



REFERRAL REPORT

Report Date: September 2, 2025
Contact: Austin Norrie
Contact No.: 604-871-6034
RTS No.: 18144
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: 1366 West 12th Avenue

RECOMMENDATION TO REFER

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

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

RECOMMENDATION FOR PUBLIC HEARING

- A . THAT the application by BFA Studio Architects, on behalf of 1366W12 Holdings Ltd. the registered owner of the lands located at 1366 West 12th Avenue [*Lot 3 to Lot 5, Block 412 District Lot 526 Plan 1276; PIDs 013-490-877, 013-490-885 and 013-490-893 respectively*], 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 6.5 and the maximum building height from 36.6 m (120 ft.) to 60 m (197 ft.) with additional height for the portion with rooftop amenity, to permit the development of an 20-storey rental building with 20% of the residential floor area for below-market rental units, be approved in principle;

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

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by BFA Studio Architects, received July 10, 2024 and supplemental plans received November 12, 2024;

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

- B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.
- C. THAT Recommendations A 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 report evaluates an application to rezone the site at 1366 West 12th Avenue from RM-3 (Residential) District to CD-1 (Comprehensive Development) District, under the *Broadway Plan* (Plan). The proposal is to permit a 20-storey rental building containing 180 units, with 20% of the residential floor area for below-market rental units.

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

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)
- Broadway Plan (2022, last amended 2024)
- Interim Housing Needs Report (2022, last amended 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)
- Community Amenity Contributions Policy for Rezonings (1999, last amended 2024)
- Green Buildings Policy for Rezonings (2010, last amended 2024)

- Tenant Relocation and Protection Policy (2015, last amended 2019)
- Vancouver Development Cost Levy By-law No. 9755 (2008, last amended 2024)
- Vancouver Utilities Development Cost Levy By-law No. 12183 (2008, last amended 2024)
- Urban Forest Strategy (2014, last amended 2018)
- Public Art Policy and Procedures for Rezoned Developments (1994, last amended 2014)
- Transit-Oriented Areas (TOA) Designation By-law (2024)
- Transit-Oriented Areas (TOA) Rezoning Policy (2024)
- Latecomer Policy (2021)

REPORT

Background/Context

1. Site and Context

The site is located mid-block along the south side of West 12th Avenue between Hemlock and Birch Streets in the Fairview neighbourhood (see Figure 1). The total site area is 1,743 sq. m (18,759 sq. ft.), with a frontage of 45.7 m (150 ft.) along West 12th Avenue and a depth of 38.1 m (125 ft.). There is a lane to the south of the site. The site is developed with a four-storey, 30-unit rental building constructed in 1959. At the time of application, 28 of the 30 units have residential tenants. The City's *Tenant Relocation and Protection Policy* (TRPP) applies.

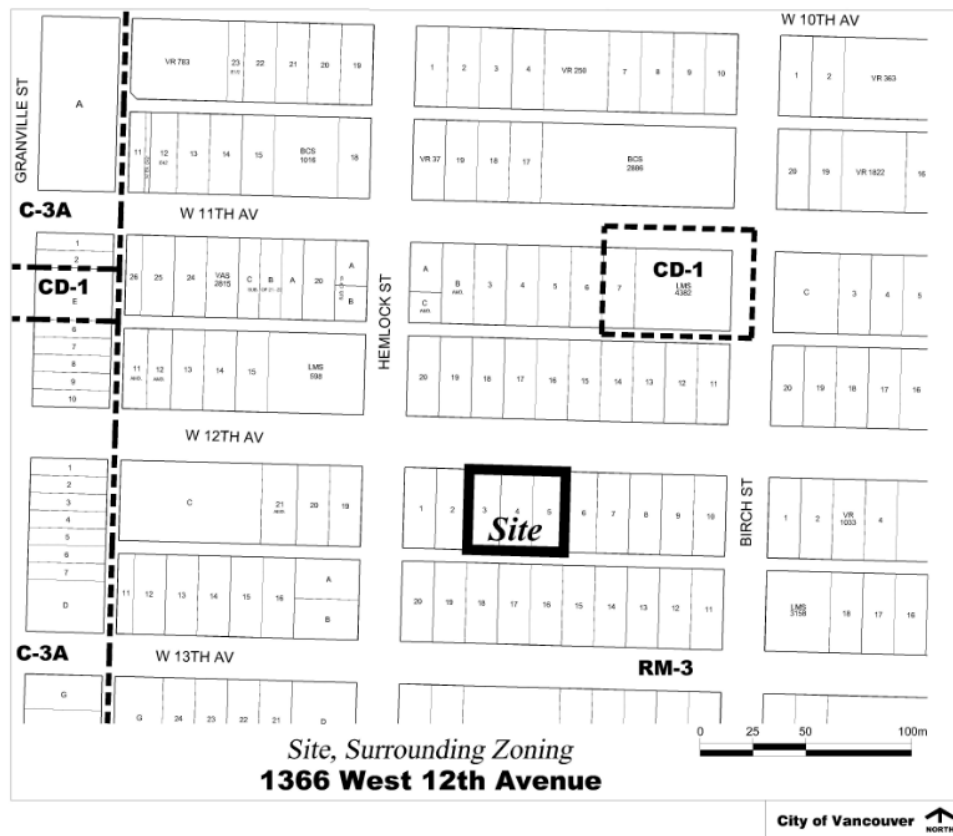
The surrounding area contains residential uses, with the South Granville Village area approximately one block to the west. Notable nearby buildings include the Holy Trinity Anglican Church and the Pacific Theatre, which are located at the intersection of West 12th Avenue and Hemlock Street.

The Fairview neighbourhood is undergoing significant change, with redevelopment under the *Broadway Plan* and extension of the Skytrain. The future South Granville Broadway Subway Station is located within four blocks of the site.

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

- *Parks/Playgrounds:* L'École Bilingue Elementary School Playground (400 m), Shaughnessy Park (475 m), Granville Park (575 m), Granville Loops Park (750 m).
- *Cultural/Community Spaces:* Pacific Theatre (75 m), South Granville Seniors Centre (75 m), Stanley Industrial Alliance Stage (200 m), Firehall Branch Vancouver Public Library (275 m). False Creek Community Centre (1 km).
- *Childcare:* West Point Grey Daycare (750 m), False Creek YMCA Child Care (800 m), Kids in General Child Development Centre (850 m), Extra Steps Preschool (1,000 m).

Figure 1: Location Map



Local School Capacity – The site is located within the catchment of Shaughnessy Elementary School and Hamber Secondary School. According to the Vancouver School Board (VSB)'s *2020 Long Range Facilities Plan*, Shaughnessy Elementary School will be operating at 81% capacity by 2031, while Hamber Secondary School will also be under capacity, operating at 79% 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 (2022) – The *Vancouver Plan* was approved by Council on July 22, 2022 and is a land use strategy to guide long-term growth of the City over the next 30 years. The *Vancouver Plan* serves as a framework, with further implementation planning work to follow over the next few years.

The site is located within the *Broadway Plan* area which is generally in alignment with the *Vancouver Plan*.

Broadway Plan (2022) – The *Broadway Plan* (the “Plan”) is a comprehensive community plan for the area within Vine Street to Clark Drive and 1st Avenue to 16th Avenue. The 30-year plan focuses on opportunities to integrate new housing, jobs, and amenities around the new Broadway Subway.

The site is located within the Fairview South – Area B (FSOB) sub-area of the Plan. The Plan allows consideration of 20-storey rental housing towers up to 6.5 FSR, with a minimum of 20% of the residential floor area secured at below-market rents.

The Plan limits the number of towers to two in certain residential areas, including on this block. However, there are exceptions to tower limit policies for parcels located within a 400-metre tier of the Transit-Oriented Areas Designation By-law. The site at 1366 West 12th Avenue falls within this tier, and therefore, the tower limit does not apply.

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 2 of the TOA legislation. As the Plan allows more height and density, the application is being assessed under the *Broadway 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 was brought forward to Council in July 2025, with Public Hearing scheduled for September 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.

Housing Vancouver Strategy (2017) – The *Housing Vancouver Strategy* focuses on the right supply of new homes, including rental, to meet the continuum of housing types. The strategy includes 10-year housing approval targets, which were updated in 2024. The new targets aim for 83,000 net new homes overall, including 30,000 purpose-built market rental and 5,500 purpose-built below market rental units. This rezoning will contribute towards targets for purpose-built market and below market rental housing units.

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

Strategic Analysis

1. Proposal

The rezoning application proposes a rental building containing 180 units, with 20% of the residential floor area for below-market rental units. This proposed building has a building height of 60 m (197 ft.) with additional height for the portion with rooftop amenity, and an overall maximum density of 6.5 FSR. The proposal includes underground vehicle and bicycle parking, accessed from the rear lane.

2. Land Use

The proposed residential uses are consistent with the Plan.

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

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

Form of Development – This application is consistent with the Plan for a 20-storey tower with a four-storey podium (see Figure 2). The proposal meets the Plan’s expectations with regards to height, tower separation and floor plate size.

Figure 2: Project Perspective Looking Southwest



Height – The Plan anticipates 20 storeys with an additional partial storey for rooftop amenities. The proposed height is within the Plan’s permitted maximum.

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

Public Realm and Interface – The Plan envisions ground-oriented dwelling units with private patio spaces to be delineated by layered plantings to transition from the private realm to the public. The proposal includes dwelling units at grade with vegetative buffers, hedges and on-site trees contributing to the streetscape, consistent with the Plan.

Balconies with Retractable Weather Screening – This application intends to pilot the use a retractable weather screening system for balconies at the podium levels two to four. This is to

improve the usability and livability of this space over a broader range of weather conditions and to mitigate noise infiltration from West 12th Avenue. Staff have prepared conditions in Appendix B to further demonstrate the performance of the balconies with retractable weather screening.

Private Amenity Space – The development offers on-site common indoor and outdoor amenities for the residents at Level 2 and rooftop of the tower.

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

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 180 units, including 145 market rental units and 35 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 Purpose-Built Market and Developer-Owned Below-Market Rental Housing as of June 30, 2025

Housing Type	Category	10-year Targets ^{1, 2}	Units Approved Towards Targets ³
Purpose-Built Market Rental Units ²	Market Rental	30,000	11,175 (37%)
	Developer-Owned Below Market Rental	5,500	1,905 (35%)
	Total	35,500	13,080 (37%)

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

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

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

Vacancy Rates – Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2024, the purpose-built apartment vacancy rate was 1.6% in Vancouver. The vacancy rate (based on the Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the South Granville / Oak which this site is located, is 1.0%. A vacancy rate of between 3% and 5% is considered to represent a balanced market.

Housing Mix – The Plan requires a minimum of 35% family units, including a minimum of 10% of units with three or more bedrooms and 25% of units with two bedrooms. This application proposes 35% family units in a mix of 33% two-bedroom and 2% three-bedroom units, thereby not meeting this policy. A condition of approval and a provision in the CD-1 By-law has been included to ensure the Plan policy requirement for a minimum of 25% two-bedroom units and minimum of 10% three-bedroom units is met separately in both the market rental and below-

market portions. All family units must be designed in accordance with the *High-Density Housing for Families with Children Guidelines*.

Average Rents and Income Thresholds – Figure 4 below shows starting rents set for below-market rental units in 2025. 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 the city-wide average market rents at the time of initial occupancy. On unit turnover, rents in the below-market units may be reindexed to 20% less the city-wide average market rent by unit type current at the time of unit turnover.

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

	Below-Market Rental Units		Newer Rental Buildings Westside		Monthly Costs of Ownership for Median-Priced Apartment –Westside (with 20% down payment)			
	Proposed Average Unit Size	2025 Starting Rents ¹	Average Household Income Served ⁴	Average Market Rent ²	Average Household Income Served ⁴	Monthly Costs of Ownership ³	Average Household Income Served ⁴	Down-payment at 20% ³
Studio	298 sq. ft.	\$1,294	\$51,776	\$1,960	\$78,400	\$2,837	\$113,480	\$106,000
1-bed	468 sq. ft.	\$1,470	\$58,784	\$2,560	\$102,400	\$3,473	\$138,920	\$132,000
2-bed	651 sq. ft.	\$2,052	\$82,080	\$3,635	\$145,400	\$5,193	\$207,720	\$198,400
3-bed	702 sq. ft.	\$2,819	\$112,768	\$4,412	\$176,480	\$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.

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

Security of Tenure – Purpose-built rental housing offers permanent rental housing and security of tenure, unlike rented condominiums or basement suites in the secondary rental market. All 180 units in the proposal would be secured through a Housing Agreement and Section 219 Covenant for the longer of 60 years or the life of the building. Covenants will be registered on title to prohibit the stratification and/or separate sale of individual units.

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

Existing Tenants – The rezoning site contains existing rental residential uses, including 30 units of primary rental. 28 out of the 30 existing residential tenancies are eligible under the City's *Tenant Relocation and Protection Policy (TRPP)* for the *Broadway 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 *Broadway Plan* area. The Tenant Relocation Plan is summarized in Appendix D of this report.

5. Parking and Transportation

The site is well served by public transit and is located within 200 m of local bus routes along Granville Street, and 400 m of the future South Granville SkyTrain Station. The site is also in close proximity to the 10th Avenue bikeway to the north.

Vehicle and bicycle parking is provided on three levels of underground parking, accessed from the lane. The application proposes 71 vehicle parking spaces and 347 bicycle spaces. Conditions included in Appendix B require the proposal meet the requirements of the Parking By-law. The project's engineering conditions require public realm and street improvements, which include a new sidewalk, lane speed humps, street and lane lighting, as set out 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 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. The application proposes removal of the two existing trees located at the lane. The proposal includes the planting of 12 new on-site trees. Two city streets trees along boulevard of West 12th Avenue are to be retained and protected. See Appendix B for landscape and tree conditions.

7. Public Input

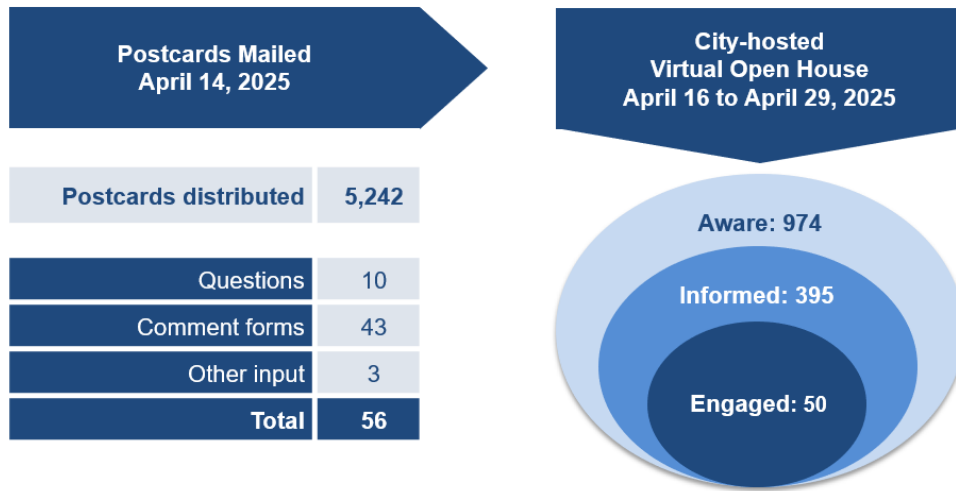
Public Notification – A rezoning information sign was installed on the site on March 25, 2025. Approximately 5,242 notification postcards were distributed within the neighbouring area on or about April 14, 2025. Application information and an online comment form were provided on the Shape Your City (shapeyourcity.ca/) platform.

Question and Answer Period – A question and answer period was held from April 16 to 29, 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 56 submissions were received.

Figure 5: Overview of Notification and Engagement

Public Consultation



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

Generally, comments of support fell within the following areas:

- **Rental Housing:** The proposal will add much-needed rental housing to the city.
- **Transit:** The development is supported given its adjacency to transit options.
- **Support for Affordable Housing:** Securing 20% of the housing as below-market units will help with the affordability of the area.

Generally, comments of concern fell within the following areas:

- **Building Height and Scale:** The height of the proposal would be too tall in an area that only contains low to mid rise developments.
- **Infrastructure to Support Growth:** The neighborhood lacks the necessary infrastructure (e.g., parks, schools, street parking) to support the additional population increase.

- **Impact on Community and Character:** That the project will negatively affect the neighborhood's community feel and character, particularly with the removal of older, affordable housing and the displacement of existing residents.

Staff Response – The proposed height, scale, uses and proportion of below-market units are consistent with the FSOB sub-area of the *Broadway Plan*. Further, the proposal aligns with policy to deliver much-needed rental and below-market rental for the area and complies with the Tenant Relocation and Protection Policy (TRPP). Regarding massing and design, the proposal is consistent with the urban design expectations of the *Broadway Plan*. Staff have prepared conditions for further design refinement at the development permit stage.

Public Benefits

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

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

Based on rates in effect as of September 30, 2024 and the proposed 11,287 sq. m (121,497 sq. ft.) of residential floor area, DCLs are estimated to be \$1,798,156. The value of the DCL waiver for the residential floor area is estimated to be \$2,869,759. 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.

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

Public Art Program – The application is subject to a public art contribution estimated at \$240,564. The final contribution will be calculated based on rate in effect and the floor area at the development permit stage. Applicants may elect to provide on-site artwork or cash-in-lieu (at 80% of the public art budget).

Other Benefits – The secured market rental and below-market rental units in this proposed development will contribute to the City's secured rental housing stock.

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

FINANCIAL IMPLICATIONS

As noted in the Public Benefits section, this project is expected to provide 180 rental units with 20% at below-market rent, a public art contribution, and a DCL payment. See Appendix F for additional details.

CONCLUSION

Staff conclude that the proposed land use, housing mix, and form of development is consistent with the intent of *Broadway Plan*. If approved, this application would contribute 180 rental units, with 20% of the floor area for below-market rental units to the City's rental housing stock.

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

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**1366 West 12th Avenue
PROPOSED CD-1 BY-LAW PROVISIONS**

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

Zoning District Plan Amendment

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

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

Designation of CD-1 District

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

Definitions

3. Words in this by-law have the meaning given to them in the Zoning and Development By-law, except that:
 - (a) for the purpose of calculating the total dwelling unit area for section 5.1 of this by-law, “Dwelling Unit Area” is the floor area of each dwelling unit, measured to the inside of all perimeter walls, excluding any floor area as required by section 6.4 of this by-law;
 - (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; and
 - (c) “Balcony with retractable weather screening” means a platform providing useable outdoor space located on levels two to four facing West 12th Avenue on the north and east elevations that:
 - (i) projects from a building or is recessed into a building;
 - (ii) is only accessed from within the building;
 - (iii) may be covered by a roof or floor above;
 - (iv) is not heated or air-conditioned;

- (v) is unsealed and not enclosed, allowing the free flow of exterior air through the space; and
- (vi) located above the required guard, may have a retractable glazing system that reduces the entrance of wind, rain and noise into the space if, to the satisfaction of the Director of Planning, the retractable glazing system does not substantially add to the perceived visual bulk and massing of the building, through a combination of highly transparent and non-tinted glass, minimal opaque structural support elements, and full retractability.

Uses

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

Conditions of Use

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

Floor Area and Density

- 6.1 Computation of floor area must assume that the site area is 1,743 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 6.5.
- 6.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 6.4 Computation of floor area and dwelling unit area must exclude:

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

Building Height

- 7.1 Building height must not exceed 60 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 65.5 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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**1366 West 12th Avenue
CONDITIONS OF APPROVAL**

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

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Consideration by Council at the public hearing of the proposed form of development is in reference to plans prepared by BFA Studio Architects, on behalf of 1366W12 Holdings Ltd. received July 10th, 2024 and supplemental plans received November 12th, 2024.

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

Urban Design

- 1.1 Design development to meet the liveability objectives of the dwelling units.

Note to Applicant: Refer to section 11.3.1 of the *Zoning and Development By-law*. This can be achieved by ensuring that the studio units are no less than 29.7 sq. m (320 sq. ft.) and delete in-board bedrooms.

- 1.2 Design development to improve the architectural expression, including through the following:

- (a) Enhance the cohesiveness and treatment of the elevations;

Note to Applicant: All facades should contribute to one robust architectural and cohesive concept and not appear as back of house.

- (b) Improve the tower crown at Level 20; and

- (c) Integrate the parkade stairs with the proposed podium massing.

- 1.3 Design development to ensure the following performance for the intended retractable weather screening located at the balconies of podium levels two to four:

- (a) Transparency: Use highly transparent, non-tinted vision glass to maintain openness and lightness;

- (b) Minimal Structure: Employ slim, discreet or frameless structural supports to reduce perceived bulk and preserve the architectural clarity of the building as well as for the balconies to read as balconies rather than interior space;

- (c) Full Retractability: Ensure the system is fully retractable to allow for flexibility and full use of the balcony when opened; and
- (d) Openness: Railing and retractable weather screening should not be airtight or temperature controlled and remain partially open to air movement, similar to a four season porch, while not be considered enclosed habitable space.

Note to Applicant: The intent is that these systems should be designed to minimize the visual impact on the building's perceived form and massing and are integrated within the building expression. This can be achieved by providing supplemental enlarged architectural details, at a large scale no less than 1:20 or equivalent, and include notes and dimensions, elevations and perspective images.

- 1.4 Ensure selected neighbouring trees are retained.

Note to Applicant: Refer to Landscape Design condition 1.4.

Landscape Design

- 1.5 Provision of revised documents to ensure safe retention of neighbour-owned trees. This can be achieved by;
- (a) Providing coordinated application documents regarding proposed parkade works near tree 476. Arborist documents indicate the parkade will be setback from this tree in order for it to be retained, while architectural drawings show the parkade at the property line. Work with project arborist to determine acceptable limits of development near this tree to facilitate retention. Provide revised arborist report and signed letter of assurance, revised landscape and architectural drawings including details and sections, as required, outlining recommended mitigation measures as per arborist's recommendations.
 - (b) Providing coordinated application documents confirming existing retaining wall near trees 477 and 478 can be retained as per arborist recommendations. Including revised arborist report and signed letter of assurance, revised landscape and architectural drawings including existing retaining wall shown and indicated as retained, details and sections as required, outlining recommended mitigation measures as per arborist's recommendation.

If existing retaining wall cannot be retained, further analysis and comments by Project Arborist will be required to quantify work and tree retention methods. Depending on outcome of Project Arborist analysis and feedback, building design revisions may be required to retain trees 477 and 478.

Unless signed letters of consent from the owners of trees 476, 477, and 478, confirming support to remove these trees is provided, these trees are to be retained as per above conditions.

- (c) Providing Arborist Report documents that have been based on the proposed design. Submitted Arborist Report is based on the survey. Arborist Report should

address impacts of development, and provide comments for all retained trees relating to impacts and construction works.

Standard conditions required at time of development permit:

- 1.6 Provision of revised and coordinated landscape documents with respect to tree retention items;
- (a) Illustrate and show all existing trees as per arborist documents, note or show if they are retained or removed, and show trees labelled as per arborist documents.
 - (b) Illustrate, and dimension tree protection barriers, including any phased protection barriers,
 - (c) Note all areas requiring arborist supervision, and any critical arborist notes relating to retention of existing trees.

Note to Applicant: If required, a separate tree retention plan can be included within the Landscape drawing set.

- 1.7 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 Landscape 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.

- 1.8 Provision of detailed architectural and landscape cross sections (minimum 1/4 inch 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.

Sustainability

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

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

Housing

- 1.10 The proposed unit mix, including 72 studio units (40%), 45 one-bedroom units (25%), 60 two-bedroom units (33%) and 3 three-bedroom units (2%) 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: The proposed market rental and below-market rental unit mix should be designed to accommodate returning tenants exercising the Right of First Refusal to return to the new building. Returning tenants must be offered a unit appropriate to their household as defined by the CMHC National Occupancy Standard, as outlined in the Tenant Relocation and Protection Policy and TRPP Bulletin, at below-market rents or existing rents, as applicable. See Conditions of By-law Enactment 2.6.

- 1.11 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: In-suite storage is highly encouraged for family units.

- (c) A multi-purpose indoor amenity space appropriate in size for the scale of the project, with a wheelchair accessible washroom and kitchenette. Consider positioning this adjacent to the children's play area to enable parental supervision from the amenity room (S. 3.7.3); and
 - (d) A balcony for each unit with 1.8 by 2.7 m minimum dimensions (S. 4.3.2).
- 1.12 The below-market units should be designed to the same standards of livability as the market rental units.

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

Engineering

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

- 1.13 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>

- 1.14 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>

- 1.15 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.
- 1.16 Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.
- 1.17 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.

<https://guidelines.vancouver.ca/guidelines-garbage-recycling-storage-facility-design.pdf>

- 1.18 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 ft. long and 18 in. deep, centre on each street tree adjacent to the sidewalk and any off-street bike facility. Planting depth of root ball must be below sidewalk grade. Contact Park Board at pbdevelopment.trees@vancouver.ca for inspection after tree planting completion".
 - (b) Existing locations of:
 - (i) Street furniture; and

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

"All removals, relocations, reinstallations and replacements of street furniture must be carried out by the City Street Furniture Contractor in coordination with the City Street Furniture Coordinator."
 - (ii) Poles and guy wires.

Note to Applicant: Poles and guywires that are to be removed or relocated must be called out and the existing and proposed locations shown. Letters must be provided from the appropriate public utility companies that confirm that pole relocation proposed is possible.
 - (c) All proposed streetscape materials on City property to be City standard materials;

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

Note to Applicant: Where a design detail is not available, make note of the improvement on the plan. Public realm changes include all off-site improvements sought for this rezoning. The Streets Design Guidelines 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.

1.19 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.

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

- (a) Clear unloading area or raised rear dock, minimum 1.8 m (5.9 ft.) wide, with suitable access to facilitate goods loading/unloading.

1.21 Provision of bicycle spaces, per [Parking By-law Section 6](#), including:

- (a) An alcove for access to spaces located off the vehicle ramp and/or maneuvering aisle.

1.22 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) 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.
- (c) Design elevations at all breakpoints on both sides of ramps, drive aisles, loading and passenger loading spaces, accessible spaces, and entrances.

1.23 Provision of a Final Hydrological Study, to the satisfaction of the General Manager of Engineering Services and the Director of Planning, which addresses the requirements outlined in the Groundwater Management Bulletin.

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 one or more levels of below-ground structure (but excluding lower density residential buildings with eight or fewer units) located in an area of concern for groundwater will have to meet the requirements of the revised Bulletin. Further information on requirements can be found here: <https://guidelines.vancouver.ca/bulletins/bulletin-groundwater-management.pdf>

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.

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 Provisions 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.

- 1.26 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>

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

Note to Applicant: When providing additional property line elevations for proposed

entrances, interpolate a continuous grade between the elevations provided on the City supplied building grade plan

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

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

PART 2: CONDITIONS OF BY-LAW ENACTMENT

THAT, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability, 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:

Engineering

2.1 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for consolidation of Lots 3, 4 and 5, all of Block 412, District Lot 526, Plan 1276 to create a single parcel.

2.2 Provision of a natural watercourse agreement.

Note to Applicant: Records indicate a natural watercourse passes through this site, a 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. 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>.

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

Note to Applicant: Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by Creus Engineering Ltd. dated May 21, 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.

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

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

Note to Applicant: Implementation of development at 1366 West 12th Avenue does not require any sewer upgrades.

Note to Applicant: Development to be serviced to the existing 375 mm combined sewer and storm located along West 12th Avenue.

Pending City of Vancouver Council Approval, the Vancouver Building Bylaw will be modified on January 1st, 2026. The onsite rainwater release rate requirement is anticipated to be changed to the following: The post-development 10-year flow rate discharged from the site shall be no greater than 25 L/s/ha of site area, and the first 15mm of rainfall over areas not covered in landscaping shall be controlled to 5 L/s/ha. The post-development estimate shall utilize the 2100 IDF curves to account for climate change. Acceptable calculation methods will also be specified. This site will be required to comply with these requirements, pending Council approval. More information is available at <https://vancouver.ca/home-property-development/rainwater-management.aspx>.

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

Note to Applicant: The boulevard width may be reduced where required to accommodate minimum sidewalk width. Final design of these street improvements should also follow the upcoming *Broadway Public Realm Plan*.

- (d) Provision of street improvements with appropriate transitions, along the lane south of West 12th Avenue adjacent to the site, including:

- (i) Full depth pavement reconstruction.

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

Refer to the City design guidelines and construction standards.

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

- (e) Provision of speed humps in the lane south of West 12th Avenue between Hemlock Street and Birch Street.

- (f) Provision of upgraded street lighting (roadway and sidewalk) and existing lane light to current City standards and IESNA recommendations.

- (g) 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.

- (h) 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 ft. long and 18 in. deep, centre on each street tree adjacent to the sidewalk and any off-street bike facility. Installation of Engineered Soil under new sidewalks may be required to obtain appropriate soil volumes based on site conditions.

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

Housing

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

such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require. The agreement or agreements will include but not be limited to the following terms and conditions:

- (a) A no separate sales covenant.
- (b) A no stratification covenant.
- (c) A provision that none of the units will be rented for less than one month at a time.
- (d) That the average initial starting monthly rents by unit type for the below-market rental housing 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).
 - (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).
 - (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.

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

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

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

- (a) Provide a Tenant Relocation Plan to the satisfaction of the General Manager of Planning, Urban Design and Sustainability as per the *Broadway Plan* and the Tenant Relocation and Protection Policy that is effective at the time of submission of the Development Permit Application.
- (b) Provide a notarized declaration prior to issuance of the Development Permit that demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes copies of a letter addressed to each eligible tenant summarizing the Tenant Relocation Plan offer and signed as received by each eligible tenant.
- (c) Provide an Interim Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Demolition Permit.

The Report must include, but may not be limited to, the names of tenants; whether each tenant has indicated interest in the Right of First Refusal to return to the new building; each tenant's choice of either the financial compensation or temporary rent top-up option; the names of any tenants who have ended their tenancy; the reason for its end (e.g. tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant), and their temporary rent top up amount for the first year of tenancy in the alternative unit (if applicable) and total compensation amount(s); the names of tenants still remaining in the building; the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan.

A copy of the Temporary Rent Top-Up Calculation Form for each tenant that chooses the Temporary Rent Top up option must also be provided with the Interim Tenant Relocation Report.

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

- (d) Provide a Final Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Occupancy Permit. The Report must include, but may not be limited to, the names of tenants; whether each tenant has indicated interest in the Right of First Refusal to return to the new building, 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

- 2.6 Execute an agreement satisfactory to the Director of Legal Services and the Director of Arts, Culture and Community Services 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 Director of Legal Services and the Director of Arts, Culture and Community Services.

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

Environmental Contamination

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

Agreements

Note 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.

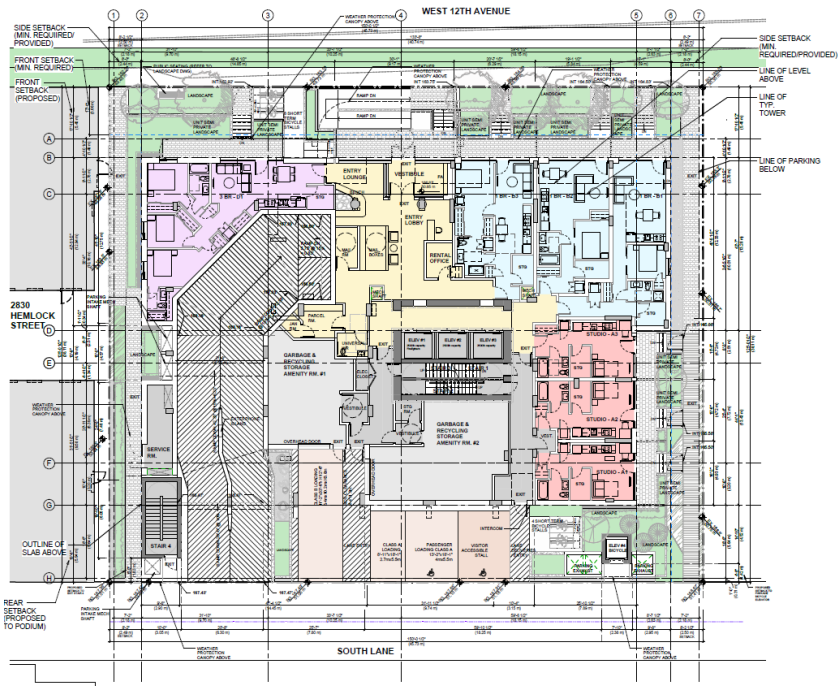
The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services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

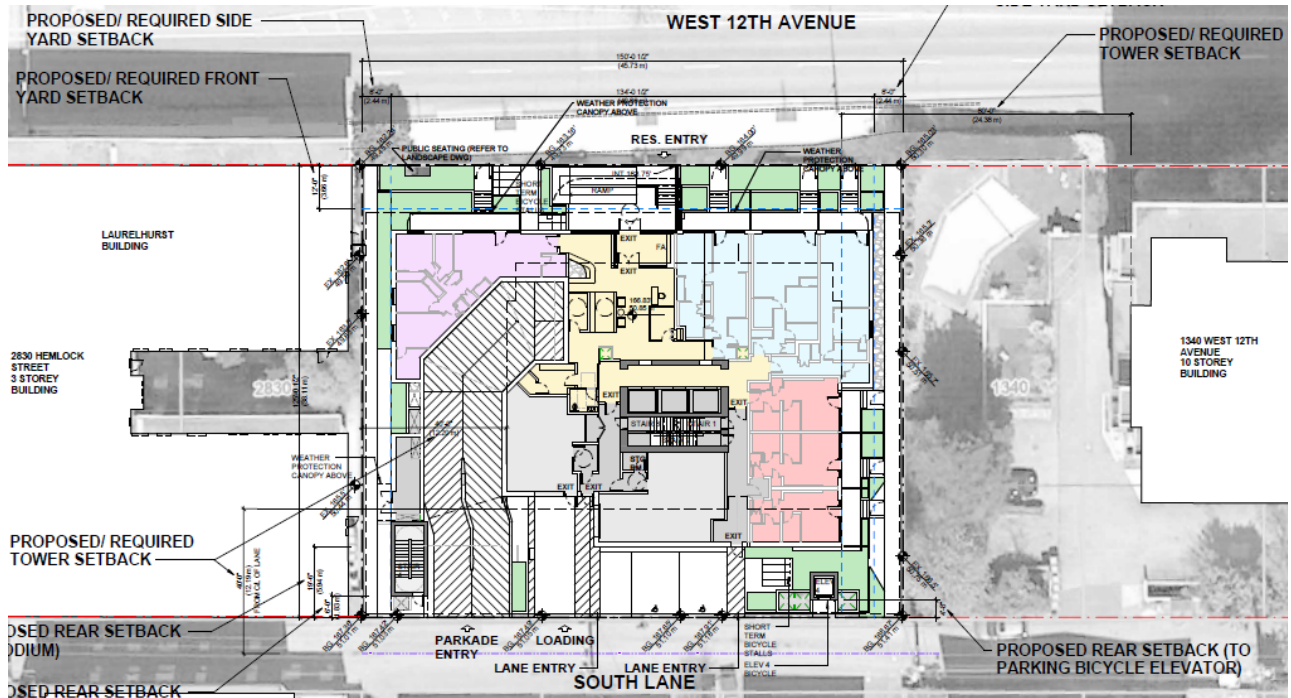
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1366 West 12th Avenue FORM OF DEVELOPMENT DRAWINGS

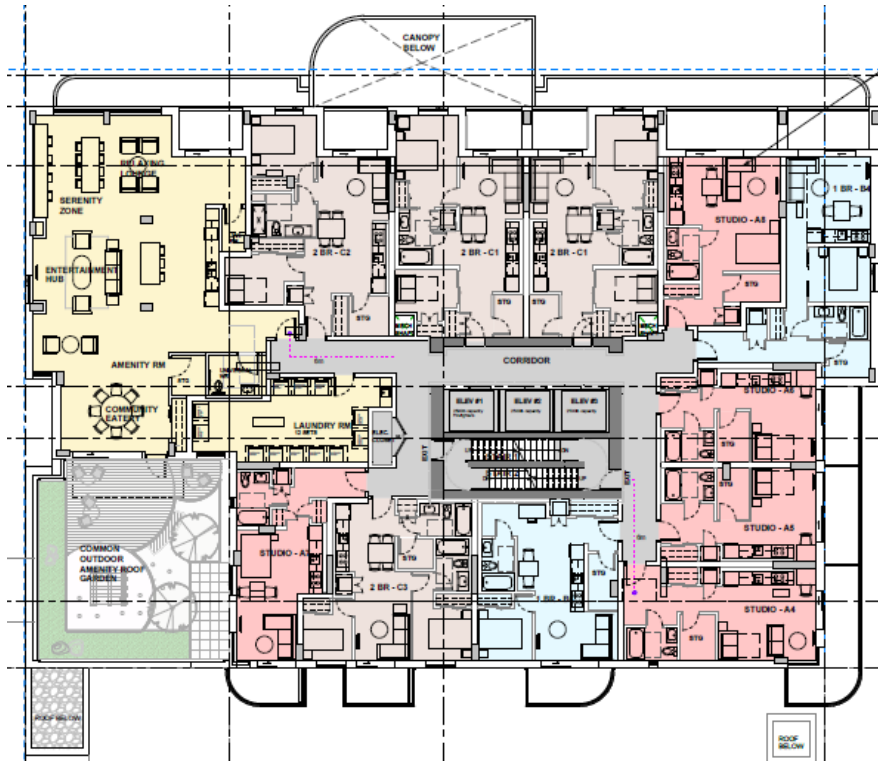
Site Plan (Based on Supplemental Drawings Submitted November 2024)



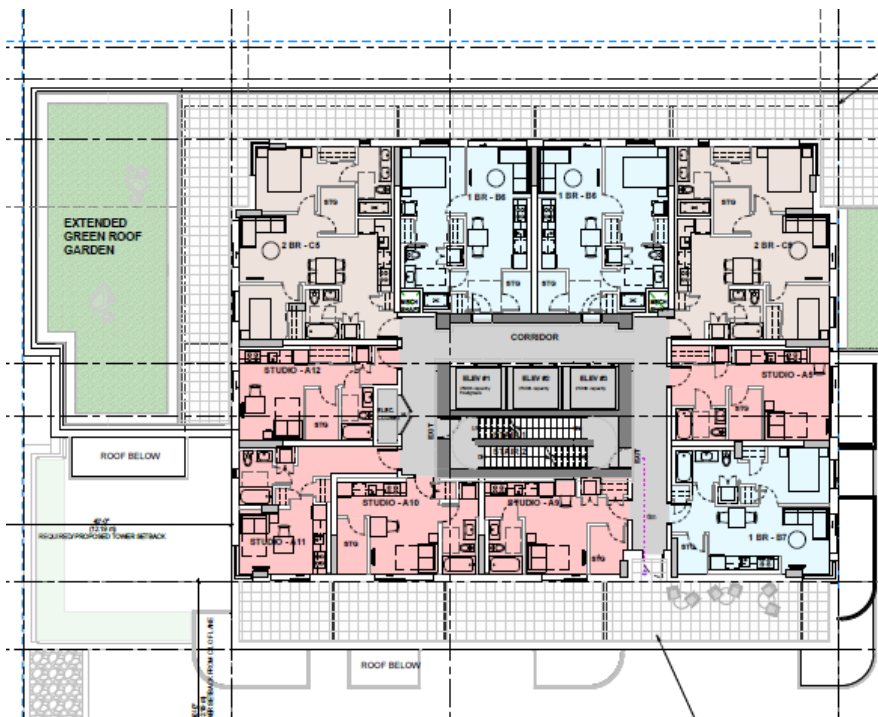
Ground floor (Submitted November 2024)



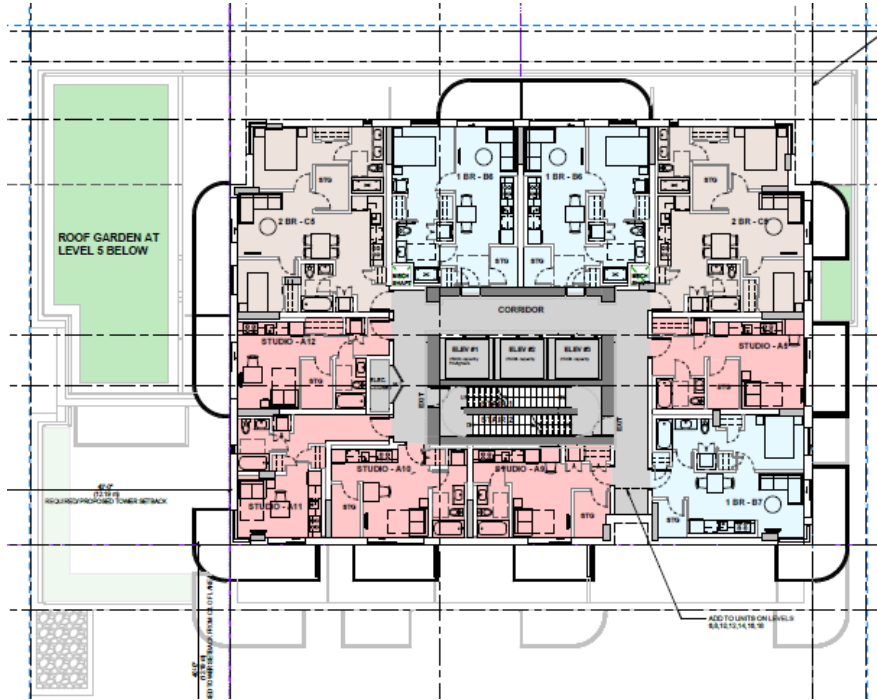
Level 2 Floor Plan (Submitted November 2024)



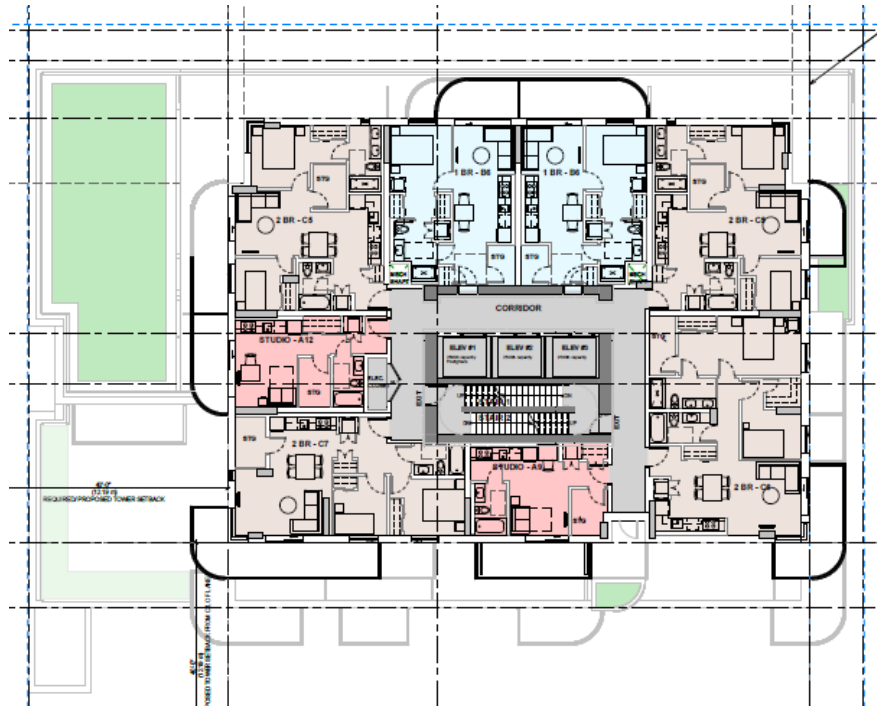
Level 5 Floor Plan (Submitted November 2024)



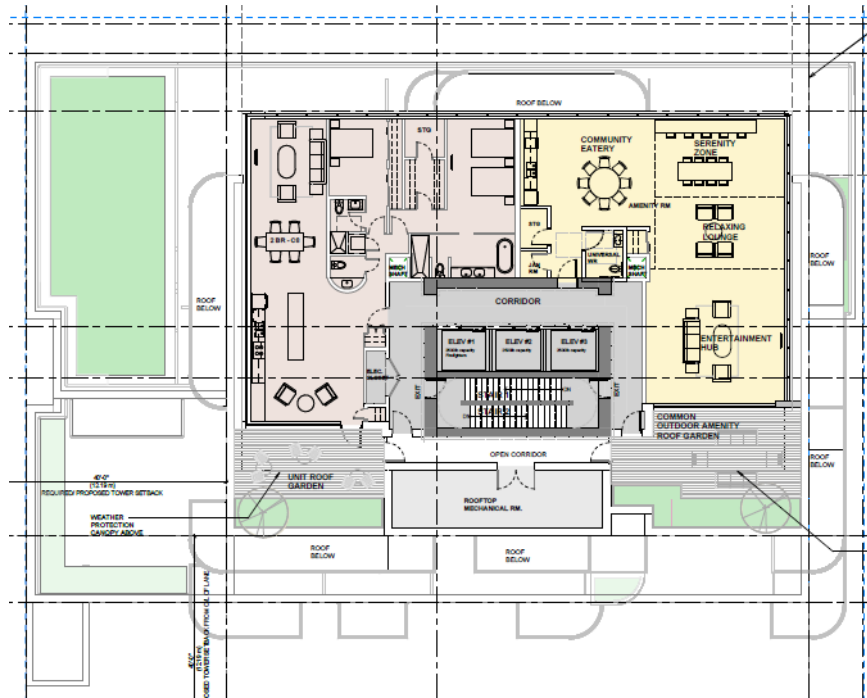
Levels 6-10 Floor Plan (Submitted November 2024)



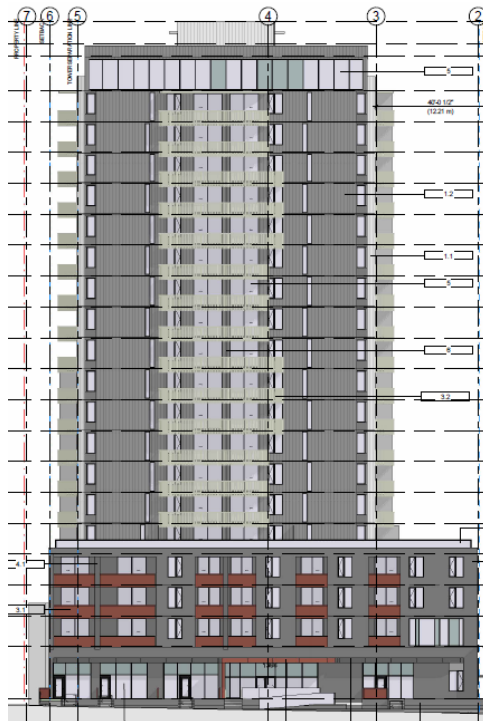
Levels 14-19 Floor Plan (Submitted November 2024)



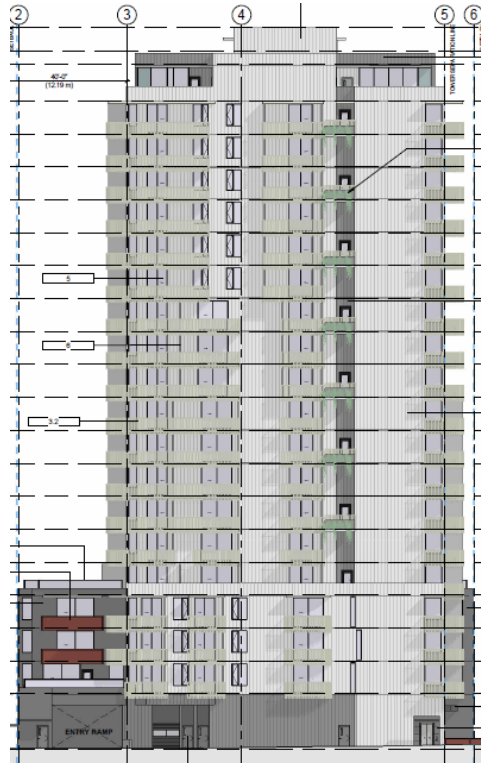
Level 20 Floor Plan & Rooftop Amenity
(Submitted November 2024)



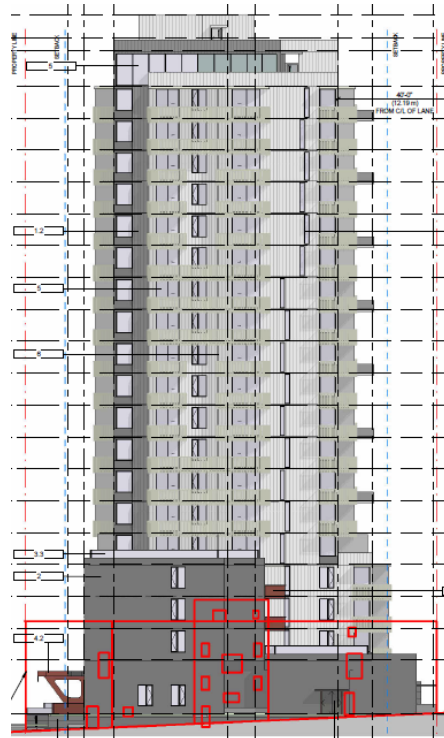
Front Elevation Along West 12th Avenue (Submitted November 2024)



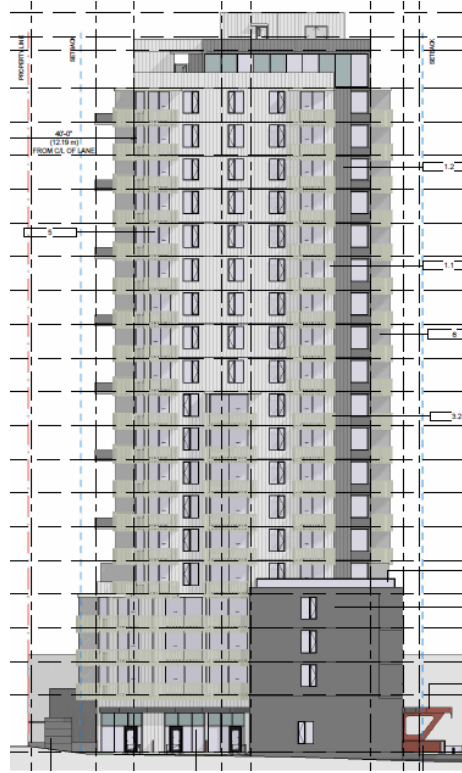
Rear Lane Elevation (Submitted November 2024)



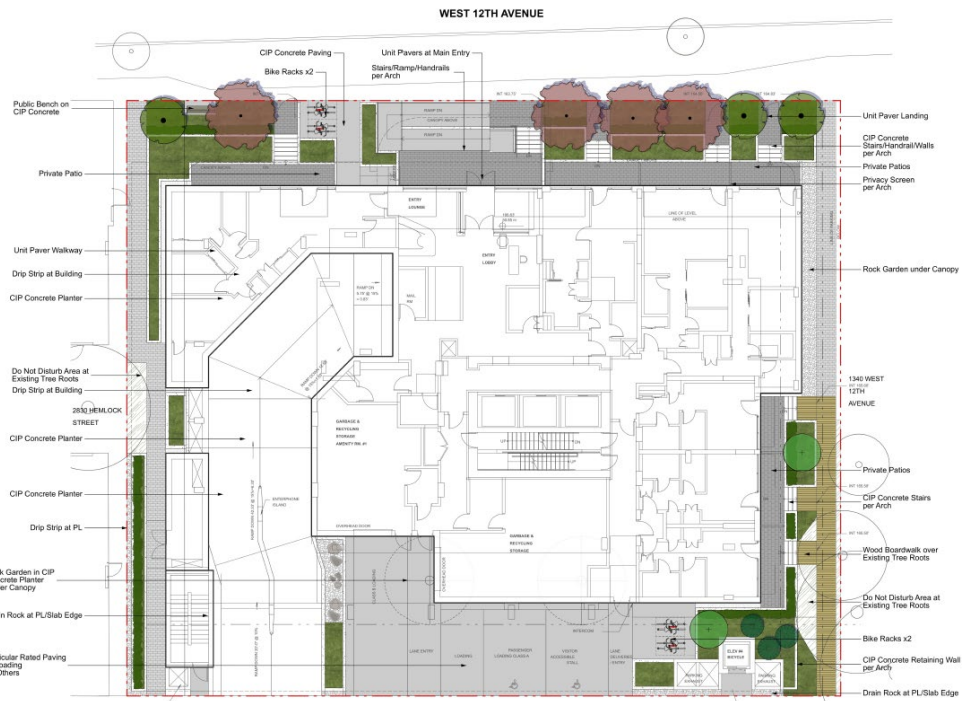
Westside Elevation (Submitted November 2024)



Eastside Elevation (Submitted November 2024)



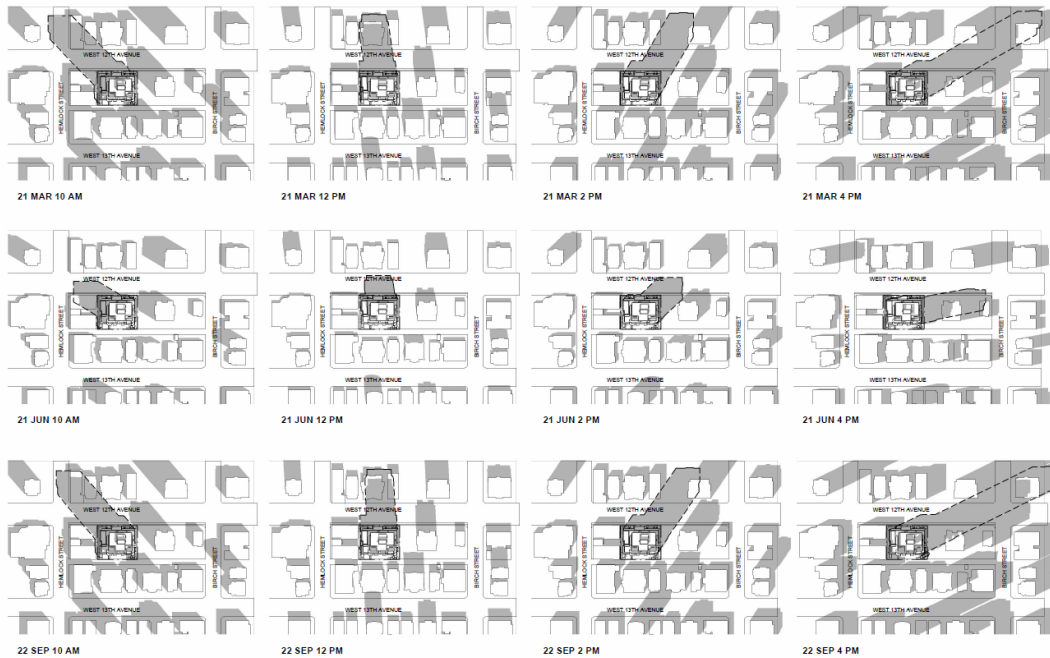
Landscape Plan (Submitted November 2024)



View from the Northwest (Submitted November 2024)



Shadow Analysis (Submitted November 2024)



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**1366 West 12th Avenue
SUMMARY OF TENANT RELOCATION PLAN TERMS**

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

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

* * * * *

1366 West 12th Avenue
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

	Date	Results
Event		
Question and Answer Period (City-led)	April 16, 2025 – April 29, 2025	328 participants (aware)* <ul style="list-style-type: none"> • 112 informed • 43 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and Question and Answer Period	April 14, 2025	5,242 notices mailed
Public Responses		
Online questions	April 16, 2025 – April 29, 2025	10 submittals
Online comment forms <ul style="list-style-type: none"> • Shape Your City platform 	March 2025 – July 2025	43 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	March 2025 – July 2025	43 submittals <ul style="list-style-type: none"> • 29 responses • 12 responses • 2 responses
Other input	March 2025 – July 2025	3 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	March 2025 – July 2025	285 participants (aware)* <ul style="list-style-type: none"> • 143 informed • 36 engaged

Note: All reported numbers above are approximate.

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

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

2. Map of Notification Area



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:

- **Need For Rental Housing:** Many respondents, including those in support, emphasized the critical need for additional rental housing in Vancouver. Respondents specifically mentioned that this project would address the city's housing shortage.
- **Proximity to Transit:** Multiple supporters highlighted the building's strategic location near transit stations, making it an attractive choice for those looking for easy access to public transportation.
- **Support for Affordable Housing:** Many supportive respondents mentioned that the inclusion of below-market units (20% of the building) is a positive aspect of the project. They believe this will help with affordability in the area, which is a key concern for many.

Generally, comments of concern fell within the following areas:

- **Building Height and Scale:** Several respondents oppose the project's height, commenting that a 20-story building is too large for the neighborhood. Respondents felt the project disturbs the area's character and is out of scale with the surrounding buildings.
- **Infrastructure to Support Growth:** Some opposed respondents are concerned that the neighborhood lacks the necessary infrastructure (e.g., parks, schools, street parking) to support the additional population the project will bring.

- **Impact on Community and Character:** There is concern that the project will negatively affect the neighborhood's community feel and character, particularly with the removal of older, affordable housing and the displacement of existing residents.

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:

- Supporters appreciate the architectural design, particularly the podium styling and use of outdoor spaces.
- Many respondents value the project's central location, which offers easy access to amenities and services.
- The project is seen as contributing to Vancouver's growth and development, with supporters recognizing it as part of the broader vision for urban expansion.

General comments of concern:

- A few feel the 20-story tower is too tall and out of place in the neighborhood.
- Concerns about the lack of necessary infrastructure, such as schools and parks, to support the added population
- Some believe the project disrupts the neighborhood's character and displaces affordable housing.

Neutral comments/suggestions/recommendations:

- Some acknowledge the need for more housing but have concerns about the tenant selection process.
- Neutral respondents recognize the benefit of being near transit but are unsure about the building's scale.
- One responder has concerns about how the Broadway SkyTrain expansion will accommodate the increased traffic, and what other transportation and urban development projects will support this and future tower proposals

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**1366 West 12th Avenue
PUBLIC BENEFITS SUMMARY**

Project Summary

A 20-storey residential rental building consisting of 180 units, with 20% of the residential floor area for below-market rental units.

Public Benefit Summary:

The proposal would provide 180 rental units with 20% of the floor area secured for below market rental units and secured through a Housing Agreement for the greater of 60 years and the life of the building, as well as DCLs and a public art contribution.

	Current Zoning	Proposed Zoning
Zoning District	RM-3	CD-1
Floor Space Ratio	1.0	6.5
Floor Area	1,743 sq. m (18,759 sq. ft.)	11,287 sq. m (121,497 sq. ft.)
Land Use	Residential	Residential

Summary of Development Contributions Expected under Proposed Zoning

City-wide DCL ^{1,2}	\$0
Utilities DCL ¹	\$1,798,156
Public Art ³	\$240,564
TOTAL	\$2,038,720

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 more details.

²This application has requested and is expected to be eligible for a Class A (100%) waiver of the City-wide DCL applicable to the residential portion of the building. The value of the anticipated DCL waiver is estimated to be \$2,869,759. The application is therefore subject to the maximum average starting rents and unit sizes by unit type applicable to "class A for-profit affordable rental housing" as per the By-law. These requirements will be secured by a Housing Agreement, and compliance will be assessed through the development permit stage to occupancy permit issuance.

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

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**1366 West 12th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

PROPERTY INFORMATION

Address	Property Identifier (PID)	Legal Description	Registered Owners
1366 West 12th Avenue	013-490-877	LOT 3 BLOCK 412 DISTRICT LOT 526 PLAN 1276	1366W12 HOLDINGS LTD., INC.NO. BC1303470
	013-490-885	LOT 4 BLOCK 412 DISTRICT LOT 526 PLAN 1276	
	013-490-893	LOT 5 BLOCK 412 DISTRICT LOT 526 PLAN 1276	

oAPPLICANT INFORMATION

Owner	1366W12 Holdings Ltd.
Applicant	BFA Studio Architects
Architect	BFA Studio Architects

DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed
Site Area	1,743 sq. m (18,759 sq. ft.)	1,743 sq. m (18,759 sq. ft.)
Zoning	RM-3	CD-1
Land Use	Residential	Residential
Density	1.0 FSR	6.5 FSR
Maximum Height	36.6 m (120 ft.)	60 m (197 ft.) to the top of the residential parapet and a maximum of 65.5 m (215 ft.) to the top of the rooftop mechanical equipment.
Floor Area	1,743 sq. m (18,759 sq. ft.)	Maximum of 11,287 sq. m (121,497 sq. ft.)
Parking and Bicycle Spaces	As per Parking By-law	Vehicle parking spaces: 71 Bicycle spaces: 347 Loading spaces: 3
Natural assets	2 on-site trees 2 street trees	Remove 2 on-site trees Replant 12 on-site trees Retain and protect 2 street trees (Confirmed at Development Permit stage)
