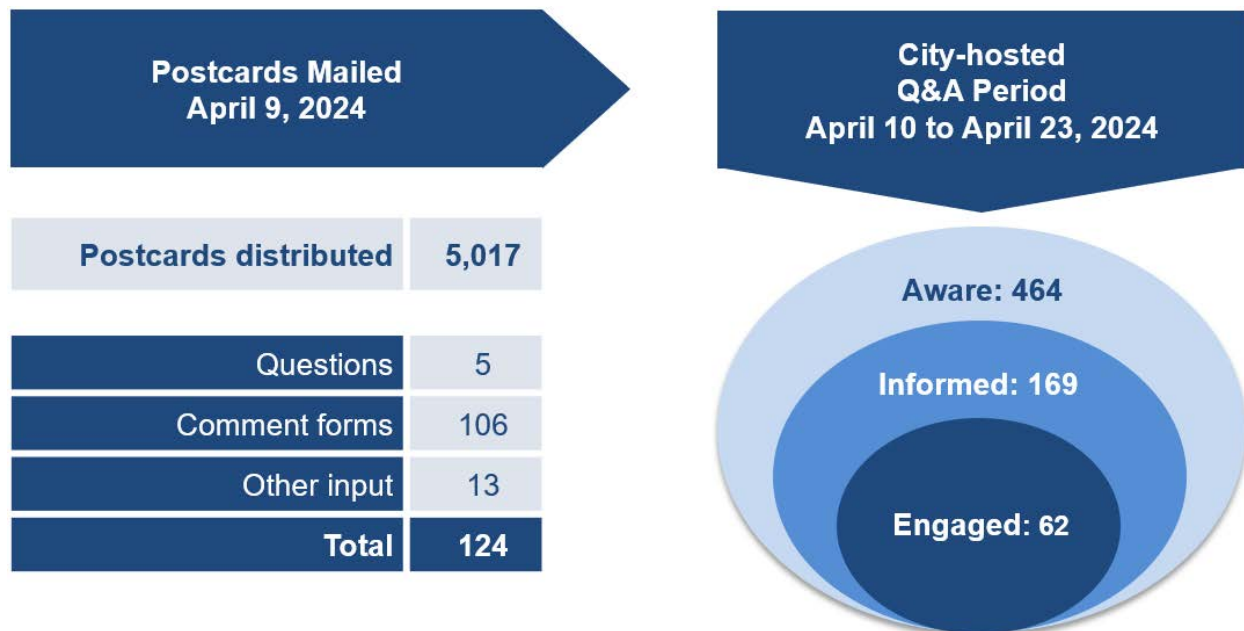
Public Notification – A rezoning information sign was installed on the site on February 23, 2024. Approximately 5,017 notification postcards were distributed within the neighbouring area on or about April 9, 2024. Application information and an online comment form was provided on the Shape Your City (shapeyourcity.ca/) platform.

Question and Answer Period – A question and answer period was held from April 10 to April 23, 2024. Questions were submitted by the public and posted with a response over a two-week period. A digital model was made available for online viewing.

The virtual approach allowed people to access materials online and engage at different levels at a time and location of their choosing. Members of the public could submit questions, which staff actively monitored and responded to publicly.

Public Response and Comments – Public input is collected via online questions, comment forms, through email, and by phone. A total of 124 submissions were received.

Figure 5: Overview of Notification and Engagement



Below is a summary of feedback received from the public by topic.

Generally, comments of support fell within the following areas:

- **Housing:** The proposed development adds much needed housing and rental stock and is considered an appropriate way to address lack of housing supply.
- **Location and density:** The proposed development and density is supported in this location due to its proximity to transit hubs along Broadway, and other sustainable travel options.
- **Commercial use:** The inclusion of commercial space on the ground level is supported as it provides retail and commercial space within a walkable distance and will improve neighbourhood vibrancy.

Generally, comments of concern fell within the following areas:

- **Neighbourhood:** There are concerns that the proposed development will negatively impact the neighbourhood livability and community. It is not appropriate for this residential location and would be better suited immediately along Broadway.
- **Height and scale:** The proposed building height is too tall and out of scale with the surrounding neighbourhood.
- **Displacement:** Residents are concerned about the displacement of existing tenants and the community.
- **Parking:** The proposed development does not include enough on-site parking and will negatively impact parking in the surrounding area.

Staff Response

Height and Density – The application meets the height and density policies in the Plan. See the Form of Development section of the report.

Displacement – All existing tenants are covered under the TRP requirement for the Plan area. The TRP is summarised in Appendix E of this report.

Parking and Traffic Management – The project will comply with the Parking By-law and the applicant is proposing a Transportation Demand Management (TDM) Plan, which provides for reductions in minimum parking requirements in exchange for providing enhanced transportation demand management measures. The site is located in close proximity to frequent transit bus service and within the area of a future transit station at Oak – VGH Station.

Appendix B includes Engineering conditions to enhance the safety of all roadway users around this development.

8. Public Benefits

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

Development Cost Levies – The site is subject to the City-wide DCL and Utilities DCL, which will be calculated on the floor area proposed at the development permit stage. In accordance with the provisions of Section 3.1A(d) of the Vancouver DCL By-law and the Area Specific DCL By-law the applicant has requested a 100% waiver of the City-wide DCLs attributed to the residential floor area qualifying as Class A “for-profit affordable rental housing”. Class A means rental housing where a minimum 20% of the residential floor area is secured as below-market rental units with maximum average rents for each type of unit that do not exceed the rates referenced in the DCL By-laws.

Based on rates in effect as of September 30, 2024 and the proposed maximum 11,339.3 sq. m (122,054 sq. ft.) of residential floor area and 523.4 sq. m (5,633 sq. ft.) of commercial floor area, DCLs are estimated to be \$1,980,979. The value of the anticipated City-wide DCL waiver on the residential floor area is estimated to be \$2,882,563. Compliance with DCL waiver requirements will continue to be assessed through the development permit stage up to occupancy permit issuance at which point the applicant will be required to submit a rent roll that sets out the initial monthly rents for each unit. The DCLs on the commercial floor area cannot be waived.

DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the City’s DCL Bulletin for details on DCL rate protection.

Public Art Program – The application is subject to the *Public Art Policy and Procedures for Rezoned Developments* as the proposed floor area meets the minimum 9,290 sq. m (100,000 sq. ft.). Applicants may elect to provide on-site artwork or cash-in-lieu (at 80% of the public art budget), which must be discussed with Public Art staff before by-law enactment.

The public art budget will be calculated on the floor area proposed at the development permit stage. Based on the current (2016) rate, the public art budget is estimated to be \$252,824.

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

FINANCIAL IMPLICATIONS

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

CONCLUSION

The proposed land use, housing mix, and form of development is consistent with the intent of the *Broadway Plan*. If approved, this application would contribute 172 market rental units with 20% of the floor area for below market rental units to the City's rental housing stock and the delivery of ground floor commercial space.

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

* * * * *

**1190 West 10th Avenue
PROPOSED CD-1 BY-LAW PROVISIONS**

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

Zoning District Plan Amendment

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

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

Designation of CD-1 District

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

Definitions

3. Words in this by-law have the meaning given to them in the Zoning and Development By-law, except that:
 - (a) for the purpose of calculating the total dwelling unit area for section 5.1 of this by-law, "Dwelling Unit Area" is the floor area of each dwelling unit, measured to the inside of all perimeter walls, excluding any floor area as required by section 6.6 of this by-law; and
 - (b) "Below Market Rental 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 and 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 in this CD-1 and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Cultural and Recreational Uses;
 - (b) Dwelling Uses, limited to Mixed-Use Residential Building;

- (c) Institutional Uses; limited to Child Day Care Facility;
- (d) Office Uses;
- (e) Retail Uses;
- (f) Service Uses;
- (g) Utility and Communication Uses; and
- (h) Accessory Uses customarily ancillary to the above use.

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, of which:
 - (i) at least 25% of the total dwelling units must be 2-bedroom units, and
 - (ii) at least 10% of the total dwelling units must be 3-bedroom units.
- 5.3 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.
- 5.4 Commercial uses and child day care facility must be provided on the first storey of the building.
- 5.5 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building, other than the following:
 - (a) display of flowers, plants, fruits and vegetables in conjunction with a permitted use;
 - (b) farmers' market;
 - (c) neighbourhood public house;
 - (d) public bike share; and
 - (e) restaurant,

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

Floor Area and Density

- 6.1 Computation of floor area must assume that the site area is 1,744.5 m², being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.
- 6.2 The maximum floor space ratio for all uses combined is 6.8 and must include a combination of residential use and either commercial use or child day care facility, or both.
- 6.3 The floor space ratio for commercial use and child day care facility combined must not exceed 0.30.
- 6.4 A minimum of 450 m² must be provided for either commercial use, child day care facility, or both.
- 6.5 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 6.6 Computation of floor area and dwelling unit area must exclude:
 - (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that:
 - (i) the total area of these exclusions must not exceed 12% of the permitted floor area, and
 - (ii) the balconies must not be enclosed for the life of the building;
 - (b) patios and roof decks, if the Director of Planning considers the impact on privacy and outlook;
 - (c) floors or portions thereof that are used for:
 - (i) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,
 - (ii) bicycle storage, and
 - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;
 - (d) entries, porches and verandahs if the Director of Planning first approves the design;

- (e) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 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.
- 6.7 The Director of Planning or Development Permit Board may exclude common amenity areas from the computation of floor area, to a maximum of 10% of the total permitted floor area, if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines
- 6.8 Where floor area associated with residential storage area is excluded, a minimum of 20% of excluded floor area above base surface must be located within the below-market rental housing units as storage area.

Building Height

- 7.1 Building height must not exceed 66.6 m.
- 7.2 Despite section 7.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, if the Director of Planning permits common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portions of the building with the permitted common rooftop amenity space or mechanical appurtenances must not exceed 73.1 m.

Horizontal Angle of Daylight

- 8.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 8.2 For the purposes of section 8.1 above, habitable room means any room except a bathroom or a kitchen.
- 8.3 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or 2 angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 8.4 The plane or planes referred to in section 8.3 above must be measured horizontally from the centre of the bottom of each window.
- 8.5 An obstruction referred to in section 8.3 above means:
- (a) any part of the same building excluding permitted projections; or
 - (b) the largest building permitted on any adjoining site.
- 8.6 The Director of Planning or Development Permit Board may vary the horizontal angle of daylight requirement if 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.

- (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.

* * * * *

**1190 West 10th 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 Studio One Architecture, received January 9, 2024, and 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 Comply with the maximum permitted density as outlined in the Broadway Plan.

Note to Applicant: Upon FSR calculation performed by staff, the proposed density rendered higher by 0.06 than permitted in the Plan (6.80 FSR), therefore, design development is needed to reduce the proposed density.

Landscape Design

- 1.2 Design development to explore retention of trees #178 to #179.

Note to Applicant: As referenced in the pre-application Letter of Response, efforts should be made to retain as many healthy trees as possible. These trees are noted to be in "good" condition, and are along Alder Street, which is designated as a future greenway in the Broadway Plan. As such, these trees should have their retention explored. If retention is not possible, present a detailed rationale explaining which steps were explored and why tree removal is the only option.

- 1.3 Design development to increase the amount of proposed trees to be planted on-grade (off the parkade slab).

Note to Applicant: This is to compensate for the amount of significant trees being removed as part of this redevelopment, and to align with the Letter of Response Letter's comments asking for accommodations for new mature tree growth. Explore maximizing tree planting along Alder St. to align with its status as a future greenway.

- 1.4 Provision of a letter of consent from the neighbouring property owner to the east for the removal of Tree #3.

Note to Applicant: If the letter cannot be provided, the provision of updated arborist documentation showing that Tree #3 will be retained is required. If applicable, this report needs to include a tree risk assessment ensuring that the tree will have no structural integrity risk during construction on site.

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

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

- 1.6 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.

- 1.7 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.

- 1.8 Provision of a soil depth overlay sheet, included with the landscape plans;

- 1.9 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.

- 1.10 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.

- 1.11 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>

- 1.12 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.

Sustainability

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

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

Housing

- 1.14 The proposed unit mix, including 60 studio units (34.9%), 51 one-bedroom units (29.7%), 41 two-bedroom units (23.8%) and 20 three-bedroom units (11.6%) is to be revised in the Development Permit drawings to achieve at least 10% three-bedroom units and 25% two-bedroom units, separately in both the market rental and below-market portions.

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

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

- (b) A minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each dwelling unit (S. 4.4.2);
- (c) A multi-purpose indoor amenity space appropriate in size for the scale of the project, with a wheelchair accessible washroom and kitchenette. Positioning this adjacent to the children's play area enables parental supervision from the amenity room (S. 3.7.3); and
- (d) A balcony for each unit with 1.8 by 2.7 m minimum dimensions (S. 4.3.2).

Note to Applicant: Provide balcony dimensions on the Development Permit drawings. The below-market units should be designed to the same standards of livability as the market rental units.

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

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

Engineering

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

- 1.17 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (City of Vancouver Design Guidelines, Construction Standards and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site prior to Building Permit issuance.

Note to Applicant: Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the Building Permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to Occupancy Permit issuance. Please contact Engineering Services at shoringreview@vancouver.ca for details.

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

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

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

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

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

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

- 1.19 Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.
- 1.20 Submission of letter prior to Development Permit issuance confirming acknowledgement that this application falls within the area with potential impacts due to the Broadway Subway Project construction and that you have contacted the Rapid Transit Office for more detailed information.

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

<https://vancouver.ca/streets-transportation/ubc-line-rapid-transit-study.aspx>

- 1.21 Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.
- 1.22 Provision of garbage and recycling storage amenity design to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Draw and label container outlines and if the site is mixed use, demonstrate separated solid waste amenities for commercial and residential use, and label each amenity. Amenities designed below grade require written confirmation from a waste hauler that access and pick up from the location can be made without reliance of the lane for extended bin storage. If this cannot be confirmed, then an on-site garbage bin staging area is to be provided adjacent the lane.

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

- 1.23 Submission to Engineering of an updated landscape plan reflecting all of the public realm changes, including demonstration of:
 - (a) Display of the following note(s):
 - (i) "This plan is **NOT FOR CONSTRUCTION** and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Engineering, Development and Major Projects and/or your Engineering, Building Site Inspector for details."
 - (ii) "Tree species, final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers,

tree guards and appropriate soil volumes. Installation of Engineered Soil may be required to obtain appropriate soil volumes based on site conditions. Root barriers shall be of rigid construction, 8 feet long and 18 inches deep, centre on each street tree adjacent to the sidewalk and any off-street bike facility. Planting depth of root ball must be below sidewalk grade. Contact Park Board at pbdevelopment.trees@vancouver.ca for inspection after tree planting completion".

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

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

- (b) Existing locations of:

- (i) Street furniture; and

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

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

- (ii) Poles and guy wires.

Note to Applicant: Poles and guywires that are to be removed or relocated must be called out and the existing and proposed locations shown.

- (c) A streetscape designed in compliance with the "All other City areas" 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 off-site improvements sought for this rezoning. The Streets Design Guidelines are viewable online at <https://vancouver.ca/streets-transportation/streetscape-design-guidelines.aspx> and are to be used alongside the City design guidelines and construction standards.

- 1.24 Provision of updated architectural and landscape plans to reflect the Public Bike Share (PBS) space in compliance with the Design Standards for Public Bike Share to the satisfaction of the General Manager of Engineering Services, including:

- (a) Minimum 16.0 m by 4.0 m (52 ft. by 13 ft.) station fully on private property near the intersection of Alder St and W 10th Avenue;

- (b) Relocation of all utilities (i.e. vents, drains, access points etc.) outside of the station footprint;
- (c) Show/note uninterrupted broom finished saw-cut concrete surface;
- (d) Maximum 3% cross-slope and 5% grade along the length of the station;
a
- (e) Minimum 5.0 m (16.4 ft) vertical clearance; and
- (f) Show and label the location of the on-site electrical connection to the station.

1.25 Provision of a [Transportation Demand Management \(TDM\) Plan](#).

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

1.26 Provision of Loading spaces, per the [Parking By-law Section 5](#) and the [Design Supplement](#),

Note to Applicant: Council approved amendments to the Parking Bylaw for loading rates and design requirements. These requirements will apply to site development permits following this rezoning.

1.27 Update the architectural plans to provide:

- (a) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and to the underside of raised security gates considering mechanical projections and built obstructions; and
- (b) Design elevations at all breakpoints on both sides of ramps, drive aisles, loading and passenger loading spaces, accessible spaces, and entrances.

1.28 Provision of 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 for more information.

1.29 Provision of the Developer's Engineer 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

- 2.1 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for consolidation of Lot 3, Lot A except the South 40 Feet, and the South 40 Feet of Lot A, all of Block 374, District Lot 526, Plan 991 to create a single parcel.
- 2.2 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for release of Easement & Indemnity Agreements 476534M (commercial crossing) and 485186M (encroachment) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition for zoning enactment.

- 2.3 Provision of an agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, for a statutory right-of-way (SRW) to provide a 16.0 m (52 ft.) by 4.0 m (13 ft.) Public Bike Share Station on private property at the intersection of Alder Street and West 10th Avenue.
- 2.4 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 2.5(a), the Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

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

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

Note to Applicant: Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by R.F. Binnie & Associates Ltd. dated March 21, 2024, no water main upgrades are required to service the development.

The main servicing the proposed development is 200 mm on Alder Street and West 10th Avenue. Should the development require water service connections larger than 200 mm, the developer shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost of the upgrading. The maximum water service connection size is 300 mm.

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

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

- (b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project, and to maintain acceptable sewer flow conditions, implementation of development at 1190 West 10th Avenue require an off-site servicing upgrade, entailing:
 - (i) Upgrade approx. 48.5 m of existing 450 mm COMB to 525 mm STM on Spruce Steet from MH__FJCWF6 at West Broadway and Spruce Street intersection to MH__FJCWG6 at L/S West 8th Avenue and Spruce Street intersection.
 - (ii) Upgrade approx. 52.7. m of existing 450 mm COMB to 600 mm STM on Spruce Steet from MH__FJCWG6 at L/S West 8th Avenue and Spruce Street intersection to MH__FJCWG2 at West 8th Avenue and Spruce Street intersection.

Note to Applicant: The lengths and diameters of these improvements are approximate and subject to detailed design by Developer's Engineer.

The development to be serviced to the existing 200 mm SAN and 250 mm STM sewers in West 10th Avenue.

The Sewer servicing plan for this area is under development. Developer to contact City Engineer prior to commencing design or analysis of sewer system as the upgrade requirement may be modified based on servicing plan (requirement will be approximately equivalent to the above condition).

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

- (c) Provision of street improvements with appropriate transitions, along West 10th Avenue adjacent to the site, including:
- (i) Minimum 1.8 m wide front boulevard;
 - (ii) Minimum 2.4 m wide broom finish saw-cut concrete sidewalk;
 - (iii) New concrete curb and gutter;
 - (iv) Corner curb bulge, including road reconstruction if/as required to accommodate the curb bulge;
 - (v) Relocation of the existing street light pole to within the new front boulevard;
 - (vi) 50 mm depth mill and inlay, from curb to curb; and
 - (vii) Corner curb ramps.

Note to Applicant: The Streets Design Guidelines are viewable online at <https://vancouver.ca/streets-transportation/streetscape-design-guidelines.aspx> and are to be used alongside the City design guidelines and construction standards. Confirm if your site is within a Streetscape Design Guideline area and follow the applicable guidelines.

- (d) Provision of street improvements with appropriate transitions, along Alder Street adjacent to the site, including:
- (viii) Minimum 2.4 m wide broom finish saw-cut concrete sidewalk;
 - (ix) Minimum 1.8 m wide front boulevard;
 - (x) Corner curb ramps;
 - (xi) New concrete curb and gutter;
 - (xii) Corner curb bulge, including relocation of the existing catch basin and road reconstruction if/as required to accommodate the curb bulge;
 - (xiii) 50 mm depth mill and inlay, from curb to curb; and
 - (xiv) Removal of existing driveway and replacement with full-height curb, boulevard, and sidewalk.

Note to Applicant: The City will provide a geometric design for all these street improvements. Final design of these street improvements should also follow the upcoming Broadway Public Realm Plan.

- (e) Provision of lane improvements with appropriate transitions, along the lane adjacent to the site, including:
- (i) 50 mm depth mill and inlay, full width of the lane along the site's frontage; and

Note to Applicant: Lane reconstruction to meet City "Higher-Zoned Lane" standards.
 - (ii) New standard concrete lane crossing, with new lane returns and ramps on both sides, at the lane entrance on Alder Street.

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

<https://vancouver.ca/streets-transportation/street-design-construction-resources.aspx>
- (f) Provision of speed humps in the lane south of West 10th Avenue between Alder Street and Spruce Street.
- (g) Provision of one new bench and two bike racks to be installed on new paved corner bulge along 10th Avenue.

Note to Applicant: All new street furniture shall be by the City's street furniture contractor, and coordinated with the City of Vancouver Street Furniture Coordinator. Integrate paved curb bulge on 10th Ave with corner plaza design.
- (h) Provision of Alder St./W 10th Ave. entire intersection street lighting upgrade 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, communication ducts and cables, and connect to existing electrical and communication infrastructure.
- (j) Provision of lane lighting on standalone poles with underground ducts if BC Hydro poles with attached City lane lights are planned to be removed.

Note to Applicant: The ducts must be connected to the existing City street lighting grid.
- (k) Provision of new electrical service cabinet/kiosk on Alder St. if service connection for Public Bike Share is required from the City's infrastructure.

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

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

- (l) Provision of street trees where space permits.

Note to Applicant: Final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. Tree species to the approval of the City Arborist. Street tree planting to include appropriate soil volumes and approved root barriers of rigid construction, 8' long and 18" deep, centre on each street tree adjacent to the sidewalk and any off-street bike facility. Installation of Engineered Soil under new sidewalks may be required to obtain appropriate soil volumes based on site conditions.

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

- 2.5 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) Sewer (storm) upgrade per condition 2.4(b).

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

Note to Applicant: An administrative recovery charge will be required from the applicant to settle the latecomer agreement. The amount, which will be commensurate with the costs incurred by the City to administer the latecomer scheme, will be provided by the City and specified in the latecomer agreement.

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

Housing

- 2.6 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant to secure all residential units as class A for profit affordable rental housing, excluding Seniors Supportive or Assisted Housing, and including at least 20% of the residential floor area that is counted in the calculation of the dwelling unit area per the CD-1 By-law to be secured as below-market rental dwelling housing units, and the remaining units to be secured as market rental units, subject to the conditions set out below for such units, subject to the conditions set out below for such units and in accordance with the requirements set out in the Broadway Plan, for a term equal to the longer of 60 years and the life of the building and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal

Services may require. The agreement or agreements will include but not be limited to the following terms and conditions:

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

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

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

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

- (a) Provide a Tenant Relocation Plan to the satisfaction of the General Manager of Planning, Urban Design and Sustainability as per the *Broadway Plan* and the *Tenant Relocation and Protection Policy* that is effective at the time of submission of the Development Permit Application.
- (b) Provide a notarized declaration prior to issuance of the Development Permit that demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes copies of a letter addressed to each eligible tenant summarizing the Tenant Relocation Plan offer and signed as received by each eligible tenant.
- (c) Provide an Interim Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Demolition Permit. The Report must include, but may not be limited to, the names of tenants; whether each tenant has indicated interest in the Right of First Refusal to return to the new building; each tenant's choice of either the financial compensation or temporary rent top-up option; the names of any tenants who have ended their tenancy; the reason for its end (e.g. tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant), and their temporary rent top up amount for the first year of tenancy in the alternative unit (if applicable) and total compensation amount(s); the names of tenants still remaining in the building; the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan. A copy of the Temporary Rent Top-Up Calculation Form for each tenant that chooses the Temporary Rent Top up option must also be provided with the Interim Tenant Relocation Report.

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

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

Public Art

- 2.8 Execute an agreement satisfactory to the Director of Legal Services and the ACCS Deputy General Manager, Arts, Culture & Tourism (ACT) for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Head of Public Art.
- 2.9 Consult with the Head of Public Art regarding opportunities for investment in public spaces as per the *Broadway Plan*.

Provide development details to the satisfaction of the Head of Public Art (a checklist will be provided) confirming the selection of Option A, Art on Site, or Option B, 80% cash-in-lieu of art.

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

Environmental Contamination

- 2.10 If applicable:
 - (a) Submit a site disclosure statement to Environmental Services (Environmental Protection).
 - (b) As required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.
 - (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 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.

* * * * *

**1190 West 10th Avenue
CONSEQUENTIAL AMENDMENTS**

SIGN BY-LAW No. 11879

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

“1190 West 10th Avenue [CD-1 #] [By-law #] C-2”

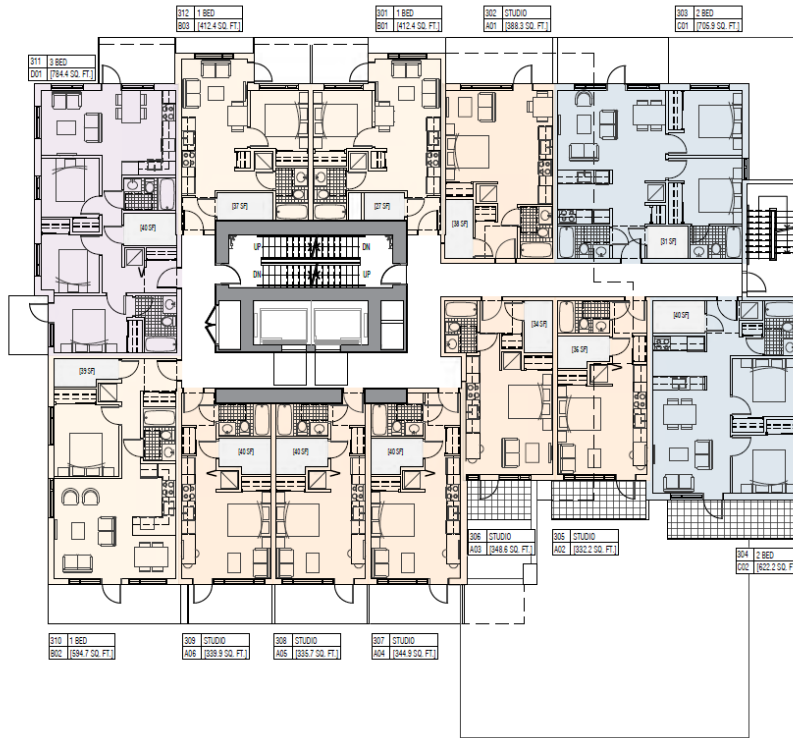
NOISE CONTROL BY-LAW No. 6555

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

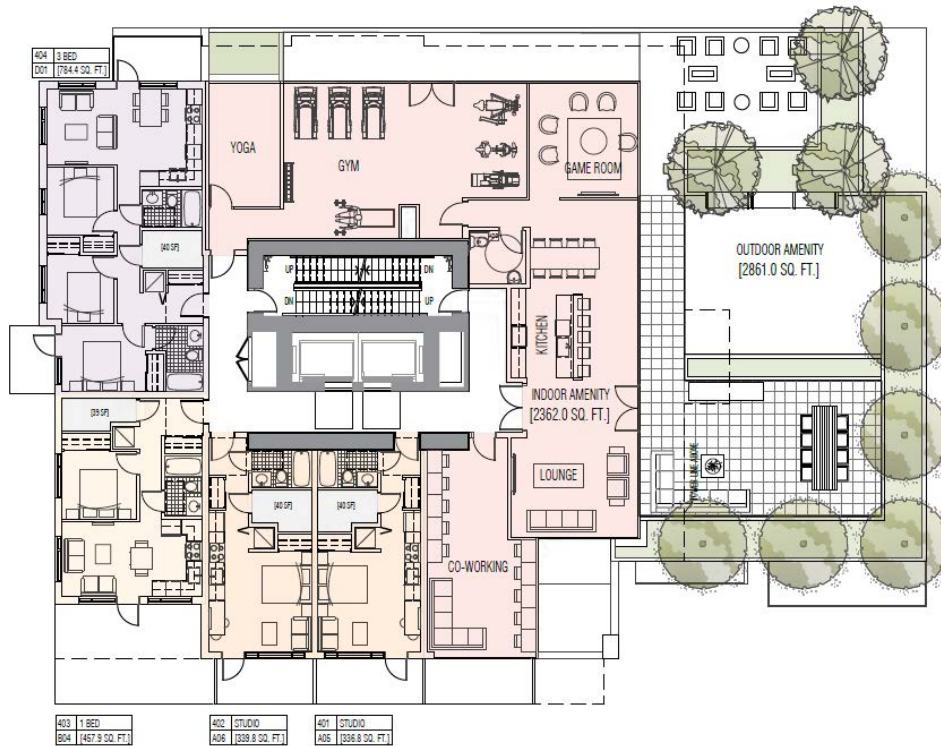
“[CD-1 #] [By-law #] 1190 West 10th Avenue”

* * * * *

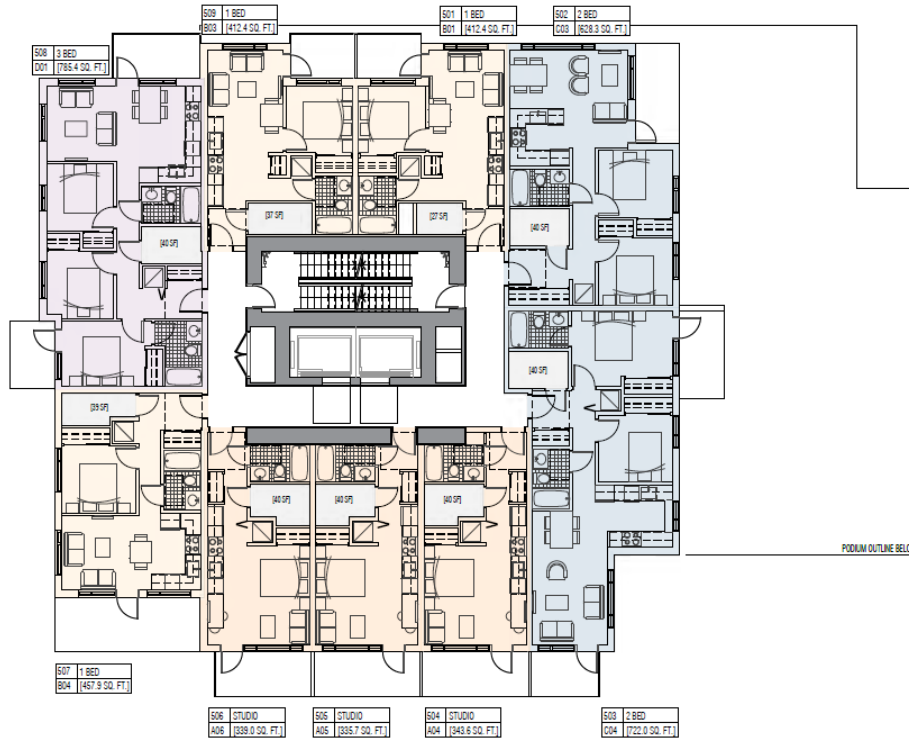
Podium L3 Floor Plan



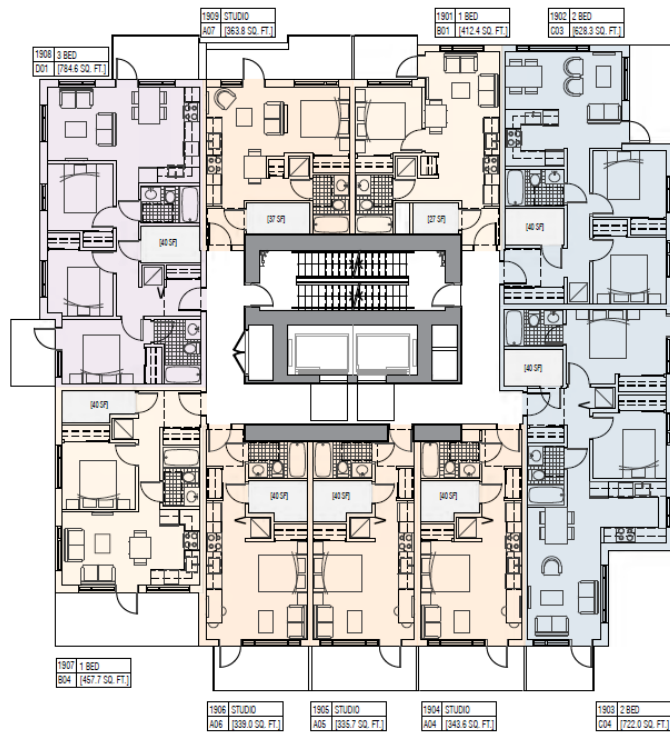
Amenity Floor Plan



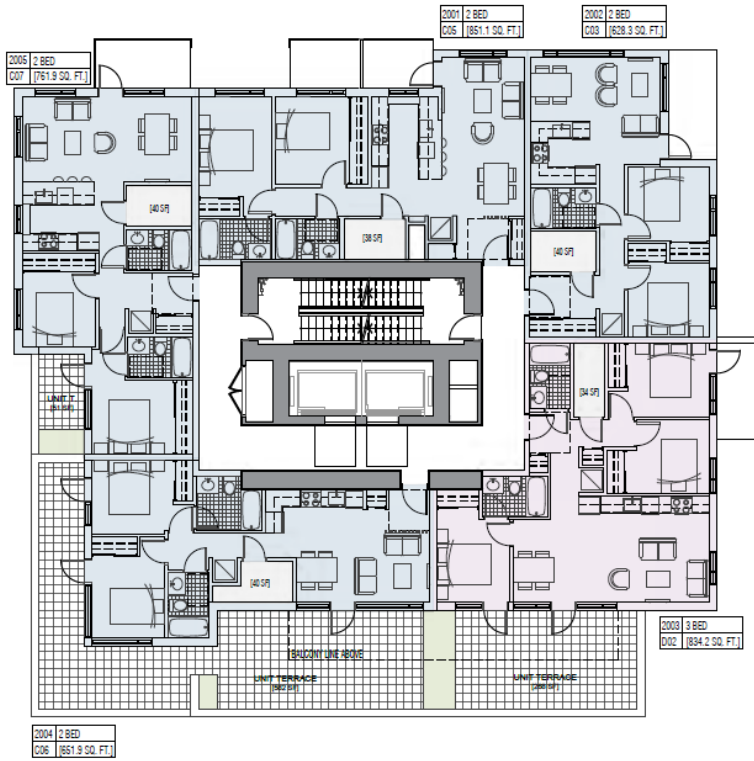
L5-L18 Typical Floor Plan



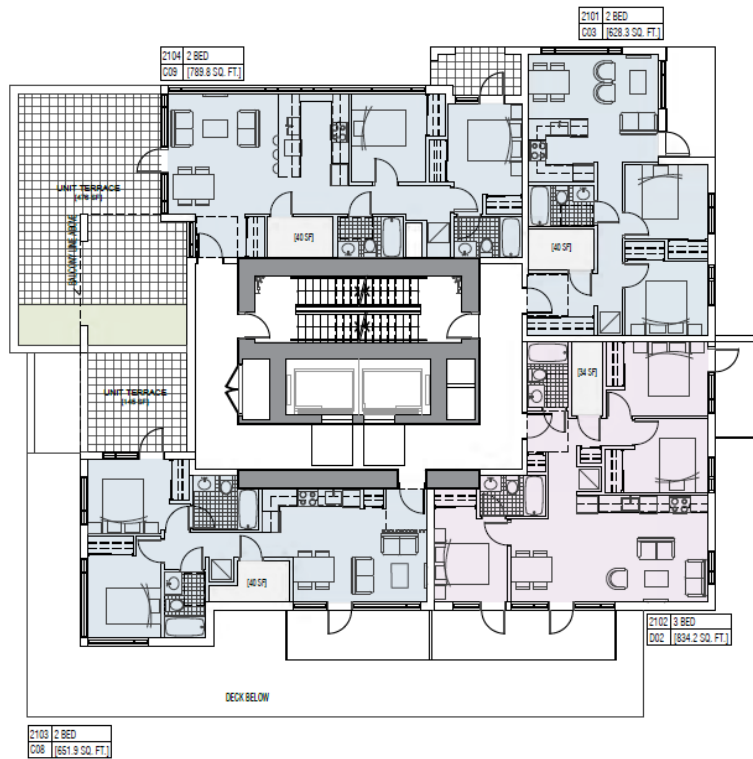
L19 Tower Floor Plan



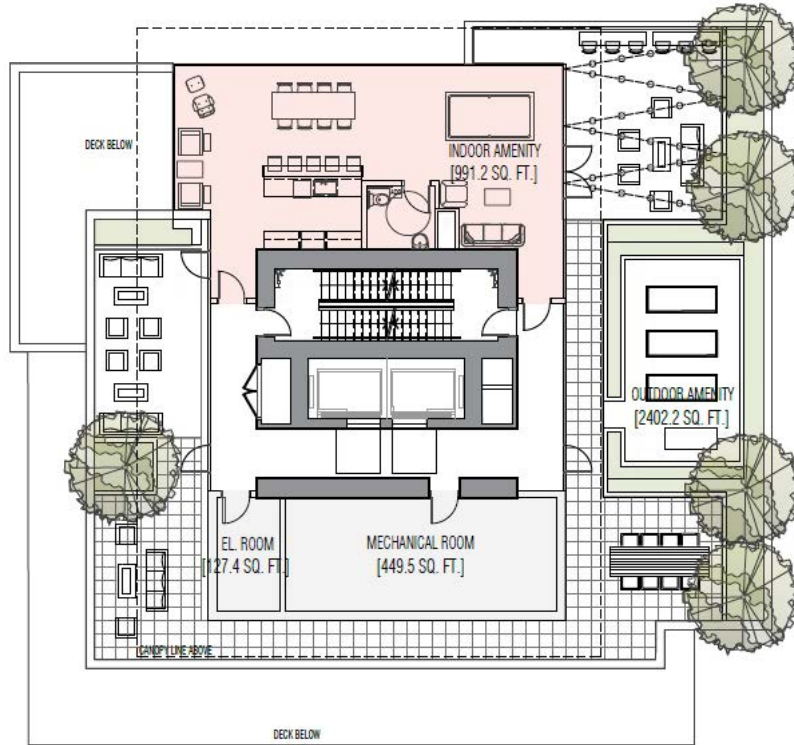
L20 Tower Floor Plan



L21 Penthouse Floor Plan



L22 Rooftop Amenity Floor Plan



Elevations (North and West)



NORTH ELEVATION (W 10TH AVE)



WEST ELEVATION (ALDER ST.)

Elevations (East and South)

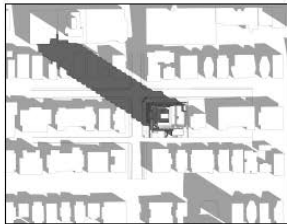


EAST ELEVATION

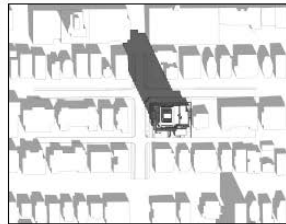


SOUTH ELEVATION (LANE)

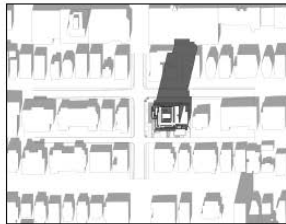
Shadow Study



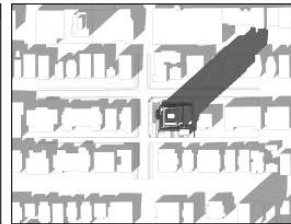
MARCH 21 - 10:00 AM



MARCH 21 - 12:00 PM



MARCH 21 - 2:00 PM



MARCH 21 - 4:00 PM



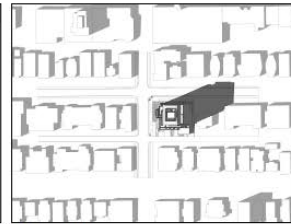
JUNE 21 - 10:00 AM



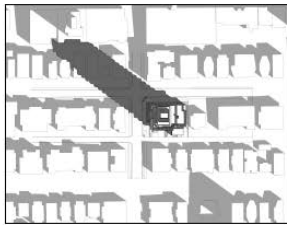
JUNE 21 - 12:00 PM



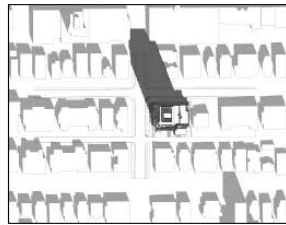
JUNE 21 - 2:00 PM



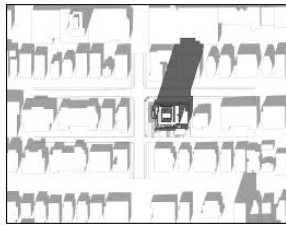
JUNE 21 - 4:00 PM



SEPTEMBER 22 - 10:00 AM



SEPTEMBER 22 - 12:00 PM



SEPTEMBER 22 - 2:00 PM



SEPTEMBER 22 - 4:00 PM

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**1190 West 10th Avenue
SUMMARY OF TENANT RELOCATION PLAN TERMS**

Tenant Relocation and Protection Requirements	Tenant Relocation Plan Offer
Financial Compensation	<p>The choice of either:</p> <ul style="list-style-type: none"> • Compensation in the form of free rent, a lump sum payment, or a combination of both, will be available for each unit eligible for Tenant Relocation Plan according to the following schedule: <ul style="list-style-type: none"> ○ 4 months' rent for tenancies up to 5 years; ○ 5 months' rent for tenancies over 5 years and up to 10 years; ○ 6 months' rent for tenancies over 10 years and up to 20 years; ○ 12 months' rent for tenancies over 20 years and up to 30 years; ○ 18 months' rent for tenancies over 30 years and up to 40 years; and ○ 24 months' rent for tenancies over 40 years. <p>Or:</p> <ul style="list-style-type: none"> • For tenants that wish exercise their Right of First Refusal to return to the new building, a temporary rent top-up to mitigate rent increases while waiting to return to the new building. <p>Or:</p> <ul style="list-style-type: none"> • A one-time lump sum rent top-up payment, equivalent to the estimated value of a rent top-up for 36 months (3 years).
Notice to End Tenancies	<ul style="list-style-type: none"> • Landlord to provide regular project updates to tenants throughout the development approvals process. • A minimum of four months' notice to end tenancy after all permits are issued is required (e.g. all development, building, and demolition permits in place).
Moving Expenses (flat rate or arrangement of an insured moving company)	<ul style="list-style-type: none"> • A flat rate of \$750 or \$1000 will be provided to all eligible tenants depending on the type of unit.
Assistance in Finding Alternate Accommodation (3 options)	<ul style="list-style-type: none"> • Staff will distribute tenant needs assessment surveys. These surveys will be used in relocation efforts and to identify tenants' needs and preferences. • Applicant has committed to monitor rental market and provide tenants requesting assistance with three options in Vancouver that best meet the tenants' identified priorities.

<p>Additional Support for Low Income Tenants or Tenants Facing Other Barriers to Appropriate Housing</p>	<ul style="list-style-type: none"> • The applicant is partnering with a property manager to assist existing tenants with finding alternate accommodation. • For low income tenants and tenants facing other barriers to housing, as defined in the TRP Policy, the applicant has committed to assisting in securing a permanent, suitable affordable housing option.
<p>First Right of Refusal</p>	<ul style="list-style-type: none"> • The applicant has committed to offering all eligible tenants the Right of First Refusal to return to the new building at either a 20% discount to city-wide average market rents by unit type for the City of Vancouver, as published annually, or at the tenant's current rent, whichever is less

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1190 West 10th Avenue
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

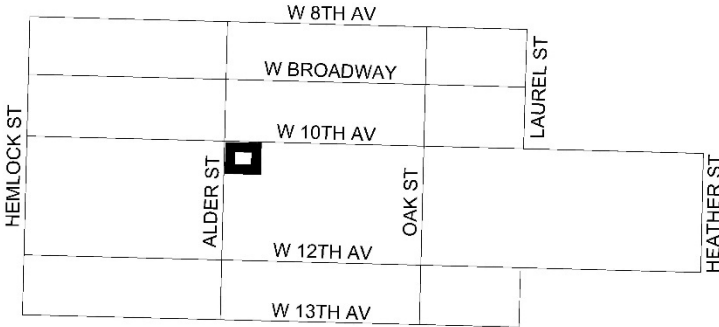
	Date	Results
Event		
Question and Answer Period (City-led)	April 10, 2024 – April 23, 2024	464 participants (aware)* <ul style="list-style-type: none"> • 169 informed • 62 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	April 9, 2024	5,017 notices mailed
Public Responses		
Online questions	10 April, 2024 – 23 April, 2024	5 submittals
Online comment forms <ul style="list-style-type: none"> • Shape Your City platform 	February 2024 – August 2024	106 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	February 2024 – August 2024	106 submittals <ul style="list-style-type: none"> • 42 responses • 56 responses • 8 responses
Other input	February 2024 – August 2024	13 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	February 2024 – August 2024	1,529 participants (aware)* <ul style="list-style-type: none"> • 517 informed • 112 engaged

Note: All reported numbers above are approximate.

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

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

2. Map of Notification Area



NOTIFICATION AREA

3. Analysis of All Comments Received

Below is an analysis of all public feedback by topic.

Generally, comments of support fell within the following areas:

- **Housing:** The proposed development adds much needed housing and rental stock and is considered an appropriate way to address lack of housing supply.
- **Location and density:** The proposed development and density is supported in this location due to its proximity to transit hubs along Broadway, and other sustainable travel options.
- **Commercial use:** The inclusion of at grade commercial space is supported as it provides retail and commercial space within a walkable distance and will improve neighbourhood vibrancy.

Generally, comments of concern fell within the following areas:

- **Neighbourhood:** There are concerns that the proposed development will negatively impact the neighbourhood livability and community. It is not appropriate for this residential location and would be better suited immediately along Broadway.
- **Height and scale:** The proposed building height is too tall and out of scale with the surrounding neighbourhood.
- **Displacement:** Residents are concerned about the displacement of existing tenants and the community.
- **Parking:** The proposed development does not include enough on-site parking and will negatively impact parking in the surround area.

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

General comments of support:

- This project will provide housing for Vancouver General Hospital Staff and other nearby workers along Broadway.
- This location is an appropriate area for development, with particular support noted for its proximity to amenities.
- The proposed development aligns with Policy and supports the City’s goals.

General comments of concern:

- Commercial use is not supported, or appropriate for this location.
- The development will negatively affect the nearby bike lanes and cyclists.
- The development will negatively affect traffic, creating congestion and negatively impacting safety.
- The development does not fit or maintain the neighbourhood character.
- This development necessitates the removal of an existing well-maintained building with affordable housing.

Neutral comments/suggestions/recommendations:

- A lower or mid-rise building would be preferred to what has been proposed.
- Additional height would be supported in this location, particularly if further housing was also provided.
- Other areas that are underutilised or with minimal density should be developed and densified before this location. E.g. areas with single-family residences and empty buildings along Broadway.

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**1190 West 10th Avenue
PUBLIC BENEFITS SUMMARY**

Project Summary

A 21-storey mixed-use building with 172 rental housing units, of which 20% of the residential floor area are at below-market rents, and commercial uses.

Public Benefit Summary:

172 rental housing units, of which 20% of the residential floor area at below-market rates, secured with a Housing Agreement for the greater of 60 years and the life of the building.

	Current Zoning	Proposed Zoning
Zoning District	RM-3	CD-1
Floor Space Ratio (Site area = 1,744.5 sq. m (18,778 sq. ft.))	1.0	6.8
Floor Area	1,744.5 sq. m (18,778 sq. ft.)	Maximum of 11,862.6 sq. m (127,688 sq. ft.)
Land Use	Residential	Residential, Commercial

Summary of Development Contributions Expected under Proposed Zoning

City-wide DCL ^{1,2}	\$133,054
Utilities DCL ¹	\$1,847,926
Public Art ³	\$252,824
TOTAL	\$2,233,803

Other benefits (non-quantified): 172 secured rental housing units, of which 20% of the residential floor area would be rented at below-market rates, secured for the greater of 60 years and the life of the building.

¹ Based on by-laws in effect as of September 30, 2024. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage. DCL by-laws are subject to future adjustment by Council including annual inflationary adjustments. A development may qualify for 12 months of in-stream rate protection. See the City's [DCL Bulletin](#) for more details.

² This application has requested and is expected to be eligible for a Class A (100%) waiver of the City-wide DCL applicable to the residential portion of the building. The value of the anticipated DCL waiver is estimated at \$2,872,643. The application is therefore subject to the maximum average starting rents and unit sizes by unit type applicable to "class A for-profit affordable rental housing" as per the By-law. These requirements will be secured by a Housing Agreement, and compliance will be assessed through the development permit stage to occupancy permit issuance.

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

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**1190 West 10th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

PROPERTY INFORMATION

Address	Property Identifier (PID)	Legal Description	Registered Owners
1190 West 10th Avenue	<ul style="list-style-type: none"> 015-014-509 	<ul style="list-style-type: none"> Lot 3 Block 374 District Lot 526 Plan 991 	Beverly Manor Ltd.
1190 West 10th Avenue	<ul style="list-style-type: none"> 015-014-754 	<ul style="list-style-type: none"> Lot A, Except the South 40 Feet, Block 374 District Lot 526 Plan 991 	Beverly Manor Ltd.
1190 West 10th Avenue	<ul style="list-style-type: none"> 015-014-711 	<ul style="list-style-type: none"> The South 40 Feet of Lot A Block 374 District Lot 526 Plan 991 	Beverly Manor Ltd.

APPLICANT INFORMATION

Architect/Applicant	Studio One Architecture JTA Development Consultants
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SITE STATISTICS

Site Area	1,744.5 sq. m (18,778 sq. ft.)
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DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed
Zoning	RM-3	CD-1
Land Use	Commercial	Residential, Commercial
Density	1.0 FSR	6.8 FSR
Maximum Height	36.6 m (120 ft.)	66.6 m (218 ft.) (Top of Parapet) 73.1 m (240 ft.) (Top of Elevator)
Floor Area	1,744.5 sq. m (18,778 sq. ft.)	Maximum of 11,862.6 sq. m (127,688 sq. ft.)
Parking and Bicycle Spaces	As per Parking By-law	Vehicle parking spaces: 70 Class A bicycle spaces: 324 Class B bicycle spaces: 10 Loading spaces: 2
Natural assets	18 on-site trees 1 city tree	Retain 2 trees Approx. 18 new on-site trees (Confirmed at the development permit stage)

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