



REFERRAL REPORT

Report Date: September 2, 2025
Contact: Sarah Cranston
Contact No.: 604-873-7733
RTS No.: 18153
VanRIMS No.: 08-2000-20
Meeting Date: September 16, 2025

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 441 East Pender Street

RECOMMENDATION TO REFER

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

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

RECOMMENDATION FOR PUBLIC HEARING

- A. THAT the application by Pack Buildings, on behalf of 1477603 B.C. Ltd¹, the registered owner of the lands located at 441 East Pender Street [*PID 032-397-623; Lot 1 Block 70 District Lot 196 Group 1 New Westminster District Plan EPP140830*] to rezone the lands from RT-3 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.6 to 3.1 and the maximum building height from 10.7 m (35 ft.) to 23 m (75 ft.), with additional height for rooftop amenity, to permit a six-storey residential building with 65 micro-dwelling social housing units, be approved in principle;

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

¹ Represented by Kuo Liu

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Human Studio Architecture, received December 13, 2024, and resubmission plans received February 27, 2025;

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

REPORT SUMMARY

This application proposes to rezone the site at 441 East Pender Street from RT-3 (Residential) District to CD-1 (Comprehensive Development) District under the *Downtown Eastside Plan* (Plan) to permit a six-storey residential building, containing 65 micro-dwelling social housing units.

Staff have assessed the application and concluded that it meets the Plan's intent to increase social housing units within the Plan area and contributes towards City's housing goals as identified in the *Housing Vancouver Strategy*. Staff recommend that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it in principle, subject to a Public Hearing and conditions contained in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)
- Downtown Eastside Plan (2014)
- Downtown Eastside Rezoning Policy (2014, last amended 2024)
- Housing Vancouver Strategy (2017)
- Interim Housing Needs Report (2025)
- Micro Dwelling Policies and Guidelines (2014, last amended 2025)
- High-Density Housing for Families with Children Guidelines (1992, last amended 2022)
- Urban Forest Strategy (2016, last amended 2018)
- Green Buildings Policy for Rezonings (2010, last amended 2024)
- Community Amenity Contributions Policy for Rezonings (1999, last amended 2025)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183

REPORT

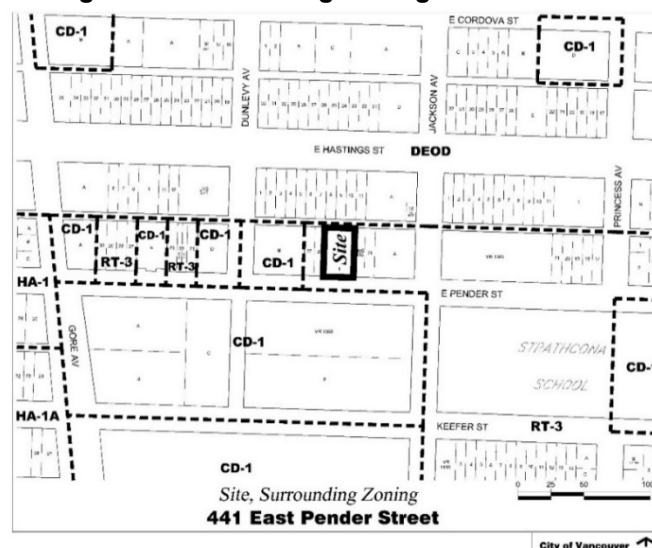
Background/Context

1. Site and Context

The subject site is located on the north side of Pender Street, between Dunlevy and Jackson Avenues in the Strathcona neighbourhood (see Figure 1). The site is approximately 850 sq. m (9,149 sq. ft.), with a frontage of 22.8 m (75 ft.) along Pender Street and depth of 37 m (121 ft.). The site is currently vacant and there are no existing tenants on the site.

The Strathcona neighbourhood of the Downtown Eastside (DTES) is primarily a residential neighbourhood, with a diverse mix of residential homes, co-ops, apartments and several medium-density social housing developments. The site is on the westerly limit of the RT-3 zoned area and is surrounded by CD-1 zoned sites to the west and south. The area immediately north of the subject site is zoned DEOD, which permits buildings up to 11 storeys and between 5.0 and 8.5 FSR.

Figure 1: Surrounding Zoning and Context



Neighbourhood Amenities – The following amenities are within close proximity:

- *Parks* – Oppenheimer Park (300 m), MacLean Park (550 m), Trillium Park (700 m), Strathcona Park (950 m).
- *Community and Cultural Spaces* – YWCA Crabtree Corner Community Resource Centre (240 m), Downtown Eastside Neighbourhood House (300 m), Strathcona Community Centre (300 m), Carnegie Community Centre (450 m), néca?mat ct Strathcona Vancouver Public Library Branch (500 m).
- *Childcare* – YWCA Crabtree Corner Community Resource Centre (240 m), Strathcona Community Centre (300 m), Children's World Child Care Centre (550 m) RayCam Community Centre (800 m).

Local School Capacity – The site is located within the catchment area of Strathcona Elementary School and Britannia Secondary School. According to the Vancouver School Board (VSB)'s 2020 *Long Range Facilities Plan*, Strathcona Elementary is currently operating at 99% capacity and by 2031 is forecasted to be operating at 119% capacity. Britannia Secondary is operating at 60% with an expected capacity of 65% 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 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 coming years. The site is located within the *Downtown Eastside Plan* area which is generally in alignment with the *Vancouver Plan*.

Downtown Eastside Plan – The *Downtown Eastside Plan* (Plan) was approved by Council in March 2014. The over-arching goal of the plan is to make the DTES a more livable, safe, and supportive place for all its diverse residents. From a housing perspective, planning in the DTES works to ensure a diverse range of housing options are available, including access to affordable housing choices for low-income people. Other housing principles of the Plan encourage a housing mix in the DTES neighbourhoods, and to increase the amount of social housing with the Plan area.

The subject site is located in the Strathcona area of the Plan, which is a diverse neighbourhood with a mix of residential typologies and tenures, including single detached, co-ops, apartments and several medium density social housing developments. The Plan encourages new development in this area to include a range of housing types, with an emphasis on family housing to protect and strengthen the residential character of the area.

Downtown Eastside Rezoning Policy – The *Downtown Eastside Rezoning Policy* ("DTES Rezoning Policy") was adopted by Council in 2014. The site is located in area 'D - Strathcona', which allows consideration for rezoning applications on sites where there is existing social housing and the amount of social housing is being increased, or for sites fronting Gore Avenue and all of the residential use is for social housing or secured market rental

housing.

There is no existing social housing on the site, and the site does not meet the locational criteria for rezoning. However, the proposal follows the intent of the *DTES Rezoning Policy* to increase the amount of social housing units and proposes redevelopment of a vacant lot with no tenant displacement. Staff are supportive of a rezoning application for social housing on the subject site.

Housing Vancouver Strategy – *Housing Vancouver* focuses on the right supply of new homes, including rental, to meet the continuum of housing types. The strategy includes ten-year housing approval targets, which were updated in 2024. The new targets aim for 30,000 purpose-built market rental, 5,500 purpose-built below-market rental and 8,500 social and co-op housing units. This rezoning will contribute towards targets for social housing units.

Interim Housing Needs Report (2025) – Provincial legislation requires Council to receive and consider regular Housing Needs Reports (HNR) when creating or amending a development plan in relation to Council's housing policies on affordable, rental and special needs housing. The most recent report amendment was received on January 1, 2025. The proposed rezoning would facilitate the delivery of social housing units and address the data and findings within the HNR.

Micro Dwelling Policies and Guidelines – The intent of the *Micro Dwelling Policies and Guidelines* is to encourage the creation of new livable, affordable, micro dwelling rental units in the DTES. Micro dwelling units are self-contained units with private bathrooms and kitchens, which are smaller than 30 sq. m (320 sq. ft.) and may be relaxed down to 23 sq. m (250 sq. ft.), intended for single occupancy. The guidelines encourage a mix of micro dwelling units and larger studio, 1-bedroom, and 2-3 bedroom units in a new building; however, flexibility may be given to achieve determined housing objectives for the neighbourhood, such as the need for low-income single housing.

Policy Initiatives Pending Council Decision

Downtown Eastside Policy Amendments – In response to Council's direction to explore policy updates to increase housing options, facilitate more social housing, and replace aging single room occupancy (SRO) buildings, the City is proposing upcoming policy changes in the DTES. The majority of the changes are focused in the Downtown Eastside Oppenheimer District (DEOD), which is located immediately north of the subject site, as well as the Thornton Park area.

These changes include leveraging private development to deliver below-market rental housing, amending existing inclusionary social housing policy, and increasing allowable heights and densities to support SRO replacement, social housing and deeply discounted below-market rental units. In addition, staff are proposing to amend the definition of social housing, to better align with senior government funding programs. These changes would be applicable to most of the DTES Plan area, besides Chinatown and the industrial area.

The proposed policy amendments have not yet been considered by Council. The subject Housing Agreement in Appendix B does provide flexibility for the social housing definition should the policy amendments be approved by Council.

Strategic Analysis

1. Proposal

The proposal is for a six-storey residential building consisting of 65 micro-dwelling social housing units.

The recommended density is 3.1 FSR, which is slightly higher than the 3.04 FSR shown in the application drawings. The recommended density corrects errors in density calculations in the submitted plans. The proposed height is 23 m (75 ft.), with additional height for rooftop amenity and mechanical appurtenances.

Vehicular spaces will be provided at the rear of the site, on the ground level adjacent to the lane. No underground parking is proposed. Bicycle parking will be provided in the basement of the building.

The applicant has entered into a partnership with Lookout Housing and Health Society (“Lookout”), a non-profit housing operator, for future operation of the proposed building. Lookout operates housing across the continuum, including shelter, supportive and social housing and has expressed the need for safe, affordable housing in Vancouver for individuals able to live independently. The proposed micro-dwelling units represent a crucial option for single adults who have financial barriers to market housing and do not require large units, but who value improved livability and affordability.

Figure 2: Proposed Building (Looking Northwest)



2. Land Use

The proposed residential use and social housing tenure is consistent with the intent of the Plan and *DTES Rezoning Policy*. Although the *DTES Rezoning Policy* does not envision rezoning of this site, the proposal advances the Plan's objective to increase social housing within the Plan area. The proposal supports housing diversity in the DTES and maintains the residential character of the Strathcona neighbourhood.

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

Form of Development – The Strathcona neighbourhood has a low-rise heritage character and form as outlined in the RT-3 District Schedule and Guidelines. East Pender Street is generally characterized by two to three storey residential buildings. The portion of East Pender Street between Dunlevy Avenue and Jackson Avenue is not identified as a character streetscape in the RT-3 Guidelines.

The subject site is located at the far western boundary of the RT-3 zone and is surrounded by CD-1 sites to the west and south, including existing co-op housing, social housing and SRO sites. The DEOD ODP permits up to 11 storeys on Hastings Street, which is immediately north of the subject site across the lane.

Since the Plan does not include direction for form of development for social housing projects in this area, staff considered RM-4 as a comparable zone which allows increases in height and density for social housing within an existing low-rise neighbourhood. The RM-4 zone allows up to a six-storey form in a three-storey context.

The proposal for a six-storey social housing building is consistent with the comparable RM-4 massing requirements including building height, density, site setbacks, and public realm interface.

Figure 3: Project Perspective looking Northeast



Height – The Plan does not specify a maximum height for this site and tenure. Using RM-4 as a comparison, the expected height for social housing in the context would be six storeys and approximately 19.9 m (65 ft.) – 21.3 m (70 ft.). The proposed height of 23 m (75 ft.) slightly exceeds the typical range for a six-storey building. The additional height is proposed to support higher floor-to-floor heights for the proposed micro dwellings to maximize light and air access for residents.

Density – The Plan does not specify a maximum density for this site. Using RM-4 as a comparison, the anticipated density would be approximately 3.0 FSR. At 3.1 FSR, the proposal aligns with the density expectations of the RM-4 zone.

Setbacks – To complement the green, residential streetscape context and using RM-4 as a comparison, the anticipated front yard setback is 6.1m (20 ft.), the side yard setbacks are 2.1 m (7 ft.), and a rear yard setback of 10.7 m (35 ft.). Staff support minor relaxations to these setbacks to support the proposed social housing tenure and for preservation of the existing mature tree in the rear yard.

Streetscape Interface – As streetscape character is a key urban design aspect for the neighbourhood, staff have included Urban Design conditions in Appendix B to further strengthen the public realm interface and mitigate blank side yard walls, thereby improving contextual fit.

Unit Livability – Due to the unique operating requirements of the social housing use, the unit layout and design are required to meet the *Micro Dwelling Policies and Guidelines*. Staff have included an Urban Design condition in Appendix B to ensure the minimum unit size is no less than 23.2 sq. m (250 sq. ft.). Unit livability will be further evaluated at the development permit stage.

Common Amenity – The proposal provides an appropriate amount of residential common indoor amenity space. However, the proposed outdoor amenity on the ground level does not comply with the area requirements of the *Micro Dwelling Policies and Guidelines*. Staff have included an Urban Design condition in Appendix B to increase the delivery of outdoor amenity space at the development permit stage, which Staff anticipate will be located on the building's rooftop given site constraints.

Urban Design Panel – A review by the Urban Design Panel was not required due to the project's modest scale and consistency with the urban design expectations for social housing in a low-rise neighbourhood context.

Conclusion – Staff reviewed public feedback, the site conditions and context, and concluded that the proposed built form, height, and density represent a balanced response to the policy goals to secure social housing. Staff support the proposal 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 65 units of social housing to the City's non-market housing inventory, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 4).

Figure 4: Progress Towards 10 Year Housing Vancouver Targets (2024-2033) for Social, Supportive and Co-op Housing as of June 30, 2025

| Category | 10-Year Targets ¹ | Units Approved Towards Targets ² |
|--------------------------------------|------------------------------|---|
| Social, Supportive and Co-op Housing | 10,000 | 875 (9%) |

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

2. Previous targets established in 2017 included 12,000 non-market housing units with tracking starting in 2017. As of December 31st, 2023, 78% of the previous targets had been reached (including TMH projects and multi-phased major developments).

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

Figure 5: Progress Towards DTES Social Housing Targets as of June 30, 2025

| | 30-Year Target (2044) ¹ | Achieved – Q2 2025 ² | Gap (30 Year) |
|------------------------|------------------------------------|---------------------------------|---------------|
| Social Housing in DTES | 4,400 | 2,683 | 1,717 |

¹Tracking starting from 2014

²"Achieved" combines all projects that are approved, under construction and completed, and including Temporary Modular Housing.

Vacancy Rates – Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2024, the purpose-built apartment vacancy rate was 1.6% in Vancouver. The vacancy rate (based on Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the East Hastings area where this site is located, is 1.5%. A vacancy rate of between 3% and 5% is considered to represent a balanced market.

Since the Plan was approved 2,683 units have been achieved towards the Downtown Eastside social housing targets as shown in Figure 5.

Housing Mix – The Plan targets a minimum of 25% family units for new social housing projects. Similarly, the *Micro Dwelling Policies and Guidelines* also encourages a mix of micro dwelling units, such as larger studio, 1-bedroom and 2-3-bedroom units. Per the *Micro Dwelling Policies and Guidelines*, flexibility may be given to achieve determined housing objectives for the neighbourhood, such as the need for low-income single housing.

The application proposes 100% studio units, based on the operator's need for housing for the intended demographic of single adults. The operator has indicated that there is significant demand for social housing units for people who live independently. A condition is included in Appendix B to encourage the addition of family units at the development permit stage.

Affordability – The City's affordability requirement for social housing in the Downtown Eastside is to include at least one third of new social housing units to be rented at the shelter component of Income Assistance for low-income households who are eligible for Income Assistance or a combination of Old Age Pension and Guaranteed Income Supplement. The target rents and affordability for the remaining two-thirds will be for one third up to "Housing Income Limits" (HILs), as set by BC Housing, and the remaining third to be at affordable market rents. The Housing Agreement condition includes flexibility to accommodate potential changes to these requirements over time.

Security of Tenure – Should the rezoning be approved, a Housing Agreement will secure the proposed residential units as Social Housing for the longer of 60 years or the life of the building.

Tenants – The rezoning site is vacant and does not have any existing rental residential uses. There are no tenants on the site eligible for protections through the City's Tenant Relocation and Protection Policy (TRPP).

5. Transportation and Parking

The site is well served by public transit and is within two blocks of bus service along Pender and Hastings Streets, and within three blocks of more frequent bus service along Main Street. Cycling paths along Keefer and Union Streets are within a couple blocks of the subject site.

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

The project is required to provide off-site public realm improvements, including new asphalt within the lane along the site's frontage, and parking regulatory signage on streets adjacent to the site. Engineering conditions related to transportation, public realm and parking are included in Appendix B.

6. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezoning* requires that rezoning applications satisfy the green and resilient building conditions stated within the Policy. The applicant has submitted preliminary modelling analysis detailing design and construction strategies to meet anticipated embodied carbon targets in the Vancouver Building By-law, a summary of the resilient building measures considered for the application, and a commitment to fulfill 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 two existing trees on the site, both of which are proposed to be retained. There are three street trees on City lands adjoining the site, and protection of the street trees during construction is required. Further tree evaluation will take place during development permit review. See Appendix B for landscape and tree conditions.

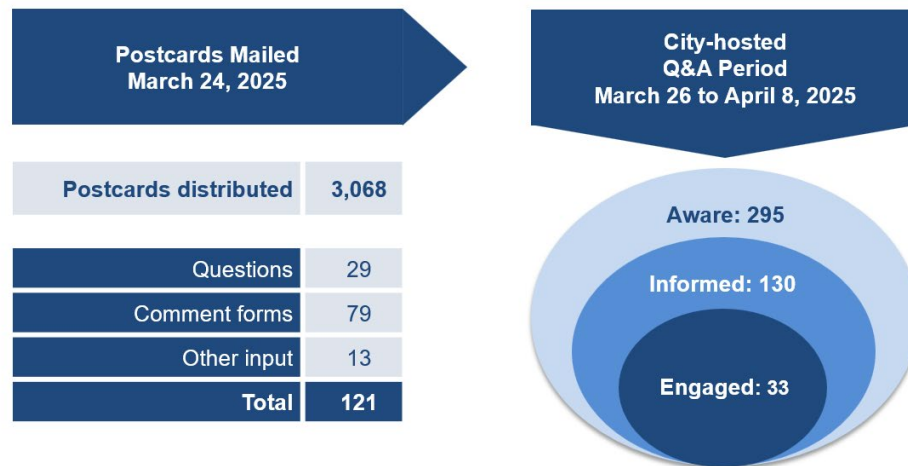
7. Public Input

Public Notification – A rezoning information sign was installed on the site on January 15, 2025. Approximately 3,068 notification postcards were distributed within the neighbouring area on or about March 24, 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 March 26, 2025 to April 8, 2025. Questions were submitted by the public and posted with a response over a two-week period.

Public Response and Comments – Public input is collected via online questions, comment forms, through email, and by phone. A total of 121 submissions were received. Additionally, an online petition opposing the project garnered 439 signatures as of date of report.

Figure 6: Overview of Notification and Engagement



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

Generally, comments of support fell within the following areas:

- **Housing:** Social housing is supported and aligns with City goals and priorities.
- **Location:** Support for the proposal given proximity to amenities, jobs, and transit.
- **Building height:** The proposed height is appropriate for the surrounding context.

Respondents also expressed concern and opinions on the following:

- **Social Housing and policy deviation:** Social housing is not supported at this site, as per the Plan and *DTES Rezoning Policy*. The development does not meet development objectives for Strathcona.

Respondents also expressed confusion regarding the proposed tenure, specifically whether the proposed rezoning application included supportive or social housing.

- **Building height, design, massing and density:** Concern with the proposed building height in an area that only has low to mid-rise developments. The building design is not aesthetically pleasing and resembles an institution.
- **Location:** Concern that the proposed development is not suited for the Strathcona neighbourhood, a historic and character residential area.

- **Livability concerns:** Concern that the units are too small, and that there are no family units as part of the proposal. Concern regarding impacts to crime and safety in the area.
- **Neighbourhood character:** Concern that the development does not positively contribute to neighbourhood character and is incongruent with the history of the neighbourhood. Respondents felt that the project does not enhance Strathcona or provide value to the community.

Response to Public Comments— The proposal follows the intent of the Plan and the *DTES Rezoning Policy* to increase social housing stock in the DTES despite not meeting the specific locational criteria for rezoning. By redeveloping a vacant lot, there is no tenant displacement and no loss of existing social housing units. The proposal results in a net increase in the number of social housing units, thereby further supporting the policy objective to increase social housing stock in the DTES. This rezoning application is supported by ongoing City-wide and DTES-specific policy initiatives to increase housing options across the City and across the housing continuum, and accelerate the provision and supply of social housing.

Since the Plan does not include direction for form of development for social housing in this area, Staff considered RM-4 as a comparable zone, which allows increases in height and density for social housing within an existing low-rise neighbourhood. The RM-4 zone allows up to a six-storey form in a three-storey context. The proposal is consistent with the comparable RM-4 massing requirements for height, density and site design. Staff have included conditions in Appendix B for further design development at the development permit stage, including a condition to improve the streetscape interface along Pender Street, and to provide a more varied and interesting building façade through quality materials, textures, articulation and/or colour.

Regarding livability, micro dwelling units provide flexibility to achieve the City's affordable housing objectives, including affordable housing for moderate income renters in the DTES. Conditions have also been included in Appendix B to ensure the proposal meets the requirements of the *Micro Dwelling Policies and Guidelines* to improve livability of the units. Staff have also included a condition to encourage the provision of family units at the development permit stage.

In response to concerns of the proposal lacking value, not enhancing the neighbourhood and detracting neighbourhood character, the DTES Plan describes Strathcona as a “diverse neighbourhood with a mix of residential homes, including single-family, co-ops, and several medium density social housing developments” and works to ensure access to a range of housing choices, including affordable and social housing. The proposal contributes to creating livable and vibrant communities by offering a diverse range of housing options in neighbourhoods with access to transit, services and amenities. Regarding crime and safety concerns, studies and research show that communities and cities benefit on financial, social and equity objectives by providing housing units across the housing continuum, including affordable rental units for single people.

The proposal aligns with the DTES Plan, as well as the *Housing Vancouver Strategy* and ongoing policy initiatives to develop more social housing units across the City. The intended building operator has noted a significant demand for housing options for individuals able to live independently who face financial barriers to market units. The proposed micro-dwelling units represent a crucial form of housing for individuals who do not require large units but value improved livability and affordability.

8. Public Benefits

Community Amenity Contributions (CAC) – The *Community Amenity Contributions Policy for Rezoning*s provides an exemption for social housing projects.

Development Cost Levies (DCLs) – This site is subject to both the City-wide DCL and Utilities DCL. DCLs are payable at building permit issuance based on the floor area proposed at the development permit stage.

Under the provisions of the Vancouver Charter and the City-wide DCL and City-wide Utilities DCL By-laws, social housing that meets the applicable definitions, as well as units qualifying as micro dwelling units (less than 320 sq. ft.), is exempt from DCLs. Based on by-laws and rates in effect as of September 30, 2024 and the proposed 2,635 sq. m (28,363 sq. ft.) of residential floor area, the project would qualify for an exemption valued at \$1,089,703.

DCL rates are subject to future adjustment by Council including annual inflationary adjustments. 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 – As the application proposes social housing, no public art contribution is applicable to the project.

Social Housing – The applicant has proposed that the 65 units be delivered and secured as social housing. The public benefit accruing from these units is their contribution to the City's social housing stock secured for the greater of 60 years or the life of the building.

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

FINANCIAL IMPLICATIONS

As noted in the Public Benefits section, this project is exempt from CACs, DCLs, and public art contributions. See Appendix F for additional details.

The 65 social housing units will be secured by a Housing Agreement and Section 219 covenant for the longer of the life of the building and 60 years. Consistent with Council policy on social housing projects, the project is expected to be self-sustaining over the long-term and does not require further operating subsidies and property tax exemptions from the City.

CONCLUSION

Staff conclude that the proposed land use, form of development, and public benefits are consistent with the intent of the *Downtown Eastside Plan*. The proposal follows the *Housing Vancouver Strategy* and the Plan to increase the City's social housing stock and advances these goals by proposing redevelopment of a vacant lot with no tenant displacement, resulting in a net increase in social housing units.

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

441 East Pender Street
PROPOSED CD-1 BY-LAW PROVISIONS

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

Zoning District Plan Amendment

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

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

Designation of CD-1 District

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

Uses

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

Conditions of Use

4. All residential floor area must be used for social housing.

Floor Area and Density

- 5.1 Computation of floor area must assume that the site area is 850.3 m², being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.
- 5.2 The maximum floor space ratio for all uses combined is 3.1.
- 5.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 5.4 Computation of floor area must exclude:

- (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that:
 - (i) the total area of these exclusions must not exceed 12% of the permitted floor area, and
 - (ii) the balconies must not be enclosed for the life of the building;
 - (b) patios and roof decks, if the Director of Planning considers the impact on privacy and outlook;
 - (c) floors or portions thereof that are used for:
 - (i) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,
 - (ii) bicycle storage, and
 - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;
 - (d) entries, porches and verandahs if the Director of Planning first approves the design;
 - (e) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and
 - (f) all storage area below base surface for non-dwelling uses.
- 5.5 The Director of Planning or Development Permit Board may exclude common amenity areas from the computation of floor area, to a maximum of 10% of the total permitted floor area, if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines.

Building Height

- 6.1 Building height must not exceed 23 m.
- 6.2 Despite section 6.1 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 28 m.

Access to Natural Light

- 7.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 7.2 For the purposes of section 7.1 above, habitable room means any room except a bathroom or a kitchen.

* * * * *

**441 East Pender Street
CONDITIONS OF APPROVAL**

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

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Consideration by Council at the public hearing of the proposed form of development is in reference to plans prepared by Human Studio Architecture, received December 13, 2024, and resubmission plans received February 27, 2025.

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

Urban Design

- 1.1 Design development to improve the streetscape interface along East Pender Street by:
 - (a) Exploring façade design solutions which reduce apparent bulk, emphasize narrow width forms as per the RT-3 Guidelines, and complement the streetscape's vertical building expression;
 - (b) Strengthening near views from the pedestrian realm, for example by providing high-quality materials, detailing at the lower building level, and highlighting the project entry; and
 - (c) Providing more varied landscape planting palette.
- 1.2 Design development to provide a more varied and interesting building facade to improve the side yard walls.

Note to Applicant: this can be achieved by providing quality materials, textures, articulation and/or colour.
- 1.3 Design development to meet the requirements of the *Micro Dwelling Policies and Guidelines* to improve livability. Ensure all units meet the internal design and facilities regulations, including:
 - (a) Providing a minimum unit size of no less than 23.2 sq. m (250 sq. ft.);
 - (b) Ensuring a floor-to-floor height minimum of 0.88 m (9.5 ft.)
 - (c) Providing private amenity space for all units in the form of balconies, decks and/or patios. Juliette balconies may be considered if an appropriate amount of outdoor common amenity space is provided;

- (d) Providing more functional and appropriately-sized outdoor common amenity space which meets the requirement of a minimum 4.52 sq. m (48.7 sq. ft.) per unit; and
- (e) Providing as much bulk storage for each unit as possible. Bulk storage requirements will be further evaluated at the development permit stage.

Landscape

- 1.4 Provision of revised landscape and arborist documents regarding retention of existing trees.

Note to Applicant. This can be achieved by:

- (a) Revising Arborist Report to discuss and determine the low impact construction methods, and mitigation measures required to successfully retain these trees.
- (b) Coordinating landscape plans to be consistent with the above low impact construction methods, and mitigation measures. Provide details and sections of work with Tree Protection Zones are required. Landscape plans to show all existing trees as per arborist documents, and clearly show if they are retained or removed.
- (c) Revising landscape plans to show all trees, labelled as per arborist documents, all tree protection fencing is to be clearly shown and dimensioned.
- (d) Revising tree management plan and landscape plan to clearly show the location of raised deck footings. Work with project arborist to determine appropriate locations when in tree protection zone of retained trees.

A separate tree management plan within the landscape submission set would improve legibility of the above items overlayed on the proposed development.

- 1.5 Provision of a letter of assurance for arborist supervision.

Note to Applicant: Arborist supervision is necessary when any work is required within a minimum root protection zone of a retained tree. The letter must be signed and dated by the owner and arborist and contractor (if applicable).

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

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

- 1.7 Provision of detailed architectural and landscape cross sections (minimum 1/4 in. scale) through common open spaces, rooftop areas, 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.

- 1.8 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. Tree protection for street trees to be provided as per Engineering/Park Board guidelines”.

Note to Applicant: Relocation of trenching locations is required if in conflict with tree protection.

Sustainability

- 1.9 All new buildings in the development will meet the requirements of the Green Buildings Policy for Rezoning (amended November 27, 2024) located here <https://guidelines.vancouver.ca/policy-green-buildings-for-rezonings.pdf>

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

Housing

- 1.10 Encourage design development to incorporate family units as per the targets in the Downtown Eastside Plan and Micro Dwelling Unit Guidelines.

Note to Applicant: Explore opportunities to include family units at the Development Permit stage.

- 1.11 If family units are incorporated into the building design at the development permit stage, the development should be designed in accordance with the High-Density Housing for Families with Children Guidelines, including, but not limited to:

- (a) An outdoor amenity area to include areas suitable for a range of children’s play activities and urban agriculture, appropriate in size for the scale of the project and situated to maximize sunlight access (S. 3.3.2, 3.4.3);
- (b) a minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each dwelling unit (S. 4.4.2);
- (c) a multi-purpose indoor amenity space appropriate in size for the scale of the project, with a wheelchair accessible washroom and kitchenette. 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).

Engineering

- 1.12 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>

- 1.13 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 and 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>

- 1.14 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.
- 1.15 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.

1.16 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 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil volumes. Installation of Engineered Soil may be required to obtain appropriate soil volumes based on site conditions. Root barriers shall be of rigid construction, 8 feet long and 18 inches deep, centre on each street tree adjacent to the sidewalk and any off-street bike facility. Planting depth of root ball must be below sidewalk grade. Contact Park Board at pbdevelopment.trees@vancouver.ca for inspection after tree planting completion".

(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) Proposed non-standard sidewalk treatment on City property.

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

Note to Applicant: Deviations from the standard streetscape materials must be justified in a report and approved by the City prior to the DP application.

Encroachment agreements may be required for non-standard streetscape materials on City property.

Not 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.

1.17 Provision of a sewer abandonment plan that details the following:

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

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

1.18 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.

1.19 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>

- 1.20 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.

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

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

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

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Housing

- 2.1 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability (or successor in function) and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant securing all dwelling units to be used for social housing for a term equal to the longer of 60 years and the life of the building, subject to the following terms and conditions:
- (a) a no separate sales covenant;
 - (b) a no stratification covenant;
 - (c) a provision that none of the dwelling units in the building be rented for less than 90 consecutive days at a time;
 - (d) subject to subsection (f) below, a requirement that all dwelling units in the building to comply with the definition of “social housing” as defined in the Zoning and Development By-law No. 3575 of which:
 - (i) all the dwelling units are owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada; and

- (ii) at least one third of the dwelling units be occupied by persons eligible for either Income Assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement and are rented at rates no higher than the shelter component of Income Assistance;
- (e) subject to subsection (f) below, the target rents and affordability of the remaining dwelling units will be as follows:
 - (i) not less than one third of the remaining dwelling units (or such other amount as required by the General Manager of Planning, Urban Design and Sustainability (or successor in function)) to be occupied only by households with incomes at or below the then current applicable Housing Income Limit (HIL) as published by the British Columbia Housing Management Commission and each rented at a monthly rate no higher than the amount equal to 30% of the aggregate household annual income of the members of the household occupying such dwelling unit (for the immediately previous 12 months) divided by 12 months, provided that if any such dwelling units are Micro Dwelling Units, pursuant to the Micro Dwelling Policies and Guidelines (as amended from time to time), then such Micro Dwelling Units shall be rented at a monthly rate as stated in the Micro Dwelling Policies and Guidelines; and
 - (ii) any remaining dwelling units, after being allocated pursuant to subsection (e)(i), shall be rented at rent not exceeding 90% of the market rent as set out, for the applicable unit type, in CMHC's Rental Survey for Vancouver for the applicable year of construction, 2015+ category, or such equivalent survey or publication approved by the General Manager of Planning, Urban Design and Sustainability, in his or her sole discretion, and in the absence of such surveys, the appraised market rent for a comparable unit in the local area (where a "comparable unit" means a dwelling unit of the same type, similar size and in a building with a similar age and quality of construction), provided that if any such dwelling units are Micro Dwelling Units, pursuant to the Micro Dwelling Policies and Guidelines (as amended from time to time), then such Micro Dwelling Units shall be rented at a monthly rate as stated in the Micro Dwelling Policies and Guidelines;
- (f) if the definition of "social housing" in the Zoning and Development By-law No. 3575 is amended prior to the applicant and the City entering into the Housing Agreement, then:
 - (i) subsections (d) and (e) above shall not apply;
 - (ii) the applicant shall comply with the requirements under the definition of "social housing" in the amended Zoning and Development By-law No. 3575, and any dwelling units required, under the amended Zoning and Development By-law No. 3575, to be occupied only by households with incomes at or below the then current applicable Housing Income Limit (HIL) as published by the British Columbia Housing Management Commission shall be rented at a monthly rate no higher than the amount

equal to 30% of the aggregate household annual income of the members of the household occupying such dwelling unit (for the immediately previous 12 months) divided by 12 months;

- (iii) if there are any Micro Dwelling Units, pursuant to the Micro Dwelling Policies and Guidelines (as amended from time to time), which do not fall under the amended Zoning and Development By-law No. 3575, then such shall be rented at a monthly rate as stated in the Micro Dwelling Policies and Guidelines; and

- (g) any other terms and conditions as may be required at the discretion of the Director of Legal Services.

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

Engineering

- 2.2 Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "Services") such that they are designed, constructed, and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site, or any portion thereof, or for any building or improvements thereon will be issued until the letter of credit or such other form of alternative security that may be acceptable to the City in its sole discretion, as security for the services is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. The Services are not excess and/or extended services, and the applicant is not entitled to a Latecomer Agreement.

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

- (b) 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 Aplin Martin dated December 10, 2024, no water main upgrades are required to service the development.

The main servicing the proposed development is 200 mm. Should the development require water service connections larger than 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 upgrading. The maximum water service connection size is 300 mm.

Should the development's Fire Underwriter's Survey Required Fire Flow calculation change as the building design progresses, a resubmission to the City

of Vancouver Waterworks Engineer is required for re-evaluation of the Water System.

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

Note to Applicant: Implementation of development(s) at 441 East Pender Street does not require any sewer upgrades.

Development to be serviced to the existing 200 mm SAN and 300 mm STM sewers in the laneway north of East Pender Street.

- (d) Provision of street improvements, and appropriate transitions, along the lane north of East Pender Street adjacent to the site, including:

- (i) 125 mm mill and overlay asphalt full width of the lane along the site's frontage;

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

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

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

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

Environmental Contamination

2.3 If applicable:

- (a) Submit a site disclosure statement to Environmental Services.
- (b) As required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.
- (c) If required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements constructed on the site pursuant to this rezoning until separate Certificates of Compliance, satisfactory to the City, for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

Agreements

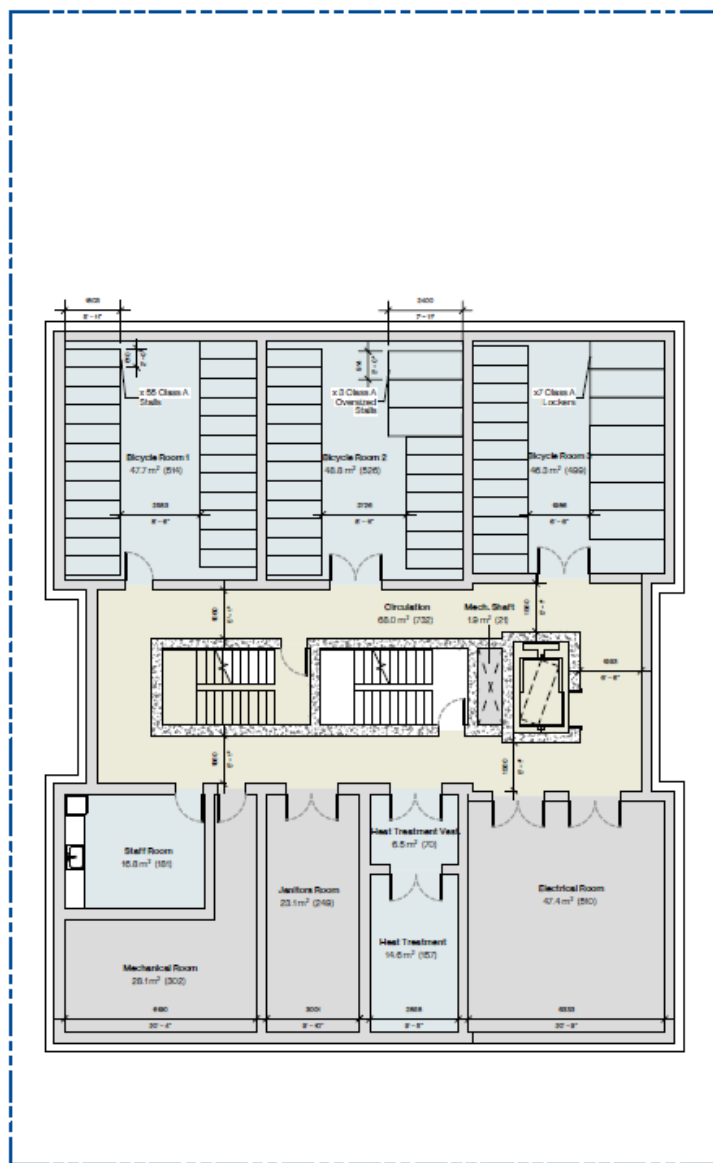
Note to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as registerable charges pursuant to the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the By-law and at no cost to the City.

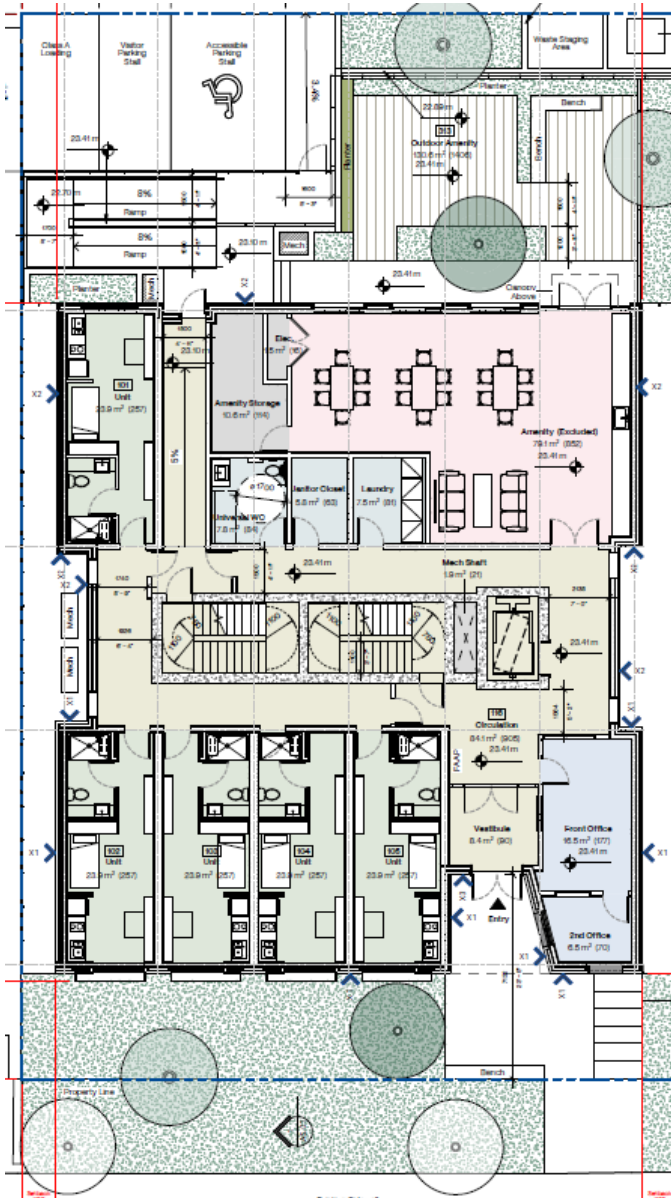
The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

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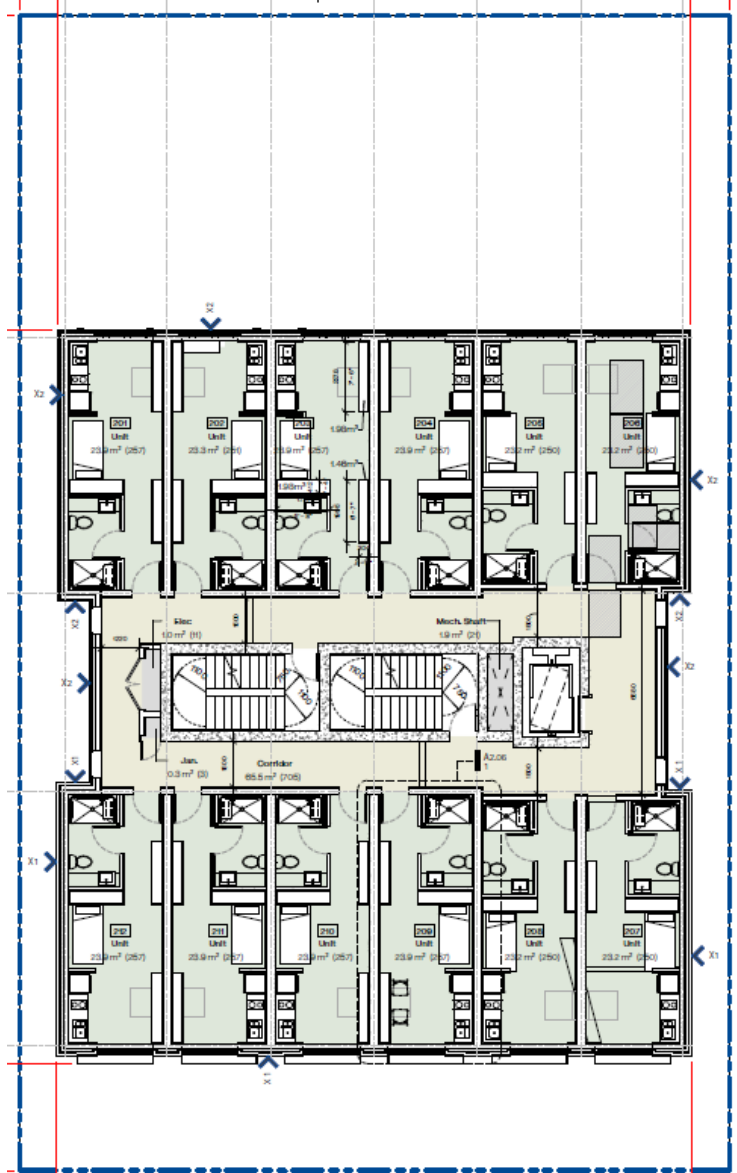
Basement Plan



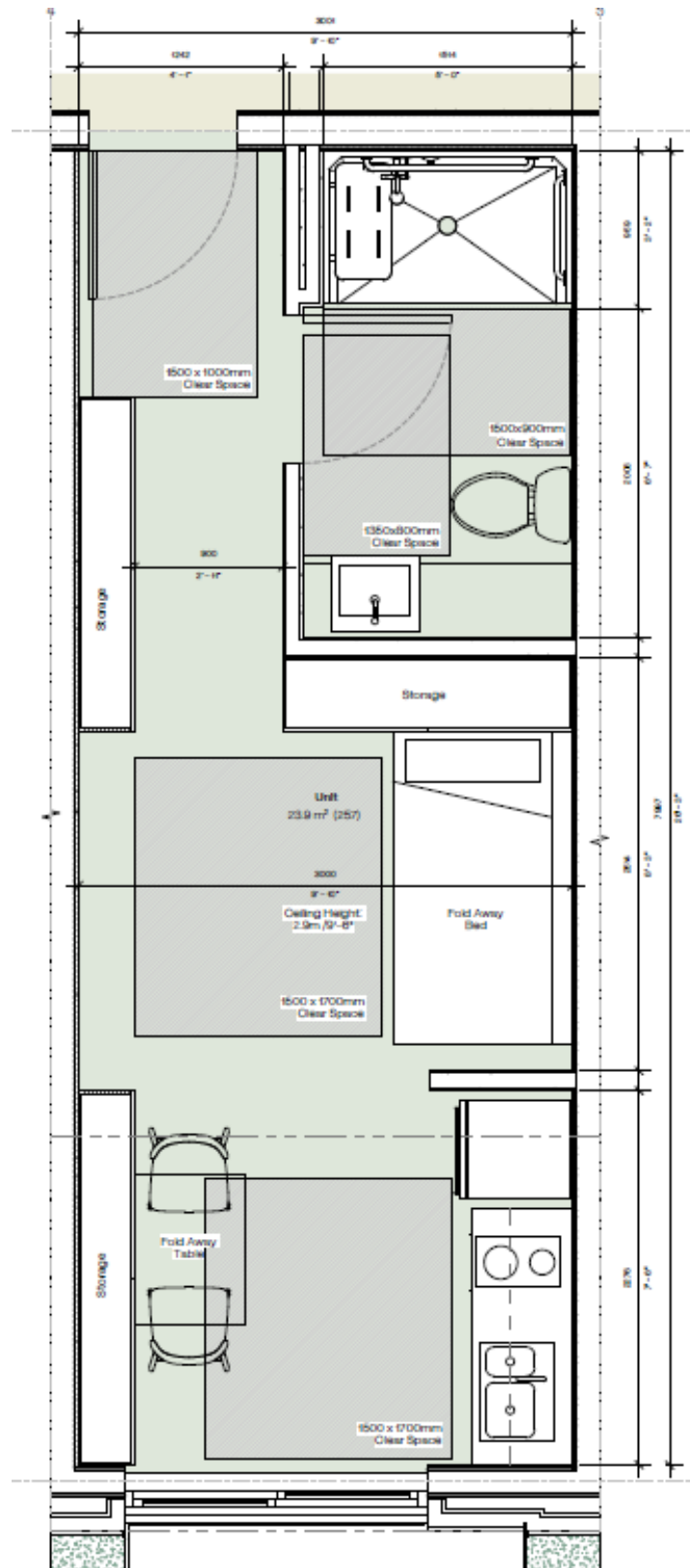
Level 1 (At Grade) Floor Plan



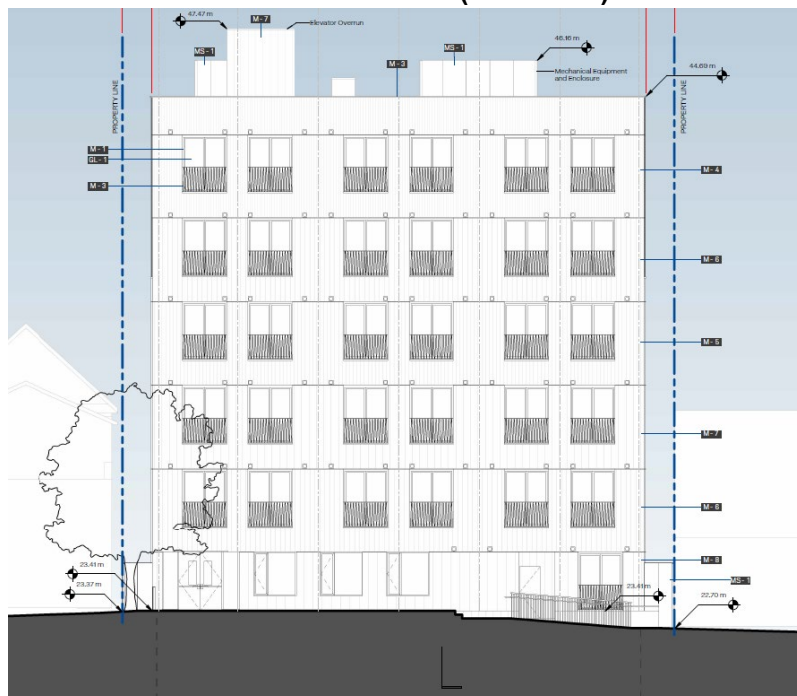
Level 2 – 6 Floor Plan



Typical Unit Plan



North Elevation (from lane)



South Elevation (from East Pender Street)



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441 EAST PENDER STREET
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

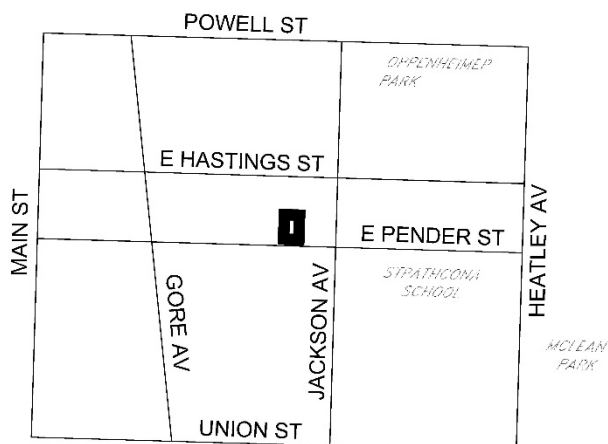
| | Date | Results |
|--|--------------------------------|---|
| Event | | |
| Question and Answer Period (City-led) | March 26, 2025 – April 8, 2025 | 295 participants (aware)* <ul style="list-style-type: none"> • 130 informed • 33 engaged |
| Public Notification | | |
| Postcard distribution – Notice of rezoning application and Question and Answer Period | March 24, 2025 | 3,068 notices mailed |
| Public Responses | | |
| Online questions | March 26, 2025 – April 8, 2025 | 29 submittals |
| Online comment forms <ul style="list-style-type: none"> • Shape Your City platform | January 2025 – April 2025 | 79 submittals |
| Overall position <ul style="list-style-type: none"> • support • opposed • mixed | January 2025 – April 2025 | 79 submittals <ul style="list-style-type: none"> • 18 responses • 56 responses • 5 responses |
| Other input | January 2025 – April 2025 | 13 submittals |
| Online Engagement – Shape Your City Vancouver | | |
| Total participants during online engagement period | January 2025 – April 2025 | 1,207 participants (aware)* <ul style="list-style-type: none"> • 475 informed • 86 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:** Social housing is supported and aligns with City goals and priorities.
- **Location:** Support for the proposal given proximity to amenities, jobs, and transit.
- **Building height:** The proposed height is appropriate for the surrounding context.

Respondents also expressed concern and opinions on the following:

- **Social Housing and policy deviation:** Social housing is not supported at this site, as per the Plan and *DTES Rezoning Policy*. The development does not meet development objectives for Strathcona.

Respondents also expressed confusion regarding the proposed tenure, specifically whether the proposed rezoning application included supportive or social housing.

- **Building height, design, massing and density:** Concern with the proposed building height in an area that only has low to mid-rise developments. The building design is not aesthetically pleasing and resembles an institution.
- **Location:** Concern that the proposed development is not suited for the Strathcona neighbourhood, a historic and character residential area.

- **Livability concerns:** Concern that the units are too small, and that there are no family units as part of the proposal. Concern regarding impacts to crime and safety in the area.
- **Neighbourhood character:** Concern that the development does not positively contribute to neighbourhood character and is incongruent with the history of the neighbourhood. Respondents felt that the project does not enhance Strathcona or provide value to the community.

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 would help transition Single Occupancy Room occupants into a safer and more private housing option.
- The density of the project is appropriate.

General comments of concern:

- Social housing is not supported at this site as there are no current existing social housing.
- There are too many social housings in the Downtown Eastside. Social housing should be spread out in Vancouver.
- The development does not meet the DTES Plan and objectives for development of Strathcona.
- The project does not provide family housing units.
- The development will negatively affect the neighbourhood growth.

Neutral comments/suggestions/recommendations:

- The proposed management company has a poor management reputation.
- A lower or mid-rise building would be preferred.
- There should be benefits that support the elderly Chinese community or the struggling families using the school in the area.

* * * * *

441 East Pender Street
PUBLIC BENEFITS SUMMARY

Project Summary:

A six-storey residential building containing 65 micro-dwelling social housing units.

Public Benefit Summary:

The proposal would provide 65 micro-dwelling social housing units secured through a Housing Agreement for the greater of 60 years and the life of the building.

| | Current Zoning | Proposed Zoning |
|---|------------------------------|---------------------------------|
| Zoning District | RT-3 | CD-1 |
| FSR (site area = 850 sq. m [9,150 sq. ft.]) | 0.6 | 3.1 |
| Buildable Floor Area | 510 sq. m (5,490 sq. ft.) | 2,635 sq. m (28,363 sq. ft.) |
| Land Use | Residential | Residential |

Summary of expected development contributions

| | |
|----------------------------|------------|
| City-wide DCL ¹ | \$0 |
| Utilities DCL ¹ | \$0 |
| Public Art ² | \$0 |
| TOTAL | \$0 |

Other benefits (not quantified): 65 social housing units secured for the greater of 60 years and the life of the building.

¹ Under the provisions of the Vancouver Charter and the City-wide DCL and City-wide Utilities DCL By-laws, social housing that meets the applicable definitions is exempt from DCLs. Based on by-laws and rates in effect as of September 30, 2024 and the proposed 2,635 sq. m (28,363 sq. ft.) of residential floor area, the project would qualify for an exemption valued at \$1,089,703.

² Under the provision of the Vancouver Charter and the Public Art By-law, social housing that meets the applicable definitions is exempt from a Public Art contribution.

* * * * *

441 East Pender Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

| Address | Property Identifier (PID) | Legal Description |
|-----------------|----------------------------------|--|
| 441 East Pender | 032-397-623 | LOT 1, BLOCK 70 DISTRICT LOT 196 GROUP 1 NEW WESTMINSTER DISTRICT PLAN EPP140830 |

Applicant Information

| | |
|--------------------------|--|
| Architect | Human Studio Architecture + Urban Design |
| Applicant | Pack Buildings |
| Registered Owners | 1477603 B.C. LTD Represented by Kuo Liu |

Development Statistics

| | Permitted Under Existing Zoning | Proposed |
|-----------------------------------|---|--|
| Zoning | RT-3 | CD-1 |
| Site Area | 850 sq. m (9,150 sq. ft.) | |
| Land Use | Residential | Residential |
| Maximum FSR | 0.6 | 3.1 |
| Maximum Height | 10.7 m (35 ft.) | 23 m (75 ft.) to top of parapet 28 m (92 ft.) to top of mechanical |
| Floor Area | 510 sq. m (5,490 sq. ft.) | 2,635 sq. m (28,363 sq. ft.) |
| Unit Mix | n/a | Total: 65 units 65 studio units (100%) |
| Parking and Bicycle Spaces | As per Parking By-law | 2 vehicle spaces 1 loading space 71 bicycle spaces To be confirmed at development permit stage |
| Natural Assets | 2 on-site by-law trees; 3 City trees | 2 on-site trees to be retained 3 City trees to be retained To be confirmed at development permit stage |

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