



## REFERRAL REPORT

Report Date: January 6, 2026  
Contact: Sarah Cranston  
Contact No.: 604-873-7733  
RTS No.: 18373  
VanRIMS No.: 08-2000-20  
Meeting Date: January 20, 2026

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: CD-1 Text Amendment: 138 East 7th 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.

### **RECOMMENDATIONS FOR PUBLIC HEARING**

- A. THAT the application by Pacific Investment Corporation, on behalf of 7th Avenue Investments Ltd., the registered owner of the lands located at 138 East 7th Avenue [*Lots 3 to 5 Block 44 District Lot 200A Plan 197; PIDs 015-551-229, 015-551-237 and 015-551-253 respectively*] to amend the text of CD-1 (511) (Comprehensive Development) District By-law No. 10328, to increase the maximum floor space ratio (FSR) from 3.0 to 5.1 and increase the maximum building height from 18.3 m (60 ft.) to 28.2 m (93 ft.) to permit the development of a six-storey mixed-use building with office and service uses, be approved in principle;

FURTHER THAT the draft CD-1 By-law amendment, 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 GWA Architecture, received February 9, 2023 with a resubmission received March 4, 2025;

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

- B. THAT Recommendation A 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.

### **Purpose and Executive Summary**

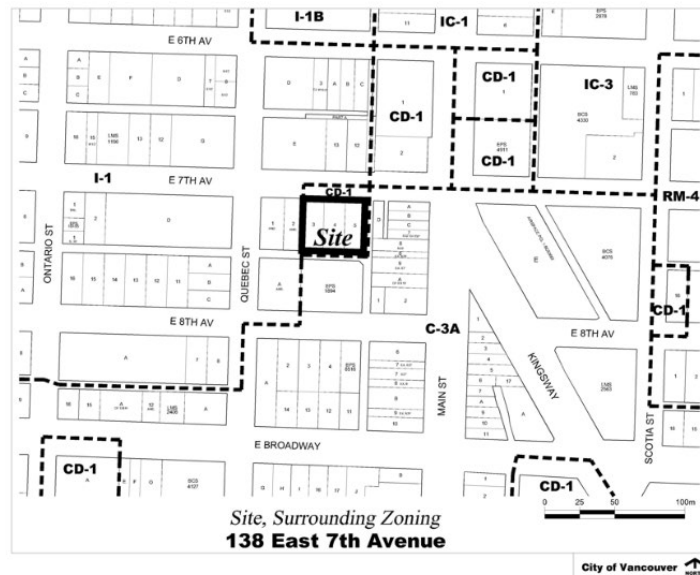
This report evaluates an application at 138 East 7th Avenue to amend CD-1 (511) (Comprehensive Development) District under the *Broadway Plan* (Plan). The proposal is for a four-storey addition atop the existing two-storey building, for a total building height of six storeys. The completed building will include five storeys of office space, and retention of the existing non-profit music school, the Sarah McLachlan School of Music.

This application is consistent with the *Broadway Plan* and associated policies. The General Manager of Planning, Urban Design and Sustainability recommends approval in principle subject to conditions contained in Appendix B.

### **Context and Background**

#### **1. Site and Context**

The subject site is comprised of three parcels, located mid-block on the south side of East 7th Avenue (see Figure 1).

**Figure 1: Site and Surrounding Zoning**

The surrounding neighbourhood consists of a mix of industrial, mixed use and residential uses. The neighbourhood is undergoing change with future redevelopment as per the Plan as well as with the Skytrain extension. The future Main Street Skytrain Station will be located 280 m to the south.

## 2. Policy Context

- Broadway Plan:** This site is located in the Mount Pleasant Industrial (MIAA) sub-area under policy 10.1. The policies of the MIAA sub-area recognize the important role of established industrial spaces which are home to arts and cultural spaces, and seek to intensify the traditional light industrial functions of the area. Industrial, office, service and retail, and cultural and institutional uses are permitted up to 11 storeys and 6.0 FSR. There is specific Broadway Plan policy for this site, which allows consideration of a modest increase in height and density for office, service, institutional and/or cultural uses to support the long-term retention of the existing music school (Policy 10.1.4).

## **Discussion**

### 1. Proposal

The proposal is for a six-storey mixed-use building with office and service uses, largely to ensure the retention of the existing non-profit music school (classified as a service use). The proposal includes retention of the existing two-storey building, and a four-storey addition atop the existing building. The finished building will include five storeys of office use, plus one-storey to ensure retention of space for the existing Sarah McLachlan School of Music. A building height of 28.2 m (93 ft.) and a floor space ratio (FSR) of 5.1 is proposed. Parking and loading, as well as student pick-up and drop off, will be accessed from the existing parkade and building access along 7th Avenue. One Class B loading stall is proposed at the lane.

**Figure 2: Proposed Building Looking South**

## 2. Form of Development

The Plan anticipates a modest increase in height and density for this site to support long-term retention of the existing non-profit music school. The proposal is consistent with the Plan's direction for use and has proposed height of 28.2 m (92.5 ft.) and density of 5.1 FSR. Refer to application statistics in Appendix E.

Staff reviewed the site-specific conditions and concluded that the proposal is appropriate for the context and generally meets urban design guidelines and the Plan's expectations. Below are notable departures from policies and guidelines accompanied by staff analysis and response:

### **Urban Design Analysis Summary**

<b>Issue</b>	<b>Policy</b>	<b>Proposal</b>	<b>Impacts</b>	<b>Outcomes</b>
<b>Shadow Impacts</b>	No new shadow impacts on parks from spring to fall equinoxes between 10 am and 4 pm.	Casts a partial shadow on the southern end of the new park under construction at Main Street and 7th Avenue between 2 pm and 4 pm during the fall and spring equinoxes.	Shadowing	Given the size, design and location of the park, minor shadow impacts can be considered as per the <i>Solar Access Guidelines for Areas Outside of Downtown</i> subject to addressing the Conditions 1.1 and 1.4 in Appendix B.

Issue	Policy	Proposal	Impacts	Outcomes
<b>Privacy and Overlook</b>	Rear yard setbacks should support a pedestrian-friendly lane interface and/ or usable outdoor space, allow for appropriate tower separation, support the liveability of residential units, consider solar access to the surrounding public realm, and mitigate overlook.	Proposed rear yard setbacks ranges from 2.6 m (8.5 ft.) and 3.8 m (12.5 ft.) with landscape planters and perforated metal screening on the upper floors to mitigate privacy and overlook impacts.	Privacy and overlook	Tower separation requirements do not apply as the existing residential building to the south (133 East 8th Avenue) is six storeys in height.  Although tower separation is not applicable between the subject site and the existing residential building to the south, a condition has been included to ensure that privacy and overlook impacts are mitigated. Refer to Condition 1.3 in Appendix B.
<b>Public Realm and Interface</b>	Provide active ground floor frontages with a pedestrian interface with continuous industrial and commercial uses for transparency and visual interest to the streetscape.  Commercial frontages should include generous, continuous, and architecturally integrated weather protection.	Retention of the existing at-grade concrete parkade structure with driveway crossing and parkade access on the 7th Avenue frontage.  No weather protection offered along 7th Avenue commercial frontage.	Pedestrian realm and comfort  Blank wall condition	Pedestrian realm interface will be negatively affected by the existing at-grade concrete parkade structure condition with driveway crossing along the 7th Avenue frontage.  A condition requires enhanced public realm interface, addresses crime prevention through environmental design (CPTED) considerations, and to further strengthen pedestrian activity by providing continuous weather protection along 7th Avenue frontage.

- **Natural Assets:** The Urban Forest Strategy and the Protection of Trees By-law were used to evaluate the proposal. Two City-owned trees are proposed to be retained and 11 on-site trees are proposed to be planted on the building rooftop. See Appendix B for landscape and tree conditions.
- **Urban Design Panel (UDP):** A review by the Urban Design Panel was not required due to the application's consistency with the expectations and policy of the Plan.

Refer to the rezoning [application booklet](#) for drawings and the Council agenda for application renderings. Note that these drawings and statistics are posted as-submitted by the applicant to the City. Following staff review, the final approved zoning statistics are documented within this report and final drawings are prepared for the development permit application to follow.

### 3. Transportation and Parking

Parking, loading, bicycle and passenger loading spaces are finalized at the time of development permit per the Parking By-law.

### 4. Public Input

Public input primarily included mailed postcards, a site sign, a webpage with a digital model, an online comment form, and question and answer (Q&A) period. Refer to the application webpage: [www.shapeyourcity.ca/138-e-7-ave](http://www.shapeyourcity.ca/138-e-7-ave).

In total, approximately **25** submissions were received. Comments generally supported the project. Respondents noted concerns including impacts to views and privacy, and increased traffic and lane congestion. Refer to Appendix C for a full summary of the public input collected and responses to public comments.

#### 5. Public Benefits

Refer to Appendix D for full summary of public benefits.

- **Development Cost Levies (DCLs):** It is expected that the project will pay DCLs of \$1,542,050 based on rates in effect as of December 10, 2025.
- **Commercial Linkage Contribution:** This application is subject to the *Community Amenity Contribution (CAC) Policy for Rezoning*s and a target CAC contribution given the proposed non-stratified office and service uses. The project will pay a cash contribution of \$426,593 allocated to the Broadway Plan Public Benefits Strategy.
- **Public Art:** The application is not subject to the Public Art Policy and Procedures for Rezoned Developments as the proposed floor area does not meet the minimum 9,290 sq. m (100,000 sq. ft).

#### **Financial Implications**

This project is expected to provide a Commercial Linkage Fee and DCLs. See Appendix D for additional details.

#### **Conclusion**

The proposed land use, form of development and public benefits is consistent with the Broadway Plan. The General Manager of Planning, Urban Design and Sustainability recommends approval in principle of the CD-1 By-law in Appendix A subject to conditions contained in Appendix B.

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**APPENDIX A**  
**138 East 7th Avenue**  
**PROPOSED BY-LAW PROVISIONS TO AMEND CD-1 (511)**

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

1. This by-law amends the indicated provisions of By-law No.10328
2. Council strikes out sections 2 through 5 and substitutes the following:

“

**Uses**

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (511).
- 2.2 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 (511) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
  - (a) Cultural and Recreational Uses, limited to Artist Studio, Arts and Culture Event, Club, Community Centre or Neighbourhood House, Library, Theatre, and Museum or Archives;
  - (b) Institutional Uses, limited to Social Service Centre;
  - (c) Manufacturing Uses;
  - (d) Office Uses;
  - (e) Service Uses, limited to Laboratory, Photofinishing or Photography Laboratory, Production or Rehearsal Studio, School – Arts or Self-Improvement, School – Business, and School – Vocational or Trade;
  - (f) Transportation and Storage Uses;
  - (g) Utility and Communication Uses;
  - (h) Wholesale Uses; and
  - (i) Accessory Uses customarily ancillary to the uses permitted in this section.

## Conditions of Use

3.1 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building, other than the following:

- (a) display of flowers, plants, fruits and vegetables in combination with a permitted use;
- (b) farmers' market;
- (c) neighbourhood public house;
- (d) public bike share; and
- (e) restaurant,

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

3.2 Creative Products Manufacturing and Office Uses are not permitted on the first storey, or on any storey with its floor level within 2 m above finished grade.

## Floor Area and Density

4.1 Computation of floor area must assume that the site area is 1,643 m<sup>2</sup>, being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.

4.2 The maximum floor space ratio for all uses combined is 5.1.

4.3 The floor space ratio must not be less than 0.9 for the following uses combined:

- (a) Service uses, limited to Laboratory, Photofinishing or Photography Laboratory, Production or Rehearsal Studio, and School – Arts or Self-Improvement;
- (b) Institutional uses, limited to Social Service Centre;
- (c) Cultural and Recreational uses, limited to Arist Studio – Class B;
- (d) Manufacturing uses;
- (e) Transportation and Storage uses;
- (f) Utility and Communication uses; and
- (g) Wholesale uses.

4.4 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.



#### 4.5 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; and
- (d) all storage area below base surface for non-dwelling uses.

4.6 The Director of Planning or Development Permit Board may exclude common amenity areas from the computation of floor area, to a maximum of 10% of the total permitted floor area, if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines.

### **Building Height**

5.1 Building height must not exceed 28.2 m.

5.2 Despite section 5.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, the Director of Planning, after considering the impact on building placement, massing, views, overlook, shadowing and noise, may permit architectural features, common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures, or any other appurtenances that the Director of Planning considers similar to the foregoing, to exceed the maximum building height.

\* \* \* \* \*

## **APPENDIX B 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 GWA Architecture, received on February 9, 2023 with a resubmission received on March 4, 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:

#### **Urban Design**

- 1.24 Design development to minimize shadow impacts on the new park on Main Street and East 7th Avenue.

Note to Applicant: The intent of this condition is to minimize new partial shadowing on the new park under construction on Main and East 7th Avenue by reducing the building height. This can be achieved by reducing the floor-to-floor height of the office uses on levels three to five from 4.3 m (14 ft.) to 3.65 m (12 ft.). Refer also to Park Board condition 1.4.

- 1.25 Design development to enhance the overall public realm interface and to further strengthen the pedestrian activity in the Mount Pleasant Industrial Area by:

- (a) At the entrances along East 7th Avenue and the rear lane:
  - (i) Provision of improved architectural and material treatments at the covered area to ensure a high level of perceived safety and pedestrian comfort at all hours;
- (b) Along East 7th Avenue:
  - (i) Provision of continuous weather protection along the full width of the north ground level façade.

Note to Applicant: An architecturally-integral, demountable glass canopy should be of high-quality, durable materials and finishes, should be sloped for positive drainage away from the public realm, and should include integrated rainwater scuppers and leaders, and lighting. An approximate depth to height ratio of 7:10 or 6:9 is encouraged. Refer also to the *Plan*, Section 11.1.39.

- 1.26 Design development to maintain the landscape planters and perforated metal screen proposed along the south elevation.

Note to Applicant: The intent is to mitigate privacy and overlook impacts on the existing adjacent residential development to the north.

### **Park Board**

- 1.27 Minimize shadowing on the City park located at Main Street and 7th Avenue.

Note to Applicant: Refer to Development Planning Condition 1.1 and Solar Access Guidelines for Areas Outside of Downtown.

### **Landscape**

- 1.28 Provision of an updated Arborist Report.

Note to Applicant. The provided Arborist Report is five years old. Arborist Report to be updated to address any changes since original report date.

- 1.29 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.

### **Engineering**

- 1.30 Submission of letter prior to Development Permit Issuance confirming acknowledgement that this application falls within the area with potential impacts due to the Broadway Subway Project construction and that you have contacted the Rapid Transit Office for more detailed information.

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

- 1.31 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](mailto: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>

- 1.32 The owner or representative is to contact Engineering Services at [StreetUseReview@vancouver.ca](mailto: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>

- 1.33 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.
- 1.34 Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.
- 1.35 Confirmation of existing garbage and recycling storage amenity design to the satisfaction of the General Manager of Engineering Services, as presented in the "Garbage and Recycling Storage Amenity Design Supplement", nothing these facilities are existing within the existing building.

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 should enable access and pick up from the existing location 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>

- 1.36 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](mailto: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 bike rack, planter etc. from the dedication/SRW area on the street.

(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.

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.

- 1.37 Parking, loading, bicycle and passenger loading space quantities will apply to site development permits following this rezoning.

- 1.38 Provision of minimum 2.3 m (7.5 ft) vertical clearance access for accessible spaces, Class A loading spaces, and Class A passenger spaces, per [Parking By-law](#).
- 1.16 Provision of Loading spaces, per the [Parking By-law Section 5](#) and the [Design Supplement](#), including:
  - (a) Convenient, internal, stair-free loading access to/from all site uses.
- 1.17 Provision of bicycle spaces, per [Parking By-law Section 6](#), including:
  - (b) Class B spaces fully on private property.
- 1.18 Provision of the following general notation of existing as-built features on 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) Dimensions of columns and column encroachments into parking spaces;
  - (c) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and to the underside of raised security gates considering mechanical projections and built obstructions; and
  - (d) Design elevations at all breakpoints on both sides of ramps, drive aisles, loading and passenger loading spaces, accessible spaces, and entrances.
- 1.19 Provision of a Final Hydrogeological 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>

- 1.20 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.
- 1.21 Provision of a signed and sealed letter by a Professional Engineer to verify that the existing retaining wall on the easter boundary of the site noted on City records either:

- (a) Has been fully decommissioned in accordance with the City of Vancouver Engineering Design Manual prior to Development Permit issuance; OR
- (b) Will in no way be impacted by the proposed works.

- 1.22 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](mailto:umb@vancouver.ca).

- 1.23 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>

- 1.24 Show all City supplied building grades and entranceway design elevations 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](mailto:building.grades@vancouver.ca) or call 604-871-6373.

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



## PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

### Commercial Linkage Contribution

- 2.1 Pay to the City a contribution of \$426,593 to be allocated to support the delivery of the Broadway Plan Public Benefits Strategy, which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City, and in a form and on terms and conditions satisfactory to the Director of Legal Services.

### Engineering

- 2.2 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, Block 44, District Lot 200A, Plan 197 to create a single parcel.
- 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 November 1, 2024, no water main upgrades are required to service the development.

The main servicing the proposed development is 150 mm on East 7th Avenue. 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 90m of a fire hydrant. Should the final design of the building change such that this requirement is no longer satisfied, provision of a new hydrant to be installed in accordance with the aforementioned by-law will be required. The developer is responsible for 100% of the cost of this upgrade.

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

Note to Applicant: Implementation of development(s) at 138 East 7th Avenue does not require any sewer upgrades.

Development to be serviced to the existing 200 mm sanitary and 300 mm storm sewers in the lane south of East 7th Avenue.

Note to Applicant: If the tie-in location is not consistent with the existing connection, please contact the City to confirm capacity. Sewer upgrades may be required.

Note to Applicant: The City of Vancouver Council has approved a Vancouver Building Bylaw change that will go into effect 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 15 mm of rainfall over areas not covered in landscaping shall be controlled to % 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. More information is available at [vancouver.ca/rainwater](http://vancouver.ca/rainwater).

- (c) Provision of street improvements with appropriate transitions along East 7th Avenue adjacent to the site, including:

- (i) Minimum 2.4 m wide broom finish saw-cut concrete sidewalk.

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

- (i) 50 mm mill and overlay.

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

- (ii) New standard concrete lane crossing, with new lane returns and ramps on both sides, at the lane entrance on East 7th Avenue.

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 street improvements with appropriate transitions, along the lane south of East 7th Avenue adjacent to the site, including:
  - (i) 50 mm mill and overlay.
  - (ii) Note to Applicant: Lane reconstruction to meet City “Higher-Zoned Lane” standards.
- (f) Provision of speed humps in north-south lane west of Main Street and the east-west lane south of East 7 Avenue between the lane west of Main Street and Quebec Street.
- (g) Provision of upgraded street lighting (roadway and sidewalk) to current City standards and IESNA recommendations.
- (h) Provision of new or replacement duct banks that meets current City standard.

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

Note to Applicant: The detailed Electrical design is required prior to the start of any associated electrical work and is to conform with the current City Engineering Design Manual, Construction Specifications, Standard Detail Drawing, Canadian Electrical Code, and the Master Municipal Construction Documents.

- (i) 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.

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

### **Non-Stratification Covenant**

- 2.4 Enter into a Covenant pursuant to Section 219 of the Land Title Act satisfactory to the Director of Legal Services prohibiting both the separate sale and the strata subdivision of the consolidated property.

## **Environmental Contamination**

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

## **Agreements**

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

\* \* \* \* \*

## APPENDIX C ADDITIONAL INFORMATION

### Public Consultation Summary

**Pre-Application Consultation:** Approximately 655 page views were recorded. A total of 22 comments were received with 5 comments in support of the project, and 13 expressing concerns about height, privacy and traffic congestion.

Event	Date(s)	Details
<b>Webpage published</b>	March 25, 2025	<a href="http://www.shapeyourcity.ca/138-e-7-ave">www.shapeyourcity.ca/138-e-7-ave</a>
<b>Postcard mailed</b>	May 16, 2025	2,909 notices mailed (approximate)
<b>Site sign installed</b>	May 21, 2025	n/a
<b>Online comment form</b>	March 2025 to November 2025	22 submissions <ul style="list-style-type: none"> <li>• 5 responses support</li> <li>• 13 responses opposed</li> <li>• 4 responses mixed</li> </ul>
<b>Question and Answer (Q&amp;A) period (2 weeks)</b>	June 4, 2025 to June 17, 2025	3 submissions
<b>Other input (phone calls, direct emails, etc.)</b>	March 25, 2025 November 29, 2025	0 submissions
<b>Total webpage views</b>	March 25, 2025 November 29, 2025	655 page views
<b>Total Submissions</b> (Comments submitted + questions asked + other input methods)		25 submissions

## Map of Notification Area



A summary of public input is provided below, organized by topic.

### Areas of support:

- **Retention of the Music School:** Responses expressed overall support for the retention of the existing non-profit music school.
- **Neighbourhood Compatibility:** Respondents noting that the proposal aligns with existing and future context of the area and neighborhood characteristics.
- **Current Zoning:** Respondents indicated this project should not require a rezoning, and that there should be an accelerated timeline to complete the project.

### Areas of concern:

- **Building Height:** Respondents expressed concern for the proposed building height; that the building is excessively tall and large, shadows the surrounding area and obstructs views of the North Shore mountains.
- **Privacy Concerns:** Strong objections to loss of privacy due to siting and height of the building. Concern that the office windows overlook the adjacent residential units.
- **Traffic and Alley Congestion:** Concerns about traffic congestion due to high traffic amenities and lack of parking.
- **Noise and Light Pollution:** Concern regarding anticipated noise and light from the office and music school uses, especially during evenings.
- **Proposed Office Use:** Respondents questioned the need for more office space, citing high vacancy rates in nearby commercial buildings and the need for affordable housing.

Response to Public Feedback:

- Regarding building height, urban design conditions have been included in Appendix B, including a reduction in building height to support a reduction in shadowing impacts. The proposal is compliant with the View Protection Guidelines and is below the maximum permitted height in the MIAA sub-area of 11 storeys.
- Regarding privacy concerns, tower separation requirements apply to portions of a building above six storeys between residential and commercial developments. Tower separation does not apply as the existing residential building to the south at 133 East 8th Avenue is a six-storey residential development. Although tower separation is not applicable between the subject site and the existing residential building to the south, a condition has been included in Appendix B to ensure privacy and overlook impacts are mitigated. The average separation between the existing residential units and the proposed development is 22.6 m (74 ft.), which exceeds the minimum 18.3 m (60 ft.) of tower separation typically expected above six storeys between residential and commercial developments.
- Regarding traffic and alley congestion, parking, loading, bicycle and passenger loading spaces are required to meet the Parking By-law at the time of development permit. Engineering has also conditioned upgrades and improvements to the lane, included in Appendix B.
- Regarding noise and light impacts, an urban design condition has been included in Appendix B to ensure privacy and overlook impacts are mitigated. Staff note that the proposal maintains the existing land uses on the site.
- Regarding the proposed land uses, staff note that the Plan permits office uses in this location and provides flexibility for increased height and density for this site to support retention of the existing music school. The applicant is below the maximum permitted height and density permitted by the Plan and is compliant with the land use expectations of the Plan.

\* \* \* \* \*

**APPENDIX D  
PUBLIC BENEFITS**

City-wide DCL <sup>1,2</sup>	\$1,174,159
Utilities DCL <sup>1</sup>	\$367,891
Commercial Linkage Contribution	\$426,593
<b>TOTAL</b>	<b>\$1,968,643</b>

**Other Benefits** (non-quantifiable components): Retention of the non-profit music school.

<sup>1</sup> Based on rates in effect as of December 10, 2025 and the proposed 5,464 sq. m (58,824 sq. ft.) of office floor area.

DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage. DCL By-laws are subject to future adjustment by Council including annual inflationary adjustments. A development may qualify for 12 months of in-stream rate protection. See the City's [DCL Bulletin](#) for more details.

\* \* \* \* \*



## APPENDIX E REZONING APPLICATION SUMMARY

### Property

Address	Parcel Identifier (PID)	Legal Description
138 East 7th Avenue	015-551-229	Lot 3 Block 44 District Lot 200A Plan 197
138 East 7th Avenue	015-551-237	Lot 4 Block 44 District Lot 200A Plan 197
138 East 7th Avenue	015-551-253	Lot 5 Block 44 District Lot 200A Plan 197

### Applicant Team

<b>Applicant</b>	Brent Wolverton
<b>Architect</b>	GWA Architects
<b>Property Owner</b>	Pacific Investment Corporation

### Statistics

	Permitted Under Existing Zoning	Proposed
<b>Zoning</b>	CD-1 (511)	Amended CD-1 (511)
<b>Site Area</b>	1,643 sq. m (17,685 sq. ft.)	1,643 sq. m (17,685 sq. ft.)
<b>Land Use</b>	Cultural and Recreational, Institutional, Manufacturing, Office, Parking, Service, Transportation and Storage, Wholesale, Accessory.	Cultural and Recreational, Institutional, Manufacturing, Office, Service, Transportation and Storage, Utility and Communication, Wholesale, Accessory.
<b>Maximum FSR</b>	3.0	5.1
<b>Maximum Height</b>	18.3 m (60 ft.)	28.2 m (92.5 ft.)
<b>Floor Area</b>	4,929 sq. m (53,055 sq. ft.)	8,379 sq. m (90,190 sq. ft.)
<b>Natural Assets</b>	2 street trees	Street trees retained Approximately 11 trees planted on building rooftop

\* \* \* \* \*