



REFERRAL REPORT

Report Date: January 20, 2026
Contact: Sarah Cranston
Contact No.: 604.873.7733
RTS No.: 18402
VanRIMS No.: 08-2000-20
Meeting Date: February 3, 2026

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

Recommendation to Refer

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

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

Recommendations for Public Hearing

- A. THAT the application by Pack Buildings on behalf of 1477603 B.C. Ltd.¹, the registered owners of the lands located at 441 East Pender Street [*PID 032-397-623; Lot 1 Block 70 District Lot 196 Group 1 New Westminster District Plan EPP140830*] to rezone the lands from RT-3 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.6 to 3.1 and increase the maximum building height from 10.7 m (35 ft.) to 23 m (75 ft.) to permit the development of a six-storey residential building containing 55 social housing units be approved in principle;

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

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Human Studio Architecture, received

¹ Represented by Kuo Liu

December 13, 2024, and resubmission plans received February 27, 2025 and test fit drawings submitted December 15, 2025;

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 and 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.

Purpose and Executive Summary

This report evaluates an application to rezone the site at 441 East Pender Street from RT-3 (Residential) District to CD-1 (Comprehensive Development) District. The proposal is for a six-storey residential building with 55 social housing units.

This application is generally consistent with the intent of the *Downtown Eastside Plan* (Plan) and contributes towards the City's housing goals as identified in the *Housing Vancouver Strategy*. The General Manager of Planning, Urban Design and Sustainability recommends approval in principle subject to conditions contained in Appendix B.

Context and Background

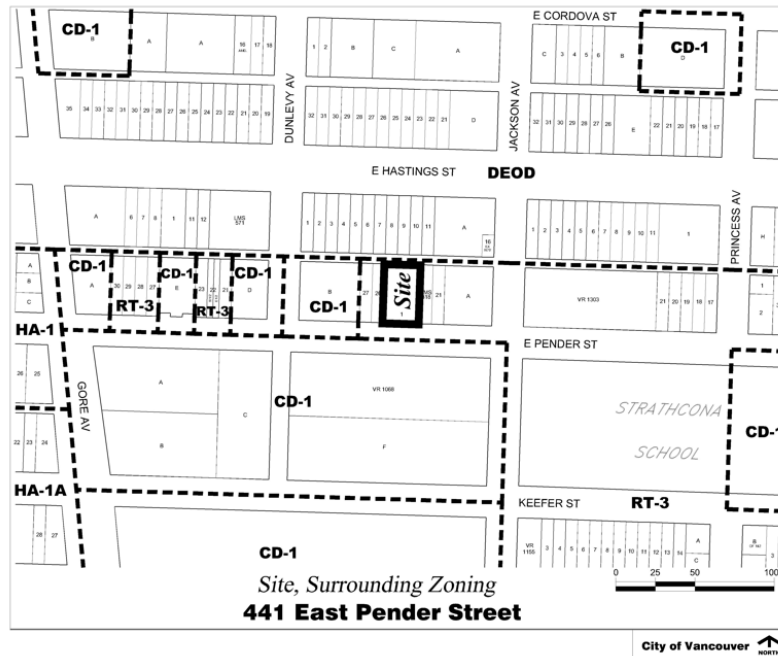
1. Site and Context

The subject site is comprised of one parcel, located mid-block on the north side of Pender Street between Dunlevy and Jackson Avenues (see Figure 1). The surrounding neighbourhood is primarily residential, with a diverse mix of residential homes, co-op housing, apartments and several medium-density social housing developments.

The site is on the westerly limit of the RT-3 zoned area and is surrounded by CD-1 zoned sites to the west and south. The area immediately north of the subject site is zoned Downtown

Eastside/Oppenheimer District (DEOD). As of December 16, 2025, Council approved in principle zoning by-law amendments to allow for increased height and density for the DEOD, including the properties to the north of the subject site, up to 100 m (approximately 32 storeys) or a floor space ratio (FSR) of 11.0.

Figure 1: Site and Surrounding Zoning



2. Policy Context

- **Downtown Eastside Plan:** This site is located in the Strathcona neighbourhood of the Plan. The Plan encourages new development in this area to include a range of housing types, with an emphasis on family housing to protect and strengthen the residential character of the area.
- **Downtown Eastside Rezoning Policy:** The site is located in area 'D - Strathcona', which allows consideration for rezoning applications on sites where there is existing social housing and the amount of social housing is being increased, or for sites fronting Gore Avenue and all of the residential use is for social housing or secured market rental housing.

There is no existing social housing on the site, and the site does not front Gore Avenue. Despite the *DTES Rezoning Policy* not envisioning rezoning of this site, the proposal follows the policy intent by contributing to a net increase in social housing units and no tenant displacement. Staff are supportive of a rezoning application for social housing on the subject site.

- **Micro Dwelling Policies and Guidelines:** The intent of the *Guidelines* is to encourage the creation of new livable, affordable, micro dwelling rental units in the Downtown East Side (DTES). Micro dwelling units are self-contained studio units with private bathrooms and kitchens, which are smaller than 30 sq. m (320 sq. ft.) and may be relaxed down to 23 sq. m (250 sq. ft.), intended for single occupancy. The *Guidelines* encourage a mix of micro dwelling studio units, as well as larger studios, 1-bedroom, and 2–3-bedroom units

in a new building; however, flexibility may be given to achieve determined housing objectives for the neighbourhood, such as the need for low-income single housing.

- **Downtown Eastside Zoning By-law Amendments:** At the Council meeting on December 16, 2025 and after a public hearing of the report: *Uplifting DTES and Building Inclusive Communities that Work for All Residents*, Council approved in principle several housing zoning by-law amendments.

Some of the zoning by-law amendments included:

- Revision of the definition of social housing in the DTES to change the affordability and ownership requirements to provide flexibility, and better align with senior government funding programs; and
- Changes to the FC-1 and DEOD districts to permit additional height and density for residential rental tenure developments with at least 20% of the residential units developed as social housing.

Staff understand that the zoning by-law amendments may be brought forward for Council approval and enactment on February 3, 2026, and so may be in force at the time of a public hearing of this matter.

- **Housing Needs Report:** The Vancouver Charter requires that when Council amends or adopts an affordable and special needs housing zoning by-law, also known as inclusionary zoning, Council must consider the most recent housing needs report, and the housing information on which it is based. The most recent housing needs report amendment was received on January 1, 2025.

Discussion

1. Proposal

Original Proposal

On December 13, 2024, the applicant submitted a rezoning application for a six-storey residential building with 65 micro-dwelling social housing units and a proposed FSR of 3.0. At the time of application submission, the applicant's rezoning booklet posted to the Shape Your City (SYC) page, referenced 100% shelter rate units and included on site services and programming. Following discussions and clarifications with staff, the applicant elected to revise their application to align with the City's definition and affordability of social housing. In March 2025, a revised booklet was posted on SYC to clarify the proposed housing as social housing, with no on-site supportive services. At the time of rezoning application submission, the applicant partnered with the non-profit housing operator Community Builders.

A two-week virtual open house was held on the City's SYC platform from March 26 to April 8, 2025. In August 2025, following the conclusion of the online engagement period, and in response to input received from the public, the applicant notified staff of a new partnership with Lookout Housing and Health Society (Lookout) to operate the proposed social housing. Lookout operates housing across the housing continuum throughout the Lower Mainland, including shelter, supportive and social housing.

Council Referrals

On September 16, 2025, Council considered a report for Referral to Public Hearing for a CD-1 rezoning at the subject site. Council referred the report back to staff to report back on procedural fairness regarding changes to the application following the online engagement period.

Staff reported back to Council and confirmed there was a change in housing operator following the engagement period. Staff understand the change in housing operator was, in part, a response to public feedback received through the virtual open house. Housing operators are typically secured at later development stages, to provide applicants flexibility with evolving project needs and future senior government funding opportunities. The change in operator was posted for public information on the SYC webpage and noted in the Referral Report.

There were no other amendments to the project following the online Q&A engagement period. The proposed CD-1 By-law and conditions of approval for Council's consideration remained unchanged, and throughout the rezoning application review process, the proposal has continued to meet the City's definition of social housing.

The report was brought forward to Council for Referral to Public Hearing a second time on October 7, 2025. Council referred the item back to staff to undertake additional in-person engagement in English and Chinese.

Public Engagement

In addition to the original online two-week Question and Answer (Q&A) engagement held for this application, an additional in-person public information session was held on November 24, 2025 at the Strathcona Community Centre as directed by Council. Approximately 135 members of the public attended the in-person community information session and 55 submissions were received by staff. A summary of the public engagement can be found in Section 5 of this report.

In response to the comments received from the in-person engagement session, the applicant has proposed a change to the unit mix for the proposed building, including the addition of larger, accessible studio units as well as two-bedroom units. The overall unit count has changed from 65 micro-dwelling units to 55 units, including micro units, accessible studio units and 2-bedroom units. The housing operator confirmed the proposed unit mix meets their intended operational intent, and that all units will be able to be tenanted in accordance with their programming.

The inclusion of a more varied unit mix responds to public concerns regarding lack of family housing, neighbourhood compatibility and integration, unit livability, and the building's programmatic intent, and helps the project to align with the *DTES Plan* and the *Micro Dwellings Policies and Guidelines*. These changes were posted for public information on the City's SYC webpage on December 16, 2025.

Current Proposal

This report reflects the applicant's revised proposal in response to additional public engagement, specifically the inclusion of a unit mix.

The current proposal is for a six-storey residential building consisting of 55 social housing units. The recommended density is 3.1 FSR, which is slightly higher than the 3.04 FSR shown in the

application drawings. The recommended density corrects errors in density calculations in the submitted plans. The proposed height is 23 m (75 ft.), with additional height for rooftop amenity and mechanical appurtenances. The inclusion of family-sized units does not propose any changes to the form of development.

Figure 2: Proposed Building Looking Northeast (Original Proposal)



2. Form of Development

Strathcona is characterized by low-rise heritage character as outlined in the RT-3 District Schedule and Guidelines. Buildings on East Pender Street are generally two to three storeys in height, and the block between Dunlevy and Jackson is not identified as a character streetscape in the RT-3 District Schedule and Guidelines.

The subject site sits at the western edge of the RT-3 zone, adjacent to CD-1 sites to the west and south that include co-op housing, social housing, and Single Room Occupancy (SROs). Immediately north, across the lane, the approved-in-principle zoning by-law amendments to the DEOD will permit buildings up to 11 FSR and 100 m (approximately 32 storeys).

As the Plan does not provide direction for social housing form of development in this area, staff used the RM-4 zone as a comparable framework. RM-4 enables increased height and density for social housing within low-rise neighbourhoods and supports six-storey forms in a three-storey context. The proposed six-storey social housing building is consistent with the intent of RM-4 massing expectations, including height, density, setbacks, and public realm interface.

Staff provided feedback to improve unit mix and layouts. Test fit drawings submitted on December 15, 2025 include family-sized units and larger studios. Further refinements to common amenity spaces, bulk storage, bike storage, and parking are anticipated at future design stages.

- **Height** – While the Plan does not set a maximum height, the RM-4 comparison suggests six storeys (approx. 19.9–21.3 m / 65–70 ft.). The proposed 23 m (75 ft.) height slightly exceeds this range to provide greater floor-to-floor heights for micro dwellings, improving access to light and air.

- **Density** – With no maximum specified in the Plan, RM-4 suggests an expectation of around 3.0 FSR. At 3.1 FSR, the proposal aligns.
- **Setbacks** – Using RM-4 as a comparison, and to maintain the green, leafy streetscape, the following setbacks are suggested: front yard setbacks of 6.1 m (20 ft.), side yards of 2.1 m (7 ft.), and a rear yard of 10.7 m (35 ft.). Staff support minor relaxations to enable the social housing tenure and retain an existing mature rear-yard tree.
- **Streetscape Interface** – To strengthen the public realm and address blank side walls, staff have included Urban Design conditions to reinforce contextual fit.
- **Unit Livability** – Due to the operating requirements of the social housing use, unit design must meet the *Micro Dwelling Policies and Guidelines*. Staff have included a condition to ensure a minimum unit size of 23.2 sq. m (250 sq. ft.). Livability will be further reviewed at the development permit stage.
- **Common Amenity** – The proposed ground-level outdoor amenity does not meet the *Micro Dwelling Policies and Guidelines*. Conditions are included to increase outdoor amenity, anticipated to be located on the rooftop due to site constraints.
- **Urban Design Panel** – Review was not required given the modest scale and alignment with expectations for social housing in a low-rise context.
- **Natural Assets:** The Urban Forest Strategy and the Protection of Trees By-law were used to evaluate the proposal. Two on-site trees and three street trees on City lands adjoining the site are proposed for retention. The final numbers of trees are confirmed at the development permit stage.

Staff conclude that the supplemental drawings respond to neighbourhood feedback, site context, and liveability considerations. The proposed form, height, and density offer a balanced response to the policy objectives for delivering social housing. Staff support the proposal subject to the conditions in Appendix B.

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 the report and final drawings are prepared for the development permit application to follow.

3. Housing

The *Housing Vancouver Strategy* seeks to deliver a range of housing tenures across the housing continuum. This application, if approved, would add 55 units of social housing to the City's non-market housing inventory, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Figure 4).

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

Category	10-Year Targets ¹	Units Approved Towards Targets ²
Social, Supportive and Co-op Housing	10,000	978 (10%)

1. New 10-year targets were adopted in 2024, with tracking starting from January 1st, 2024.
2. Previous targets established in 2017 included 12,000 non-market housing units with tracking starting in 2017. As of December 31st, 2023, 78% of the previous targets had been reached (including TMH projects and multi-phased major developments).
3. Unit numbers exclude the units in this proposal, pending council’s approval of this application.

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

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

¹Tracking starting from 2014
²“Achieved” combines all projects that are approved, under construction and completed, and including Temporary Modular Housing.

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

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

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

The original application proposed 100% studio units, based on the operator’s need for housing for the intended demographic of single adults and significant demand for social housing units for people who live independently. In response to public feedback and staff advice to incorporate family units in the proposal, the applicant has indicated that four larger studio units and five two-bedroom units will be included. This revised proposal better aligns with the Plan targets for family units and the *Micro Dwelling Policies and Guidelines*. A condition is included in Appendix B regarding inclusion of the additional family units at the development permit stage.

Affordability – In December 2025, Council approved in principle an amendment to the Zoning and Development By-law to revise the definition of Social Housing in the Downtown Eastside. The amended definition changes the affordability requirements to better align with senior government funding programs, from 1/3 of the units at shelter rates to 20% of the units at shelter rates and an additional 10% of the units at or below Housing Income Limits (HILs).

The new Zoning and Development By-law definition is anticipated to be brought forward for enactment on February 3, 2026. The Housing Agreement condition in Appendix B includes flexibility to accommodate the proposed changes to the Zoning and Development By-law DTES social housing definition.

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

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

4. Transportation and Parking

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

5. Public Input

The City's public engagement efforts for the rezoning application included mailed postcards, a site sign, a webpage, online comment form, and a two-week online question and answer (Q&A) period. Staff note that the City's SYC platform provides built-in translation functionality for the webpage in over 150 languages. Refer to the application webpage:

<https://www.shapeyourcity.ca/441-e-pender-st>.

In total, approximately 121 submissions were received, along with a petition in opposition with about 607 signatures as of the date of the report.

On October 7, 2025 Council directed staff to undertake additional in-person engagement on the rezoning proposal in English and Chinese. An in-person information session was held on November 24, 2025 at the Strathcona Community Centre (601 Keefer Street). All information boards and comment forms were available in both languages, and eight verbal interpreters for Mandarin and Cantonese were in attendance to ensure inclusion and meaningful participation. In total, approximately 135 people attended the in-person information session and an additional 55 submissions were received. Additionally, staff received a written petition opposing the project with 31 signatures.

In response to the in-person engagement session, the applicant incorporated a broader unit mix into the proposal to help address concerns of neighbourhood compatibility, liveability, and family housing availability. The unit mix consists of four larger, accessible studio units, 46 micro-dwelling units and five two-bedroom units. The overall unit count has decreased from the originally-proposed 65 micro-dwelling units to 55 social housing units. The inclusion of a unit mix helps the project to align with the *DTES Plan* and the *Micro Dwellings Policies and Guidelines*. The operator has indicated the updated unit mix aligns with their intended programming and operations. The two-bedroom units could be tenanted with single parents, parents with children, and seniors living with family or caregivers.

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

Generally, comments of support fell within the following areas:

- **Housing:** Social housing is supported and aligns with City goals and priorities. Support for proposal given the urgent need for affordable housing.
- **Location:** Support for the proposal given proximity to amenities, jobs, and transit.

Respondents also expressed concern and opinions on the following:

- **Social Housing and policy deviation:** Social housing is not supported at this site, as per the Plan and *DTES Rezoning Policy*. The development does not meet development objectives for Strathcona.
- **Tenure:** Respondents also expressed confusion regarding the proposed tenure, specifically whether the proposed rezoning application included supportive or social housing.
- **Building height, design, massing and density:** Concern with the proposed building height in a low to mid-rise area. The building design is not aesthetically pleasing and resembles an institution. Concern the proposal is overly dense.
- **Location:** Concern that the proposed development is not suited for the Strathcona neighbourhood, a historic and character residential area.
- **Safety:** Safety risks for neighbours, especially elderly residents and school children. Concern with increased crime, loitering and disorder.
- **Livability concerns:** Concern that the proposed micro units are too small, and will have negative impacts on tenant well-being.
- **Unit Mix:** Respondents noted concern that no family units are included as part of the proposal. Respondents noted concern that the micro dwelling units conflict with the urgent need for family and seniors housing in the area.
- **Neighbourhood character / compatibility:** Concern that the development does not positively contribute to neighbourhood character and is incongruent with the history of the neighbourhood. Respondents felt that the project does not enhance Strathcona or provide value to the community. Fear of precedent setting for similar developments in Strathcona.
- **Language Accessibility.** Respondents noted concern with the City's engagement practices regarding language accessibility.

Response to Public Comments

The proposal is for social housing, a form of rental housing with minimum affordability rates secured through a Housing Agreement. The intent of the City's social housing definition is to set a minimum affordability threshold that is achievable for most non-market housing developments and is flexible to accommodate changes to senior government funding requirements over time.

The proposal follows the intent of the *DTES Plan* and the *DTES Rezoning Policy* to increase social housing stock, despite the rezoning policy not envisioning rezoning of this site. By redeveloping a vacant lot, there is no tenant displacement and no loss of existing social housing units. The proposal results in a net increase in social housing units, thereby further supporting the policy objective to increase social housing stock in the DTES. The rezoning application is supported by ongoing policy initiatives to accelerate the provision and supply of social housing.

In response to public feedback received on this application, the applicant has agreed to include family-sized units within the development. The applicant will include larger studio units and five two-bedroom units at the development permit stage. All family units will be designed in accordance with the *Micro Unit Dwelling Guidelines* as well as the *High-Density Housing for Families with Children Guidelines*. The inclusion of family units has resulted in a 10-unit reduction for the proposal, to a total of 55 social housing units. The requirement for a unit mix has been conditioned in the proposed CD-1 Bylaw (Appendix A) and in Appendix B.

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

Regarding livability, micro dwelling units provide flexibility to achieve the City's affordable housing objectives, including affordable housing for moderate income renters in the DTES. Conditions have been included in Appendix B to ensure the proposal meets the requirements of the *Micro Dwelling Policies and Guidelines* at the development permit stage, and to improve livability of the units. The *Micro Dwelling Policies and Guidelines* regulate light and ventilation, internal unit design, storage, and amenity spaces to ensure the units are livable. The operator has indicated there is a significant demand for new affordable housing units for independent living. The proposed micro-dwelling units represent a crucial form of housing for individuals and families who do not require large units but value improved livability and affordability.

In response to concerns of the proposal detracting neighbourhood character, the DTES Plan works to ensure access to a range of housing choices, including affordable and social housing. The proposal contributes to creating livable and vibrant communities by offering a diverse range of housing options to allow people with a range of incomes and socioeconomic backgrounds to live in the same neighbourhood. Providing non-market housing is a crucial aspect of social equity and inclusive urban planning. The intended building operator has noted a significant demand for housing options for individuals and families able to live independently who face financial barriers to market units.

The safety of all City residents, including those living in social housing and the nearby neighbourhoods is a priority for the City. A range of households and incomes live in social housing, including seniors on income assistance, families with children, and people transitioning out of supportive housing or homelessness. The housing operator indicated that they will

implement a good neighbour strategy that will respond to concerns of neighbours. Prior to construction, the housing operator will continue to connect with neighbouring residents and business to initiate dialogue about the development. The housing operator also indicated they will share information about the project, identify community concerns, and work towards seeking proactive resolution of potential conflicts. Interested parties will be invited to assist in forming a Community Advisory Committee with the purpose of soliciting feedback on the project and promoting an understanding of the proposed residence with representation from local residents, businesses and agencies. Site design will incorporate Crime Prevention Through Environmental Design (CPTED), a multi-disciplinary approach to deterring criminal behaviour and enhancing safety through planning, architecture and landscape design. This includes elements such as fencing, lighting, and access control.

The proposal aligns with the DTES Plan, as well as the *Housing Vancouver Strategy* and ongoing policy initiatives to develop more social housing units across the City. In response to concerns of precedent setting, staff note that each rezoning request is reviewed individually for policy alignment and against public benefit objectives. This application helps advance social housing goals per the *Housing Vancouver Strategy* and delivers a notable public benefit of 55 social housing units.

6. Public Benefits

Refer to Appendix D for full summary of public benefits.

- **Development Cost Levies (DCLs):** Under the provisions of the *Vancouver Charter* and the City-wide DCL and City-wide Utilities By-laws, social housing that meets the applicable definitions is exempt from DCLs.
- **Community Amenity Contributions (CAC):** The *Community Amenity Contributions Policy for Rezoning*s provides an exemption for social housing projects.
- **Public Art:** As the application proposes social housing, no public art contribution is applicable to the project.

Financial Implications

This project is expected to provide 55 social housing units, secured via a Housing Agreement for the greater of 60 years or the life of the building. Consistent with Council policies, social housing is expected to be self-sustaining over the long term, where rents are set at levels that will cover mortgage payments, operating costs and capital replacement, and will not require further operating subsidies, property tax exemptions and/or financial guarantees from the City.

Conclusion

The proposed land use, form of development and public benefits are consistent with the intent of the *Downtown Eastside Plan*. The proposal supports the *Housing Vancouver Strategy* to increase the City's social housing stock and advances these goals by proposing redevelopment of a vacant lot with no tenant displacement, resulting in a net increase in social housing units. The General Manager of Planning, Urban Design and Sustainability recommends approval in principle of the CD-1 by-law in Appendix A subject to conditions contained in Appendix B.

APPENDIX A
441 EAST PENDER STREET
PROPOSED CD-1 BY-LAW PROVISIONS

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

Zoning District Plan Amendment

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

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

Designation of CD-1 District

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

Uses

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

Conditions of Use

- 4.1 All residential floor area must be used for social housing.
- 4.2 The design and layout of at least 9% of the dwelling units used for social housing must:
 - (a) be suitable for family housing; and
 - (b) include two or more bedrooms.

Floor Area and Density

- 5.1 Computation of floor area must assume that the site area is 850.3 m², being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.
- 5.2 The maximum floor space ratio for all uses combined is 3.1.
- 5.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 5.4 Computation of floor area must exclude:
 - (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that:
 - (i) the total area of these exclusions must not exceed 12% of the permitted floor area, and
 - (ii) the balconies must not be enclosed for the life of the building;
 - (b) patios and roof decks, if the Director of Planning considers the impact on privacy and outlook;
 - (c) floors or portions thereof that are used for:
 - (i) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,
 - (ii) bicycle storage, and
 - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;
 - (d) entries, porches and verandahs if the Director of Planning first approves the design;
 - (e) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and
 - (f) all storage area below base surface for non-dwelling uses.
- 5.5 The Director of Planning or Development Permit Board may exclude common amenity areas from the computation of floor area, to a maximum of 10% of the total permitted floor area, if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines.

Building Height

- 6.1 Building height must not exceed 23 m.
- 6.2 Despite section 6.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, if the Director of Planning permits common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portions of the building with the permitted common rooftop amenity space or mechanical appurtenances must not exceed 28 m.

Access to Natural Light

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

* * * * *

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 Human Studio Architecture, received December 13, 2024, resubmission plans received February 27, 2025 and test fit drawings received December 15, 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

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

Note to Applicant: this can be achieved by providing quality materials, textures, articulation and/or colour.
- 1.3 Design development to meet the requirements of the *Micro Dwelling Policies and Guidelines* and *High-Density Housing for Families with Children Guidelines* to improve livability. Ensure all units meet the internal design and facilities regulations, including:
 - (a) Providing a minimum unit size of no less than 23.2 sq. m (250 sq. ft.) for microunits and 29.7 sq. m (320 sq. ft.) for other unit types.
 - (b) Ensuring a floor-to-floor height minimum of 2.9 m (9.5 ft.).
 - (c) Providing a balcony for each unit with 1.8 m (5.9 ft.) by 2.7 m (8.86 ft.) minimum dimensions.

Note to Applicant: If there are operational limitations to the incorporation of balconies, Juliette balconies may be considered if an appropriate amount of outdoor common amenity space is provided in lieu;

- (d) Providing as much bulk storage for each unit as possible, including a minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each family dwelling unit. Bulk storage requirements will be further evaluated at the development permit stage.
- (e) Ensuring a multi-purpose indoor amenity space appropriate in size for the scale of the project, with a wheelchair accessible washroom and kitchenette is maintained at future design stages. Consider positioning this adjacent to the children's play area to enable parental supervision from the amenity room.
- (f) Providing more functional and appropriately-sized outdoor common amenity space which meets the target of 4.52 sq. m (48.7 sq. ft.) per micro unit and 2 sq. m (21.5 sq. ft.) for other unit types. It should include areas suitable for children's play activities, urban agriculture and situated to maximize sunlight access;

Note to Applicant: Explore locating the additional outdoor common amenity space on the roof.

Landscape

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

Note to Applicant. This can be achieved by:

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

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

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

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

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

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

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

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

- 1.8 Provision of confirmed trenching locations for utility connections, avoiding conflict with tree root zones and addition of the following note:

“Trenching for utility connections to be coordinated with Engineering Department to ensure safe root zones of retained trees. Tree protection for street trees to be provided as per Engineering/Park Board guidelines”.

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

Sustainability

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

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

Housing

- 1.10 The proposed unit mix, including 5 (9%) two-bedroom units, is to be included in the Development Permit drawings.

Engineering

- 1.11 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>

- 1.12 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>

- 1.13 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.
- 1.14 Provision of garbage and recycling storage amenity design to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Draw and label container outlines and if the site is mixed use, demonstrate separated solid waste amenities for use types, and label each amenity.

Amenities designed below grade require written confirmation from a waste hauler that access and pick up from the location can be made without reliance of the lane for extended bin storage. If this cannot be confirmed, then an on-site garbage bin staging area is to be provided adjacent the lane. Pick up operations should not require the use of public property for storage, pick up or return of bins to the storage location.

- 1.15 Submission to Engineering of an updated landscape plan reflecting all the public realm changes, including demonstration of:
- (a) Display of the following note(s):
 - (i) "This plan is "**NOT FOR CONSTRUCTION**" and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Engineering, Development and Major Projects and/or your Engineering, Building Site Inspector for details."
 - (ii) "Tree species, final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. New trees must be of good

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

(b) Existing locations of:

(i) Street furniture; and

Note to Applicant: For drawings with existing street furniture displayed, a note must be added stating: "All removals, relocations, reinstallations and replacements of street furniture must be carried out by the City Street Furniture Contractor in coordination with the City Street Furniture Coordinator."

(ii) Poles and guy wires.

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

(c) Deletion of:

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

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

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

Not to Applicant: Where a design detail is not available, make note of the improvement on the plan. Public realm changes include all off-site improvements sought for this rezoning. The Streets Design Guidelines are viewable online at <https://vancouver.ca/streets-transportation/streetscape-design-guidelines.aspx> and are to be used alongside the City design guidelines and construction standards.

1.16 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.

- 1.17 Provision of all third-party utility services (e.g., BC Hydro, Telus, and Shaw) to be underground, BC Hydro service to the site to be primary, and all required electrical plants to be provided within private property.

Note to Applicant: BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be located on private property with no reliance on public property for placement of these features.

For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at umb@vancouver.ca.

- 1.18 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>

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

Note to Applicant: When providing additional property line elevations for proposed entrances, interpolate a continuous grade between the elevations provided on the City supplied building grade plan.

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

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

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

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

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

The main servicing the proposed development is 200 mm. Should the development require water service connections larger than servicing main, the developer shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost of the upgrading. The maximum water service connection size is 300 mm. Should the development's Fire Underwriter's Survey Required Fire Flow calculation change as the building design progresses, a resubmission to the City of Vancouver Waterworks Engineer is required for re-evaluation of the Water System.

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

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

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

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

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

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

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

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

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

Housing

- 2.2 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability (or successor in function) and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant securing all dwelling units to be used for social housing for a term equal to the longer of 60 years and the life of the building, subject to the following terms and conditions:

- (a) a no separate sales covenant;
- (b) a no stratification covenant;
- (c) a provision that none of the dwelling units in the building be rented for less than 90 consecutive days at a time;
- (d) subject to subsection (e) below, a requirement that all dwelling units in the building to comply with the Zoning and Development By-law No. 3575 definition of "social housing" that is applicable to the RT-3 district located north of Venables Street, Malkin Avenue and Prior Street, south of Hasting Street, east of Gore Avenue and west of Clark Drive, which includes:
- (i) all the dwelling units are owned, or secured as a leasehold interest for at least 60 years, by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada;
- (ii) at least 30% of the dwelling units are occupied by households with incomes below housing limits, as set out in the current "Housing Income Limits" table published by the British Columbia Housing Management

- Commission, or equivalent publication; and
- (iii) of the dwelling units required under (ii) above
 - a. at least two-thirds of the dwelling units are occupied by persons eligible for either Income Assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement and are rented at rates no higher than the shelter component of Income Assistance; and
 - b. the balance of such units will each be rented at a monthly rate no higher than the amount equal to 30% of the aggregate household annual income of the members of the household occupying such dwelling unit (for the immediately previous 12 months) divided by 12 months; and
 - (iv) any Micro Dwelling Units which are not subject to the target rents and affordability requirements described in subsection (d)(iii) above must be rented at monthly rates no higher than the average market rents for studio apartments in the local area, in accordance with the annual Canadian Mortgage and Housing Corporation Rental Housing Market Survey, or as otherwise stated in the Micro Dwelling Policies and Guidelines;
 - (e) if the Zoning and Development By-law No. 3575 definition of “social housing” has not been amended to be consistent with the affordability requirements described above, apart from the Micro Dwelling Units, prior to the applicant and the City entering into the Housing Agreement, then subsection (d) above does not apply and:
 - (i) all dwelling units in the building must comply with the Zoning and Development By-law No.3575 definition of “social housing” that is applicable for the RT-3 district located north of Venables Street, Malkin Avenue and Prior Street, south of Hasting Street, east of Gore Avenue and west of Clark Drive such that:
 - a. all the dwelling units are owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada;
 - b. at least one third of the dwelling units be occupied by persons eligible for either Income Assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement and are rented at rates no higher than the shelter component of Income Assistance; and;
 - (ii) the target rents and affordability of the remaining dwelling units will be as follows
 - a. not less than one third of the remaining dwelling units (or such other amount as required by the General Manager of Planning, Urban Design and Sustainability (or successor in function)) will be occupied only by households with incomes at or below the then current

applicable Housing Income Limit (HIL) as published by the British Columbia Housing Management Commission and each rented at a monthly rate no higher than the amount equal to 30% of the aggregate household annual income of the members of the household occupying such dwelling unit (for the immediately previous 12 months) divided by 12 months; and

- b. any remaining dwelling units, after being allocated pursuant to subsection a. above and subject to subsection c. below, must be rented at rent not exceeding 90% of the market rent as set out, for the applicable unit type, in CMHC's Rental Survey for Vancouver for the applicable year of construction, 2015+ category, or such equivalent survey or publication approved by the General Manager of Planning, Urban Design and Sustainability, in his or her sole discretion, and in the absence of such surveys, the appraised market rent for a comparable unit in the local area (where a "comparable unit" means a dwelling unit of the same type, similar size and in a building with a similar age and quality of construction; and
 - c. despite subsection b. above, any Micro Dwelling Units which are not subject to the target rents and affordability requirements described in subsection (e)(i)b. and (e)(ii)a. above must be rented at monthly rates no higher than the average market rents for studio apartments in the local area, in accordance with the annual Canadian Mortgage and Housing Corporation Rental Housing Market Survey, or as otherwise stated in the Micro Dwelling Policies and Guidelines; and
- (f) any other terms and conditions as may be required at the discretion of the Director of Legal Services.

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

Environmental Contamination

2.3 If applicable:

- (a) Submit a site disclosure statement to Environmental Services.
- (b) As required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.
- (c) If required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any

buildings or improvements constructed on the site pursuant to this rezoning until separate Certificates of Compliance, satisfactory to the City, for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

Agreements

Note: 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

The City's public engagement efforts for the rezoning application included mailed postcards, a site sign, a webpage, online comment form, and a two-week online question and answer (Q&A) period. Staff note that the City's SYC platform provides built-in translation functionality for the webpage in over 150 languages. Refer to the application webpage:

<https://www.shapeyourcity.ca/441-e-pender-st>.

In total, approximately 121 submissions were received, along with a petition in opposition with about 607 signatures as of the date of the report.

In Person Community Information Meeting

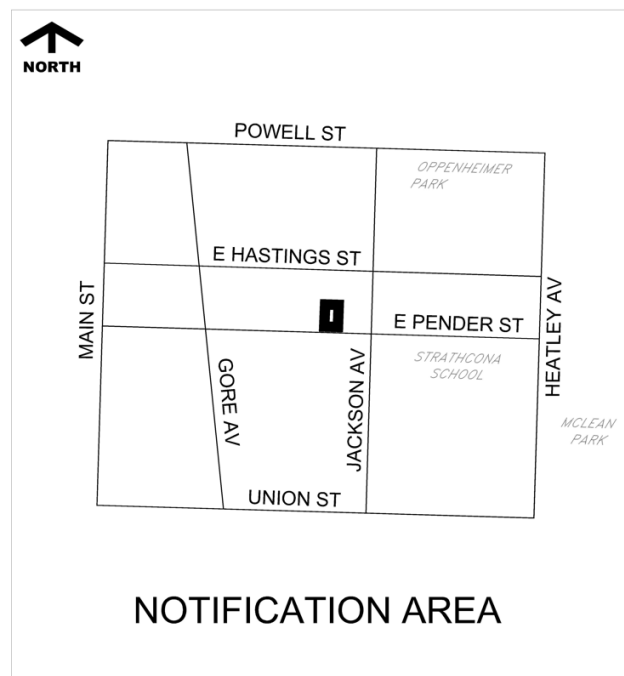
The applicant held an in-person community information session on November 24, 2025 at the Strathcona Community Centre, to collect feedback on the proposal as directed by Council. Approximately 135 people attended this event. In response to the in-person community information session, a total of 55 comments were received. Eight comments expressed support for social housing, the operator and programmatic intent, and height. 41 comments expressed concern for social housing, policy deviation, neighbourhood compatibility and integration, safety and building height, design and density. A petition in non-support of the application was submitted at the meeting, with 31 signatures. Six comments indicated a mixed position on the application.

In response, the applicant revised the application to include a unit mix including the addition of larger, accessible studio units and two-bedroom units. The overall unit count has changed from 65 micro-dwelling units to 55 social housing units. Incorporating a unit mix responds to public concerns regarding lack of family housing, neighbourhood compatibility, unit livability, and the building's programmatic intent. The addition of family units helps the project to align with the *Micro Dwellings Policies and Guidelines*, and is in keeping with staff advice throughout the rezoning process.

Event	Date(s)	Details
Webpage published	January 14, 2025	https://www.shapeyourcity.ca/441-e-pender-st
Postcards mailed	March 24, 2025	3,068 notices mailed (approximate)
Open House Postcards mailed	November 10, 2025	3,118 notices mailed (approximate)
Site sign installed	January 15, 2025	n/a
Online comment form	January 2025 to December 2025	79 submissions <ul style="list-style-type: none"> • 18 responses support • 56 responses opposed • 5 responses mixed

Question and Answer (Q&A) period (2 weeks)	March 16, 2025 to April 8, 2025	29 submissions
Other input (phone calls, direct emails, etc.)	January 2025 to December 2025	13 submissions
Open House Comment Forms and Other input	November to December 2025	55 submissions <ul style="list-style-type: none"> • 8 support • 41 opposed • 6 mixed
Petitions	February 2024	607 signatures
	November 24, 2025	31 signatures
Total webpage views	January 2025 to December 2025	1,903 page views
Total Submissions (Comments submitted + questions asked + other input methods)		125 submissions

Map of Notification Area



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

Generally, comments of support fell within the following areas:

- **Housing:** Social housing is supported and aligns with City goals and priorities. Support for proposal given the urgent need for affordable housing.
- **Location:** Support for the proposal given proximity to amenities, jobs, and transit.

Respondents also expressed concern and opinions on the following:

- **Social Housing and policy deviation:** Social housing is not supported at this site, as per the Plan and *DTES Rezoning Policy*. The development does not meet development objectives for Strathcona.
- **Tenure:** Respondents also expressed confusion regarding the proposed tenure, specifically whether the proposed rezoning application included supportive or social housing.
- **Building height, design, massing and density:** Concern with the proposed building height in an area that only has low to mid-rise developments. The building design is not aesthetically pleasing and resembles an institution. Concern the proposal is overly dense.
- **Location:** Concern that the proposed development is not suited for the Strathcona neighbourhood, a historic and character residential area.
- **Safety:** Safety risks for neighbours, especially elderly residents and school children. Concern with increased crime, loitering and disorder.
- **Livability concerns:** Concern that the proposed micro units are too small, and will have negative impacts on tenant well-being.
- **Unit Mix:** Respondents noted concern that no family units are included as part of the proposal. Respondents noted concern that the micro dwelling units conflict with the urgent need for family and seniors housing in the area.
- **Neighbourhood character / compatibility:** Concern that the development does not positively contribute to neighbourhood character and is incongruent with the history of the neighbourhood. Respondents felt that the project does not enhance Strathcona or provide value to the community. Fear of precedent setting for similar developments in Strathcona.
- **Language Accessibility:** Respondents noted concern with the City's engagement practices regarding language accessibility.

Response to Public Comments

- See Section 5 of the Referral Report for responses to the above comments.

* * * * *

**APPENDIX D
PUBLIC BENEFITS**

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

Other Benefits (non-quantifiable components): 55 social housing units secured for the greater of 60 years and the life of the building.

¹ Under the provisions of the Vancouver Charter and the City-wide DCL and City-wide Utilities DCL By-laws, social housing that meets the applicable definitions is exempt from DCLs. Based on by-laws and rates in effect as of December 10, 2025 and the proposed 2,635 sq. m (28,363 sq. ft.) of residential floor area, the project would qualify for an exemption valued at \$921,038.

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

* * * * *

**APPENDIX E
REZONING APPLICATION SUMMARY**

Property

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

Applicant Team

Applicant	Pack Buildings
Architect	Human Studio Architecture
Property Owner	1477603 B.C. LTD Represented by Kuo Liu

Statistics

	Permitted Under Existing Zoning	Proposed
Zoning	RT-3	CD-1
Site Area	850 sq. m (9,149 sq. ft.)	850 sq. m (9,149 sq. ft.)
Land Use	Residential	Residential
Maximum FSR	0.6	3.1
Maximum Height	10.7 m (35 ft.)	23 m (75 ft.)
Floor Area	510 sq. m (5,490 sq. ft.)	2,635 sq. m (28,363 sq. ft.)
Unit Mix	N/A	50 studio units 5 2-bedroom units 55 Total
Natural Assets	2 on-site trees 3 street trees	2 on-site trees to be retained 3 City trees to be retained To be confirmed at development permit stage

* * * * *