



REFERRAL REPORT

Report Date: January 7, 2025
Contact: Susanne Rühle
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VanRIMS No.: 08-2000-20
Meeting Date: January 21, 2025

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 1171 West 12th Avenue

RECOMMENDATION TO REFER

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

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary zoning 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 Stuart Howard Architects on behalf of Queensgate Apartment Ltd., the registered owner of the lands located at 1171 West 12th Avenue [*Lots 17 and 18 of Block 394 District Lot 526 Plan 1276; PIDs 014-684-594 and 014-684-608, respectively*], to rezone the lands from RM-3 (Residential) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 1.0 to 6.52 and the building height from 36.6 m (120 ft.) to 55 m (180 ft.) to permit a 17-storey residential building, containing 111 rental housing units, of which 20% of the residential floor area will be secured as below-market rental units, be approved in principle;

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

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Stuart Howard Architects, received March 19, 2024;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B.

- B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services, and the General Manager of Planning, Urban Design and Sustainability.
- C. THAT Recommendations A and B 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 application proposes to rezone the site at 1171 West 12th Avenue from RM-3 (Residential) District to CD-1 (Comprehensive Development) District. The proposal is to permit a 17-storey residential building with an additional storey for a rooftop amenity, containing 111 rental housing units, of which 20% of the residential floor area will be secured as below-market rental units under the *Broadway Plan* (Plan).

Staff have assessed the application and conclude that it meets the intent of the Plan. Staff support the application, subject to design development and other conditions. Staff recommend that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it in principle, subject to the Public Hearing, and conditions contained in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)
- Broadway Plan (2022, last amended 2024)
- Transit-Oriented Areas (TOA) Designation By-law (2024)
- Transit-Oriented Areas (TOA) Rezoning Policy (2024)
- Interim Housing Needs Report (2025)
- Housing Vancouver Strategy (2017)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)

- High-Density Housing for Families with Children Guidelines (1992, last amended 2022)
- Tenant Relocation Plan Policy (2019, last amended 2022)
- Rental Incentives Bulletin (2019, last amended 2024)
- Rental Housing Stock Official Development Plan (2021)
- Urban Forest Strategy (2016, last amended 2018)
- Community Amenity Contributions Policy for Rezonings (1999, last amended 2024)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183
- Latecomer Policy (2021)
- Green Buildings Policy for Rezonings (2010, last amended 2023)

REPORT

Background/Context

1. Site and Context

The subject site is comprised of two legal parcels located on the north side of West 12th Avenue mid-block between Alder and Spruce Streets (see Figure 1). The site has an area of approximately 1,161.1 sq. m (12,498 sq. ft.) with a site frontage of 30.5 m (100 ft.). It is zoned RM-3 (Residential) as are surrounding sites. The site is currently developed with a four-storey rental residential building with 32 rental units of which 22 are tenanted. Eligible tenants are protected under the enhanced *Tenant Relocation and Protection Policy* for the Plan area.

The neighbourhood is undergoing significant change, with two future Broadway SkyTrain Stations within 800 m to the northeast and northwest from the subject site scheduled to open in 2027.

Neighbourhood Amenities – The following amenities are within close proximity:

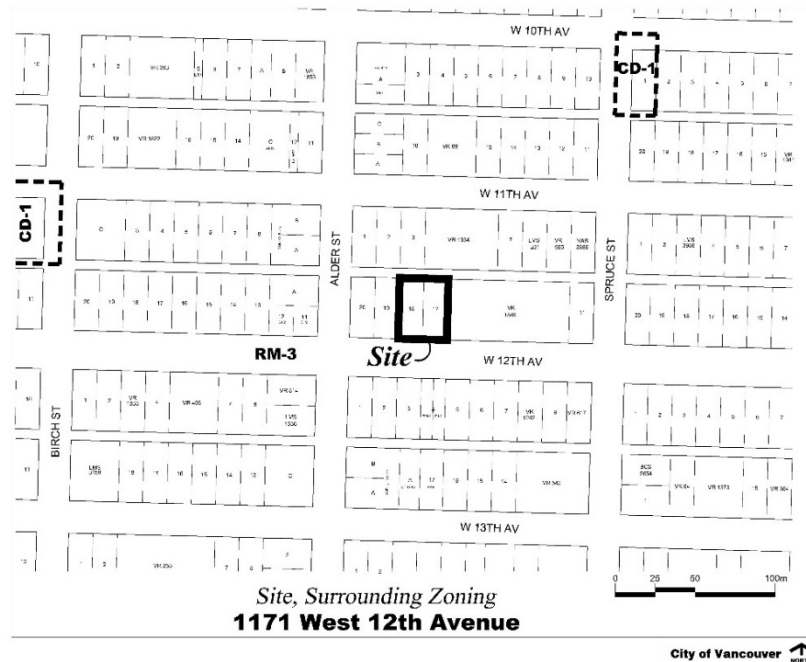
- *Parks* – Granville Park (900 m) and Shaughnessy Park (1 km), Charleson Park (1.1 km).
- *Community and Cultural Spaces* – Vancouver Public Library Firehall Branch (700 m), Tapestry Community Rooms (800 m), False Creek Community Centre (1.3 km).
- *Childcare* – Kids in General Child Development Centre (650 m), Kids at Heather Child Care (750 m), Vancouver School Board StrongStart Early Learning Centre (1 km).

Local School Capacity – The site is located within the catchment area of Emily Carr Elementary School and Eric Hamber Secondary School as well as Kitsilano French Immersion Secondary. According to the Vancouver School Board (VSB)'s 2020 *Long Range Facilities Plan*, Emily Carr Elementary is currently operating at 111% capacity and by 2031 is forecasted to be operating at 95% capacity. Eric Hamber is currently operating at 83% capacity and by 2031 is forecasted to be operating at 79% capacity. Kitsilano French Immersion Secondary is operating at 103% with an expected capacity of 96% by 2031.

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

There are several independent schools close to the site: St. Lawrence School (600 m), Vancouver Independent School for Science and Technology (850 m) and Canada Royal Arts High School (900 m).

Figure 1: Surrounding Zoning and Context



2. Policy Context

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

Broadway Plan – The Broadway Plan (the “Plan”) is a comprehensive community plan for the area within Vine Street to Clark Drive and 1st Avenue to 16th Avenue. The 30-year plan focuses on opportunities to integrate new housing, jobs, and amenities around the new Broadway Subway. The site is located within the Fairview South - Area B sub-area 9.10 of the Plan. There is a maximum of two towers per block in this sub-area. Sub-section 9.10.1 of the Plan permits 20-storey market rental housing buildings with a minimum of 20% of the residential floor area secured at below-market rents on lots with existing market rental housing with an FSR up to 6.5.

Transit-Oriented Areas (TOA) Designation By-law and Transit-Oriented Areas (TOA) Rezoning Policy – To align with provincial legislation, Council adopted a by-law and rezoning policy that establishes heights and densities for developments within Transit-Oriented Areas (TOAs). This site is located within Tier 3 of both the Oak - VGH Station and South Granville Station, which envisions a minimum density of 3.0 FSR and eight storeys in height. As the *Broadway Plan* allows more height and density, the application is being assessed under the Plan policies.

Interim Housing Needs Report (2025) – Provincial legislation requires Council to receive and consider regular Housing Needs Reports when creating or amending a development plan in relation to Council's housing policies on affordable, rental and special needs housing. The most recent report amendment was received on January 1, 2025.

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 30,000 purpose-built market rental and 5,500 purpose-built below-market rental units. This rezoning will contribute towards targets for purpose-built market and below-market rental housing units.

Strategic Analysis

1. Proposal

The proposal is for a 17-storey residential building containing 111 rental housing units, of which 20% of the residential floor area will be secured as below-market rental units. The proposed height is 55 m (180 ft.) and the floor space ratio (FSR) is 6.52. Vehicle and bicycle parking are provided underground with access from the lane.

Figure 2: Proposed Building looking Northeast



2. Land Use

The proposed rental building with a minimum of 20% of the residential floor area secured at below-market rents is consistent with the Plan's direction for residential use at this location.

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

In assessing urban design performance, staff considered the built-form expectations of the Plan (Fairview South – Area B).

Form of Development – This application for a 17-storey tower on a four-storey podium is consistent with the Plan (see Figure 2). The proposal generally meets the Plan’s expectations for tower separation, floorplate size, view cones and building dimensions. Staff have prepared conditions to enhance contextual fit.

Site Frontage – This application proposes a site frontage of 100 ft. (30 m) which is less than the 150 ft. (45.7 m) site frontage for tower buildings recommended in the Plan. The Plan allows consideration of tower buildings on sites with frontages less than 45.7 metres (150 ft.) at the discretion of the Director of Planning, where the proposal meets the following criteria:

- The site has a minimum frontage of 30.2 metres (99 ft.);
- The project satisfies the Plan’s built form and site design principles; and,
- The applicant demonstrates that the development would reasonably mitigate development limitations on adjacent properties.

Staff have assessed the proposal and are satisfied that these criteria are met. The proposal meets the expectations of the Plan’s built form and site design principles and does not compromise the future development potential of neighbouring lots.

Height – The Plan anticipates up to 20 storeys with an additional partial storey for rooftop amenities. The proposed height of 17-storeys is within the Plan’s permitted maximum. While not proposed at this time, the CD-1 By-law allows for provision of an additional partial storey for a rooftop amenity at later permitting stages.

Density – The Plan estimates a density of up to 6.5 FSR. The application complies with the objectives of the Plan and proposes a density of 6.52 FSR.

Public Realm and Interface – The Plan envisions animated building facades with entrances, windows, balconies and patios, and an engaging landscape design. The proposal meets these expectations.

Private Amenity Space – The development offers on-site common indoor and outdoor amenities for the residents consistent with the expectations of the Plan. Staff have included a condition to enhance the quality and design of the amenity spaces.

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

Staff have concluded that the proposal complies with the form of development, height and density for this site as outlined in the Plan and is appropriate for the context. Staff support the application subject to the Urban Design conditions detailed in Appendix B.

4. Housing

The *Housing Vancouver Strategy* seeks to deliver a range of housing tenures across the housing continuum. This application, if approved, would add 111 units, including 89 market rental units and 22 below-market rental units, to the City’s inventory of rental housing, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 3).

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

Housing Type	CATEGORY	10-YEAR TARGETS	Units Approved Towards Targets
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 1, 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 31, 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 neighbourhood 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 45% family units, in a mix of 35% two-bedroom units and 9.9% three-bedroom units, thereby not meeting this policy. Additionally, no three-bedroom units are proposed in the below-market rental portion of the project.

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 rental portions, without rounding. 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 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 right-hand columns. Figure 4 below demonstrates that below-market rental housing and market rental housing provide options that are more affordable than home ownership.

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

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 shown in Appendix E.

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

	Below-Market Units			Newer Rental Buildings Westside		Monthly Costs of Ownership for Median-Priced Apartment –Westside (with 20% down payment)		
	Proposed Average Unit Size (sq. ft.)	Average Starting Rents (2023) ¹	Average Household Income Served	Average Market Rent in (CMHC, 2023) ²	Average Household Income Served	Monthly Cost of Ownership (BC Assessment 2021) ³	Average Household Income Served	Down-payment at 20%
Studio	451	\$1,223	\$48,920	\$1,902	\$76,080	\$2,837	\$113,480	\$106,000
1-bed	653	\$1,429	\$57,160	\$2,306	\$92,240	\$3,473	\$138,920	\$132,000
2-bed	734	\$1,969	\$78,760	\$3,372	\$134,880	\$5,193	\$207,720	\$198,400
3-bed	1021	\$2,395	\$95,800	\$4,434	\$177,360	\$7,982	\$319,280	\$311,890

1. Starting rents shown are calculated based on a 20% discount to city-wide average market rents as published by CMHC in the fall 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 the October 2023 CMHC Rental Market Survey for apartments in purpose-built rental 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).

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 111 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.

Existing Residential Tenants – The rezoning site contains existing rental residential uses, comprising 32 units of primary rental. 17 out of the 22 existing residential tenancies are eligible under the City's *Tenant Relocation and Protection Policy (TRPP)* for the Plan area. Should this project be approved by Council, the applicant will be required to submit a Tenant Relocation Plan (TRP) for all eligible tenants that meets the requirements of the City's *TRPP* for the Plan area at the development permit stage. Staff have prepared a draft TRP that is summarised in Appendix E of this report.

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

5. Transportation and Parking

The site is well served by public transit. It is within 800 m of two future Broadway Subway stations, South Granville Station as well as Oak - VGH Station. It is within two blocks of frequent bus service on Oak Street. The site is also located on the Alder Street / West 14th Avenue bikeway as well as two blocks South of the bikeway on West 10th Avenue.

Parking, loading, bicycle and passenger loading spaces are required to meet the Parking By-law. Proposed parking reductions may be considered at the development permit stage with acceptable Transportation Demand Management (TDM) or other management measures.

Engineering conditions related to transportation, public realm and parking are included in Appendix B.

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. The applicant has submitted preliminary modelling analysis detailing design and construction strategies to meet energy and emissions and embodied carbon targets in the 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 protect and strengthen Vancouver's urban forest and tree canopy. The Protection of Trees By-law requires permission to remove trees that meet certain conditions to protect as many healthy, viable trees while still meeting the challenges of development and housing priorities.

There are seven existing trees on the site and five more on the property line, neighbouring properties and along the laneway, with the seven trees on the site and one tree on the property line proposed for removal. There are three City street trees for which protection during construction is required. Twelve new trees are proposed. A detailed tree assessment and retention report will be required as part of a subsequent development permit application. Staff will review these materials and provide conditions to retain and protect trees, wherever possible. This process allows for a coordinated assessment of tree retention and replacement with the proposed form of development. See Appendix B for landscape and tree conditions.

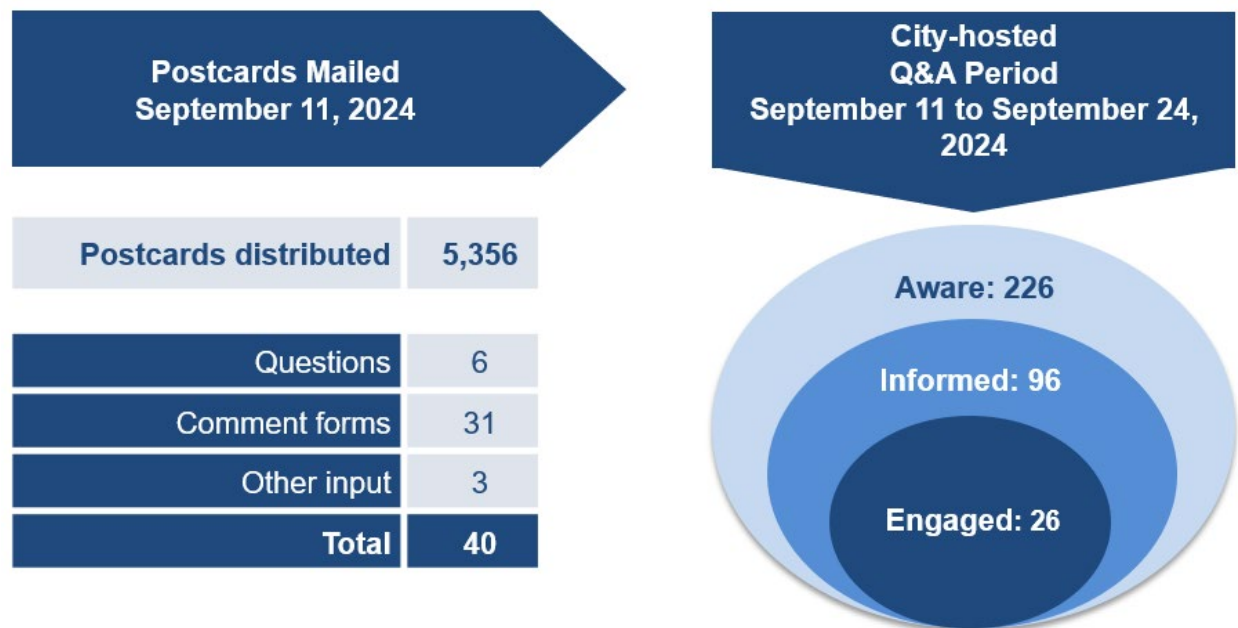
7. Public Input (Refer to Appendix D)

Public Notification – A rezoning information sign was installed on the site on June 17, 2024. Approximately 5,356 notification postcards were distributed within the neighbouring area on or about September 11, 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 September 11, 2024 to September 24, 2024. Questions were submitted by the public and posted with a response over a two-week period. A digital model was made available for online viewing.

Public Response and Comments – Public input is collected via online questions, comment forms, through email and by phone. A total of 40 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:

- **Building design:** The design of the development is attractive, with support for the architectural expression and colour palette.
- **Development:** This type of development is generally supported in this location.
- **Housing:** Projects adds much needed housing stock and will provide housing options for staff from nearby healthcare facilities and schools.

Generally, comments of concern fell within the following areas:

- **Housing:** The proposed housing, including below-market rental, will not be affordable. There are concerns that this development will primarily cater to a high-end market.
- **Tenant displacement:** Residents are concerned about the displacement of existing tenants, and that they might be replaced by short-term rental.
- **Neighbourhood and character:** The proposed development does not fit with the existing character of the neighbourhood and will negatively impact the community.
- **Traffic and parking:** There concerns that the proposed development does not provide enough vehicle parking, which will exacerbate parking issues in the surrounding area.

Response to Public Comments

Height, density and massing – The proposed height, scale, uses and density are consistent with the intent and urban design expectations of the Plan. It is appropriate due to the proximity to transit routes, schools, services and shopping amenities in the neighborhood, away from arterials. Staff have also prepared conditions to enhance contextual fit.

Affordability – The proposed development adds much needed market rental with 20% below-market units to the neighbourhood, both more affordable than home ownership. A Housing Agreement will be registered on title for the longer of 60 years or the life of the building, so no units can be stratified or sold. The below-market units will be secured at a 20% discount to CMHC city-wide average market rents, so that unit affordability and tenure will not lapse with a change of tenancy.

Tenant displacement – The Plan provides enhanced tenant protections under the TRPP. Existing tenants who are eligible can move back into the new building at their current rent or at a 20% discount off city-wide average market rents, whichever is lower and will receive temporary rent top-up to mitigate rent increases while waiting to return to the new building.

Neighbourhood fit – The Plan includes a comprehensive approach to creating a built environment that supports thriving, resilient, and liveable communities. It supports an active public realm including cafes, parks, plazas. In addition, the proposal is meeting the requirements to include common spaces such as indoor and outdoor amenities that are sized and programmed appropriately to promote a sense of community.

Traffic – The development is required to comply with the Parking By-law, prioritizing vehicle parking for accessible and visitor spaces, loading and bike parking. The site is well-served with transportation options. Staff expect to see an overall reduction in vehicle trips with the completion of the Broadway Subway. A TDM Plan is required to further alleviate traffic impacts and reduce the demand for vehicle use.

8. Public Benefits

Community Amenity Contributions (CAC) – 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 the 20% of the residential floor area at below-market rents, and have determined that no CAC is expected.

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

Based on rates in effect as of September 30, 2024, and the proposed 7,573.1 sq. m (81,487 sq. ft.) of residential floor area, it is estimated that the project will pay Utilities DCLs of \$1,206,319. The value of the anticipated City-wide DCL waiver on the residential floor area is

estimated to be \$1,925,158. 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.

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

FINANCIAL IMPLICATIONS

As noted in the Public Benefits section, this project is expected to provide market and below-market rental housing and DCLs. See Appendix F for additional details.

CONCLUSION

Staff conclude that the proposed land use and form of development are consistent with the intent of the Plan.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing together with the draft CD-1 By-law as generally shown in Appendix A, with a recommendation that these be approved, subject to the Public Hearing, along with the conditions of approval listed in Appendix B.

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**1171 West 12th Avenue
PROPOSED CD-1 BY-LAW PROVISIONS**

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

Zoning District Plan Amendment

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

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

Designation of CD-1 District

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

Definitions

3. Words in this by-law have the meaning given to them in the Zoning and Development By-law, except that:
 - (a) for the purposes of calculating the total dwelling unit area for section 5.1 of this by-law, "Dwelling Unit Area" is the floor area of each dwelling unit, measured to the inside of all perimeter walls, excluding any floor area as required by section 6.4 of this by-law; and
 - (b) "Below-Market Rental Units" means dwelling units that meet the requirements of approved Council policies and guidelines for below-market rental housing, as secured by a housing agreement and registered on title to the property.

Uses

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

Conditions of Use

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

Floor Area and Density

- 6.1 Computation of floor area must assume that the site area is 1,161.1 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 6.52.
- 6.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 6.4 Computation of floor area and dwelling unit area must exclude:
 - (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that:
 - (i) the total area of these exclusions must not exceed 12% of the permitted floor area, and
 - (ii) the balconies must not be enclosed for the life of the building.
 - (b) patios and roof decks, if the Director of Planning considers the impact on privacy and outlook;
 - (c) floors or portions thereof that are used for:
 - (i) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,
 - (ii) bicycle storage, and
 - (iii) heating and mechanical equipment or uses that the Director of Planning considers similar to the foregoing.

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

Building Height

- 7.1. Building height must not exceed 55 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 and mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portions of the building with permitted common rooftop amenity space or mechanical appurtenances must not exceed 57.6 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; and
 - (b) the habitable room is within a unit assigned to below-market rental 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.

* * * * *

1171 West 12th Avenue
CONDITIONS OF APPROVAL

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

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by Stuart Howard Architects, received March 19, 2024.

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

Urban Design

- 1.1 Design development to increase the rear tower setback as much as possible.

Note to Applicant: A rear setback of approximately 12.2 m (40 ft.) from the lane center ensures appropriate separation to a future south tower. This will result in a more compact floorplate.

- 1.2 Design development to further enhance the public realm interface.

Note to Applicant: Suggested strategies include integrating rear service spaces into the building footprint as much as possible, including loading bays; bicycle parking; waste room/enclosure.

- 1.3 Design development to improve the livability and daylight access of dwelling units.

Note to Applicant: Dwelling units should have their principal living spaces oriented to the front or rear yards, with at least one window from a principal living space facing the front or rear side yards. This applies to the first six storeys in anticipation of future context.

- 1.4 Design development to provide private outdoor space, such as roof decks or balconies, for all dwelling units pursuant to Plan policies 11.1.20 and 11.1.21.

Note to Applicant: Balconies to be reconfigured to avoid looking into adjacent unit windows.

- 1.5 Design development to enhance the quality and design of the outdoor amenity space.

Note to Applicant: An indoor amenity room should be provided adjacent to the main outdoor amenity space on the podium. A portion of the shared outdoor amenity space should be designed to support children's play with a focus on flexible features, innovative play spaces, and exploratory structures (see also Housing condition 1.11). Provision of additional amenity space at the rooftop is strongly encouraged.

- 1.6 Design development to the residential ceiling height to be consistent with section 11.1.12 of the Plan.

Note to Applicant: This may be achieved by reducing the floor-to-floor heights of levels 16 and 17 to 10 ft.

Landscape

- 1.7 Design development to ensure safe retention of tree "PL1", or provision of a signed Letter of Consent for this tree's removal, or an updated survey confirming ownership of this tree.

Note to Applicant: Unless a signed Letter of Consent from the owner of 1191 West 12th Avenue for the removal tree "PL1" is provided, a redesign of the below-grade structures and features at grade to ensure safe retention of this tree is required. This includes submission of a revised arborist report, signed letter of assurance, and revised landscape and architectural drawings that include details and sections outlining mitigation measures as per arborist's recommendation.

Conversely, to obtain support for this tree's removal, provide confirmation that tree "PL1" is entirely on the subject site. Currently, trees are shown inconsistently between the arborist's "Tree Preservation Plan" and the submitted survey. Submit an updated survey, and coordinated application drawings confirming the tree is entirely on the subject site, if pursuing tree removal without the signed Letter of Consent.

- 1.8 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 in.: 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.

- 1.9 Provision of detailed architectural and landscape cross sections (minimum 1/4 in. 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.

- 1.10 Coordination for the provision of new street trees or any proposed City owned tree removals adjacent to the development site, where applicable.

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

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

Housing

- 1.11 The proposed unit mix, including 55 studio units (49.5 %), six one-bedroom units (5.4%), and 39 two-bedroom units (35.1 %) and 11 three-bedroom units (9.9%) 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 rental portions, without rounding.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the 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.

- 1.12 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 (25 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. Consider positioning this adjacent to the children's play area to enable parental supervision from the amenity room (S. 3.7.3); and
 - (d) a balcony for each unit with 1.8 by 2.7 m minimum dimensions (S. 4.3.2).
- 1.13 The below-market units should be designed to the same standards of livability as the market rental units.

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

Sustainability

- 1.14 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning*s (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*.

Engineering

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:

- 1.15 Submission of a letter 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: Developer is required to submit a signed letter acknowledging restricted street use (for Broadway Corridor) during construction before issuance of development permit due to Broadway Subway Project construction. Contractor must develop the traffic plans in coordination with the City, considering Broadway Subway Project existing street use plans. City will require a minimum of 10 days to review the traffic plan.

Please contact the City Rapid Transit Office (rapidtransitoffice@vancouver.ca) for more information on impacts to access and street use for your project.

- 1.16 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (City 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>

- 1.17 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>

- 1.18 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.
- 1.19 Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.
- 1.20 Provision of garbage and recycling storage amenity design to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Draw and label container outlines and if the site is mixed use, demonstrate separated solid waste amenities for use types, and label each amenity.

Amenities designed below grade require written confirmation from a waste hauler that access and pick up from the location can be made without reliance of the lane for extended bin storage. If this cannot be confirmed, then an on-site garbage bin staging area is to be provided adjacent the lane. Pick up operations should not require the use of public property for storage, pick up or return of bins to the storage location.

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

- 1.21 Submission to Engineering of an updated landscape plan reflecting all the public realm changes, including:
 - (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 6 cm 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 ft. long and 18 in. deep, centre on each street tree adjacent to the sidewalk and any off-street bike facility. Planting depth of root ball must be below sidewalk grade. Contact Park Board at pbdevelopment.trees@vancouver.ca for inspection after tree planting completion".
 - (b) Existing locations of:
 - (i) Street furniture; and

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

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

- (ii) Poles and guy wires.

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

- (c) Deletion of:

- (i) Portions of proposed footings shown encroaching into the neighbouring sites (A4.01) and into the lane (A4.02).

- (d) All proposed streetscape materials on City property to be City standard materials;

Note to Applicant: Deviations from the standard streetscape materials must be justified in a report and approved by City prior to the development permit application. Encroachment agreements may be required for non-standard streetscape materials on City property.

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

- 1.22 Provision of loading spaces, per the [Parking By-law Section 5](#) and the [Design Supplement](#), including:

- (a) Convenient, internal, stair-free loading access to/from all site uses;
- (b) Minimum of 3.4 m (11.2 ft.) width and 10.2 m (33.5 ft.) length for Class B spaces;
- (c) Minimum of 3.8 m (12.5 ft.) of vertical clearance within [and to/from] each Class B space;
- (d) Minimum of 1.3 m (4.3 ft.) side clearance for Class B spaces; and
- (e) Clear unloading area or raised rear dock, minimum 1.8 m (5.9 ft.) wide, with suitable access to facilitate goods loading /unloading.

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

- 1.23 Update the architectural plans to provide:
- (a) Dimension of columns and column encroachments into parking spaces;
 - (b) 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
 - (c) Design elevations at all breakpoints on both sides of ramps, drive aisles, loading and passenger loading spaces, accessible spaces, and entrances.

- 1.24 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.

The preparation of the related TDM legal agreement, due prior to development permit issuance, includes the requirement for collection of a fee by Development Building and Licenses for service as approved in the following Council Report: <https://council.vancouver.ca/20231003/documents/r2.pdf> and will be due prior to issuance of the development permit.

- 1.25 Provision of the developer's engineer is to submit a sewer abandonment plan that details:
- (a) The abandonment or removal of all existing storm, sanitary, and combined sewer mains that are no longer in use due to the development of the site; and
 - (b) 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.

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

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

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

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

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

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

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

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

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

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

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

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

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

- 2.1 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for consolidation of Lots 17 and 18 of Block 394 District Lot 526 Plan 1276 to create a single parcel.
- 2.2 Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "Services") such that they are designed, constructed, and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. Except as explicitly provided for in Condition 2.3, the Services are not excess and/or extended services, and the applicant is not entitled to a Latecomer Agreement.
 - (a) Provision of adequate water service to meet the domestic and fire flow demands of the project.

Note to Applicant: Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by Creus Engineering Ltd. dated February 6, 2024, no water main upgrades are required to service the development.

The main servicing the proposed development is 150 mm. Should the development require water service connections larger than 150 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 Waterworks Engineer is required for re-evaluation of the Water System.

As per the City of Vancouver Building By-law, the principal entrance must be within 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 with the aforementioned by-law will be required. The developer is responsible for 100% of the cost of this upgrade.

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

Implementation of development(s) at 1171 West 12th Avenue require the following in order to maintain acceptable SAN and STM sewer flow conditions.

Off-site Servicing Upgrades:

- (i) Separate 80 m of existing 300 mm COMB to 375 mm STM and 250 mm SAN in West 12th Avenue from MH_FJD46D at Alder Street and West 12th Avenue to MH_FJCV90 fronting 1250 West 12th Ave; and
- (ii) Separate 6 m of 300 mm COMB to 375 mm STM and 250 mm SAN in West 12th Avenue from MH_FJCRFX to MH_FJD46D in Alder Street and West 12th Avenue.

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

Development on 1171 West 12th Avenue to be serviced to the existing 200 mm COV SAN on West 12th Avenue and 250 mm COV STM sewers on West 12th Avenue.

- (c) Provision of street improvements with appropriate transitions, along West 12th Avenue adjacent to the site, including:
 - (i) Minimum 2.0 m wide front boulevard ;
 - (ii) Minimum 2.4 m wide broom-finish saw-cut concrete sidewalk;

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

- (d) Provision of speed humps in the lane south of West 11th Avenue between Spruce and Alder Streets.
- (e) Improvements at the intersection of Alder Street and West 12th Avenue including:
 - (i) Upgrades to the existing traffic signal including accessible pedestrian signals (APS); and
 - (ii) Provision of Alder Street and West 12th Avenue entire intersection street lighting upgrade to current City standards and IESNA recommendations.
- (f) Provision of street improvements with appropriate transitions, along the lane adjacent to the site, including:
 - (i) 50 mm minimum mill and pave lane along the site's frontage.

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

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

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

- (g) Provision of upgraded street lighting (roadway and sidewalk) and existing lane lighting to current City standards and IESNA recommendations.
- (h) Provision of new or replacement duct banks that meets current City standard.

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

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

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

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

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

Note to Applicant: Final spacing, quantity and location 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 in. long and 18 in. 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.

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

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

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

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

- (a) Upgrades to separate storm and sanitary sewers as per Condition 2.2.(b); and
Note to Applicant: The benefiting area for these works is under review.

- (b) Improvements at the intersection of Alder Street and West 12th Avenue as per Condition 2.2.(e).

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

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

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

Housing

- 2.4 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant to secure all residential units as class A for profit affordable rental housing, excluding Seniors Supportive or 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 the units will be rented for less than one month at a time;
- (d) That the average initial starting monthly rents by unit type for the below-market rental housing 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 or Sustainability (or successor in function) and the Director of Legal Services;

- (f) Following initial occupancy, on a change in tenancy for a below-market rental housing unit, the starting rent for such new tenancy will be at least 20% below the rent for private rental apartment units city-wide as published by the Canada Mortgage and Housing Corporation in the most recent Rental Market Survey Data Tables for Vancouver for that unit type at the time of the change in tenancy;
- (g) That the applicant will verify eligibility of new tenants for the below-market rental housing units, based on the following:
 - (i) For new tenants, annual household income cannot exceed (4) four times the annual rent for the unit (i.e., at least 25% of household income is spent on rent); and
 - (ii) There should be at least one occupant per bedroom in the unit.
- (h) That the applicant will verify the ongoing eligibility of existing tenants in below-market rental dwelling units every five (5) years after initial occupancy:
 - (i) For such tenants, annual household income cannot exceed 5 times the annual rent for the unit (i.e., at least 20% of income is spent on rent); and
 - (ii) There should be at least one occupant per bedroom in the unit.
- (i) On an annual basis, or at the request of the City, the applicant will report to the City of Vancouver on the operation of the below-market rental housing units which will ensure that the City can confirm that the units are being operated as agreed, and will include a rent roll for the below-market rental housing units, and a summary of the results of eligibility testing for these units; and
- (j) Such other terms and conditions as the General Manager of Planning, Urban Design or Sustainability (or successor in function) and the Director of Legal Services may require in their sole discretion.

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

- 2.5 Enter into a Section 219 Covenant and/or such other agreements as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services determine are necessary to require the applicant to:
- (a) Provide a Tenant Relocation Plan to the satisfaction of the General Manager of Planning, Urban Design and Sustainability as per the Broadway Plan and the Tenant Relocation and Protection Policy that is effective at the time of submission of the Development Permit Application.
 - (b) Provide a notarized declaration prior to issuance of the Development Permit that demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes copies of a letter addressed to each eligible tenant

summarizing the Tenant Relocation Plan offer and signed as received by each eligible tenant.

- (c) Provide an Interim Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Demolition Permit. The Report must include, but may not be limited to, the names of tenants; whether each tenant has indicated interest in the Right of First Refusal to return to the new building; each tenant's choice of either the financial compensation or temporary rent top-up option; the names of any tenants who have ended their tenancy; the reason for its end (e.g. tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant), and their temporary rent top up amount for the first year of tenancy in the alternative unit (if applicable) and total compensation amount(s); the names of tenants still remaining in the building; the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan. A copy of the Temporary Rent Top-Up Calculation Form for each tenant that chooses the Temporary Rent Top up option must also be provided with the Interim Tenant Relocation Report.

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

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

Environmental Contamination

2.6 The following conditions must be met prior to enactment of the rezoning:

- (a) Submit a site disclosure statement to Environmental Services;
- (b) As required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
- (c) If required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services,

the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements constructed on the site pursuant to this rezoning until separate Certificates of Compliance, satisfactory to the City, for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

Agreements

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

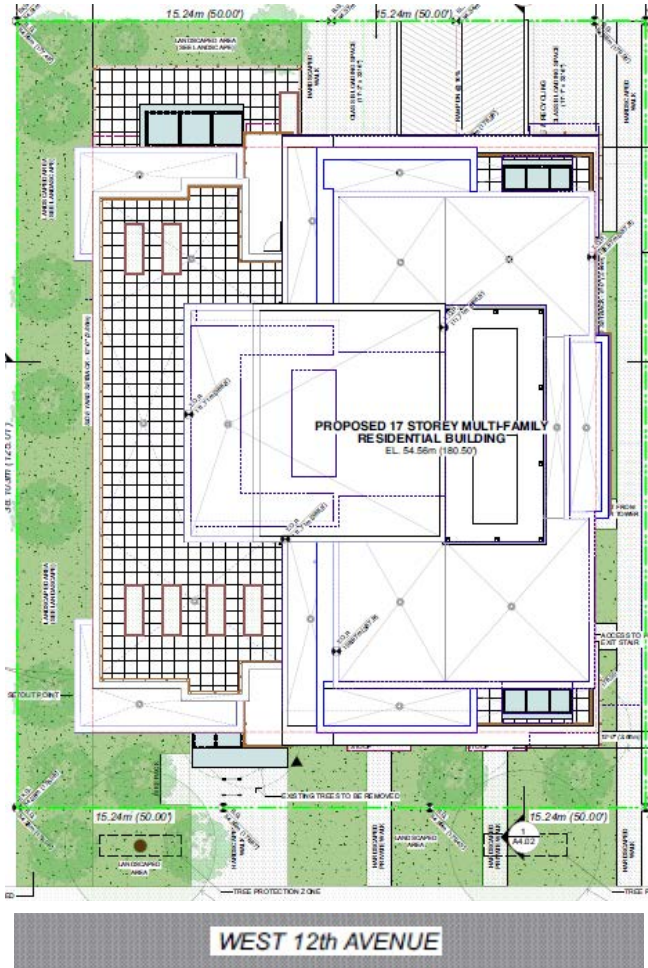
The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-laws 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.

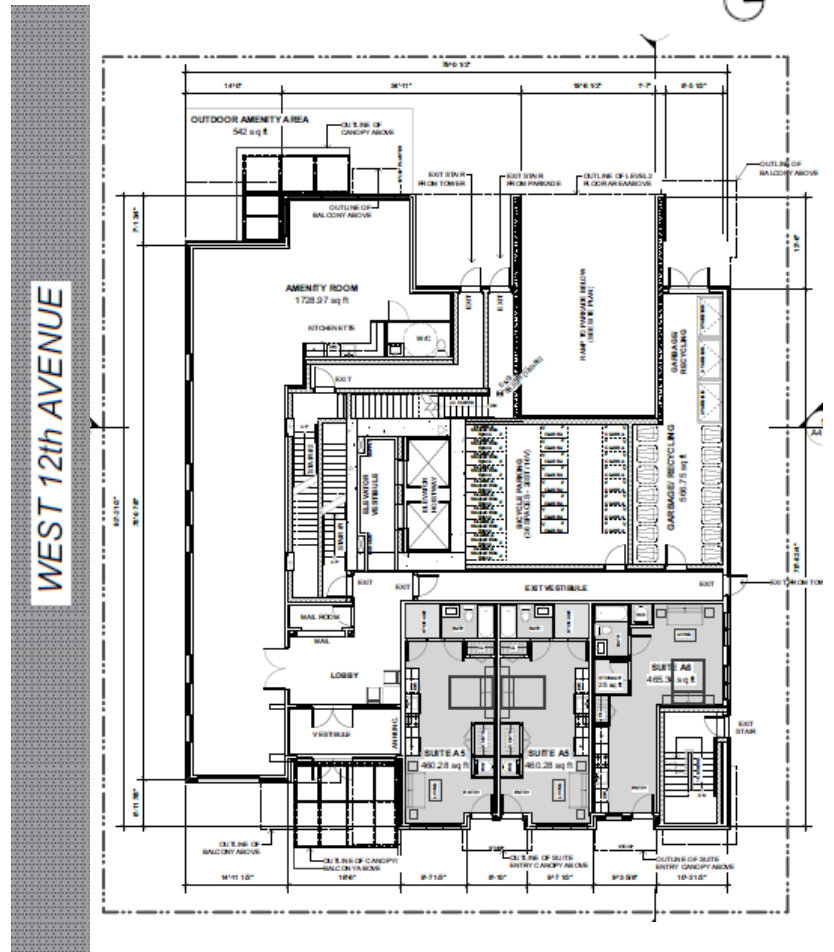
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1171 West 12th Avenue
FORM OF DEVELOPMENT DRAWINGS

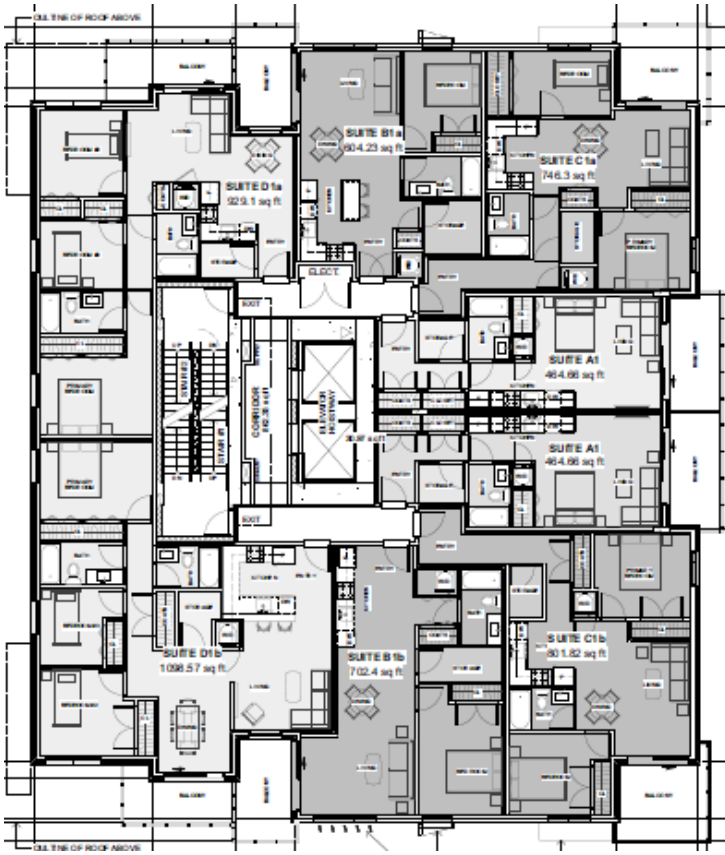
Site Plan



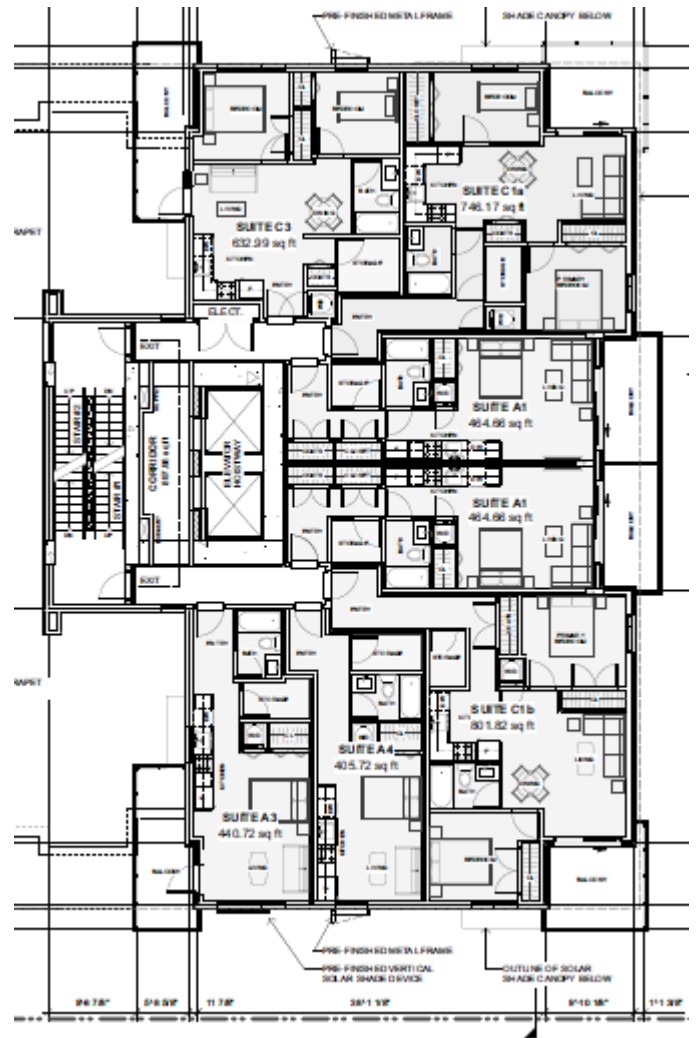
Ground Floor Level



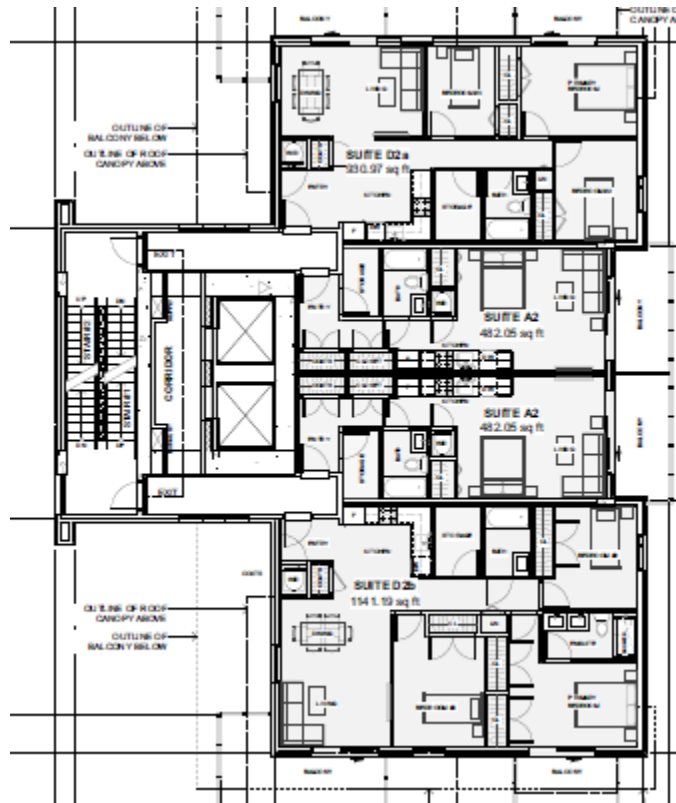
Level 2-4 Podium Floor Plan



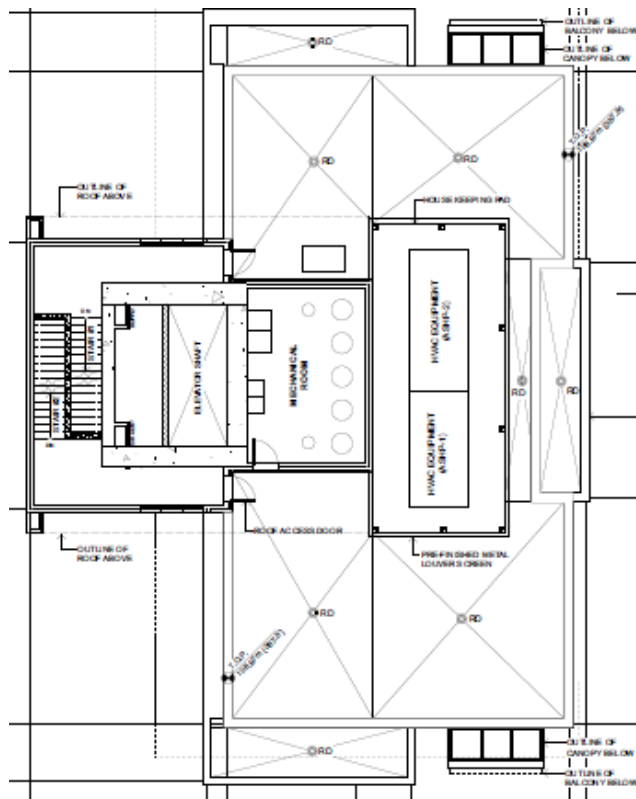
Level 6-14 Tower Floor Plan



17th Floor Plan

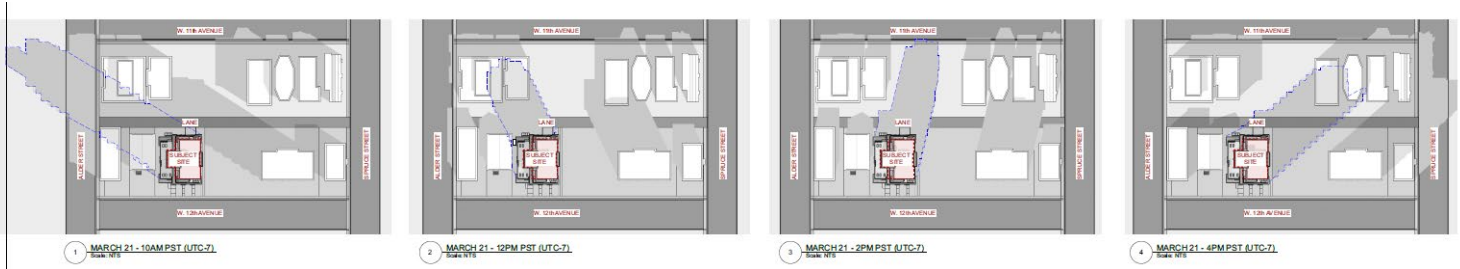


Rooftop Amenity Floor Plan



Shadow Studies

Spring



Fall



Summer



Elevations

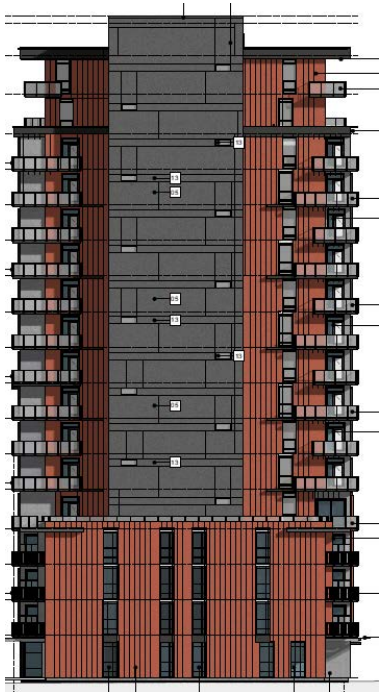
North Elevation



South Elevation



West Elevation



East Elevation



* * * * *

1171 West 12th Avenue
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

	Date	Results
Event		
Question and Answer Period (City-led)	September 11, 2024 – September 24, 2024	226 participants (aware)* <ul style="list-style-type: none"> • 96 informed • 26 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and Question and Answer Period	September 11, 2024	5,356 notices mailed
Public Responses		
Online questions	September 11, 2024 – September 24, 2024	6 submittals
Online comment forms <ul style="list-style-type: none"> • Shape Your City platform 	June 2024 – Nov 2024	31 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	June 2024 – Nov 2024	31 submittals <ul style="list-style-type: none"> • 15 responses • 15 responses • 1 response
Other input	June 2024 – Nov 2024	3 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	June 2024 – Nov 2024	775 participants (aware)* <ul style="list-style-type: none"> • 339 informed • 36 engaged

Note: All reported numbers above are approximate.

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

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

2. Map of Notification Area



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:

- **Building design:** The design of the development is attractive, with support for the architectural expression and colour palette.
- **Development:** This type of development is generally supported in this location.
- **Housing:** Projects adds much needed housing stock and will provide housing options for staff from nearby healthcare facilities and schools.

Generally, comments of concern fell within the following areas:

- **Housing:** The proposed housing, including below-market rental, will not be affordable. There are concerns that this development will primarily cater to a high-end market.
- **Displacement:** Residents are concerned about the displacement of existing tenants, being replaced by short-term rental.
- **Neighbourhood and character:** The proposed development does not fit with the existing character of the neighbourhood and will negatively impact the community.

- **Traffic and parking:** There concerns that the proposed development does not provide enough vehicle parking, which will exacerbate parking issues in the surrounding 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:

- The building form, height and massing is supported.
- The proposed development aligns with what is expected under the Broadway Plan.
- Support for the enhanced tenant protections provided under the Broadway Plan.
- The development fits with the neighbourhood character.
- The development will positively impact the neighbourhood and aid it revitalising the area.
revitalise
- The retention of trees along West 12th Avenue is supported.

General comments of concern:

- There is a lack of existing amenities and infrastructure to accommodate the proposed density. Additional amenities and infrastructure are required.
- Concerns that noise, traffic, and pollution generated during construction will negatively affect the neighbourhood and nearby Vancouver General Hospital.
- The development will negatively impact traffic in the area with increased amounts of traffic and congestion.
- The development will displace existing tenants and neighbours, with specific concerns for middle- and low-income residents.

Neutral comments/suggestions/recommendations:

- A lower or mid-rise building would be preferred to what has been proposed.
- An amenity space should be added to the rooftop, and consideration should be given for reconfiguring the amenity space on lower levels for better access and useability.
- Traffic protections and calming should be included as part of this development.

* * * * *

1171 West 12th Avenue
SUMMARY OF DRAFT 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 \$1,000 will be provided to all eligible tenants depending on the type of unit.
Assistance in Finding Alternate Accommodation (3 options)	<p>Staff will distribute tenant needs assessment surveys. These surveys will be used in relocation efforts and to identify tenants' needs and preferences.</p> <ul style="list-style-type: none"> • Applicant must commit to monitor rental market and provide tenants requesting assistance with three options in Vancouver that best meet the tenants' identified priorities.

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

* * * * *

1171 West 12th Avenue
PUBLIC BENEFITS SUMMARY

Project Summary:

A 17-storey building containing 111 secured-rental residential units of which 20% of the residential floor area are at below-market rental units which replaces the existing four-storey rental building with 32 units.

Public Benefit Summary:

111 secured-rental residential 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
FSR (site area = 1,161.1 sq. m (12,498 sq. ft.))	1.0	6.52
Buildable Floor Area	1,161.1 sq. m (12,498 sq. ft.)	7,573.1 sq. m (81,487 sq. ft.)
Land Use	Multiple Dwelling	Multiple Dwelling

Summary of development contributions expected under proposed zoning

City-wide DCL ^{1,2}	\$0
Utilities DCL ¹	\$1,206,319
TOTAL	\$1,206,319

Other benefits (non-quantified): 111 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 \$1,925,158. 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.

**1171 West 12th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

Property Information

Address	Property Identifier (PID)	Legal Description
1171 West 12th Avenue	014-684-608	LOT 18 BLOCK 394 DISTRICT LOT 526 PLAN 1276
	014-684-594	LOT 17 BLOCK 394 DISTRICT LOT 526 PLAN 1276

Applicant Information

Architect	Stuart Howard Architects
Applicant	Stuart Howard Architects
Registered Owner	Queensgate Apartment Ltd.

Development Statistics

	Permitted Under Existing Zoning	Proposed																						
Zoning	RM-3	CD-1																						
Site Area	1,161.1 sq. m (12,498 sq. ft.)																							
Land Use	Multiple Dwelling																							
Maximum FSR	1.0	6.52																						
Maximum Height	36.6 m (120 ft.)	55 m (180 ft.) to top of parapet 57.6 m (189 ft.) to top of mechanical																						
Floor Area	1,161.1 sq. m (12,498 sq. ft.)	7,573.1 sq. m (81,487 sq. ft.)																						
Unit Mix	N/A	<table border="0"> <tr> <td>Below-Market</td> <td>Market</td> </tr> <tr> <td>Rental: 22 units:</td> <td>Rental: 89 units:</td> </tr> <tr> <td>0 3-bedroom units</td> <td>11 3-bedroom units</td> </tr> <tr> <td>9 2-bedroom units</td> <td>30 2-bedroom units</td> </tr> <tr> <td>6 1-bedroom units</td> <td>0 1-bedroom units</td> </tr> <tr> <td>7 studio units</td> <td>48 studio units</td> </tr> <tr> <td>Total: 111 units</td> <td></td> </tr> <tr> <td>11 3-bedroom units</td> <td></td> </tr> <tr> <td>39 2-bedroom units</td> <td></td> </tr> <tr> <td>6 1-bedroom units</td> <td></td> </tr> <tr> <td>55 studio units</td> <td></td> </tr> </table>	Below-Market	Market	Rental: 22 units:	Rental: 89 units:	0 3-bedroom units	11 3-bedroom units	9 2-bedroom units	30 2-bedroom units	6 1-bedroom units	0 1-bedroom units	7 studio units	48 studio units	Total: 111 units		11 3-bedroom units		39 2-bedroom units		6 1-bedroom units		55 studio units	
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Total: 111 units																								
11 3-bedroom units																								
39 2-bedroom units																								
6 1-bedroom units																								
55 studio units																								
Parking and Bicycle Spaces	As per by-law	53 vehicle spaces 210 bicycle spaces 1 loading space To be confirmed at development permit stage																						
Natural Assets	Seven on-site by-law trees; three City trees	Seven on-site and property line trees for removal; three City trees to be retained; 12 new trees proposed. To be confirmed at development permit stage																						