



REFERRAL REPORT

Report May 6, 2025
Contact: Lauren Whitney
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VanRIMS No.: 08-2000-20
Meeting Date: May 20, 2025

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 1270-1290 West 11th Avenue

RECOMMENDATION TO REFER

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

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

RECOMMENDATION FOR PUBLIC HEARING

A. THAT the application by Proscenium Architecture + Interiors Inc., on behalf of:

- Becison Holding Corporation Inc., the registered owner of 1270 West 11th Avenue [*PID 014-688-646; Lot 3 Block 393 District Lot 526 Plan 1276*]; and
- Brother Properties Ltd., the registered owner of 1290 West 11th Avenue [*PID 014-688-638; Lot C Block 393 District Lot 526 Plan 1276*];

to rezone the lands from RM-3 (Residential) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 1.0 to 6.8 and the maximum building height from 36.6 m (120 ft.) to 58.2 m (191 ft.) with additional height for the rooftop amenity, to permit the development of a 19-storey residential building containing 155 rental housing units, of which 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 Proscenium Architecture + Interiors Inc., received May 14, 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 subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the new CD-1, generally as set out in Appendix C, be approved.
- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the CD-1, generally as set out in Appendix C;

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

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

REPORT SUMMARY

This report evaluates an application to rezone 1270-1290 West 11th Avenue from RM-3 (Residential) District to CD-1 (Comprehensive Development) District. The proposal is to permit a 19-storey residential building containing 155 rental housing units, of which 20% of the residential floor area would be secured as below-market rental units, and with commercial

space on the ground floor. Staff have assessed the application and conclude that it meets the intent of the *Broadway Plan* (Plan).

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

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)
- Broadway Plan (2022, last amended 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)
- Rental Incentives Programs Bulletin (2012, last amended 2025)
- Tenant Relocation and Protection Policy (2015, last amended 2019)
- Community Amenity Contributions Policy for Rezoning (1999, last amended 2024)
- Green Buildings Policy for Rezoning (2010, last amended 2024)
- Vancouver Development Cost Levy By-law No. 9755 (2008, last amended 2023)
- Vancouver Utilities Development Cost Levy By-law No. 12183 (2008, last amended 2023)
- Public Art Policy and Procedures for Rezoned Developments (2014)
- Urban Forest Strategy (2018)
- Latecomer Policy (2021)
- Transit-Oriented Areas (TOA) Designation By-law (2024)
- Transit-Oriented Areas (TOA) Rezoning Policy (2024)

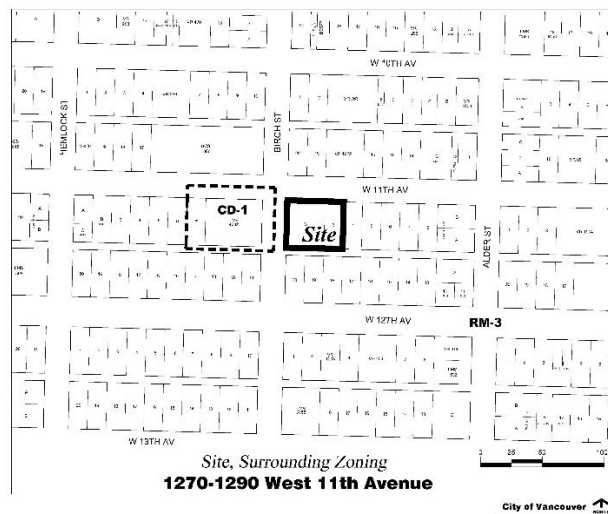
REPORT

Background/Context

1. Site and Context

The site is located on the south side of West 11th Avenue, between Birch and Alder Streets (Figure 1). The site area is 1,741.2 sq. m (18,742 sq. ft.), which includes a 45.7 m (150 ft.) frontage along West 11th Avenue and a lot depth of 38.1 m (125 ft.).

The existing zoning is RM-3 and the surrounding properties consist of low to mid-rise residential and commercial uses. The site is currently occupied by two rental buildings: a two-storey building constructed in 1931 and a three-storey building built in 1959, with a total of 29 existing units between them. Twenty four existing tenancies are eligible under the *Tenant Relocation and Protection Policy*.

Figure 1: Location Map

Neighbourhood Amenities – The following amenities are within close proximity:

- **Parks:** Shaughnessy Park (600 m), Granville Park (665 m) and Granville Loop Park (665 m).
- **Community Space:** Firehall Library (340 m) and False Creek Community Centre (845 m).
- **Childcares:** L'Ecole Bilingue Kindercare and Les Grands Enfants (415 m), Family Montessori School (650 m), False Creek YMCA Child Care (750 m), and Kids and Company - Vancouver West (Infant/Toddler) (785 m).

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

2. Policy Context

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

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 (FSOB) sub-area of the Plan, which enables heights up to 20 storeys and a maximum density of 6.5 FSR for secured-market rental housing with a minimum of 20% of the residential floor area secured at below-market rents. Minor increases in

height and density may be considered for the delivery of ground floor local-serving retail/service uses or childcare. The block on which this site is located contains a limit of two towers per block.

Interim Housing Needs Report – 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 was received on January 1, 2025.

Housing Vancouver – *Housing Vancouver* focuses on the right supply of new homes, including rental, to meet a continuum of housing types. Overall, 83,000 new homes are targeted from 2024-2033, including 10,000 social, supportive and non-profit co-operative units, and 35,500 purpose-built rental units. Housing Vancouver includes actions and objectives to retain a diversity of incomes and households in the city. If approved, this rezoning will contribute towards the targets for purpose-built rental housing units.

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 within Tier 3 of the TOA legislation which allows heights up to eight storeys and a maximum density of 3.0 FSR. As the Plan allows more height and density, the application is being assessed under the Plan policies.

City-Initiated Zoning Changes (Rezoning) in Areas of Broadway and Cambie Corridor Plans – City staff are currently working on City-initiated zoning amendments for certain areas of Broadway and Cambie Corridor. This initiative aims to standardize regulations and simplify the development process through new zoning district schedules. A referral report outlining proposed zoning amendments is expected to be brought to Council in 2025.

The site is located within the proposed City-initiated rezoning area of the Broadway Plan. However, the consideration of these proposed zoning amendments does not prevent the current application from proceeding through a CD-1 rezoning process.

Strategic Analysis

1. Proposal

The proposal is for a 19-storey residential building with 155 rental housing units, of which 20% of the residential floor area will be secured at below-market rents (Figure 2). The proposal offers ground-floor commercial space fronting onto 11th Avenue. Three levels of underground parking are accessed from the lane. This application represents the first tower on this block.

2. Land Use

The proposed tenure and uses are consistent with the intent of the Fairview South – Area B (FSOB) sub-area of the Plan for residential and commercial uses.

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

In assessing urban design performance, staff considered the Plan's built form expectations.

Figure 2: Project Perspective from corner of West 11th Avenue and Birch Street

Form of Development – This application is consistent with the Plan for residential mid- to high-rise typologies which allows for 12 to 20 storeys on a four-storey podium (see Figure 2). The proposed height is 19 storeys on a three-storey podium which responds to the surrounding context while maintaining the Plan’s urban design objectives. The proposal generally meets the Plan’s expectations for site requirements, setbacks and floor plate size. Staff have prepared a condition to ensure that the proposed tower provides a minimum tower separation to a possible future tower directly south.

Height – The proposed height of 58.2 m (191 ft) is appropriate for 19 storeys.

Density – The Plan estimates a density of up to 6.5 FSR with an additional 0.3 FSR for the delivery of ground-level local-serving retail/service uses. The application complies with the Plan’s objectives and proposes a density of 6.8 FSR.

Public Realm and Interface – The Plan envisions buildings that compliment the character and qualities of the surrounding neighbourhood and encourage small scale, ground-level retail. The proposal includes active storefronts and greater setbacks along street frontages to support retail activities and create an attractive pedestrian experience. Staff have prepared a condition to improve accessibility to retail units.

Shadowing – Proposal creates no shadow impacts onto public parks or schools.

Private Amenity Space – The development offers on-site common indoor and outdoor amenities for the residents at the podium and tower rooftop. An additional common outdoor amenity is located at ground level at southwest corner of the building.

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

Staff reviewed the site-specific conditions and have concluded that the proposal reflects the Plan's built form, height and density 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 155 units, including approximately 124 market rental units and 31 below-market rental units (20% of the residential floor area), to the City's inventory of rental housing, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 3).

Figure 3: Progress Towards 10 Year Housing Vancouver Targets (2024-2033) for Secured Market Rental Housing as of December 31st, 2024

Housing Type	Category	10-Year Targets ¹	Units Approved Towards Targets ²
Purpose-Built Market Rental Units³	Market Rental	30,000	5,633 (19%)
	Developer-Owned Below Market Rental	5,500	768 (14%)
	Total	35,500	6,401 (18%)

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

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

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

Vacancy Rates – Vancouver has exhibited historically low vacancy rates in the last 30 years, as based on the Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey. The purpose-built apartment vacancy rate in Vancouver was 1.6% for 2024. The purpose-built apartment vacancy rate for the South Granville/Oak area specifically, in which this site is located, was 1% for 2024. A vacancy rate between 3% and 5% is considered representative of 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 37% family units in a mix of two-bedroom and three-bedroom units. A condition of approval and the CD-1 By-law have included provisions to ensure that a minimum of 25% two-bedroom units and minimum of 10% three-bedroom units is met separately in both the market rental and below-market portions. All family units must be designed in accordance with the *High Density Housing for Families with Children Guidelines*.

Average Rents and Income Thresholds – Figure 4 below shows starting rents for below-market rental units. 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 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 than the city-wide average market rents at the time of initial occupancy. On unit turnover, rents in the below-market units may be reindexed to 20% less the city-wide average market rent by unit type current at the time of unit turnover.

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*.

Security of Tenure – Purpose-built rental housing offers secured rental housing and security of tenure, unlike rented condominiums or basement suites in the secondary rental market. All 155 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, including starting rents, are contained in Appendix B.

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

Unit Type	Below-Market Rental Units			Newer Rental Buildings Westside		Monthly Costs of Ownership for Median-Priced Apartment –Westside (with 20% down payment)		
	Proposed Average Unit Size (sq. m)	2025 Starting Rents ¹	Average Household Income Served ⁴	Average Market Rent ²	Average Household Income Served ⁴	Monthly Cost of Ownership (BC Assessment 2021) ³	Average Household Income Served ⁴	Down-payment at 20% ³
Studio	n/a	\$1,294	\$51,776	\$1,902	\$76,080	\$2,837	\$113,480	\$106,000
1-bed	51.7	\$1,470	\$58,784	\$2,306	\$92,240	\$3,473	\$138,920	\$132,000
2-bed	75	\$2,052	\$82,080	\$3,372	\$134,880	\$5,193	\$207,720	\$198,400
3-bed	96.7	\$2,819	\$112,768	\$4,434	\$177,380	\$7,982	\$319,280	\$311,890

1. Starting rents shown are calculated based on a 20 per cent discount to city-wide average market rents as published by CMHC in the fall 2024 Rental Market Report and set in the Rental Incentive Programs Bulletin for the year 2025.
2. Data from October 2023 CMHC Rental Market Survey for buildings completed in 2014 or later on the Westside of Vancouver
3. Based on the assumptions: Median of all BC Assessment strata apartment sales prices in Vancouver Westside in 2021 by unit type, 20% down-payment, 5% mortgage rate (in-line with qualifying rate), 25-year amortization, \$250-\$350 monthly strata fees and monthly property taxes at \$2.92 per \$1,000 of assessed value (2021 assessments and property tax rate).
4. Incomes are estimated based on rents or monthly ownership costs at 30% of income.

Tenants – The rezoning site contains existing residential rental uses, including 29 units of primary rental housing. Out of the 29 existing residential tenancies on site, 24 are eligible under the City's *Tenant Relocation and Protection Policy* (TRPP) for the Plan area.

The applicant has provided a Tenant Relocation Plan (TRP) for eligible tenants which meets the enhanced tenant protection requirements of the City's TRPP for the Plan area. The TRP is summarized in Appendix D of this report.

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

5. Transportation and Parking

The site is well served by bus routes along West Broadway and the future Broadway Subway Granville Station, located two blocks north.

Vehicle and bicycle parking is provided on three levels of underground parking, accessed from the lane. The application proposes 108 vehicle parking spaces and 422 bicycle spaces. The applicant is required to provide transportation improvements including new boulevards along 11th Avenue and Birch Street, along with speed humps in the lane. Conditions in Appendix B require the proposal to meet the requirements of the Parking By-law at the development permit stage.

6. Environmental Sustainability and Natural Assets

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

Natural Assets – The *Urban Forest Strategy* seeks to 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.

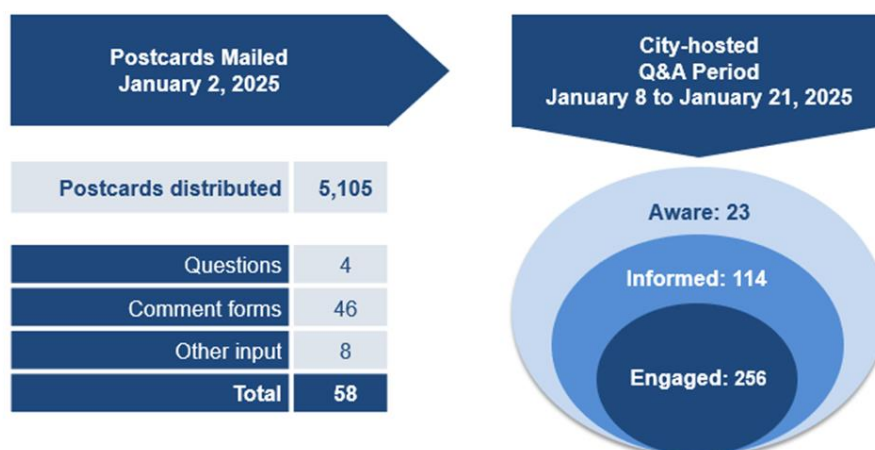
There are eight existing on-site by-law trees, 11 City trees, and two neighbouring trees on the adjoining site. No trees have been identified for retention. Ten replacement trees are proposed, including two trees on the adjacent property. New street trees will be required where space permits. A final replacement strategy will be confirmed at the development permit stage. See Appendix B for landscape and tree conditions, which includes the allocation of additional space for planting areas.

7. Public Input

Public Notification – A rezoning information sign was installed on the site on July 9, 2024. Approximately 5,105 notification postcards were distributed within the neighbouring area on or about January 2, 2025. 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 January 8 to January 21, 2025. 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 58 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 were for the addition of new housing to the area and the application of the Tenant Relocation and Protection Policy. Comments also highlighted that the addition of height and density is appropriate in this area, indicating even greater density could be supported.

Concerns were raised about the proposed height and density not aligning with existing low to mid rise developments, the addition of commercial space creating noise and being incompatible with the surrounding residential uses, and anticipated negative impacts on neighbourhood character. Concern was also expressed for the lack of existing amenities and infrastructure to accommodate the increase in density.

Response to Public Comments – The proposed height, scale, uses and proportion of below-market units are consistent with the FSOB sub-area of the Plan. Further, the proposed commercial space aligns with policy to deliver neighbourhood serving retail uses to the area. Future amenities will be delivered through the Plan’s Public Benefits Strategy, which establishes priority amenities to accommodate a growing community. In terms of local infrastructure, staff have conditioned local sewer and green infrastructure upgrades, as well as street improvements to meet increased demand.

8. Public Benefits

Community Amenity Contribution (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 no CAC is expected.

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

In accordance with the provisions of Section 3.1A(d) of the Vancouver DCL By-law and the Area Specific DCL By-law the applicant has requested a 100% waiver of the City-wide DCL attributed to the residential floor area qualifying as Class A “for-profit affordable rental housing”. Class A

means rental housing where a minimum 20% of the residential floor area is secured as below-market rental units with maximum average rents for each type of unit that do not exceed the rates set out in the DCL By-laws.

Based on rates in effect as of September 30, 2024 and the proposed 11,306.2 sq. m (121,699 sq. ft.) of residential the value of the DCL waivers for the residential floor area is estimated to be \$2,874,149. The value of the Utilities DCL for the proposed residential floor area is estimated to be \$1,800,965. DCLs cannot be waived on the commercial space. Based on 504.5 sq. m (5,430 sq.ft) DCLs payable on commercial space are estimated to be \$168,432. Compliance with DCL waiver requirements will continue to be assessed through the development permit stage up to occupancy permit issuance at which point the applicant will be required to submit a rent roll that sets out the initial monthly rents for each unit.

A development may qualify for 12 months of in-stream rate protection from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the City's [DCL Bulletin](#) for details on DCL rate protection.

Public Art Program – The *Public Art Policy for Rezoned Developments* requires rezonings with a floor area of 9,290.0 m² (100,000 sq. ft.) or greater to contribute public art or provide 80% cash in lieu as a condition of rezoning. This project is expected to contribute a public art budget of approximately \$251,718.

Financial Implications

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

CONCLUSION

The proposed land use, height, and density are consistent with the intent of the Plan. If approved, this application would contribute 155 rental residential units to the City's rental housing stock, with 20% of the residential floor area secured at below-market rents.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing together with a draft CD-1 By-law as generally shown in Appendix A and 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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1270-1290 West 11th 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 6.5 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) Cultural and Recreational Uses;
 - (b) Dwelling Uses, limited to Mixed-use Residential Building;
 - (c) Institutional Uses;
 - (d) Retail Uses;

- (e) Service Uses;
- (f) Utility and Communication Uses; and
- (g) 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 must:
 - (a) be suitable for family housing; and
 - (b) have 2 or more bedrooms, of which:
 - (i) at least 25% of the total dwelling units must be 2-bedroom units, and
 - (ii) at least 10% of the total dwelling units must be 3-bedroom units.
- 5.3 No portion of the first storey of a building, to a depth of 10.7 m from the front wall of the building and extending across its full width, may be used for residential purposes except for entrances to the residential portion.
- 5.4 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building, other than the following:
 - (a) display of flowers, plants, fruits and vegetables in combination with a permitted use;
 - (b) farmers' market;
 - (c) neighbourhood public house;
 - (d) public bike share; and
 - (e) restaurant,

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

Floor Area and Density

- 6.1 Computation of floor area must assume that the site area is 1,741.2 m², being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.

- 6.2 The maximum floor space ratio for all uses combined is 6.8 and must include a combination of residential use and commercial use.
- 6.3 The total floor area for commercial uses must be a minimum of 504.5 m².
- 6.4 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.
- 6.5 Computation of floor area and dwelling unit area must exclude:
- (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that:
 - (i) the total area of these exclusions must not exceed 12% of the permitted floor area, and
 - (ii) the balconies must not be enclosed for the life of the building;
 - (b) patios and roof decks, if the Director of Planning considers the impact on privacy and outlook;
 - (c) floors or portions thereof that are used for:
 - (i) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,
 - (ii) bicycle storage, and
 - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;
 - (d) entries, porches and verandahs if the Director of Planning first approves the design;
 - (e) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and
 - (f) all storage area below base surface for non-dwelling uses.
- 6.6 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.
- 6.7 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 58.2 m.
- 7.2 Despite section 7.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, if the Director of Planning permits common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portions of the building with the permitted common rooftop amenity space or mechanical appurtenances must not exceed 64.9 m.

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.

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1270-1290 West 11th 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 or Development Permit Board 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 Proscenium Architecture and Interiors Inc., received May 14, 2024.

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

Urban Design

- 1.1 Design development to ensure adequate tower separation from a potential tower directly to the south.

Note to Applicant: Refer to Broadway Plan 11.1.7 (a). Setback from the centre line of lane to the proposed tower should be approximately 40 ft. This may be achieved by shifting proposed tower massing closer to front setback line. Note that front setback is to be minimum of 12 ft.

- 1.2 Design development to improve public realm interface along 11th Avenue and Birch Street.

Note to Applicant: This may be achieved by:

- (a) Improving accessibility to retail units. Refer to Broadway Plan 11.1. The interface between commercial uses at grade and the public realm should be designed to create a safe, welcoming pedestrian experience that is attractive and accessible.
- (b) Provide a setback of approximately 1 m to underground parkade structure to allow for increased planting and space such that trenching for future maintenance of parkade wall can be done wholly on private property. Consider notching parkade at corners of upper level to provide soil capacity for significant landscaping at these locations. Refer to Broadway Plan sections 11.1.50 and 11.4.8, and Landscape Condition 1.3.

Landscape

- 1.3 Design development to provide a greater proportion of planting areas and feature landscaping including trees within the ground floor outdoor area along Birch Street and West 11th Avenue.

Note to Applicant: Provide further consideration of programming and a more refined landscape design in order to create more inviting seating areas, improve the public realm interface. Refer to section 19.3.1 of the Broadway Plan, and Urban Design condition 1.2 (a).

- 1.4 Provision of a Letter of Consent for the removal of any trees on the neighbouring property at 1264 West 11th Avenue.

Note to Applicant: Two (2) trees appear to be on the neighbouring property according to the submitted survey. These trees are proposed for removal in the submitted documents. The removal of these trees, or any other shared trees that straddle the property line with this neighbour, cannot be considered until a signed Letter of Consent from the owner of 1264 W 11th Avenue is submitted. In the event that tree removal consent cannot be obtained, design development will be required to retain these trees.

Standard conditions required at time of development permit:

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

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

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

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

- 1.7 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 at pbdevelopment.trees@vancouver.ca 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 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".

- 1.8 Provision of confirmed trenching locations for utility connections, avoiding conflict with tree root zones and addition of the following note: "Trenching for utility connections to be coordinated with Engineering Department to ensure safe root zones of retained trees. Methods of tree protection for street trees to be approved by Park Board Urban Forestry".

Note to Applicant: Methods of tree protection for street trees (as approved by Park Board Urban Forestry) to be shown on plan. Relocation of trenching locations are required if in conflict with tree protection. Two separate applications must be applied for: A commercial water permit and another commercial sewer permit. Please contact Engineering services as soon as possible to begin the process for confirming the trenching locations for Sewer and for Water.

Housing

- 1.9 The proposed unit mix, including 97 one-bedroom units (63 %), 44 two-bedroom units (28 %) and 14 three-bedroom units (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 portions.

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

Note to Applicant: Provide confirmation in the Development Permit drawings that the below market rental component meets the requirement for a minimum of 10% of units with three or more bedrooms and 25% of units with two bedrooms, and clearly label below market units on the architectural drawings.

- 1.10 The development should be designed in accordance with the High-Density Housing for Families with Children Guidelines, including the provision of:
- (a) an outdoor amenity area to include areas suitable for a range of children's play activities and urban agriculture appropriate in size for the scale of the project and situated to maximize sunlight access (S. 3.3.2, 3.4.3);
 - (b) a minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each dwelling unit (S. 4.4.2);

Note to applicant: Provide confirmation that storage meets the minimum size requirements.

- (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).

Note to Applicant: Label drawings to confirm minimum dimensions are met.

- 1.11 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

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

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

Engineering

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

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

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

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

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

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

- 1.15 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>

- 1.16 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.
- 1.17 Arrangements to the satisfaction of the General Manager of Engineering Services and the appropriate public utility companies for pole relocation if vehicle access to the site cannot be relocated.

Note to Applicant: Vehicle access to the site must be unobstructed. Pole relocation proposals must include submitted letters from the appropriate public utility companies confirming that relocation is possible.

- 1.18 Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.
- 1.19 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.

- 1.20 Submission to Engineering of an updated landscape plan reflecting all the public realm changes, including demonstration of:

(a) Display of the following note(s):

- (i) "This plan is **"NOT FOR CONSTRUCTION"** and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of

any construction proposed for public property. No work on public property may begin until such plans receive “For Construction” approval and related permits are issued. Please contact Engineering, Development and Major Projects and/or your Engineering, Building Site Inspector for details.”

- (ii) "Tree species, final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil volumes. Installation of Engineered Soil may be required to obtain appropriate soil volumes based on site conditions. Root barriers shall be of rigid construction, 8 feet long and 18 inches deep, centred on each street tree adjacent to the sidewalk and any off-street bike facility. Planting depth of root ball must be below sidewalk grade. Contact Park Board at pbdevelopment.trees@vancouver.ca for inspection after tree planting completion".
- (iii) “The required Green Instructure improvements on 1270 West 11th Avenue will be as per City-issued design”.

Note to Applicant: Callouts must be included along with the note.

For further information, contact Green Infrastructure Implementation Branch, ESRGGIIDL@vancouver.ca.

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

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

- (b) Existing locations of:

- (i) street furniture; and

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

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

- (ii) poles and guy wires.

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

(c) Deletion of:

- (i) All special surface treatments from the City boulevard along Birch Street and West 11th Avenue.

Note to Applicant: surface treatment in the lane is to be standard asphalt only. Surface treatments in hardscape areas of the boulevard and plaza are to be in standard concrete only.

- (d) Ensure proposed stairs and accessibility ramp on West 11th Avenue are entirely accommodated on private property.
- (e) 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 DP 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 are viewable online at <https://vancouver.ca/streets-transportation/streetscape-design-guidelines.aspx> and are to be used alongside the City design guidelines and construction standards.

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

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

1.22 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.

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

1.23 Provision of the following general revisions to architectural plans, including:

- (a) All types of parking, loading, bicycle, end-of-trip facilities and passenger loading spaces individually numbered, and labelled on the drawings;
- (b) Dimension of columns and column encroachments into parking spaces;
- (c) 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;
- (d) 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 sewer abandonment plan by the Developer's Engineer that details the following:

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

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

1.25 Provision of a Final Hydrogeological Study which meets the requirements of the Groundwater Management Bulletin <https://guidelines.vancouver.ca/bulletins/bulletin-groundwater-management.pdf>.

Note to Applicant: A revised version of the Groundwater Management Bulletin was released on November 1, 2024. All Rezoning and Development Permit applications for developments with 1 or more levels of below-ground structure (but excluding lower density residential buildings with 8 or fewer units) located in an area of concern for groundwater will have to meet the requirements of the revised Bulletin.

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

Engineering

- 2.1 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for consolidation of Lot C and Lot 3, Block 393, District Lot 526, Plan 1276 to create a single parcel.

Note to Applicant: A subdivision plan and application to the Subdivision and Strata Group is required. For general information see the subdivision website at: <http://vancouver.ca/home-property-development/apply-to-subdivide-or-join-properties.aspx>

2.2 Provision of a natural watercourse agreement.

Note to Applicant: Records indicate a natural watercourse passes through this site, a requiring legal agreement ensuring that should the watercourse be discovered or impact the site during development and beyond that its flow will not be obstructed.

2.3 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, all to the satisfaction of the General Manager of Engineering Services. 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 2.4(a), 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 Jensen Hughes Consulting Canada Ltd. dated April 24, 2024, no water main upgrades are required to service the development.

The main servicing the proposed development is 200 mm on West 11th Avenue and 200 mm on Birch Street. Should the development require water service connections larger than the servicing main, 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 upgrade. The maximum water service connection size is 300 mm.

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

As per the City of Vancouver Building By-law, the principal entrance must be within 90m 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 1270 11th Avenue requires the following in order to improve STM and SAN sewer flow conditions.

Local Servicing Upgrade:

- (i) Separate 85.5 m of existing 300 mm COMB main to 450 mm STM and 300 mm SAN in West 11th Avenue from MH400139 fronting 1256 West 11th Avenue to MH396733 at West 11th Avenue and Birch Street.
- (ii) Separate 80.4m of existing 300 mm COMB main to 450 mm STM and 300 mm SAN on West 11th Avenue from MH396733 at West 11th Avenue and Birch Street to MH420400 fronting 1346 West 11th Avenue.

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

Developer's Engineer to submit design brief, calculations and/or model, and design drawings to the City. All submittals including Issued for Construction (IFC) drawings are required to be reviewed and accepted by the City Engineer prior to building permit issuance.

Development to be serviced to the existing 300 mm SAN and 450 mm STM sewers on West 11th Avenue.

- (c) Provision of street improvements with appropriate transitions, along West 11th 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;
 - (iii) Corner curb ramp;
 - (iv) Curb bulge, including relocation of the existing catch basin, street light pole to the front boulevard and road reconstruction as required to accommodate the curb bulge;

Note to applicant: Final design of street improvements to follow the upcoming Broadway Public Realm Plan. These boulevard and sidewalk improvements will require the removal and replacement of existing street trees (identified as 105-110 in the arborist report). Contact the City's Urban Forestry group to coordinate the removal of these trees. The City will provide a geometric design for all street improvements.

- (d) Provision of street improvements with appropriate transitions, along Birch Street 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;
- (iii) Corner curb ramp;
- (iv) Curb bulge, including relocation of the existing catch basin and road reconstruction as required to accommodate the curb bulge;

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

- (e) Provision of street improvements with appropriate transitions, along the lane south of West 11th Avenue, adjacent to the site, including:

- (i) Full depth pavement reconstruction;

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

- (ii) New standard concrete lane crossing, with new lane returns and ramps on both sides, at the lane entrance on Birch Street.

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

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

- (f) Provision of speed humps in the lane south of West 11th Avenue between Birch Street and Alder Street.

- (g) Provision Green Infrastructure improvements to the satisfaction of the General Manager of Engineering Services, including:

- (i) Installation of a bioretention system in curb bulge on West 11th Avenue to treat and retain 90% of average annual rainfall from the right-of-way (RoW) to the greatest extent practical.

Note to Applicant: These improvements generally include placement of plants, growing medium, and perforated pipe sub drain connected to the sewer system. To be coordinated with Streets and Transportation.

Green Infrastructure (GI) should be used to manage rainwater from the street right-of-way as required in the [Rain City Strategy](#). The retention standard for the right-of-way is to treat and retain 90% of average annual rainfall where possible. These design standards are applied to the prescribed GI measures listed above.

For further information, contact Green Infrastructure Implementation Branch,
ESRGGIIDL@vancouver.ca

- (h) Provision of upgraded street lighting (roadway and sidewalk) and existing lane lighting to current City standards and IESNA recommendations.
- (i) Provision of Birch Street and West 11th Avenue entire intersection street lighting upgrade to current City standards and IESNA recommendations.
- (j) 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.

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

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

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

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

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

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

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.

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

- (a) Sewer (Sanitary and Storm) servicing upgrades as required by Condition 2.3(b)(i) and Condition 2.3(b)(ii).

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

- 2.5 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and 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 90 days at a time;
- (d) That the average initial starting monthly rents by unit type for the below-market rental housing dwelling 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 dwelling units will be required prior issuance of an Occupancy Permit, to the satisfaction of the General Manager of Planning,

Urban Design or Sustainability (or successor in function) and the Director of Legal Services;

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

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

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

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

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

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

Public Art

- 2.7 Execute an agreement satisfactory to the Director of Legal Services and the Managing Director of Arts & Culture for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Head of Public Art.

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

Environmental Contamination

- 2.8 Submit a site disclosure statement to Environmental Services;
- 2.9 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
- 2.10 If required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements constructed on the site pursuant to this rezoning until separate Certificates of Compliance, satisfactory to the City, for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

Agreements

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

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

* * * * *

1270-1290 West 11th Avenue
PROPOSED CONSEQUENTIAL BY-LAW AMENDMENTS

DRAFT AMENDMENT TO THE SIGN BY-LAW NO. 11879

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

“1270-1290 West 11th Avenue [CD-1 #] [By-law #] C-2”

DRAFT AMENDMENT TO THE NOISE CONTROL BY-LAW NO. 6555

Council amends Schedule B (Intermediate Zone) by adding the following:

“[CD-1#] [By-law #] 1270-1290 West 11th Avenue”

* * * * *

1270-1290 West 11th Avenue
SUMMARY OF TENANT RELOCATION PLAN TERMS

Tenant Relocation and Protection Requirements	Tenant Relocation Plan Offer
Financial Compensation	<p>The choice of either:</p> <ul style="list-style-type: none"> • Compensation in the form of free rent, a lump sum payment, or a combination of both, will be available for each unit eligible for Tenant Relocation Plan according to the following schedule: <ul style="list-style-type: none"> ○ 4 months' rent for tenancies up to 5 years; ○ 5 months' rent for tenancies over 5 years and up to 10 years; ○ 6 months' rent for tenancies over 10 years and up to 20 years; ○ 12 months' rent for tenancies over 20 years and up to 30 years; ○ 18 months' rent for tenancies over 30 years and up to 40 years; and ○ 24 months' rent for tenancies over 40 years. <p>Or:</p> <ul style="list-style-type: none"> • For tenants that wish to 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 lump sum rent top-up payment, equivalent to the estimated value of a rent top-up for 33 months.
Notice to End Tenancies	<ul style="list-style-type: none"> • Landlord to provide regular project updates to tenants throughout the development approvals process. • A minimum of four months' notice to end tenancy after all permits are issued is required (e.g. all development, building, and demolition permits in place).
Moving Expenses (flat rate or arrangement of an insured moving company)	<ul style="list-style-type: none"> • A flat rate of \$750 or \$1000 will be provided to all eligible tenants depending on the type of unit.
Assistance in Finding Alternate Accommodation (3 options)	<ul style="list-style-type: none"> • Tenant needs assessment surveys will be used in relocation efforts and to identify tenants' needs and preferences. • The applicant will 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"> • For low income tenants and tenants facing other barriers to housing, as defined in the TRP Policy, the applicant will assist in securing a permanent, suitable affordable housing option.
First Right of Refusal	<ul style="list-style-type: none"> • The applicant will offer all eligible tenants the Right of First Refusal to return to the new building at either a 20% discount to city-wide average market rents by unit type for the City of Vancouver, as published annually, or at the tenant's current rent, whichever is less.

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1270-1290 West 11th Avenue
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

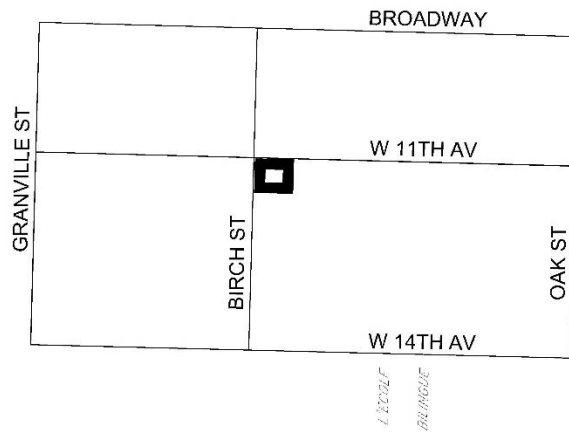
	Date	Results
Event		
Question and Answer Period (City-led)	January 8, 2025 – January 21, 2025	256 participants (aware)* <ul style="list-style-type: none"> • 114 informed • 23 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and Question and Answer Period	January 2, 2025	5,105 notices mailed
Public Responses		
Online questions	January 8, 2025 – January 21, 2025	4 submittals
Online comment forms <ul style="list-style-type: none"> • Shape Your City platform 	July 2024 – February 2025	46 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	July 2024 – February 2025	46 submittals <ul style="list-style-type: none"> • 14 responses • 31 responses • 1 response
Other input	July 2024 – February 2025	8 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	January 8, 2025 – January 21, 2025	256 participants (aware)* <ul style="list-style-type: none"> • 114 informed • 23 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



3. Analysis of All Comments Received

Below is an analysis of all public feedback by topic.

Generally, comments of support fell within the following areas:

- **Housing:** The proposed development would add much needed housing in the area.
- **Height, density, and massing:** Due to the location of the development, the height and density is appropriate. However, even greater density would be supported.
- **Displacement:** Appreciate the application of Tenant Relocation and Protection Policy for this project.

Generally, comments of concern fell within the following areas:

- **Height, density, and massing:** The height of the proposal would be too tall in an area that only has low to mid rise developments. Extra density in Fairview would not be preferred as well.
- **Commercial:** Commercial is not supported in this area. It would create too much noise in a quiet residential area. There are also concerns that the types of commercial may not be compatible with the area.
- **Neighbourhood character:** The development takes away the neighbourhood character, history, and natural environment by incorporating glass high rises. The project would also not provide any value to the community.

- **Amenities and infrastructures:** There is a lack of existing amenities and infrastructures to accommodate the increase in density. Adding more schools, community centres, and grocery stores would benefit the community. There are also concern on sewer upgrades.

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

General comments of support:

- This project introduces commercial.
- Location is supported given proximity to transit hubs.
- Building design is attractive.

General comments of concern:

- Against tearing down older affordable units and replace them with smaller unaffordable ones.
- Concerns that new units will not be affordable.
- The project would cast shadows and reduce access to sunlight.
- There is not enough parking in the area. More parking should be proposed.

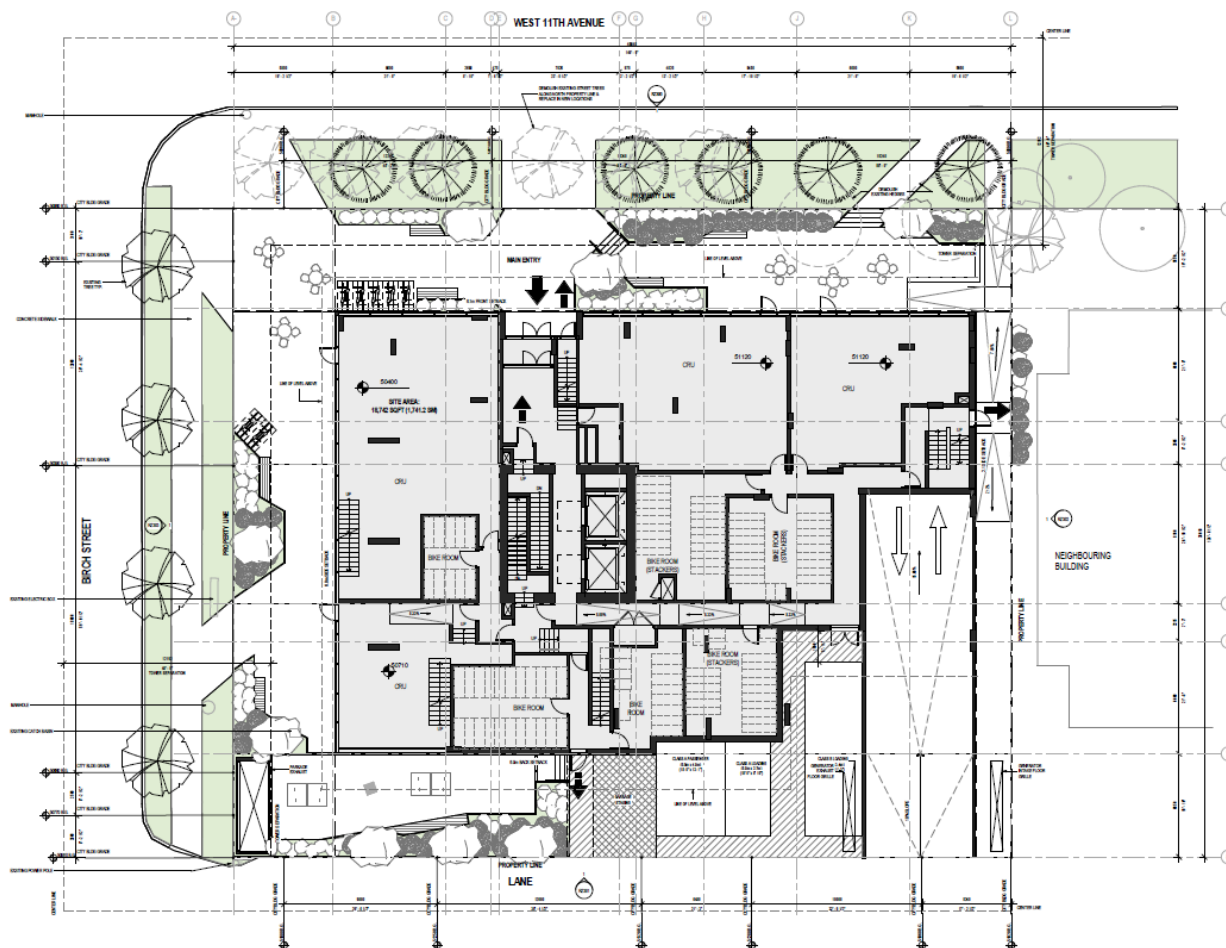
Neutral comments/suggestions/recommendations:

- The location of the garage exit should be relocated.
- The western retail units should consider including accessibility ramps.
- This project should be expedited and bypass Public Hearing.
- A lower or mid-rise building would be preferred in this area.

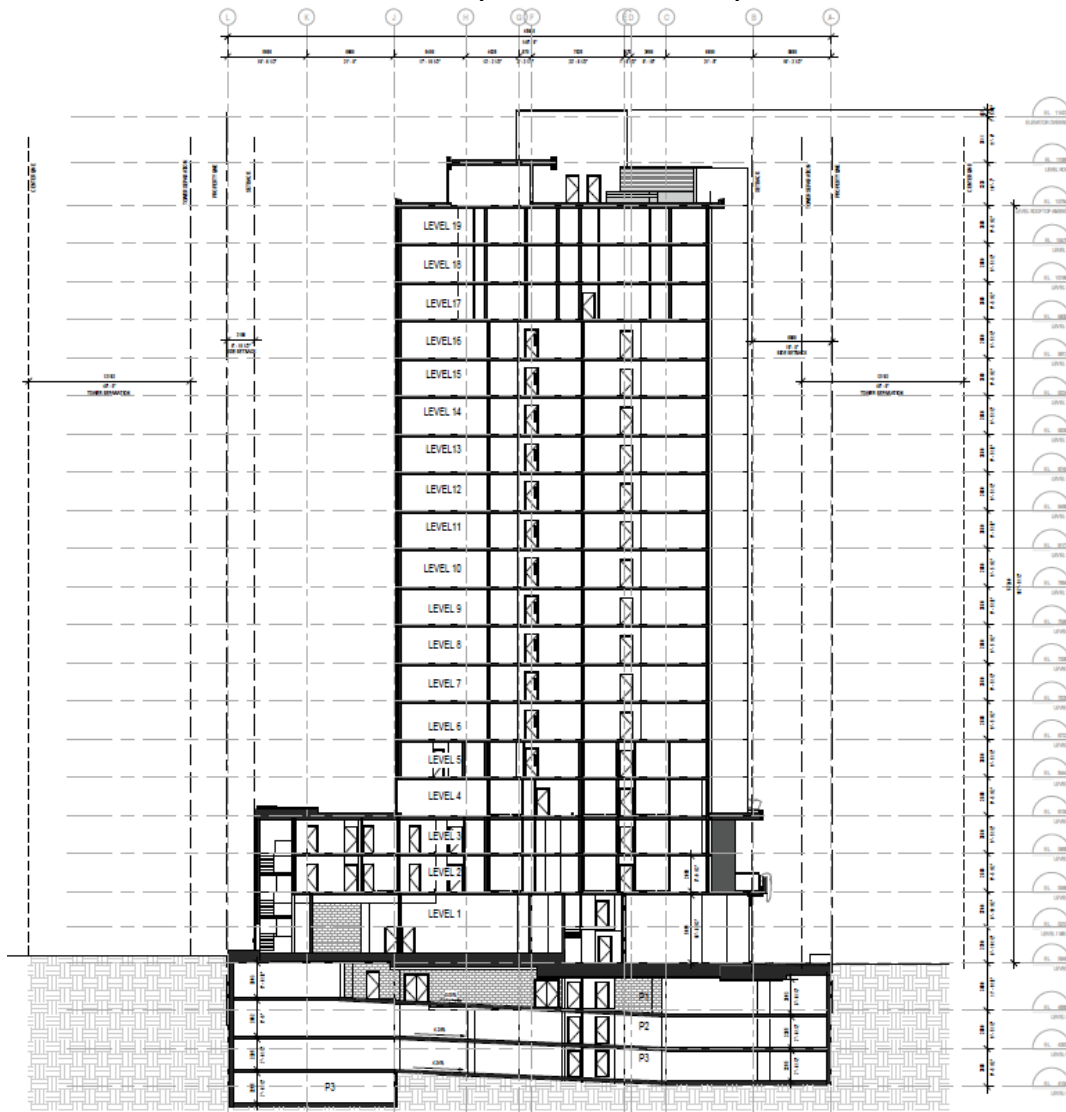
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1270-1290 West 11th Avenue
FORM OF DEVELOPMENT DRAWINGS

Site Plan



Sections (B-1 – North South)



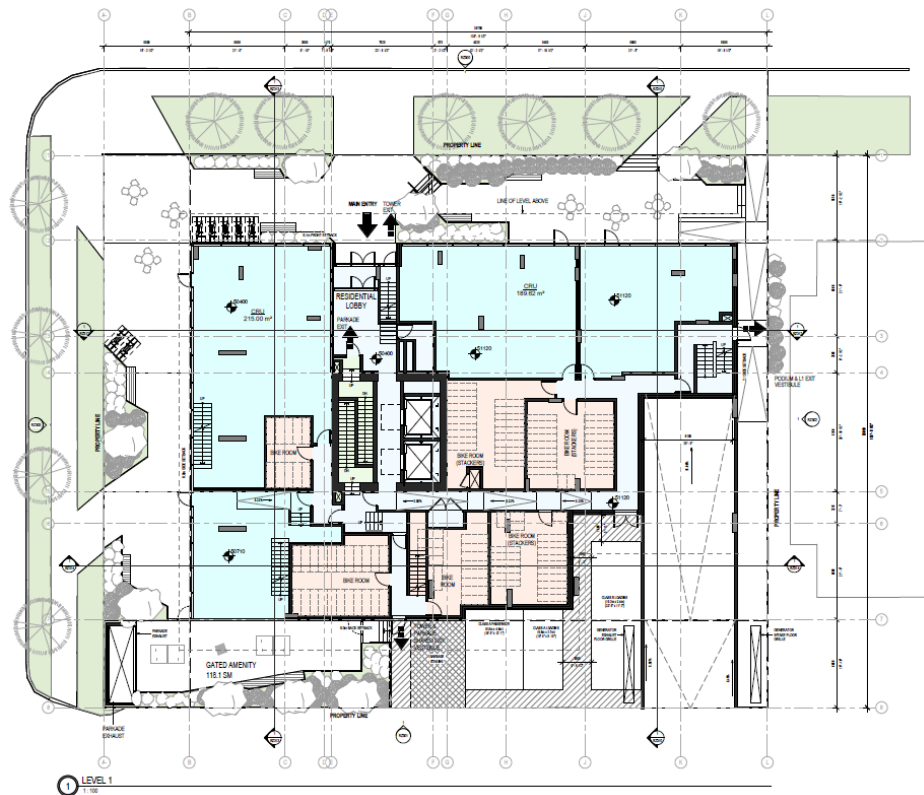
Elevation (North)



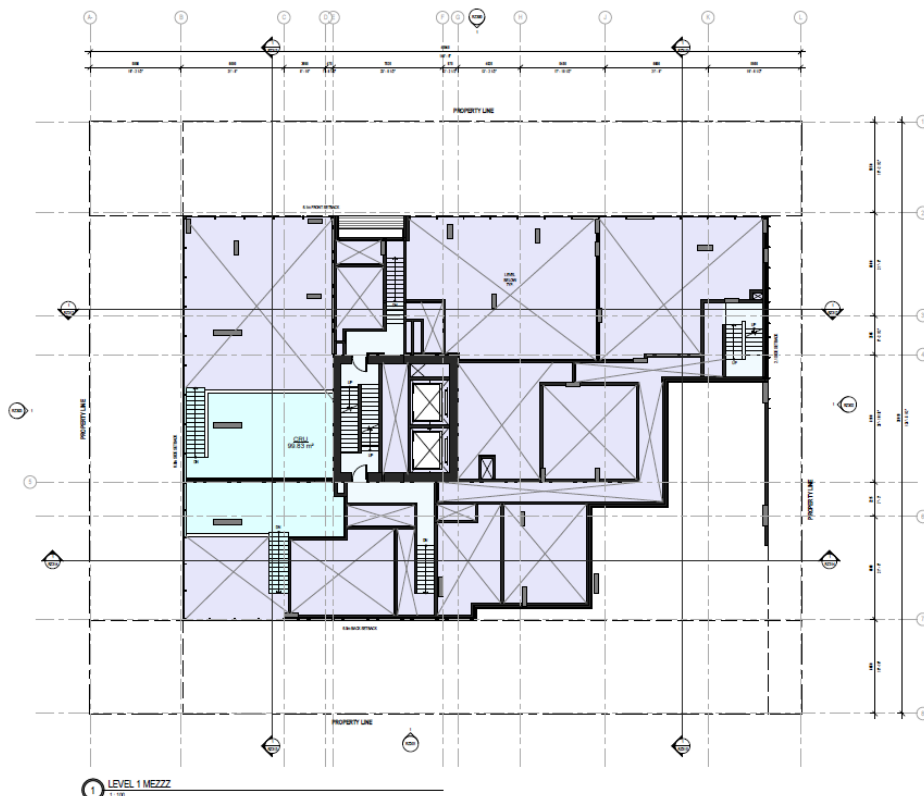
Elevation (West)



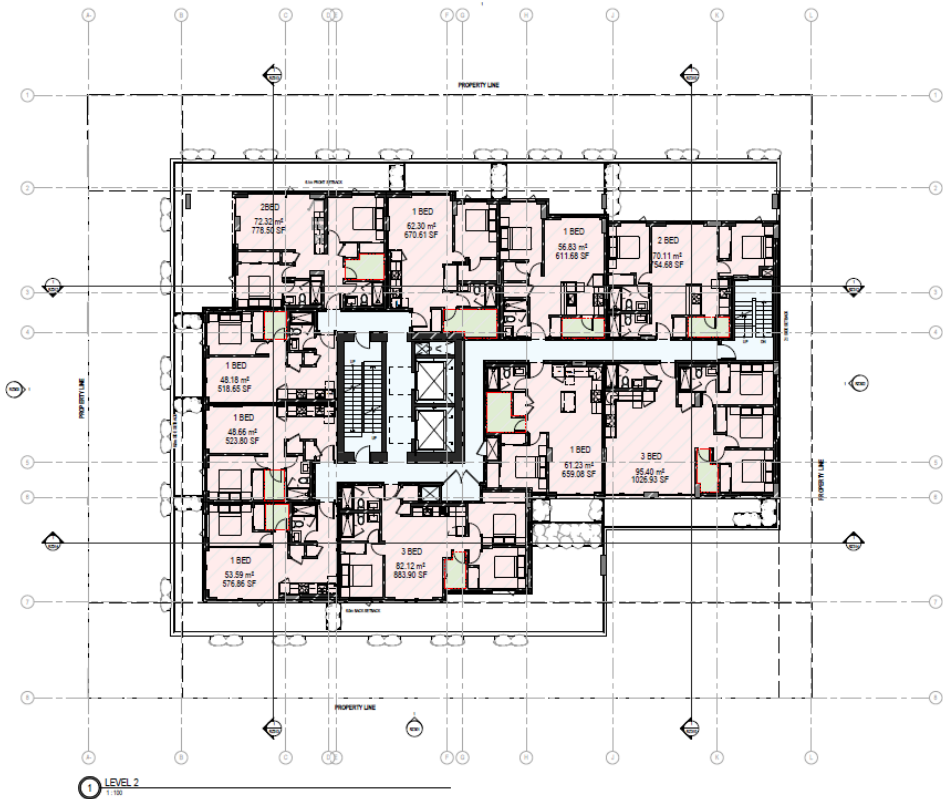
Floor Plan – Level 1



Floor Plan – Mezzanine



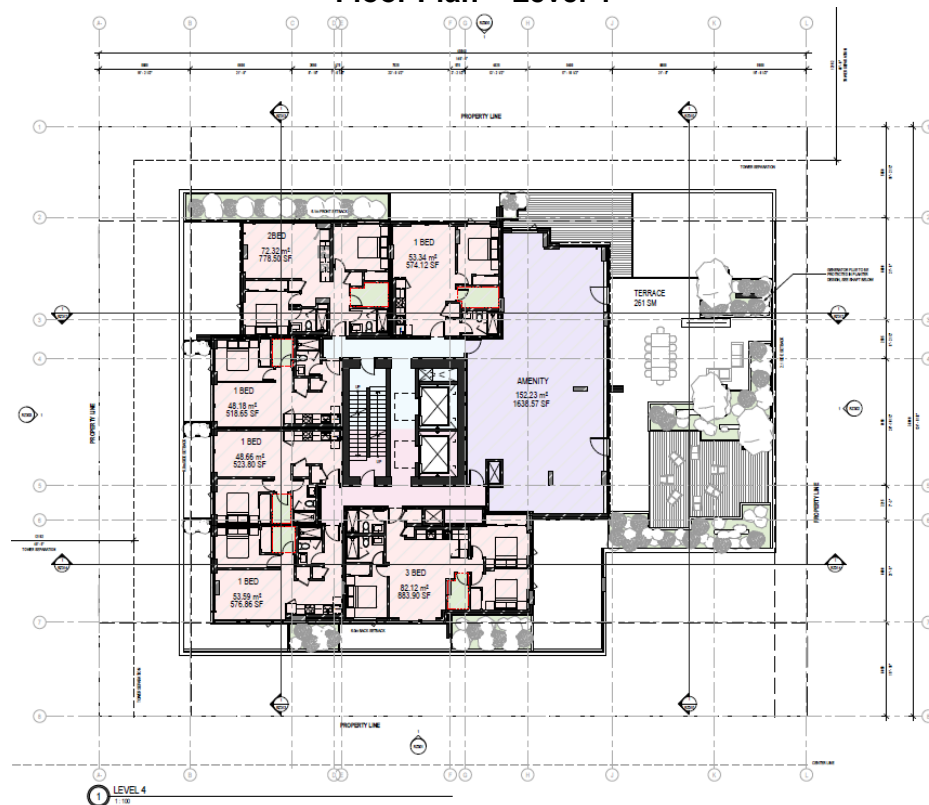
Floor Plan – Level 2



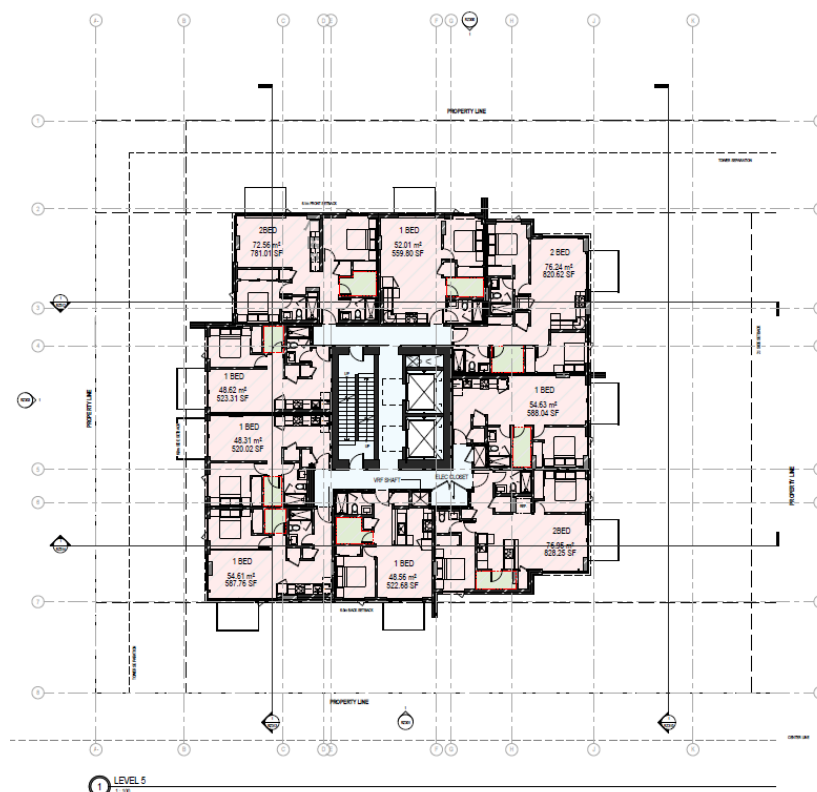
Floor Plan – Level 3



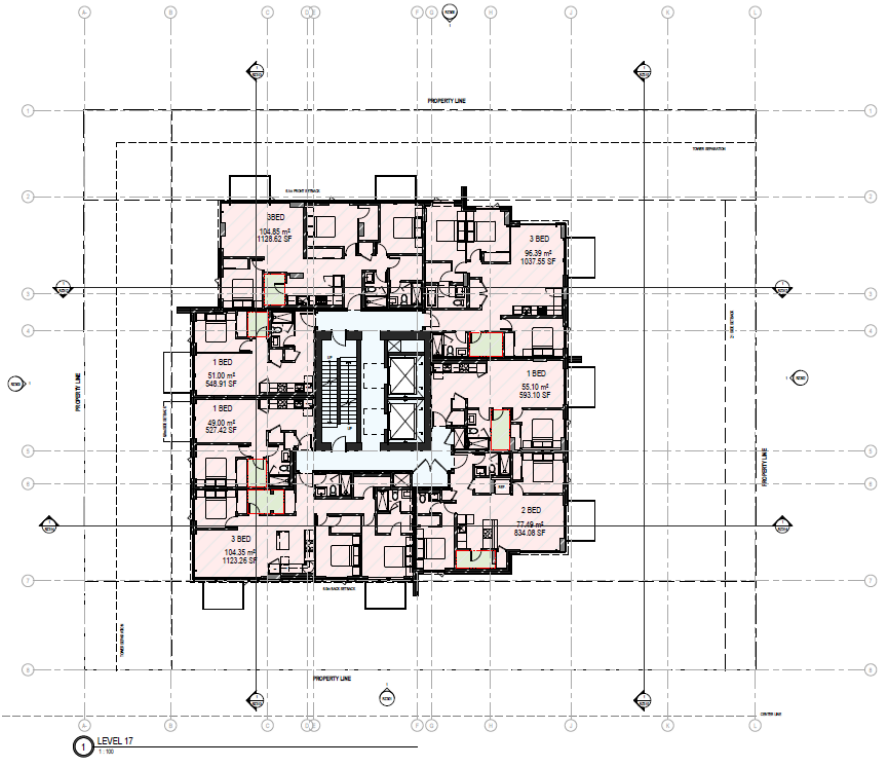
Floor Plan – Level 4



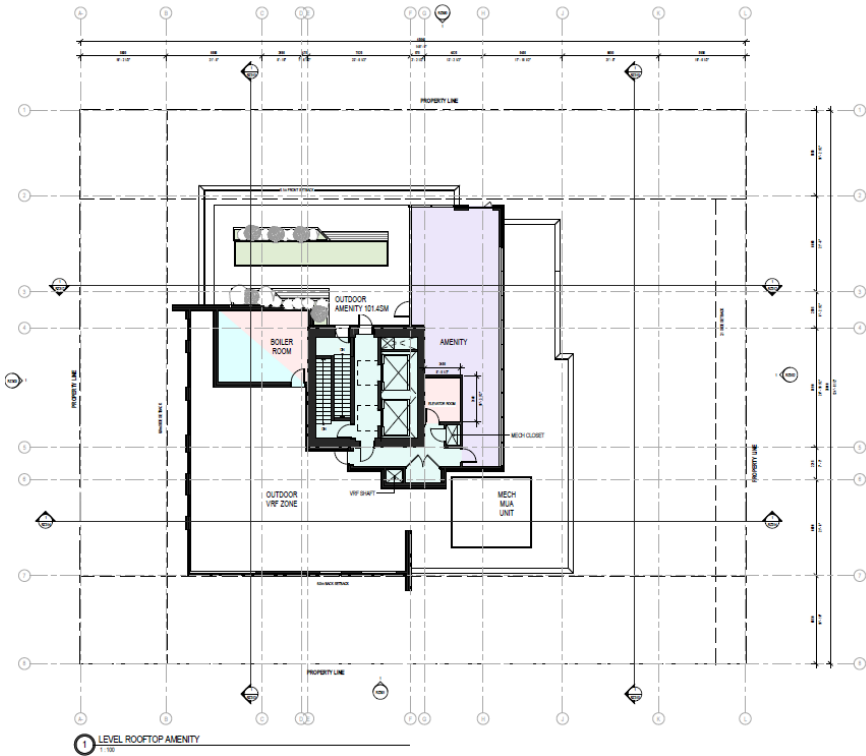
Floor Plan – Level 5-16



Floor Plan – Level 17-19



Floor Plan – Rooftop



1270-1290 West 11th Avenue
PUBLIC BENEFITS SUMMARY

Project Summary:

A 19-storey residential building with 155 rental housing units, of which 20% of the residential floor area are at below-market rents.

Public Benefit Summary:

A total of 155 rental housing units, of which 20% of the residential floor area is at below-market rates, secured with a Housing Agreement for the greater of 60 years and the life of the building.

	Current Zoning	Proposed Zoning
Zoning District	RM-3	CD-1
Floor Space Ratio (site area = 1,741.2 sq. m (18,742 sq. ft.))	1.0	6.8
Floor Area	1,160.9 sq. m (12,496 sq. ft.)	11,810.7 sq. m (127,129 sq. ft.)
Land Use	Residential	Mixed Use

Summary of Development Contributions Expected under Proposed Zoning

City-Wide DCL ^{1,2}	\$ 128,249
City-Wide Utilities DCL ¹	\$ 1,841,148
Public Art ³	\$251,718
Total	\$ 2,221,115

Other benefits (non-quantified): 155 secured rental housing units, of which 20% of the residential floor area would be rented at below-market rates, secured for the greater of 60 years and the life of the building.

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

² This application has requested and is expected to be eligible for a Class A (100%) waiver of the City-wide DCLs applicable to the residential portion of the building. The value of the anticipated City-wide DCL waiver is estimated at \$2,874,149. The application is therefore subject to the maximum average starting rents by unit type applicable to "class A for-profit affordable rental housing" as per the By-law. These requirements will be secured by a Housing Agreement, and compliance will be assessed through the development permit stage to occupancy permit issuance.

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

1270-1290 West 11th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

PROPERTY INFORMATION

Street Address	Parcel Identifier (PID)	Legal Description
1270 West 11th Avenue	PID 014-688-646	Lot 3 of Block 393 District 526 Plan 1276
1290 West 11th Avenue	PID 014-688-638	Lot C of Block 393 District 526 Plan 1276

APPLICANT INFORMATION

Applicant	Proscenium Architecture + Interiors Inc.
Architect	Proscenium Architecture + Interiors Inc.
Owners	Brother Properties Ltd. and Becison Holding Corporation

DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed
Zoning	RM-3	CD-1
Uses	Residential	Mixed-Use Residential/Commercial
Maximum FSR	1.0	6.8
Floor Area	1,160.9 sq. m (12,496 sq. ft.)	11,810.7 sq. m (127,129 sq. ft.)
Maximum Height	36.6 m (120 ft.)	58.2 m (191 ft.) and the height of permitted mechanical appurtenances must not exceed 64.9 m (213 ft.)
Parking, Loading and Bicycle Spaces	Per Parking By-law	108 Vehicle parking spaces 422 Bicycle parking spaces
Natural Assets	8 existing on-site by-law trees; 11 City trees; 2 neighbouring trees	Zero retained trees; 10 replacement trees are proposed (including 2 on adjacent property). Final replacement strategy confirmed at development permit stage.

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