



## **COUNCIL REPORT**

Report Date: May 20, 2025  
Contact: Donny Wong;  
Chris Robertson  
Contact No.: 604-873-7368;  
604-873-7684  
RTS No.: 17778  
VanRIMS No.: 08-2000-20  
Meeting Date: June 3, 2025

TO: Vancouver City Council

FROM: General Manager of Engineering in consultation with the General Manager of Planning, Urban Design and Sustainability and the General Manager of Development, Buildings and Licensing

SUBJECT: Zoning and Development By-law and Latecomer Policy Amendments  
Enabling Authority to Impose Development Permit Conditions for Public Amenities, Facilities, Utilities and Land

### ***RECOMMENDATION TO REFER***

THAT the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward the application as described below, and that the application be referred to Public Hearing together with the recommendations set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary Zoning and Development By-law amendments, generally in accordance with the recommendations set out below, for consideration at the Public Hearing.

### ***RECOMMENDATION FOR PUBLIC HEARING***

- A. THAT Council approve, in principle, the application to amend the Zoning and Development By-law to enable the authority to impose development permit conditions for public amenities, facilities, utilities and land generally as presented in Appendix A;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Zoning and Development By-law, generally as presented in Appendix A.

- B. THAT, at the time of the enactment of the above by-laws, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for Council approval amendments to the Latecomer Policy generally as presented in Appendix B.
- C. THAT Recommendations A and B be adopted on the following conditions:
  - i. THAT passage of the above resolutions creates no legal rights for any 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 any rezoning by-laws; 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.

## **REPORT SUMMARY**

On April 25, 2024 the Provincial government enacted the *Housing Statutes Amendment Act*, 2024 ("[Bill 16](#)"). The intent of Bill 16 is to help build more housing, including affordable housing, and for local governments to reduce timelines for development applications and to control costs.

Bill 16 includes authorities for inclusionary zoning, density bonus, site-level infrastructure and transportation demand management (TDM). Inclusionary zoning, density bonus zoning, and TDM authorities will be brought forward for Council consideration in separate reports. This report recommends that Council proceed with by-law amendments to clarify and introduce clear authority at the development permit stage to impose conditions requiring public amenities, facilities or utilities, or land for such purposes.

The application of the authority will be guided and implemented by ongoing community planning initiatives, development of land use policy and complementary utility servicing, transportation and public realm plans, and design standards. Authority will be enabled incrementally and coordinated with new or amended by-laws with careful consideration of impacts on permitting timelines and costs.

To establish this new authority, staff recommend amendments to the Zoning and Development By-law, including amendments to section 4, the introduction of a new general Schedule I, and consequential amendments to various district schedules, and to the Latecomer Policy.

The proposed amendments align with Council's 3-3-3-1 Permit Approval Framework by enhancing the City's ability to enable area-wide City-initiated rezoning ("pre-zoning"), where sites within can proceed directly to a development permit, avoiding what can be a lengthy rezoning enquiry and application process. Requirements to service a development currently

secured through a rezoning process can instead, with this authority, be sought through a development permit.

### ***COUNCIL AUTHORITY/PREVIOUS DECISIONS***

- [Vancouver Charter](#)
- [Zoning and Development By-Law](#)
- [Response to New Provincial Legislation: Bills 44, 46 and 47](#) (April 2024)
- [Latecomer Policy](#) (October 2021)
- [3-3-3-1 Permit Approval Framework](#) (June 2023)

### ***CITY MANAGER'S/GENERAL MANAGER'S COMMENTS***

The City Manager recommends approval of the foregoing.

### **REPORT**

#### ***Background/Context***

Enabling growth in the city for new housing, employment space and complete communities requires investments in servicing infrastructure including sewers, drainage, water, solid waste, transportation, streets and the public realm. To date, the City has secured infrastructure improvements through a variety of funding mechanisms and conditions applied through the rezoning and development permit processes.

Aspects of Bill 16 amended the Vancouver Charter to clarify and specifically grant the authority to secure public amenities, facilities, utilities, and land through conditions of development permit approval, noting that these conditions cannot be used to prevent the development of land to a density of use permitted under the Zoning and Development By-law.

#### ***Strategic Analysis***

The proposed amendments to the Zoning and Development By-law, as outlined in Appendices A and C, establish the new authority granted by Bill 16 and clarify the City's existing practice of requiring public infrastructure improvements and associated land interests (e.g. dedications or statutory rights of way for lanes and adequate sidewalks) for development permit applications under existing zoning.

The proposed amendments include:

- amendments to section 4 that authorize the Director of Planning or the Development Permit Board to impose conditions on a development, including requiring applicants to provide public amenities, facilities or utilities or land for such purposes, or retention and enhancement of natural features. The conditions that will be sought are limited to those that are reasonably required to address the direct impact of the development;

- a new general schedule (Schedule I) that lists the types of public amenities, facilities and utilities that may be required as conditions of a development permit; and
- consequential amendments to various district schedules to remove dedication of land sections that overlap with the ability to secure land through the proposed amendments to section 4 and the new Schedule I. Dedications of land in those affected district schedules will now fall under the new authority granted by Bill 16; details for such dedications will be available on the City's website.

In addition, Appendix B sets out a minor amendment to the Latecomer Policy to ensure consistency with the amendments to the Zoning and Development By-law.

The proposed amendments above advance city building by ensuring the provision of public infrastructure improvements (including associated land interests) and the adequate and safe integration of new developments into their surrounding neighbourhoods. The end-to-end development process will also be impacted as the proposed amendments enable development in the city to rely less on applicant-driven rezonings and more on pre-zoning.

### **Interactions with Development Contributions**

Conditions of development permit approval are part of a suite of development contributions that include Development Cost Levies, Community Amenity Contributions, density bonusing, utility connection charges, latecomer agreements and regional Development Cost Charges. These development contributions are used to secure a range of public infrastructure and amenities to support growth. The Vancouver Charter stipulates that the cost of any capital project can only be recovered once (Section 523D (19)).

A comprehensive review is underway to streamline and optimize delivery of public benefits through various development contribution tools. This review is anticipated to complete in 2026 which will further provide clarity around the role of conditions on development permits and other development contribution tools and will also consider the cumulative impact of these charges to development viability.

Schedule I complements existing by-law authorities to service and integrate a development into its neighbourhood and presents a list of additional servicing infrastructure that could potentially be required. Site-specific circumstances for parcels undergoing development (e.g. environmentally sensitive areas such as in floodplains, foreshore environments, steep slopes or parcels adjacent to bridges or other critical infrastructure) may warrant a development condition to protect public safety or mitigate construction risk.

### **Implementation of the New Authority**

The objective of the new authority from the Province is to provide applicants with predictable, transparent requirements to ensure permitting efficiencies and to provide cost certainty.

The proposed amendments, along with other existing regulatory tools (e.g. Vancouver Building By-law and related servicing by-laws), address immediate needs to provide servicing for pre-

zoning for residential low-rise, mid-rise and high-rise forms in recently approved plan areas (e.g. Broadway; Cambie Municipal Town Centre) and areas undergoing a community planning process (e.g. Rupert and Renfrew Station Area; Villages).

Learnings from using the new authority in these areas will, over time, allow the City to identify more detailed applicability parameters (e.g. built form and location), and regulatory criteria and discretionary authority in by-laws. A recent example of this implementation approach can be found in the Vancouver Building By-law's requirement for on-site rainwater management ([RTS 15424](#) and [RTS 16455](#)). Overall, this approach will improve the predictability and certainty in applying the Bill 16 authority.

### ***Implications/Related Issues/Risk***

#### ***Permit Approval Timing (3-3-3-1 Permit Approval Framework)***

Projects (or sites) in pre-zoned areas will not need to go through rezoning and can proceed directly to development permit, subject to the new authority to impose development permit conditions in section 4.

Projects (or sites) in areas under existing zoning, however, will also be subject to the new conditioning authorities in section 4. Their permitting timeline may be longer if there is an increase in the number and complexity of development permit conditions. These implications are being assessed and will further inform implementation approaches to minimize the impact to the extent possible.

Given the potential implications and risks associated with the application of this new authority as part of development permits, it is recommended that the authorities herein not be used until an implementation strategy is in place. This would commence only in areas having acute servicing needs as described above. Thereafter, implementation of this authority can be expanded incrementally to other areas to address emerging needs. This measured approach allows staff to adjust and calibrate requirements by gathering information about the effectiveness of the tools, costs, impacts on permit timing, and risks, errors, and omissions, if any.

### ***Financial***

Improvements and associated land interests (dedications or statutory rights of way) required to be delivered by a development as a condition of approval will ensure that the development is safely serviced and adequately integrated into its neighbourhood.

For the development industry, this authority enables more areas to be considered for pre-zoning and will be implemented with careful consideration of the end-to-end application processing timeline and costs compared to the current rezoning approach.

## ***CONCLUSION***

The proposed amendments to the Zoning and Development By-law establish the authority offered by Bill 16 which provides the City with new and updated tools to enact by-laws that support proactive planning to build more housing, including affordable housing.

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**APPENDIX A**

**DRAFT By-law to amend the Zoning and Development By-law No. 3575 regarding amendments to enable authority to secure public amenities, facilities, utilities and land as conditions of development permit approval**

*Note: An amending by-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.*

1. This by-law amends the indicated provisions and Schedules of the Zoning and Development By-law No. 3575.
2. In section 2, Council amends the definition of Rental Housing Unit by substituting “4.3.13” for “4.3.9”.
3. In section 4.3, Council:
  - (a) renumbers sections 4.3.3 through 4.3.9 as sections 4.3.7 through 4.3.13, respectively;
  - (b) strikes “4.3.3(d)” from the renumbered section 4.3.8 and replaces it with “4.3.7(d)”;
  - (c) adds new sections 4.3.3 through 4.3.6 in the correct numerical order as follows:
    - “4.3.3 The authority of the Director of Planning or the Development Permit Board to impose conditions on a development includes the authority to require that the applicant, as a condition of a development permit:
      - (a) provide public amenities, facilities, or utilities;
      - (b) provide land or an interest in land for any public amenities, facilities, or utilities;  
and
      - (c) retain and enhance any natural physical features of the parcel being developed.
    - 4.3.4 In imposing a condition of development under section 4.3.3 above, the Director of Planning or the Development Permit Board may only impose such conditions as are reasonably required to address the direct impacts of the proposed development.
    - 4.3.5 The authority under section 4.3.3 above includes the authority to require that any public amenities, facilities or utilities listed in Schedule I of this by-law, or land required for such purposes, be provided at no cost to the City.
    - 4.3.6 If a dedication of land is required under section 4.3.3(b), it will be deemed not to reduce the site area for the purpose of calculating floor space ratio.”.
4. In the RT-11 District Schedule, Council strikes out section 4.7 in its entirety.
5. In the RM-1 District Schedule and the RM-7 and RM-7A Districts Schedule, Council strikes out section 4.8 in its entirety.

6. In the RM-8 and RM-8A Districts Schedule, Council strikes out section 4.9 in its entirety.
7. In the RM-10 District Schedule, Council strikes out section 4.6 in its entirety.
8. In the RM-11 District Schedule and the RM-12 District Schedule, Council strikes out section 4.5 in its entirety.
9. In the FM-1 District Schedule, Council strikes out section 4.2 in its entirety.
10. In the C-2 District Schedule, the C-2B District Schedule, the C-2C District Schedule, and the C-2C1 District Schedule, Council strikes out section 4.3 in its entirety.
11. Council adds a new Schedule I as attached hereto as Appendix 1, in the correct alphabetical order.
12. A decision by a court that any part of this by-law is illegal, void, or unenforceable severs that part from this by-law, and is not to affect the balance of this by-law.
13. This by-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this                      day of                      , 2025

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Mayor

\_\_\_\_\_  
City Clerk



Appendix 1 to the Amending By-law

# **Schedule I**

## **Development Permit Conditions Regarding Amenities, Facilities, and Utilities**

This is Schedule “I” to By-law No. 3575, being the “Zoning and Development By-law”.

The public amenities, facilities, or utilities listed in this Schedule, or land required for such purposes, can be required as a condition of a development pursuant to sections 4.3.3, 4.3.4, and 4.3.5 of the Zoning and Development By-law.

### **1 Improvements to the City’s Sewer and Drainage System**

- (a) Sanitary system improvements, including pipes and pumping stations.
- (b) Drainage system improvements, including pipes, pumping stations, open conveyance channels such as creeks and green rainwater infrastructure.
- (c) Separation and improvements of combined sewers
- (d) Flood management infrastructure, including dikes and foreshore erosion mitigation.
- (e) Groundwater management improvements.

### **2 Improvements to the City’s Drinking Water and Fire Fighting System**

- (a) Water system improvements, including: distribution mains, transmission mains, pressure-reducing valve stations and associated appurtenances; water fountains; and fire hydrants.

### **3 Solid Waste Management**

- (a) On-site and off-site solid waste management facilities and infrastructure, including adequate space for storing all waste streams, separate waste rooms for commercial and residential uses within a development, space for setting out and collection of waste streams on private property, including adequate clearance for collection vehicles.

### **4 Improvements for Transportation and Streets**

- (a) Access and mobility improvements, including turn bays, bus stops, protected intersections, new or widened sidewalks, new or widened boulevards, new or widened lanes, protected bike lanes, and space and electrical connections for public bike share stations, shared e-scooter stations, and charging stations.
- (b) Road system improvements, including curbs, curb ramps, lane ramps, crossings, road

- pavements, bus slabs, and catch basins.
- (c) Transportation safety and accessibility, including laneway upgrades, traffic signals, street and lane lighting, roadway reconfiguration and reconstruction to higher classification, and geometric changes to improve sightlines.
  - (d) Traffic calming measures, including speed humps, diverters, street or lane closures, pedestrian bulges, and traffic circles.

## **5 Improvements to the Public Realm**

- (a) Improvements to the public realm, including street or lane closures, sidewalk and boulevard widening, seating and amenity areas, planting areas, streetscape elements such as street furniture, bus stop amenities, lamp standards, public waste bins and associated concrete pads, street trees and horticulture, utility connections for public space programming, and mid-block connections.

## Recommended Revisions to the Latecomer Policy

### Council strikes the following from the Latecomer Policy:

#### “• Development Permit Applications

The City has the authority to impose conditions on a development permit application where the conditions are directly attributable to the application or where an existing system may be worsened or depleted by development, as outlined in several City by-laws. In completing a development permit review, the General Manager of Engineering Services may require the development to provide or improve access (signals, sidewalks, bike lanes, roads) and in some cases provide or improve sanitary, drainage or water servicing to mitigate the direct impacts from development.”.

And replace it with the following:

#### “• Development Permit Applications

The City has the authority to impose conditions on a development permit application where the conditions are directly attributable to the application or where an existing system may be worsened or depleted by development, through the Vancouver Charter and the City's Zoning and Development By-law, and other relevant City By-laws. The City may require the provision of public amenities, facilities or utilities or provide land for such purposes, or require the retention or enhancement of natural physical features of a parcel. In completing a development permit review, the City Engineer may require providing or improving access (signals, sidewalks, bike lanes, roads) and in some cases sanitary, drainage or water servicing, to mitigate the direct impacts from development.”.  
(Underlining and redlining for illustration only)

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**Summary Table of Zoning and Development By-law Amendments**

<b>Schedule/ Section</b>	<b>Section</b>	<b>Amendment</b>	<b>Rationale</b>
Section 2	Rental Housing Unit	Delete "4.3.9" and replace it with "4.3.13"	Consequential amendment resulting from insertion of new sections 4.3.3 through 4.3.6.
Section 4	4.3.3 to 4.3.9	Renumber sections as 4.3.7 through 4.3.13	Consequential amendment resulting from insertion of new sections 4.3.3 through 4.3.6.
Section 4	4.3.3	<p>Insert as new sections 4.3.3 through 4.3.6:</p> <p>4.3.3. The authority of the Director of Planning or the Development Permit Board to impose conditions on a development includes the authority to require that the applicant:</p> <ul style="list-style-type: none"> <li>a. provide public amenities, facilities, or utilities;</li> <li>b. provide land or an interest in land for any public amenities, facilities, or utilities; and</li> <li>c. retain and enhance any natural physical features of the parcel being developed.</li> </ul> <p>4.3.4. In imposing a condition of development under section 4.3.3, the Director of Planning or the Development Permit Board may only impose such conditions as are reasonably required to address the direct impacts of the proposed development.</p> <p>4.3.5. The authority under section 4.3.3 includes the authority to require any public amenities, facilities or utilities listed in Schedule I of this by-law be provided at no cost to the City.</p> <p>4.3.6. If a dedication of land is required under section 4.3.3(b), it will be deemed not to reduce the site area for the purpose of calculating floor space ratio</p>	Enables authority to secure public amenities, facilities, utilities and land and to retain and enhance natural features of a parcel. Also imposes limits on the authority.
Section 4	4.3.8	Delete "4.3.3(d)" from the renumbered section 4.3.8 and replace it with "4.3.7(d)"	Consequential amendment resulting from renumbering section 4.3.4 as section 4.3.8.
Schedule I		Insert new general Schedule I	Schedule I lists the types of public amenities, facilities, and utilities that the City may seek through the new authority enabled in section 4.

<b>Schedule/ Section</b>	<b>Section</b>	<b>Amendment</b>	<b>Rationale</b>
RT-11	4.7	Delete section 4.7	Consequential amendment due to overlap with authority to secure dedications through section 4 and Schedule I.
RM-1	4.8	Delete section 4.8	Consequential amendment due to overlap with authority to secure dedications through section 4 and Schedule I.
RM-7 and RM-7A	4.8	Delete section 4.8	Consequential amendment due to overlap with authority to secure dedications through section 4 and Schedule I.
RM-8 and RM-8A	4.9	Delete section 4.9	Consequential amendment due to overlap with authority to secure dedications through section 4 and Schedule I.
RM-10	4.6	Delete section 4.6	Consequential amendment due to overlap with authority to secure dedications through section 4 and Schedule I.
RM-11	4.5	Delete section 4.5	Consequential amendment due to overlap with authority to secure dedications through section 4 and Schedule I.
RM-12	4.5	Delete section 4.5	Consequential amendment due to overlap with authority to secure dedications through section 4 and Schedule I.
FM-1	4.2	Delete section 4.2	Consequential amendment due to overlap with authority to secure dedications through section 4 and Schedule I.

<b>Schedule/ Section</b>	<b>Section</b>	<b>Amendment</b>	<b>Rationale</b>
C-2	4.3	Delete section 4.3	Consequential amendment due to overlap with authority to secure dedications through section 4 and Schedule I.
C-2B	4.3	Delete section 4.3	Consequential amendment due to overlap with authority to secure dedications through section 4 and Schedule I.
C-2C	4.3	Delete section 4.3	Consequential amendment due to overlap with authority to secure dedications through section 4 and Schedule I.
C-2C1	4.3	Delete section 4.3	Consequential amendment due to overlap with authority to secure dedications through section 4 and Schedule I.