

**Refers to Item #4
Public Hearing of February 19, 2026**

YELLOW MEMORANDUM

February 19, 2026

TO: Mayor and Council

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

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

SUBJECT: CD-1 (915) Text Amendment: 450-496 Prior Street, 550 Malkin Avenue and 1002 Station Street - Amendments to modify Rezoning Conditions

RTS #: 18421

On February 3, 2026, Council referred the above-mentioned CD-1 Text Amendment application to a Public Hearing. The application establishes two sub-areas within the site and assigns maximum floor areas for each sub-area in order to allow for subdivision of the site, the application also updates parts of the by-law to current standard (see [RTS 18421](#)).

Since the time of referral, the applicant has requested changes to the CD-1 By-law and conditions in Appendix B. The changes include reductions to the minimum plaza size in the CD-1 Provisions to accommodate a future grocer, removes references to below-market rents, and changes the timing of a shared access agreement. Staff are supportive of the change to Appendix A and B shown below in strike-through and bold text:

In Appendix A, section 5(c) is changed as shown below:

"(c) adds a new section 7.2 as follows:

7.2 The total floor area for plaza use in each sub-area must not be less than the minimum required floor area for that sub-area, as set out in Table B.

Table B: Minimum Required Floor Area for Plaza Use

Sub-Area	Minimum Area (m ²)
A	1045 1008
B	838 798

Consequentially, conditions 1.2 and 2.1 in Appendix B must be updated to reflect the proposed changes to minimum Plaza size. This memo also includes changes to refine the language in some of the conditions to minimize ambiguity, and to clarify the timing of delivery of a shared access easement.

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Landscape

1.2 Design development to enhance the performance of the central plaza area.

Note to Applicant: The minimum ~~target~~ area for the overall plaza area shall be ~~20,270 sq.ft.~~ **19,440 sq. ft.** Phase 1 permanent area shall be a minimum of ~~11250 sq. ft.~~ **10,850 sq. ft.** The temporary portion installed along with Phase 1 shall be a minimum of ~~7760 sq.ft.~~ **7,330 sq. ft.**, with the remaining 1,260 sq. ft. being installed with the full build out of Phase 2.

~~Minor deviations to these target areas could be supported, provided it is clearly demonstrated that the plaza is still fully cohesive and functional. Consider circulation routes, accessible access, and space for gathering.~~

Housing

1.4 The proposed unit mix, including 88 studio units (27%), 98 one-bedroom units (31%), and 109 two-bed room units (34%), and 26 three-bedroom units (8%) is to be included in the Development Permit drawings.

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.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

Engineering

- 2.2 ~~Enter into a~~ **Make arrangements to enter, prior to approval of the minor amendment of a development permit for the site, into a** shared access agreement, **all** to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, to provide access to underground parking to the adjacent development site on the Phase 2 parcel.

Note to Applicant: The preparation of ~~this legal~~ **the shared access** agreement includes statutory rights-of-way and the requirement for collection of a fee for service and will be due prior to ~~issuance of the Development Permit.~~ **the approval of minor amendment to the development permit.**

- 2.4 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability, General Manager of Engineering Services and the Director of Legal Services for a Plaza Statutory Right of Way and Section 219 Covenant over the proposed central plaza, having a ~~target~~ minimum area of ~~20,270~~ **19,440** sq. ft. (the "Plaza"). The agreement will include but not be limited to the following terms and conditions:

- (a) Delivery of a:
 - (i) ~~41,250~~ **10,850** sq. ft. portion of the Plaza on the Phase 1 Lands in a permanent form (the "Permanent Plaza Portion") prior to occupancy of the Phase 1 Lands,
 - (ii) ~~7,760~~ **7,330** sq. ft. portion of the Plaza on the Phase 2 Lands (the "Temporary Plaza Portion") in a temporary form prior to occupancy of the Phase 1 Lands, and in a permanent form prior to occupancy of the Phase 2 Lands, and
 - (iii) 1,260 sq. ft. portion of the Plaza in a permanent form on the Phase 2 Lands prior to occupancy of the Phase 2 Lands ("Third Plaza Portion");
- (b) Following completion of the Permanent and Temporary Plaza Portions, assign ongoing maintenance, repair and programming responsibility to the owner of the Phase 1 Lands;
- (c) Permit access over the Plaza by the public and users of the Cultural Amenity Space, including for occasional loading/unloading to the Cultural Amenity Space as reasonably necessary;
- (d) Permit the owner of the Phase 2 Lands, after issuance of a Stage 1 Building Permit or excavation permit for the Phase 2 Lands, to remove the Temporary Plaza Portion and interrupt the SRW access rights over the Phase 2 Lands for the duration of construction of the development to be located on the Phase 2 Lands. Upon delivery and completion of the entirety of the Plaza works on the Phase 2 Lands, the SRW access rights would return in force; and

- (e) After all of the Plaza works on the Phase 2 Lands are complete, assign responsibility for the maintenance, repair and programming of the Phase 1 Plaza to the owner of the Phase 1 Lands and assign responsibility for the maintenance, repair and programming of the Phase 2 Plaza to the owner of the Phase 2 Lands, with a commitment to cooperate with each other to ensure consistent delivery of those obligations.

And such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability, General Manager of Engineering Services and the Director of Legal Services may require.

Note to Applicant: The final dimensions and areas of the Plaza and portions thereof are to be determined through the Development Permit process but should be consistent with Landscape Condition 1.2. Refer also to Urban Design Condition 1.1.

This memo will form part of the February 19, 2026 Public Hearing agenda package and be available for public viewing.

Regards,



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