

**Refers to Referral Report Item #4
Public Hearing of April 17, 2025**

YELLOW MEMORANDUM

April 7, 2025

TO: Mayor and Council

CC: Paul Mochrie, City Manager
Armin Amrolia, Deputy City Manager
Karen Levitt, Deputy City Manager
Sandra Singh, Deputy City Manager
Katrina Leckovic, City Clerk
Maria Pontikis, Chief Communications Officer, CEC
Teresa Jong, Administration Services Manager, City Manager's Office
Mellisa Morphy, Director of Policy, Mayor's Office
Trevor Ford, Chief of Staff, Mayor's Office
Templar Tsang-Trinaistich, Director, Rezoning Centre, Planning Urban Design and Sustainability
Casey Peters, Acting Assistant Director, Rezoning Centre, Planning, Urban Design and Sustainability

FROM: Josh White, General Manager, Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 461-479 East 16th Avenue

RTS #: 17697

Following referral of the above item to Public Hearing on March 11, 2025, Council approved, in principle, amendments to the Zoning and Development By-law which simplify Horizontal Angle of Daylight regulations and rename the section to "Access to Natural Light". The amendments to the Zoning and Development By-law also remove the acoustic report requirement from various district schedules and as a consequential amendment consolidate the district schedules with N in their title with their base district schedule ([RTS 17780](#)).

As a result of the changes noted above, which were enacted by Council on April 1, 2025, this memorandum brings forward the following amendments:

THAT Recommendation A be amended as follows (with bold to replace strikethroughs):

- A. THAT the application by Fabric Living on behalf of:

- Main to Fraser Investments Inc., the registered owner of the lands located at 471 East 16th Avenue *[PID 014-496-984; Lot 16 Block 99 District Lot 301 Plan 1652]*,
- Joan Jose Silvestre, Ana Maria Silvestre and Jovito Silvestre, the registered owners of the lands located at 461 East 16th Avenue *[PID 003-883-825; Strata Lot 1 District Lot 301 Strata Plan VR. 345, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1]*,
- Tieu Ha Truong, the registered owner of the lands located at 463 East 16th Avenue *[PID 003-883-841; Strata Lot 2 District Lot 301 Strata Plan VR. 345, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1]*,
- Wen Shao Huang, the registered owner of the lands located at 465 East 16th Avenue *[PID 014-497-000; Lot 17 Block 99 District Lot 301 Plan 1652]*,
- Bertha Miriam Esquitin and Jose Ramon Teres-Flores, the registered owners of the lands located at 475 East 16th Avenue *[PID 026-454-556; Strata Lot 1 Block 99 District Lot 301 Group 1 New Westminster District Strata Plan BCS1551, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V]*,
- Gregory James Moodie and Megan Hollstedt, the registered owners of the lands located at 479 East 16th Avenue *[PID 026-454-564; Strata Lot 2 Block 99 District Lot 301 Group 1 New Westminster District Strata Plan BCS1551, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V]*,

to rezone the lands from ~~RM-4N~~ **RM-4** (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 1.45 to 8.0 and the building height from 10.7 m (35 ft.) to 64.0 m (210 ft.) with additional height for the portion with rooftop amenity, to permit the development of a 20-storey mixed-use building with additional height for the portion with rooftop amenity, containing 211 rental units, of which a minimum of 20% of the residential floor area will be secured as below-market rental units, with commercial space on the ground floor, be approved in principle;

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

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Franc Architecture, received April 4, 2024 and revised January 22, 2025;

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

THAT section 8 of the proposed By-law amendments (Appendix A) for 461-479 East 16th Avenue be amended as follows (with bold to replace strikethroughs):

~~“Horizontal Angle of Daylight Access to Natural Light~~

- 8.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 8.2 For the purposes of section 8.1 above, habitable room means any room except a bathroom or a kitchen.
- 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:~~
- ~~(a) — the Director of Planning or Development Permit Board considers all applicable Council policies and guidelines; and~~
 - ~~(b) — the minimum distance of unobstructed view is at least 3.7 m.”~~

This memo will form part of the April 17, 2025 Public Hearing agenda package and be available for public viewing.



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