

**Refers to Referral Report Item 5
Public Hearing of October 17, 2023**

YELLOW MEMORANDUM

October 16, 2023

TO: Mayor and Council

CC: Paul Mochrie, City Manager
Armin Amrolia, Deputy City Manager
Karen Levitt, Deputy City Manager
Maria Pontikis, Chief Communications Officer, CEC
Rosemary Hagiwara, Acting City Clerk
Teresa Jong, Administration Services Manager, City Manager's Office
Mellisa Morphy, Director of Policy, Mayor's Office
Trevor Ford, Interim Chief of Staff, Mayor's Office
Jeff Greenberg, Assistant Director of Legal Services
Lon LaClaire, General Manager of Engineering Services
Yardley McNeill, Director, Rezoning Centre, Planning, Urban Design and Sustainability

FROM: Doug Smith
Acting General Manager, Planning, Urban Design and Sustainability

SUBJECT: Rezoning: 2005-2045 West 49th Avenue – Amendment to proposed By-law and Subdivision By-law and Conditions of Approval in Appendix B

RTS #: [RTS 15912](#)

Amendment to proposed By-law and Subdivision By-law

On September 12, 2023 Council referred the above-mentioned rezoning application to a Public Hearing. The application included references to the existing RS zoning. On October 17, 2023, Council approved amendments to the Zoning and Development By-law that consolidate nine RS residential zones by rezoning areas zoned RS-1, RS-1A, RS-1B, RS-2, RS-3, RS-3A, RS-5, RS-6 and RS-7 to a new R1-1 Residential Inclusive zone ([RTS 15854](#)).

As a result of the changes noted above, this memorandum brings forward the following amendments:

THAT Recommendation A be amended as follows (with bold to replace strikethroughs):

A. THAT the application by 0749525 B.C Ltd1 , on behalf of

- Vandy Developments Ltd., the registered owner of 2005 West 49th Avenue [PID 008-555-265: Lot 6 of Lot 1 Block 2 District Lot 526 Plan 2337], 2025 West 49th Avenue [PID 013-889-192: Lot 8 of Lot 1 Block 2 District Lot 526 Plan 2337], and 2035 West 49th Avenue [PID 013-889-206; Lot 9 of Lot 1 Block 2 District Lot 526 Plan 2337];
- Andrew Luke Lai, the registered owner of 2015 West 49th Avenue [PID 013- 889-176; Lot 7 of Lot 1 Block 2 District Lot 526 Plan 2337]; and
- EL & EL Investments Ltd., the registered of 2045 West 49th Avenue [PID 013- 889-222; Lot 10 of Lot 1 Block 2 District Lot 526 Plan 2337];

to rezone the lands from ~~RS-6~~ **R1-1** (Residential) District to RR-2C (Residential Rental) District, be approved in principle;

THAT section 2 of the proposed by-law amendments (Appendix A) for 2005-2045 West 49th Avenue be amended as follows (with bold to replace strikethroughs):

2. The area shown within the heavy black outline on Schedule A is rezoned and moved from the ~~RS-6~~ **R1-1** District Schedule to the RR-2C District Schedule

THAT the draft amendment to the subdivision by-law No. 5208 (Appendix C) be amended as follows (with bold to replace strikethroughs):

Council amends Schedule A of the Subdivision By-law in accordance with the plan labelled Schedule A and attached to and forming part of this By-law, by deleting the following properties from the ~~RS-6~~ **R1-1** maps forming part of Schedule A of the Subdivision By-law

Conditions of Approval in Appendix B

October 4, 2023, Council approved the “Below-Market Rental Housing Program Optimization” report which included amendments to a number of policy and by-law changes to standardize the City’s approach and requirements for below-market rental (BMR) housing projects ([RTS 15727](#)).

As a result of the changes noted above to streamline and speed up the process of delivering BMR homes, this memorandum brings forward the following amendments:

THAT Housing condition 2.6(e) and 2.6(f) of Appendix B be replaced with the following:

“Housing

- (e) That the average initial starting monthly rents for each below-market rental housing unit, which comprise at least 20% of the residential floor area that is counted in the calculation of the floor space ratio, will not exceed an amount that is 10% below the average market rent for private rental apartment units city-wide as published by the

most recent Canada Mortgage and Housing Corporation in the Rental Market Survey Data Tables for Vancouver at the time when the Occupancy Permit is issued;

- (f) That a rent roll indicating the agreed maximum initial monthly rents for the moderate income rental housing units is to be provided prior to issuance of an occupancy permit, to the satisfaction of General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services;”

FURTHER THAT Housing condition 2.6(g) of Appendix B be removed:

- ~~(g) That the average size of all units is at or below the limits set out in the Vancouver Development Cost Levy By-law, if applicable and as may be amended from time to time.~~

Unit Type	Maximum Average Unit Size – Apartment Unit	Maximum Average Unit Size – Townhouse Unit*
Studio	42 sq. m (450 sq. ft.)	N/A
1-bed	56 sq. m (600 sq. ft.)	56 sq. m (600 sq. ft.)
2-bed	77 sq. m (830 sq. ft.)	90 sq. m (970 sq. ft.)
3-bed	97 sq. m (1,044 sq. ft.)	112 sq. m (1,205 sq. ft.)

~~*Townhouse units of two or more storeys with internal stairways may add 4 sq. m (43 sq. ft.) to these maximums~~

If Council decides to approve this rezoning application, staff recommends that the approval of the Recommendation For Public Hearing be in accordance with this memorandum. This memorandum will form part of the October 17th, 2023 Public Hearing agenda package and be available for public viewing.

Regards,



Doug Smith, P.Eng.
Acting General Manager, Planning, Urban Design and Sustainability

604.829.4308 | doug.smith@vancouver.ca