



REFERRAL REPORT

Report Date: June 30, 2026
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Meeting Date: July 14, 2026

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 111 East 5th Avenue and 2060 Quebec 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 Westbank Corp., on behalf of 111 E 5th Property Inc., the registered owners of the lands located at 111 East 5th Avenue and 2060 Quebec Street [*Lots 12 to 16 of Block 24 District Lot 200A PLAN 197; PIDs 004-908-767, 004-909-143, 004-909-259, 004-909-275, 004-909-291*] to rezone the lands from I-1A (Industrial) District to CD-1 (Comprehensive Development) District, to add Bulk Data Storage Use as an allowable use and to enable a café at ground level of an existing three-storey commercial building, 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 WZMH Architects, received September 4, 2025;

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

B. THAT subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the CD-1, generally as set out in Appendix C, be approved.

C. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1, generally set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law.

D. THAT Recommendations A to C 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
- (ii) 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 111 East 5th Avenue and 2060 Quebec Street from I-1A (Industrial) District to CD-1 (Comprehensive Development) District. The proposal is for an existing three-storey commercial office building to be repurposed for bulk data storage use (three levels above grade and two levels below grade) and a café on the ground floor.

Section 559.02 (3) of the Vancouver Charter provides that a public hearing is not required to consider the zoning by-law amendments in this report because this proposal is consistent with all relevant official development plans including the *Vancouver Official Development Plan (the "ODP")*. Staff are recommending that this application be referred to a Public Hearing because of the extent of public input received. However, Council has the discretion to refer the by-law to a Council meeting as the proposal does not result in any change to the form of development of the building.

This application is consistent with the *ODP* and is generally consistent with the *Broadway Plan* (the “*Plan*”). 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 five parcels, located at the northeast corner of Quebec Street and East 5th Avenue (see Figure 1). The surrounding neighbourhood consists of a mix of low- and mid-rise commercial and industrial buildings, ranging from one to eight storeys in height.

Figure 1: Site and Surrounding Zoning



2. Policy Context

Vancouver ODP: This site is designed Industrial and Employment Manufacturing in the Generalized Land Use (“GLU”) which is primarily intended for industrial uses, including manufacturing, transportation and storage; wholesale; service; utility and communications office. The proposed bulk data storage use is classified as an industrial land use (transportation and storage) in Section 2 of the Vancouver Zoning and Development By-law and therefore is in alignment with the *ODP* land use designation.

Broadway Plan (Plan): This site is located in the Mount Pleasant Industrial Area B of the *Plan*, with a particular focus on digital entertainment and information communication technology uses. Light industrial, office, service, retail and institutional uses are permitted within this area. The *Plan* enables up to 5 FSR at this location with one FSR required to be industrial use. Although the *Plan* did not anticipate the need for site-specific rezonings in the area, as the base zoning had recently been updated to increase density and flexibility of employment uses as part of an earlier planning process, this rezoning application is considered broadly consistent with the *Plan* in terms of height, density and land use.

3. Proposal

The proposal intends to repurpose an existing office building, converting the three levels of office space and two levels of underground parking into bulk data storage use with a café at ground level. A building height of 20 m (65.6 ft.) and a floor space ratio (FSR) of 3.0 is proposed.

Note: During staff review, detailed building floorplans were not provided by the applicant. Below-grade bulk data storage use and mechanical/electrical space for bulk data storage use is not excluded from FSR. Staff have advised the applicant that the required FSR to achieve the proposed development is higher than 3.0 and estimated to be as much as 4.2. If, at development permit stage, additional density is required the applicant must apply for a CD-1 text amendment.

Figure 2: Rendering of the Existing Building



4. Employment Lands Analysis

Industrial use: Data centres are classified in the Zoning and Development By-law, under “Transportation and Storage use”. The subject site is in the Mt. Pleasant Industrial Area – Area B, which has an Industrial designation in the Metro 2050 Regional Growth Strategy (the “RGS”) and an Industrial and Employment GLU designation in the *ODP*. While the site’s existing I-1A zoning does not allow data centres, this use is consistent with the RGS and *ODP*.

The Mt. Pleasant industrial area is home to a unique cluster of digital media, bio-medical, and high-tech job space, which the *Broadway Plan* seeks to intensify through permissive land use policies. The addition of data centre use on this site is aligned with the types of businesses that are choosing to locate in the Mt. Pleasant Industrial Area.

Neighbourhood Energy Utility: The proposed data centre will be required to feed the waste heat into the City’s False Creek Neighbourhood Energy Utility (NEU), which supplies low-carbon thermal energy for space heating and hot water to buildings in Southeast False Creek, Mt. Pleasant and the False Creek Flats.

5. Form of Development

The *Plan* anticipates that new industrial/employment buildings should contribute to the unique industrial character of these areas, complementing the eclectic mix of new and existing industrial and mixed- use industrial-commercial buildings, retained heritage buildings, and arts and cultural spaces. Small-scale retail and food and beverage options should provide services and amenities for area employees as well as foster pedestrian interest and activity.

While the *Plan* does not anticipate rezonings for this use, this application proposes to retrofit an existing building to accommodate a new bulk data storage use and a new corner cafe unit. Refer to the Urban Design Summary in Figure 3 below.

Figure 3: Urban Design Analysis Summary

Criteria	Policy	Proposal	Evaluation	Response
Floor Area and Density	3.0 FSR (5.0 Conditional)	3.0 FSR (applicant proposal) 4.2 FSR (CoV technical check)	A CoV technical check indicated the proposal may necessitate additional density resulting from converting the underground parking levels to included floor area, along with fewer other floor area exclusions. Note: no new physical floor area has been added to the existing building.	The applicant has requested 3.0 FSR in the draft bylaw. Staff would support 4.2 FSR and have advised the applicant this FSR would enable the proposed below-grade bulk data storage use and mechanical space for bulk data storage uses, subject to the conditions set out below.
Height	38.1 m (125 ft.)	20 m (65.6 ft.) plus additional mechanical (no change to existing three- storey building)	Additional height in the form of ancillary mechanical systems has been added to the roof, proposed screening will reduce the visual impact from the public realm.	Staff support the proposal as there are only minor additional height impacts.
Public Realm Interface	Active commercial uses should wrap the corner, providing patios with a softer landscape transition to the lane.	Active commercial use proposed at the ground floor corner of E 5 th Ave and the lane.	The proposed restaurant use has a poor public realm interface to both the street and lane.	Staff support subject to condition 1.1 which seeks to improve the commercial interface and strengthen the public realm.

Urban Design Panel (UDP): A review by the Urban Design Panel was not required due to the application's small scale and minor changes to the existing form of development.

Urban Design Summary - Staff reviewed the site-specific conditions and have concluded that due to the minor changes associated with the existing building retrofit, the proposal's form of development is appropriate for the context. Staff support the application subject to the Urban Design Conditions detailed 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 this report and final drawings will be prepared for the development permit application to follow.

6. Transportation and Parking

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

7. 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/111-e-5.

In total, approximately 579 submissions were received. Comments supported the repurposing of an existing building for data centre use and expressed concerns including impacts on energy use, noise pollution, sustainability, water consumption and political controversy. Refer to Appendix D for a full summary of the public input collected and responses to public comments.

8. Public Benefits

Refer to Appendix E for full summary of public benefits.

- (a) **Development Cost Levies (DCLs):** It is expected that the project will pay DCLs of \$0 based on December, 2025 rates applied to the applicants estimate of no net increase in floor area. Staff estimate that the floor area of the proposal exceeds 3.0 FSR. If, at development permit stage, additional density is required to achieve the development, a text amendment process will be required with any additional density subject to standard DCLs.
- (b) **Commercial Linkage Contribution:** The Commercial Linkage Contribution within the Community Amenity Contribution Policy for Rezoning is applied on the net increase in floor area. Staff estimate that the floor area of the proposal exceeds 3.0 FSR. If, at development permit stage, additional density is required to achieve the development, a text amendment process will be required with any additional density subject to applicable development contributions.

Financial Implications

Based on no change to the FSR, this project is not expected to provide a cash Commercial Linkage Contribution or a DCL contribution. See Appendix E for additional details.

Conclusion

The proposed land use, form of development and public benefits, including diversion of waste heat to the NEU, are consistent with the *ODP* and the *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.

APPENDIX A
111 East 5th Avenue and 2060 Quebec 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.

Designation of CD-1 District

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

Definitions

3. Words in this by-law have the meaning given to them in the Zoning and Development By-law, except that:
 - (a) "Energy Utility Use" means the use of premises to house waste heat infrastructure and an energy transfer station;
 - (b) "waste heat infrastructure" means the works, equipment and infrastructure required to extract available recoverable waste heat from bulk data storage use, integrate with the building cooling and heat rejection system, and enable recovered waste heat to be delivered to the City's Neighbourhood Energy Utility , at the required specifications;

Uses

4. Subject to approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this by-law or in a development permit, the only uses permitted within this CD-1 and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Cultural and Recreational Uses;
 - (b) Energy Utility Use;
 - (c) Institutional Uses;
 - (d) Manufacturing Uses;
 - (e) Office Uses;
 - (f) Retail Uses;

- (g) Service Uses;
- (h) Transportation and Storage Uses;
- (i) Utility and Communication Uses;
- (j) Wholesale Uses; and
- (k) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

5.1 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.

5.1 Creative products manufacturing is not permitted on the first storey, or on any storey with its floor level within 2 m above finished grade.

Floor Area and Density

- 6.1 Computation of floor area must assume that the site area is 2,767.3 m², being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.
- 6.2 The maximum floor space ratio for all uses combined is 3.0.
- 6.3 The total floor space ratio for industrial uses must not be less than 2.0.
- 6.4 The total floor area for restaurant uses must not exceed 500 m².
- 6.5 The total floor area for all above-grade uses must not exceed 8,305 m².
- 6.6 For the purposes of this by-law, Industrial Uses means
 - (a) manufacturing uses;

- (b) transportation and storage uses;
 - (c) utility and communication uses;
 - (d) wholesale uses;
 - (e) service uses limited to: animal clinic or shelter, catering establishment, laboratory, laundry or cleaning plant, motor vehicle repair shop, photofinishing or photography laboratory, production or rehearsal studio, repair shop - class A, sign painting shop, and work shop; and
 - (f) cultural and recreational uses, limited to artist studio - class B.
- 6.7 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 6.8 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, with the exception of heating or mechanical equipment related to bulk data storage use, or uses that the Director of Planning considers similar to the foregoing.
- 6.9 The Director of Planning or Development Permit Board may exclude from the computation of floor area:
- (a) common amenity areas, to a maximum of 10% of the total permitted floor area, and
 - (b) floor area used for energy utility use, to a maximum of 279 m²,
- 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

- 7.1 Building height must not exceed 20 m.
- 7.2 Despite section 7.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, 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.



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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 Council/hearing agenda package. Any changes to the conditions approved by Council will be contained in its decision. Applicants are advised to consult the hearing/Council meeting minutes for any changes or additions to these conditions.

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Consideration by Council of the proposed form of development is in reference to plans prepared by WZMH Architects, received September 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

- 1.1 Design development to ensure the proposed ground floor commercial use provides an active, high-quality public realm interface. Explore solutions which could include:
 - (a) Improving the East 5 Avenue interface by providing outdoor patio seating, removing existing low walls to enhance pedestrian visual and physical permeability, providing ramps to increase accessibility, and/or enhancing visual interest in the forms of murals, vertical planting, lighting, seating and textured finishes.
 - (b) Improving the east lane interface by providing planters to create a softer landscape transition to the lane.

Sustainability

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

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

Engineering

- 1.3 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>

- 1.4 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>

- 1.5 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.
- 1.6 Provision of 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](#).

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 should enable access and pick up from a 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.

- 1.7 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."
 - (i) "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) All proposed streetscape materials on City property to be City standard materials.

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

(d) Streetscape designed in compliance with "All Other City Areas" Streetscape Design Guidelines.

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.

1.8 Provision of the following general revisions to architectural plans, including:

(a) 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

- (b) Design elevations at all breakpoints on both sides of ramps, drive aisles, loading and passenger loading spaces, accessible spaces, and entrances.
- 1.9 Provision of a sewer abandonment plan by the Developer's Engineer that details the following:
- (a) Abandonment or removal of all existing storm, sanitary, and combined connections to the development site; and
 - (b) Abandonment or removal of all existing storm, sanitary, and combined sewer mains that are no longer in use due to the development of the 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.

- 1.10 Provision of connection to the False Creek Neighbourhood Energy Utility (the "NEU") to ensure the building is supplied by low carbon thermal energy from the NEU, pursuant to the Energy Utility System By-law No. 9552 ("By-law No. 9552"), to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The development is located in the False Creek Neighbourhood Energy Utility (NEU) designated service area. The [Energy Utility System By-law No. 9552](#) requires all new developments within the designated service area to connect to the City-owned NEU for the provision of low carbon thermal energy services (i.e. space heat and hot water), to be confirmed at development permit application stage. Please refer to the [Energy Utility System By-law No. 9552](#) for NEU levies and charges and the [2026 False Creek Neighbourhood Energy Utility Customer Rates](#) for information on the Enhanced Green Heat Program.

- 1.11 Prior to enactment of the rezoning by-law, provision to the General Manager of Engineering Services of a Data Centre Waste Heat Recovery Study and implementation concept (the "Waste Heat Recovery Study and Concept"), prepared by qualified professionals in consultation with City staff and, where applicable, any energy service intermediary involved in the proposed waste heat recovery concept.

The Waste Heat Recovery Study and Concept must demonstrate, to the satisfaction of the General Manager of Engineering Services, that a viable path for waste heat recovery and delivery of waste heat to the NEU is achievable and acceptable to the City, considering all technical, economic, operational, NEU system-integration, and any other factors determined relevant by the General Manager of Engineering Services. The Waste Heat Recovery Study and Concept must also identify the building design, infrastructure, equipment, access, service connection, legal-rights/agreements and other relevant requirements necessary to enable available waste heat from the bulk data storage use (the "proposed use") to be recovered and delivered to the NEU, for use in the NEU network, in a manner acceptable to the General Manager of Engineering Services, including the requirements necessary to secure delivery of the Waste Heat Recovery and Delivery Infrastructure at specifications acceptable to the General Manager of Engineering Services. Successful waste heat recovery and delivery to the NEU is a material condition of the proposed use. If, based on the findings of the Waste Heat Recovery Study and Concept, the General Manager of Engineering Services is not satisfied that there is a viable path to meeting this condition, the proposed use of bulk

data storage cannot be approved, and the rezoning by-law must not proceed to enactment.

The scope of the Waste Heat Recovery Study and Concept must include, at a minimum:

- (a) The proposed use, cooling concept, anticipated phasing, utilization, and timing of operation;
- (b) The expected source, characteristics, and preliminary quantity or range of recoverable waste heat, including temperature and timing of availability;
- (c) The proposed waste heat recovery and delivery concept, including how the site cooling and heat rejection system will be designed to prioritize recovery and delivery of waste heat from the proposed use to the NEU network, at the required specifications, when the NEU network is able to accept such waste heat before rejection to other heat rejection systems, and how the concept may be phased or scaled over time to align with the proposed use and NEU system demand;
- (d) The on-site spaces, equipment areas, access routes, service corridors, service connection provisions, metering, controls, utility servicing provisions, and other building-side interfaces and provisions required to accommodate and enable implementation of the waste heat recovery and delivery concept, including any phased implementation identified through the Waste Heat Recovery Study and Concept;
- (e) The works, equipment, and infrastructure required to extract available recoverable waste heat from the proposed use, integrate with the building cooling and heat rejection system, and enable recovered waste heat to be delivered to the NEU at the required specifications, including any provisions required to support phased or increased recovery over time, collectively the “waste heat infrastructure” are to be provided at the applicant’s sole cost such that the costs of constructing and installing the waste heat infrastructure are not borne by the City, the NEU, or recovered from the NEU through rates or other charges,;
- (f) Preliminary capital expenditures (CAPEX) required to deliver the waste heat infrastructure, preliminary operating expenses (OPEX), and levelized cost of energy for recovering waste heat from the proposed use based only on ongoing operating and maintenance costs for the waste heat infrastructure for the purpose of assessing the viability of the waste heat recovery concept;
- (g) Key risks, constraints, and proposed mitigation measures relevant to the General Manager of Engineering Services’ assessment of the viability of the waste heat recovery and delivery pathway, including technical, economic, operational, reliability, availability, legal, regulatory, and NEU system-integration risks;
- (h) The design, construction, installation, commissioning, access, operation, maintenance, repair, replacement, and renewal requirements for the waste heat infrastructure, including associated roles and responsibilities;
- (i) Any legal rights, agreements and regulatory approvals, including as may be required under the Utilities Commission Act, necessary to secure the spaces, access, equipment, infrastructure, interfaces, and implementation requirements

in order to achieve successful waste heat recovery and provision of waste heat to the NEU; and

- (j) Any other information or requirements determined by the General Manager of Engineering Services to be necessary or desirable to assess the viability of, or enable implementation of, the waste heat recovery and provision of waste heat to the NEU.

Note to Applicant: The rezoning application identifies a data centre with an anticipated load of up to 40 MW and contemplates the capture of waste heat and delivery of recovered waste heat to the NEU as part of the project concept. The Waste Heat Recovery Study and Concept is required prior to enactment of the rezoning by-law to determine whether the proposed use is supported by a viable waste heat recovery and delivery concept acceptable to the City.

Successful waste heat recovery and delivery to the NEU is a material condition of the proposed use. If, based on the findings of the Waste Heat Recovery Study and Concept, the General Manager of Engineering Services is not satisfied that there is a viable path to meeting this condition, the proposed use of bulk data storage must not be approved, and the rezoning by-law cannot proceed to enactment.

Where the General Manager of Engineering Services is satisfied that there is a viable path to meeting the above condition, the required building design, infrastructure, equipment, access, service connection, legal rights, and other implementation requirements must be secured prior to rezoning enactment through arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, as applicable.

- 1.12 Provision for the building(s) heating and domestic hot water system to be compatible with the NEU system to ensure all space heating and domestic hot water requirements of the building are supplied by the NEU prior to issuance of Development Permit.

Note to Applicant: The Applicant shall refer to the [Energy Utility System By-law No. 9552](#) and [Connectivity Guidelines & Requirements](#) for specific design requirements, which include provisions related to the location of the mechanical room(s), centralization of mechanical equipment, pumping and control strategy, other hydronic heating and domestic hot water system minimum requirements, and other NEU-compatible design provisions.

- 1.13 Prior to the issuance of Development Permit, provision of the following design requirements to ensure NEU compatibility and reflect and enable the capture of excess waste heat from the proposed use of the building and delivery of the recovered waste heat to the NEU, as identified through the Waste Heat Recovery Study and Concept required under condition 1.11, all to the satisfaction of the General Manager of Engineering Services:

- (a) Adequate and appropriate dedicated Energy Transfer Station (“ETS”) Room(s), on the highest below-grade level, located along an exterior wall adjacent to NEU distribution piping for connection to the NEU, free of any other equipment or obstructions, with final size and configuration to be confirmed through detailed design;

- (b) Adequate and appropriate dedicated NEU Room(s) to support waste heat recovery and delivery, with access and servicing provisions as identified through the Waste Heat Recovery Study and Concept, on the highest below-grade level, located along an exterior wall adjacent to NEU distribution piping, with final size, configuration and servicing provisions to be confirmed through detailed design;
- (c) A minimum 1.83 m wide clear continuous pathway from the exterior of the development to the ETS Room(s), and adequate access to the NEU Room(s), including double doorway entry with outward swing doors where required, to accommodate installation of the pre-fabricated, skid-mounted ETS;
- (d) Protected access routes, service corridors, shafts, sleeves, service connection provisions, metering, controls, electrical provisions, mechanical provisions, and other building-side interfaces and provisions required to enable implementation, operation, maintenance, repair, replacement, renewal, and phased expansion, as applicable, of the waste heat infrastructure identified through the Waste Heat Recovery Study and Concept; and
- (e) The building mechanical system shall utilize the NEU system for all the space heating and domestic hot water requirements for the development and must not incorporate any prohibited heat production equipment, in accordance with Section 5.2 of [Energy Utility System By-law No. 9552](#).

Note to Applicant: The site will be connected to the NEU via distribution piping along Quebec Street at the southwest corner of the site. If the ETS Room(s) and/or NEU Room(s) cannot be located along an exterior wall along Quebec Street at the southwest corner of level B1, the Owner will be responsible for the piping and installation from the NEU service location at the exterior wall to the alternate ETS and NEU Room(s), subject to approval by the General Manager of Engineering Services. Final location, dimension, and servicing provisions for the ETS and/or NEU Room(s), and the number of ETS units required, will be refined through detailed design, informed by the path to viability determined by the General Manager of Engineering Services based on the findings from the Waste Heat Recovery Study and Concept required under condition 1.11, heating load requirements, waste heat recovery and delivery requirements, and considerations such as those of administration and practicality. The applicant must coordinate with City Staff to confirm the acceptability of the proposed ETS and/or NEU Room(s) location, size, and servicing provisions.

- 1.14 Prior to the issuance of Building Permit, complete a detailed design review of the building HVAC and mechanical heating, cooling, and heat rejection system(s), including the interface with the waste heat infrastructure identified through the Waste Heat Recovery Study and Concept required under condition 1.11, to ensure compliance with NEU design requirements and to demonstrate that the detailed design preserves and enables implementation of the accepted waste heat recovery and delivery concept, all to the satisfaction of the General Manager of Engineering Services.
- 1.15 In accordance with By-law No. 9552, the Owner must pay the Connection Levy and any associated costs with an approved alternate location for the ETS or NEU Room(s), if applicable, prior to the issuance of Building Permit.

- 1.16 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.

- 1.17 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>

- 1.18 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 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 all at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

- 2.1 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for consolidation of Lots 12 to 16, Block 24, District Lot 200A, Plan 197 to create a single parcel.
- 2.2 Revise the rezoning drawings, to the satisfaction of the General Manager of Engineering Services, to clearly identify and preserve the preliminary design intent for the spaces and provisions required to support NEU connection and waste heat recovery and delivery, ETS Room location(s), NEU Room location(s), service connection provisions, and associated access routes, service corridors, and other building provisions required to support NEU connection and the recovery of waste heat from the building and delivery of waste heat to the NEU based on the path to viability as may be determined by the General Manager of Engineering Services through the Waste Heat Recovery Study and Concept required under condition 1.11. These locations and provisions will be confirmed and refined through the path to viability in the Waste Heat Recovery Study and Concept and subsequent Development Permit and Building Permit review.
- 2.3 Make arrangements, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, for connection to the Neighbourhood Energy Utility (NEU) for the provision of low carbon thermal energy services, including statutory rights of way, or other legal rights acceptable to the City, for use of and access to the building mechanical system, thermal energy system-related infrastructure, and suitable space required for the Energy Transfer Station(s) within the development for the purpose of enabling NEU connection and operation, pursuant to the Energy Utility System By-law No. 9552.
- 2.4 Make arrangements, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, for statutory rights of way, or other legal rights acceptable to the City, for use of and access to the building mechanical systems, site cooling and heat rejection system, waste heat recovery equipment, NEU service connection, NEU Room(s), waste heat infrastructure, and access routes, service corridors, interfaces, metering, controls, electrical provisions, mechanical provisions, and other building provisions, as applicable, related to or required to preserve, enable and secure the capture of waste heat from the building and delivery of recovered waste heat to the NEU in accordance with the viable path as determined by the General Manager of Engineering Services through the Waste Heat Recovery Study and Concept required under condition 1.11.
- 2.5 Make arrangements, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, to secure the capture of waste heat from the building and delivery of recovered waste heat to the NEU in accordance with the viable path as determined by the General Manager of Engineering Services through the Waste Heat Recovery Study and Concept required under condition 1.11, including by entering into

any covenants, signed legal agreements or other agreements, securing regulatory approvals (if needed), including under the Utilities Commission Act, or granting , security and/or permit holds, all as may be required to secure the building design, spaces, access routes, service connection provisions, equipment areas, waste heat infrastructure, interfaces, and other implementation requirements identified through the accepted viable path under the Waste Heat Recovery Study and Concept to ensure the capture of waste heat from the building and delivery of recovered waste heat to the NEU is operational and fully secured prior to building occupancy, and is thereafter secured for the life of the building, or until such time as the use of the building for bulk data storage permanently ceases.

Such arrangements must address the provision, delivery, installation, commissioning, access, operation, maintenance, repair, replacement, and renewal requirements for the waste heat infrastructure, as applicable, including any permit holds or occupancy-stage requirements determined necessary by the General Manager of Engineering Services, and must require the owner to be responsible for the costs of delivering the infrastructure required for the capture and transfer of waste heat to the NEU so that the costs are not borne by the City, the NEU, or recovered from the NEU through rates or other charges, except as otherwise accepted by the General Manager of Engineering Services and the Director of Legal Services.

Note to Applicant: Successful waste heat recovery and delivery to the NEU is a material condition of the proposed use. If all necessary steps to achieve this condition have not been taken successfully, including entering into legal agreements and obtaining all necessary regulatory approvals (including any approvals under the Utilities Commission Act), the proposed use of bulk data storage cannot be approved, and the rezoning by-law must not proceed to enactment.

- 2.6 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 R.F. Binnie & Associates Ltd. dated January 10, 2025, no water main upgrades are required to service the development.

The main servicing the proposed development is 150 mm on Quebec Street. 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 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 111 E 5th Avenue does not require any sewer upgrades.

Development to be serviced to the existing 200 mm SAN and 300 mm STM sewers in the Lane north of East 5th Avenue.

Note to Applicant: The City of Vancouver Council has approved a Vancouver Building Bylaw change effective January 1st, 2026. The onsite rainwater release rate requirement has been updated 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 5 L/s/ha. The post-development estimate shall utilize the 2100 IDF curves to account for climate change. Acceptable calculation methods will also be specified. This site will be required to comply with these requirements. More information is available at vancouver.ca/rainwater.

Commercial Linkage Contribution

- 2.7 Pay to the City a contribution of \$0.

Note to applicant: Staff have advised that the FSR required to achieve the proposed development exceeds 3.0 FSR. All bulk data storage use and mechanical space for bulk data storage use, both above and below grade, is to be included in FSR. If, at the time of development permit application, additional density is required, the applicant must apply for a text amendment in order to achieve the additional density. The standard Commercial Linkage Contribution fee would apply to any density in excess of 3.0 FSR at that time.

Non-Stratification Covenant

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

Environmental Contamination

- 2.9 The following conditions must be met prior to enactment of the rezoning by-law:

- (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.

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**APPENDIX C
PROPOSED CONSEQUENTIAL BY-LAW AMENDMENTS**

Note: By-laws will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

DRAFT AMENDMENT TO THE SIGN BY-LAW NO. 11879

Amend Schedule A (CD-1 Zoning Districts Regulated by Part 9) by adding the following:

“111 East 5th Avenue [CD-1 #] [By-law #] I-1”

DRAFT AMENDMENT TO THE NOISE CONTROL BY-LAW NO. 6555

Amend Schedule B [Intermediate Zone] by adding the following:

“[CD-1#] [By-law #] 111 East 5th Avenue”

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**APPENDIX D
ADDITIONAL INFORMATION**

Public Consultation Summary

Event	Date(s)	Details
Webpage published	December 12, 2025	www.shapeyourcity.ca/111-e-5
Postcard mailed	January 26, 2026	2,897 notices mailed (approximate)
Site sign installed	January 22, 2026	n/a
Online comment form	December 2025 to May 2026	289 submissions <ul style="list-style-type: none"> • 3 responses support • 275 responses opposed • 11 response mixed
Question and Answer (Q&A) period (2 weeks)	January 28, 2026 to February 10, 2026	3 submissions
Other input (phone calls, direct emails, etc.)	December 12, 2025 to June 18, 2026	287 submissions
Total webpage views	December 12, 2025 to May 13, 2026	1,273 page views
Total Submissions (Comments submitted + questions asked + other input methods)		579 submissions

Map of Notification Area



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

Areas of support:

1. **Data Centre:** There is support for the data centre use.
2. **Building re-use:** A response is in support that the building is being reused for a different purpose.
3. **Support:** A few comments provide general approval.

Areas of concern:

1. **Public hearing:** A common concern expressed by respondents was their concern that the project may not be heard at public hearing; respondents requested the decision be referred to hearing.
2. **Energy use & power grid:** Respondents expressed concerns that the data centre will consume large amounts of energy and will strain the grid and reduce available power for residents and businesses or increase cost of power for residents.

3. **Water and Sustainability:** Respondents fear that the need for excessive cooling will use an unreasonable amount of water, consuming local water supplies, and contribute to climate change, pollution, and conflict with sustainability goals.
4. **Political and ethical concerns:** Responses oppose the project due to concerns regarding which organizations the data centre may serve, citing public controversy and ethical concerns.
5. **Location:** Comments argue that this development is unsuitable in this location.
6. **Land use & housing priority:** A common concern is that the site should instead be used for housing or community-serving uses rather than a data centre.
7. **Community impact:** Comments argue that the project would negatively affect local character, vibrancy, and livability.
8. **Noise impacts:** Concerns about continuous noise from servers and cooling systems affecting nearby residents.
9. **Surge prices:** Respondents are concerned that increased demand could lead to increased electricity costs for residents.
10. **Economic value:** Responses argue that the project offers minimal employment and poor economic benefit.
11. **Parking concerns:** There were comments that addressed reduced parking availability

Response to Public Comments:

1. **Public hearing:** Staff recommend the report be referred to a public hearing for decision.
2. **Energy use & power grid:** Supply and pricing of electricity is overseen by BC Hydro who have policies regarding new data centre connection.
3. **Water and Sustainability:** The VBBL sets requirements for recirculation of cooling water.
4. **Political and ethical concerns:** The City does not have policy related to local businesses serving contentious clients.
5. **Location:** The proposed location for this industrial use is an industrial lands area.
6. **Land use & housing priority:** This location is protected industrial land-City policy does not support the development of housing at this location.
7. **Noise impacts:** The Vancouver Noise Bylaw regulates noise produced on industrial sites.
8. **Parking concerns:** Engineering staff have conditioned this application to meet the Parking By-law at development permit stage.

**APPENDIX E
PUBLIC BENEFITS**

City-wide DCL ¹	\$0
Utilities DCL ¹	\$0
CAC: Cash	\$0
TOTAL	\$0

Other Benefits

¹ Based on rates in effect as of December 2025 and the proposed 0 sq. m of net new commercial 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.

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**APPENDIX F
REZONING APPLICATION SUMMARY**

Property

Address	Parcel Identifier (PID)	Legal Description
111 East 5 Avenue and 2060 Quebec Street	<i>PID 004-908-767</i>	LOT 12 BLOCK 24 DISTRICT LOT 200A PLAN 197
	<i>PID 004-909-143</i>	LOT 13 BLOCK 24 DISTRICT LOT 200A PLAN 197
	<i>PID 004-909-259</i>	LOT 14 BLOCK 24 DISTRICT LOT 200A PLAN 197
	<i>PID 004-909-275</i>	LOT 15 BLOCK 24 DISTRICT LOT 200A PLAN 197
	<i>PID 004-909-291</i>	LOT 16 BLOCK 24 DISTRICT LOT 200A PLAN 197

Applicant Team

Applicant	Westbank Corp
Developer	Westbank Corp
Architect	WZMH Architects
Property Owner	111 E 5 th Property Inc.

Statistics

	Permitted Under Existing Zoning	Proposed
Zoning	I-1A	CD-1
Site Area	2,767.3 sq. m (29,787sq. ft.)	2,767.3 sq. m (29,787sq. ft.)
Land Use	Industrial	Industrial, bulk data storage, restaurant
Maximum FSR	3.0	3.0 (applicant estimate) 4.0-4.2 (staff estimate)
Maximum Height	N/A	20 m (65.6 ft.)
Floor Area	8,301 sq. m (89,361 sq. ft.)	11,622.6 sq. m (125,104.6 sq. ft.)
Natural Assets	0 on-site trees 0 street trees	0 trees proposed for removal.

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