CITY OF VANCOUVER

DEVELOPMENT, BUILDINGS & LICENSING
Development Services Division
Development Review Branch

October 14, 2026

Thomas Rowe
Third Space Properties Inc.
200-177 W 7th Ave
Vancouver, BC V5Y 1L8

RE: 328 W 10th Avenue, Vancouver, BC
Development permit application number DP-2026-00313

On behalf of the Director of Planning, your application has been approved to develop an 18-storey plus amenity mixed-use residential building with 172 Secured Market Rental units of which 20% of dwelling unit floor area are Below Market Rental on levels 1-18 and Commercial use on level 1, all over three levels of underground parking, and having vehicular access from the lane, subject to the enactment of the CD-1 By-Law and Director of Planning's approval of the form of development.

A permit may be issued upon the completion of the revisions and conditions noted below under items 1.0 to 2.12 of this "prior-to permit issuance" letter.

HOW TO RESPOND TO THIS LETTER

1. **Write and sign a response letter.**
   - Explain how you addressed each condition.
   - Only changes made pursuant to addressing Prior To conditions are accepted as part of your response. Ensure all changes are clearly identified.
   - *Provide a complete response to avoid delays or extra fees.*

2. **Ensure relevant documents have digital signatures and seals** from registered professionals.
   - Review requirements at vancouver.ca/permits-eplan.

3. **Upload your response letter and documents.**
   - Log into your permit account at vancouver.ca/permit-apply.

APPLY FOR BUILDING PERMIT(S)

Apply using the Development and Building Services Centre form at vancouver.ca/contact-dbl.

Questions? Contact your Project Facilitator John.Freeman@vancouver.ca

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1.0 Prior to the issuance of the Development Permit, revised digital drawings shall be submitted, to the satisfaction of the Director of Planning, clearly indicating:

Urban Design conditions:

1.1 design development to increase the total underground setback area as much as possible, to ensure adequate space and soil volume for healthy trees and green rainwater infrastructure, per Rezoning Condition 1.2;

Note to Applicant: The intent is to provide a setback area that is roughly equivalent to that of a typical 3.7 m (12 ft.) setback. Localizing the setback and spreading it out through the site is supported as an alternative approach. Explore other locations on site to increase the cumulative area where possible (e.g., corners, lane side). Refer to the Broadway Plan (11.4.8). See Landscape Condition 1.9.

1.2 design development to build upon the project's livability by enhancing the privacy of side-facing podium level units and reduce their overlook as much as possible, per RZ condition 1.4;

Note to Applicant: Suggested strategies include massing adjustments to allow for living room orientation toward the front or rear; adjusting unit layouts; place two- and three-bedroom units at the corners with the bedrooms facing the side. Typically, dwelling units primary living space (living room) should have an outward looking aspect toward the front and rear. Side-yard orientation may be considered if it is not the primary aspect. Refer to the Broadway Plan (11.1.12).

Development Review Branch conditions:

1.3 provision of a minimum of 20% of the total dwelling unit area to be allocated to Below Market Rental Units as per Section 5.1 Condition of Use of the CD-1 By-law;

1.4 compliance with Section 6 *Floor Area and Density* of the CD-1 By-law, including:

i. provision of a maximum of 12% exclusion for balcony use;

ii. in-suite storage units are only excluded if the area is maximum 3.7 m²;

iii. lobby area not excludable as amenity;

iv. correction and coordination of FSR statistics tables;

Note to Applicant: Area in sq. ft. not converted accurately to m².

1.5 compliance with Section 4 of the Parking by-law, including:

i. provision of one additional Accessible stall, for a total of seven;

Note to Applicant: Visitor stalls that are also accessible stalls are only counted as a visitor space.

ii. provision of a maximum of 25% of proposed vehicle spaces allocated to small car stalls;

1.6 provision of one additional Class B loading space for a total of two. Class A loading space can be relocated below grade to provide adequate space for an additional Class B loading space at grade as per Section 5 of the Parking By-law;

1.7 provision of the following notations to be included on the submitted plans:

i. "The design of the parking structure regarding safety and security shall be in accordance with Section 4.13 of the Parking By-law.";

ii. "A minimum of one electrical outlet shall be provided for each two Class A bicycle spaces.";

iii. "All building dimensions, setbacks and yards are to the outside of cladding.";

iv. "The design of bicycle spaces (including bicycle rooms, compounds, lockers and/or racks) regarding safety and security measures and end of trip facilities regarding required design standards shall be in accordance with the relevant provisions of Section 6 of the Parking By-law.";

v. "Mechanical equipment (ventilators, generators, compactors, and exhaust systems) will be designed and located to minimize noise impacts on the neighbourhood and comply with Noise By-law No. 6555."; and

vi. "Adequate and effective acoustical separation will be provided between the residential and non-residential portions of the building.";

Landscape Review conditions:

1.8 design development to improve the public realm interface;

Note to Applicant: Pull retaining wall back from property line and soften this interface with plant material. Plant material should be used along the West 10th interface to soften the built environment and enhance the overall public realm interface. Refer to Rezoning Condition 1.6.

1.9 design development to increase the total underground setback area;

Note to Applicant: The intent is to provide a setback area that is roughly equivalent to that of a typical 3.7 m (12 ft.) setback. Localizing the setback may be supported as an alternative approach. Refer to rezoning conditions 1.2, 1.6, and 1.10 and Urban Design condition 1.1.

1.10 design development to provide additional replacement trees onsite;

Note to Applicant: Per Protection of Trees By-law, a total of 6 replacement trees are required. Additional replacement trees can be provided at grade (see above condition), and in outdoor amenity areas.

1.11 provision of detailed sections through all tree planting areas on site, to ensure adequate soil depth;

Note to Applicant: Soil depth for trees should meet or exceed BCSLA standards. Soil for trees should not rely on mounding, planter heights should be increased to hold the required depth of soil.

Engineering Services conditions:

1.12 provision of City issued Building Grades to be shown on Site Plan / Sheet DP102;

Note to Applicant: Please see building grade letter and staff markup for more details.

1.13 provision of Design Elevations to be shown on Site Plan / Sheet DP102;

Note to Applicant: Design elevations are missing from the plan at the corner of driveway(s), parking stalls, pedestrian plazas, middle of entrance(s), access pathway(s), stairs, corner of retaining wall(s) along W 10th Ave, and Lane south.

1.14 provision of City issued Building Grades survey benchmark Monument V-2194 to be used on Site Plan / Sheet DP102, or provide written confirmation specifying the benchmark denoted on any topographic survey used for design purposes is consistent with the benchmark elevation established on the building grade plan issued by the City;

1.15 provision of an updated landscape and site plan to reflect the public realm changes including all the off-site improvements sought for this development permit. Where a design or detail is not available, make note of the improvement on the site and landscape plans. The following items and notes are to be added to the landscape plan:

i. show and reference a minimum 3-meter-wide City standard C1.1 broom finished, saw cut concrete sidewalk along W 10th Ave, with transitions back to the existing alignment. The existing boulevard trees are to remain, due to a conflict with the water main located in boulevard will prevent replacement tree plantings. Maintain the existing boulevard width to support the existing trees and the added sidewalk width to be extended towards the P/L;

Note to Applicant: Reference approved rezone report condition 2.3(c).

ii. show/reference the removal of the existing driveway crossing and the permanent restoration on the boulevard, sidewalk, curb and gutter;

iii. clearly note the following statement on the Landscape Plan: '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 Services and/or your Engineering, Building Site Inspector for details.';

1.16 provision of convex mirrors or view portals on main ramp and throughout parkade to allow for two-way vehicle flow as per Section 4 of the Parking By-law and the Design Supplement;

2.0 **Condition(s) to be met prior to the issuance of the Development Permit:**

Housing conditions:

2.1 Provision of written confirmation that the proposed unit mix is maintained and includes at least 35% two-or-more bedroom units, including 5% three-or-more bedroom units.

i. Requirements for units with two or more bedrooms must not go lower than 25.7% of the below-market rental units, and at least 35% of the total number of dwelling units, of which at least 5% of the total number of dwelling units and 5% of the total number of below-market rental units must have 3 or more bedrooms.

ii. The below-market rental portion must provide a minimum of 5 two-bedroom units (14.3%) and 4 three-bedroom units (11.4%) at initial occupancy ("Phase 1") to accommodate the high proportion of TRPP-eligible existing tenants that qualify for a studio or one-bedroom below-market rental unit. As units turn over, the applicant has committed to achieving 10 two-bedroom units (29.4%) and 4 three-bedroom units (11.8%) ("Phase 2") in the below-market rental portion. A strategy for achieving the Phase 2-unit mix must be provided as part of the Final Tenant Relocation Report prior to occupancy permit issuance, as required by Rezoning Condition 2.5.

iii. The proposed market rental and below-market rental unit mix should be designed to accommodate returning tenants exercising the Right of First Refusal to return to the new building. Returning tenants must be offered a unit appropriate to their household as defined by the CMHC National Occupancy Standard, as outlined in the Tenant Relocation and Protection Policy and TRPP Bulletin, at below-market rents. See condition 2.5.

iv. The below-market units should be designed to the same standards of livability as the market rental units.

Note to Applicant: Clearly label the proposed below-market units and market rental units on the architectural drawings. See Rezoning Condition 1.16.

2.2 Provide a Tenant Relocation Plan to the satisfaction of the General Manager of Planning, Urban Design and Sustainability as per the Tenant Relocation and Protection Policy that is effective at the time of submission of the Development Permit Application.

Note to Applicant: As required by Rezoning Condition 2.5.

2.3 Provide a notarized declaration prior to issuance of the Development Permit that demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of

the notice; and includes copies of a letter addressed to each eligible tenant summarizing the Tenant Relocation Plan offer and signed as received by each eligible tenant.

Note to Applicant: As required by Rezoning Condition 2.5.

Public Art conditions:

2.4 Written confirmation for the selected option, Onsite Artwork (Option A) or Cash-in-Lieu (Option B1) to comply with the Public Art Policy prior to issuance of a Development Permit as follows:

2.5 Prior to issuance of a Development Permit:

i. in the case of Option A:

a. the Detailed Public Art Plan must be approved to the satisfaction of the Director; and

b. the Owner will deliver to the Director the Option A Payment;

or

ii. in the case of Option B1, the Owner will deliver to the Director notice that the Owner intends to satisfy the Public Art Requirements through Option B1.

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

Development Review Branch conditions:

2.6 The pending CD-1 By-law can and does become enacted by City Council.

2.7 The proposed form of development can and does become approved by the Director of Planning.

2.8 Written confirmation that the site sign has been removed.

Urban Forestry conditions:

2.1 Provision of updated Arborist report and tree management plan (TMP), including:

i. Outline of any additional tree protection mechanisms that may need to be put in place in coordination with construction logistics;
ii. Denote the line of excavation in relation to the City boulevard trees on the updated TMP; and
iii. A commitment to arrange a site meeting with Urban Forestry in advance of excavation.

Note to Applicant: Contact PBDevelopment.trees@vancouver.ca ~~to~~ review the pruning scope and the necessary clearances to accommodate

the development. Confirm where site and machinery access is proposed, including construction logistics, crane setup and swing, pickup, loading, etc.

iv. Required Arborist supervision for all excavation within the critical root of zones of boulevard trees;

Note to Applicant: Weekly arborist supervision memo reports to be sent to PBDevelopment.trees@vancouver.ca for review. Low impact construction methods such as vertical shoring, shotcrete, and blind forming to be utilized for the underground parkade to minimize the impact to the root zones.

Engineering Services conditions:

2.2 Provision of a letter of credit or such other form of alternative security that may be acceptable to the City in its sole discretion as per the Services Agreement to be provided prior to development permit clearance.

Note to Applicant: A letter of credit shall follow the City of Vancouver Treasury corporate policy https://policy.vancouver.ca/ADMIN032.pdf (vancouver.ca). A draft is to be submitted to Engineering prior to sending any finalized document.

3.0 **Development Permit Terms**:

3.1 All approved off-street vehicle parking, loading, and unloading spaces, and bicycle parking spaces shall be provided in accordance with the relevant requirements of the Parking By-law **prior to the issuance of any required occupancy permit**, or any use or occupancy of the proposed development not requiring an occupancy permit, and thereafter permanently maintained in good condition.

3.2 All landscaping and treatment of the open portions of the site shall be completed in accordance with the approved drawings **prior to the issuance of any required occupancy permit**, or any use or occupancy of the proposed development not requiring an occupancy permit, and thereafter permanently maintained in good condition.

Note to Applicant: In cases where it is not practical, due to adverse weather conditions or other mitigating factors, to complete the landscaping prior to occupancy of a building, the City will accept an Irrevocable Letter of Credit (amount to be determined by the City) as a guarantee for completion of the work by an agreed upon date.

3.3 In accordance with Protection of Trees By-law Number 9958, the removal and replacement of trees is permitted only as indicated on the approved Development Permit drawings.

3.4 This Development Permit is valid for a period of 12 months from the date of issuance - unless otherwise validated by a Building Permit.

3.5 All impacted utility companies shall be contacted and notified of the following requirements:

i. All utility services (e.g. BC Hydro, Telus, and Rogers) shall be underground.

ii. All required electrical equipment (e.g., PMT, LPT, Vista, etc.) provided for entirely within private property.

Note to Applicant: The review of third-party utility service drawings (e.g. BC Hydro, Telus, and Shaw) will not be initiated until all drawings have been received by the Utilities Management Branch (UMB). For questions on this requirement, please contact UMB at umb@vancouver.ca.

3.6 Every effort shall be made to prevent or limit the long-term discharge of groundwater to the sewer system.

4.0 **Notes to Applicant:**

4.1 It should be noted that your Development Permit will be issued when you have complied with all the above conditions. However, if these conditions have not been complied with **on, or before April 8, 2027**, this Development Application may stand refused.

4.2 A new Development Application will be required for any significant changes. This approval is subject to any change in the Zoning and Development By-law or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the by-law or regulations can be issued.

4.3 If this application necessitates the demolition of existing residential rental, per Section 10.14.2 and except as set out in section 10.14.3, where development necessitates the demolition of existing residential rental accommodation, no development permit shall be issued for the demolition unless and until a development permit for the new development has been issued.

Note to Applicant: The requirements listed above may be varied subject to the provisions outlined under Section 10.14.4.

4.4 If this Development Application included a written notification of neighbouring property owners or other interested parties, a copy of this letter will be sent to all respondents advising them of the decision.

4.5 The Canadian Electrical Code regulates high voltage overhead conductor clearances from structures and dielectric liquid-filled transformer clearances from combustible building surfaces, doors, windows, and ventilation openings. All structures must have a horizontal distance of at least 3 m from existing BC Hydro high voltage overhead conductors. Combustible building surfaces, windows, doors, and ventilation openings must be located at least 6 m from dielectric liquid-filled, pole-mounted BC Hydro transformers, unless an acceptable non-combustible barrier is constructed between these transformers and combustible building surfaces, doors, windows, or ventilation openings.

4.6 Provide the Class A DCL waiver request form confirming the DCL waiver prior to issuance of a building permit.

4.7 Provide a final Class A DCL waiver request form with rent roll prior to issuance of an occupancy permit.

Note to Applicant: In accordance with Rezoning Condition # and the request for a Class A DCL waiver received at rezoning.

4.8 Provide an Interim Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Demolition Permit. The Report must include, but may not be limited to whether each tenant has indicated interest in the Right of First Refusal to return to the new building (if applicable); the names of any tenants who have ended their tenancy; the reason for its end (e.g., tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant) and their total compensation amount(s); the names of tenants still remaining in the building; the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan.

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

4.9 Provide a Final Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Occupancy Permit. The Report must include, but may not be limited to the names of tenants; whether each tenant has taken up the Right of First Refusal in the new building (if applicable) and their starting rent; and for those not returning to the new building, the outcome of their search for alternate accommodations; summarize the total monetary value given to each tenant (moving costs, rents, any other compensation); and include a summary of all communication provided to the tenants.

4.10 A Key Plan shall be submitted by the applicant and approved by the City prior to any third-party utility drawing submissions. It is highly recommended that the applicant submit a Key Plan to the City for review as part of the Building Permit application. Third party utility service drawings will not be reviewed by the City until the Key Plan is defined and achieves the following objectives:

i. the Key Plan shall follow the specifications in the City of Vancouver Key Plan Process and Requirements Bulletin https://vancouver.ca/files/cov/Key%20Plan%20Process%20and%20Requirements.pdf; and

ii. all third-party service lines to the development are to be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant is to provide documented acceptance from the third-party utilities prior to submitting to the City.

Note to Applicant: 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.

For questions on this requirement, contact the Utilities Management Branch at umb@vancouver.ca.

4.11 The City shall be notified immediately of any changes that may be material to the City's review of the submitted final hydrogeological study (e.g., if the proposed excavation depth increases). Email the City at groundwater@vancouver.ca.

4.12 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (e.g., 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.

4.13 The Development is required to acknowledge restricted street use due to active Broadway Subway Project.

4.14 The Contractor must develop traffic management plans in coordination with the City, ensuring alignment with the Broadway Subway Project's existing street use plans. Note that the City will require a minimum of 10 business days to review submitted traffic plans prior to approval.

Yours truly,



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