



REFERRAL REPORT

Report Date: October 21, 2025
Contact: Belinda Liu
Contact No.: 604-829-9730
RTS No.: 18231
VanRIMS No.: 08-2000-20
Meeting Date: November 4, 2025

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: Rezoning: 1249-1263 West 41st Avenue

RECOMMENDATION TO REFER

THAT the rezoning application, 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 by-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

RECOMMENDATION FOR PUBLIC HEARING

A. THAT the application by Pacific West Architecture Inc. on behalf of Million Maples Investments Ltd., the registered owners of the lands located at:

- 1249 West 41st Avenue [*PID 011-047-615; Lot 11 Block 973 District Lot 526 Plan 5886*]; and
- 1263 West 41st Avenue [*PID 011-047-321; Lot 12, Except the South 10 Feet Now Road, Block 973 District Lot 526 Plan 5886*];

to rezone the lands from R1-1 (Residential Inclusive) District to RR-2B (Residential Rental) District, be approved in principle;

FURTHER THAT the draft zoning amendment by-law, prepared for the Public Hearing in accordance with Appendix A, be approved in principle;

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

- B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning amendment By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.
- C. THAT subject to approval of the zoning amendment by-law, the Subdivision By-law be amended generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the zoning amendment 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; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

This report recommends an amendment to the Zoning and Development By-law from R1-1 (Residential Inclusive) District to RR-2B (Residential Rental) District for the site located at 1249-1263 West 41st Avenue. The amendment would allow for a five-storey residential rental building in accordance with the *Secured Rental Policy* (SRP). An estimated 48 units would be secured through this application.

A future building design would be submitted through the development permit process and reviewed with the public at that time.

Staff have assessed the application and conclude that it meets the intent of the SRP. Staff recommend that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it in principle, subject to the Public Hearing, and conditions contained within Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)

- Secured Rental Policy (2012, last amended 2025)
- RR-2A, RR-2B, RR-2C Districts Schedule (2023, last amended 2025)
- Residential Rental Districts Schedules Design Guidelines (2022, last amended 2025)
- Housing Vancouver Strategy (2018)
- Interim Housing Needs Report (2025)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992, last amended 2022)
- Tenant Relocation and Protection Policy (2019, last amended 2024)
- Community Amenity Contributions Policy for Rezoning (1999, last amended 2025)
- Green Buildings Policy for Rezoning (2010, last amended 2024)
- Urban Forest Strategy (2014, last amended 2018)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183

REPORT

Background/Context

1. Site and Context

The subject site is comprised of two legal parcels fronting West 41st Avenue (see Figure 1) between Hudson and Selkirk Streets. The total site area is approximately 1,573.3 sq. m (16,935 sq. ft.) with a frontage of 41.5 m (136 ft.) and a depth of 39.5 m (130 ft.).

Figure 1: Location Map – Site and Context



This property and the surrounding area are zoned to permit residential uses and a private school. The site is currently zoned R1-1 and developed with two single-detached homes constructed in 1945 and 1946. The properties are not listed on the *Vancouver Heritage Register (VHR)*. There are two rental tenancies on site and the City's tenant protection policy applies.

2. Policy Context

Vancouver Plan – The *Vancouver Plan* was approved by Council on July 22, 2022 and is a land use strategy to guide long-term growth of the City over the next 30 years. The approved *Vancouver Plan* will serve as a framework with further implementation planning work to follow over the next two to four years. The proposal addresses priorities within the *Housing Vancouver Strategy* which aligns with the Vancouver Plan.

Secured Rental Policy (SRP) – The SRP encourages the construction of new purpose-built rental housing in Vancouver. Updates to the SRP were approved by Council in December 2021 to streamline the delivery of new rental housing. These included clarifying opportunities for rezoning in low-density areas close to public transit, shopping and other daily needs, and to streamline and simplify the rezoning process by utilizing new rental zones with standardized regulations. The SRP outlines the following locational eligibility criteria for sites in low-density areas:

- In an existing R1-1 or RT zone outside of recent community plan areas (excluding certain RT-zoned areas in Kitsilano and Kensington-Cedar Cottage with high proportions of heritage buildings and multiple conversion dwellings);
- Located within close proximity to public transit and local shopping; and
- On the first full block on either side of an eligible arterial road.

Sites that meet these criteria and that are part of the typical street grid (including having lane or secondary street access to the rear) and are regular in shape, size and other attributes may be considered for rezoning under the SRP to one of the residential rental zones. The applicable option or options are further informed by the site's size, orientation and adjacent context.

The SRP generally supports up to four-storey mixed-use and five-storey residential apartments on arterials, and up to four-storey townhouses or apartments on sites off arterials. Up to six storeys may be considered for projects on arterials where the residential component includes a minimum 20% permanently secured for below-market rental housing or 100% social housing. This application complies with the location criteria under the SRP for five-storey buildings.

RR Zoning District Schedules and Design Guidelines – Along with updates to the SRP, in December 2021 Council approved the addition of new residential rental ("RR") zoning district schedules to the Zoning and Development By-law: "RR-1", "RR-2A, RR-2B and RR-2C", and "RR-3A and RR-3B". Similar to other standard zoning districts, the RR zones set basic regulations such as permitted use, density, and height limits, while allowing for a range of building designs. All residential uses in the RR zones are secured as rental tenure, and no stratification or sale of individual residential units is allowed.

Further direction on form of development expectations under each RR zone is provided in the *Residential Rental Districts Schedules Design Guidelines*. Recognizing that the SRP and RR zones are intended to enable incremental change in neighbourhoods that currently consist primarily of detached houses and duplexes, the guidelines support new missing middle

buildings that foster neighbourliness and social connection and contribute to an evolving streetscape which accommodates more architectural variety and diversity of housing options.

Housing Vancouver – *Housing Vancouver* focuses on the right supply of new homes, including rental, to meet the continuum of housing types. The strategy includes 10-year housing approval targets, which were updated in 2024. The new targets aim for 83,000 net new homes overall, including 30,000 purpose-built market rental and 5,500 purpose-built below market rental units. This rezoning will contribute towards targets for purpose-built market rental housing units.

Housing Needs Report – Provincial legislation requires Council to receive and consider regular Housing Needs Reports when creating or amending a development plan in relation to Council's housing policies on affordable, rental and special needs housing. The most recent report amendment was received on January 1, 2025.

Strategic Analysis

1. Simplified Rezoning Process

To facilitate the delivery of rental units, the City has implemented a simplified process for rezonings to an RR district schedule. Rather than rezoning to a site-specific Comprehensive Development (CD-1) District, rezoning to a standard RR zone streamlines the review process and provides greater certainty for the achievable built form.

Under the SRP, this site is located on an eligible arterial road and is able to rezone under the RR-2B (five-storey) or RR-2C (six-storey with 20% of residential floor area for below-market rental units) zones. This site is not eligible for a mixed-use development. Out of the eligible options, the applicant has chosen to rezone to RR-2B.

The RR-2B District Schedule permits residential rental buildings up to five storeys in height and 2.2 FSR. This zoning requires a minimum frontage of 20.1 m (66 ft.). On some shallow sites and corner sites with a minimum frontage of 40.2 m (132 ft.), a density of up to 2.4 applies for sites on arterials. The zoning also requires 35% of the units to be for families and includes two bedrooms or more. Applicable to sites on arterials and on local streets flanking an arterial, five-storey apartment buildings will introduce incremental change to local streets and will typically be limited in frontage width to achieve a higher degree of compatibility with the existing streetscape.

The rezoning process allows for development of a residential rental building through a streamlined process. Architectural drawings are not required at the rezoning application stage. The form of development will be reviewed at the development permit stage. All proposals will need to meet the intent and regulations of the RR-2B District. An Urban Design Panel review will not be required for this project at the development permit stage, as comprehensive design guidelines accompany the RR-2B District Schedule.

2. Rooftop Amenity Rooms and Decks

On July 6, 2021, Council approved changes to the Zoning and Development By-law to provide clearer regulations to better enable rooftop amenity spaces for residents of multiple dwellings. These regulations are applicable to zones city-wide including RR. Common rooftop amenity rooms and access structures (elevators and stairs) contiguous with common outdoor amenity space (roof decks) may be provided under these regulations. The additional height is limited to 3.6 m and the amenity room should be stepped back significantly from building edges to

minimize its appearance from ground level. An additional partial storey consisting of a rooftop amenity room, with required elevators and stairs, as well as outdoor deck space, may therefore be included with the future building proposal for this site, and will be reviewed at the development permit stage.

3. Housing

Housing Vancouver Strategy seeks to deliver a range of housing tenures across the housing continuum. This application, if approved, would support submission of a development permit for a new five-storey residential rental building to add to the City's inventory of rental housing, which would contribute to the targets set out in the Strategy (see Figure 2). Proposed unit numbers are not required for the simplified rezoning process, but staff anticipate that this proposal could create approximately 48 rental units based on an average unit size assuming 35% will be family-sized units.

**Figure 2: Progress Towards 10 Year Housing Vancouver Targets
(2024-2033) for Purpose-Built Market and Developer-Owned Below-Market
Rental Housing as of June 30, 2025**

Housing Type	Category	10-Year Targets ^{1, 2}	Units Approved Towards Targets ³
Purpose-Built Market Rental Housing Units	Market Rental	30,000	11,175 (37%)
	Developer-Owned Below Market Rental	5,500	1,905 (35%)
	Total	35,500	13,080 (37%)

1. New 10-year targets were adopted in 2024, with tracking starting from January 1, 2024.

2. Previous targets established in 2017 included 20,000 purpose-built rental, market and below-market combined, with tracking starting in 2017. As of December 31st, 2023, 87% of the previous targets had been reached.

3. Unit numbers exclude the units in this proposal, pending council's approval of this application.

Vacancy Rates – Vancouver has exhibited historically low vacancy rates in the last 30 years. In 2024, the purpose-built apartment vacancy rate was 1.6% in Vancouver. The vacancy rate (based on Canada Mortgage and Housing Corporation (CMHC) Market Rental Survey) for the Westside/Kerrisdale area, which this site is located, is 1.7%. A vacancy rate of between 3% and 5% is considered to represent a balanced market.

Average Rents and Income Thresholds – Average market rents in newer rental buildings on the westside are shown in the left-hand columns in Figure 3. The market rental housing will provide options which are significantly more affordable than average home ownership costs as illustrated in Figure 3.

Security of Tenure – Purpose-built rental housing offers secured rental tenure. All units would be secured through a Housing Agreement and a Section 219 Covenant for the longer of 60 years and the life of the building. Covenants will be registered on title to prohibit the stratification and/or separate sale of individual units.

Rent increases during each tenancy are capped at the Residential Tenancy Act annual allowable rental increase. Conditions related to securing the units are contained in Appendix B.

Tenants – The rezoning site contains residential uses, including two units of secondary rental housing. However, there are no eligible tenants as defined under the City's *Tenant Relocation and Protection Policy* (TRPP). All residential tenancies are protected under the provincial Residential Tenancy Act.

If any eligible tenants are identified through the City's regulatory approvals process, the applicant will be required to provide a Tenant Relocation Plan (TRP) that meets the TRPP.

Figure 3: Market Rents in Newer Westside Buildings, Costs of Ownership and Household Income Served

Newer Rental Buildings Westside			Monthly Costs of Ownership for Median-Priced Apartment – Westside (with 20% down payment)		
Unit	Average Market Rent ¹	Average Household Income Served ³	Monthly Costs of Ownership ²	Average Household Income Served ³	Down-Payment at 20%
Studio	\$1,960	\$78,400	\$2,837	\$113,480	\$106,000
1-bed	\$2,560	\$102,400	\$3,473	\$138,920	\$132,000
2-bed	\$3,635	\$145,400	\$5,193	\$207,720	\$198,400
3-bed	\$4,412	\$176,480	\$7,982	\$319,280	\$311,890

1. Data from the October 2024 CMHC Rental Market Survey for apartments in purpose-built rental buildings completed in the year 2015 or later on the Westside of Vancouver.

2. Based on the following assumptions: median of all BC Assessment apartment sales prices in Vancouver Westside in 2021 by unit type, 20% down-payment, 5% mortgage rate (in-line with Bank of Canada conventional rate), 25-year amortization, \$150-\$250 monthly strata fees and monthly property taxes at \$2.92 per \$1,000 of assessed value (2021 assessments and property tax rate).

3. Incomes are estimated based on rents or monthly ownership costs at 30% of income.

4. Transportation and Parking

Parking, loading and bicycle spaces must be provided and maintained according to the Parking By-law and will be reviewed at time of development permit application when architectural drawings are submitted. The site is served by bus routes along 41st Avenue, Granville and Oak Streets and is within proximity to the 37th and 45th Avenue Bikeways.

Engineering is requiring a dedication along 41st Avenue for road purposes. Additionally, the front boulevard must be hardscaped to accommodate a new bus stop along 41st Avenue. Local servicing requirements will be secured through a services agreement. Engineering conditions are included in Appendix B.

5. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezoning* requires that rezoning applications satisfy the green and resilient building conditions stated within the Policy. The applicant has committed to submitting Reporting of Green and Resilient Building Measures at the building permit stage, as well as fulfilling energy system sub-metering and enhanced commissioning requirements throughout the project.

Green Assets – The *Urban Forest Strategy* was developed to preserve, protect and strengthen Vancouver's urban forest and tree canopy for the future. The Protection of Trees By-law aims to maintain a healthy urban forest by requiring that permission be granted to remove trees that meet certain conditions. The intent is to protect as many healthy, viable trees as possible, while still meeting the challenges of development, housing priorities and densification. This is in keeping with City goals for resilient and healthy natural systems in urban areas.

A detailed tree assessment and retention report will be required as part of a subsequent development permit application. Staff will review these materials and provide conditions to retain and protect trees, wherever possible. This process allows for a coordinated assessment of tree retention and replacement with the proposed form of development.

6. Public Input

A rezoning information sign was installed on the site of this rezoning application on April 15, 2025. Approximately 621 notification postcards were distributed within the neighbouring area on or about April 16, 2025. Notification, application information, and an online comment form was provided on the Shape Your City Vancouver website (<https://shapeyourcity.ca/>). Staff received 10 responses from the public.

One comment of general support was received. Comments of concern were related to height being incompatible with the neighbourhood, addition of traffic and parking that would overwhelm the area, and concerns that public feedback would not be considered. In response, the proposed height of five storeys aligns with the RR-2B, parking is governed by the Parking By-law which does not have minimum requirements for residential parking, and feedback is collected and presented to Council for decision.

A Question and Answer period is not required for RR district rezoning applications. Public engagement was undertaken during the development and implementation of the SRP between 2018 and 2021. Additional opportunities for public input, including for building design, will also be available at the development permit stage.

7. Public Benefits

Community Amenity Contributions (CAC) – The *Community Amenity Contributions Policy for Rezoning*s provides an exemption for certain routine, lower-density rental rezoning applications that comply with the City's rental policies. As this site is currently zoned R1-1 and proposes to rezone to RR-2B which only allows for up to five storeys, the application is eligible for this CAC exemption.

Development Cost Levies (DCLs) – This site is currently subject to both City-wide and Utilities DCL. 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.

This application was eligible for a waiver of a portion of the City-wide DCLs, however the applicant has elected not to seek the waiver. As per Section 3.1B of the Vancouver Development Cost Levy By-law, the decision to seek the waiver is made at the rezoning application stage. Should the applicant wish to request a DCL waiver at a later stage, the application would be expected to return to Council for a subsequent public hearing to amend the rezoning conditions.

Based on the rates in effect as of September 30, 2025 it is estimated that the project will pay \$1,512,311 of DCLs, should it achieve the maximum 2.2 FSR.

Public Art Program – No public art contribution is applicable to this rezoning as the proposed floor area is below the minimum threshold.

Other Benefits – The rental housing in this proposed development will contribute to the City's rental housing stock.

A summary of public benefits associated with this application can be found in Appendix D.

FINANCIAL IMPLICATIONS

As noted in the Public Benefits section this project is expected to provide rental housing and a DCL contribution. See Appendix D for additional details.

CONCLUSION

Staff have reviewed the application to rezone 1249-1263 West 41st Avenue from R1-1 to RR-2B to facilitate the delivery of rental housing. The location complies with the provisions of the RR-2B District Schedule, and staff conclude the zoning amendment can be considered as it is consistent with the *Secured Rental Policy* and advances the City's housing policy goals.

The General Manager of Planning, Urban Design and Sustainability recommends that the rezoning application be referred to a Public Hearing with a recommendation that, subject to the Public Hearing, the rezoning application be approved in principle, subject to the applicant fulfilling the Conditions of Approval in Appendix B.

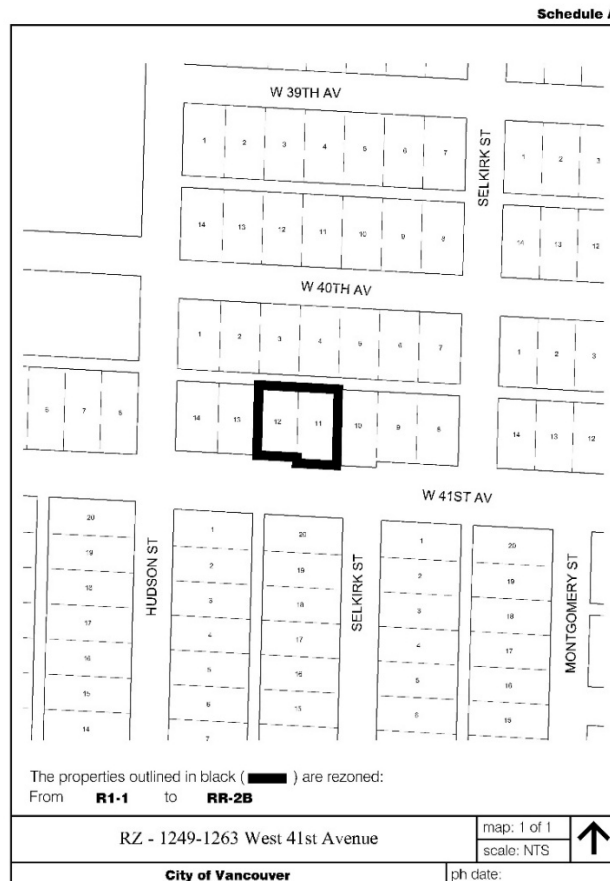
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**1249-1263 West 41st Avenue
PROPOSED BY-LAW AMENDMENTS**

Note: A by-law to rezone an area to RR-2B 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 indicated provisions or schedules of the Zoning and Development By-law No. 3575.
2. 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.
3. The area shown within the heavy black outline on Schedule A is rezoned and moved from the R1-1 district to the RR-2B district.



1249-1263 West 41st Avenue
CONDITIONS OF APPROVAL

Note: If the application is referred to a Public Hearing, these Conditions of Approval will be referenced in the Summary and Recommendations included in the hearing agenda package. Any changes to the conditions approved by Council will be contained in its decision. Applicants are advised to consult the Public Hearing minutes for any changes or additions to these conditions.

PART 1: CONDITIONS OF APPROVAL OF THE DEVELOPMENT APPLICATION

THAT, in reviewing a development application for the site, the Director of Planning shall have particular regard for the following:

Sustainability

- 1.1 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning*s (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.

Housing

- 1.2 The design and layout of at least 35% of the dwelling units must:
- (a) Be suitable for family housing; and
 - (b) Include two or more bedrooms.
- 1.3 The development should be designed in accordance with the High-Density Housing for Families with Children Guidelines, including the provision of:
- (a) An outdoor amenity area to include areas suitable for a range of children's play activities and urban agriculture appropriate in size for the scale of the project and situated to maximize sunlight access (Section 3.3.2, 3.4.3);
 - (b) A minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each dwelling unit (Section 4.4.2);
 - (c) A multi-purpose indoor amenity space appropriate in size for the scale of the project, with a wheelchair accessible washroom and kitchenette. Consider positioning this adjacent to the children's play area to enable parental supervision from the amenity room (Section 3.7.3); and
 - (d) A balcony for each unit with 1.8 m by 2.7 m minimum dimensions (Section 4.3.2).

Engineering

- 1.4 Provision of a Construction Management Plan directly to Translink (MRN@translink.ca) with a copy of the correspondence provided to the City of Vancouver a minimum eight weeks prior to the start of any construction activity.

Note to Applicant: The City of Vancouver and Translink have authority over construction works carried out on a City Street that is designated as part of the Major Road Network (MRN). This development site has been identified as being adjacent the MRN, as defined under the South Coast British Columbia Transportation Authority Act (<https://www.translink.ca/plans-and-projects/projects/roads-bridges-and-goods-movement>) on one or more frontages. Potential impacts to the road network due to site specific construction activity must be reviewed and approved for all sites proposing street use outside of currently regulated zone limitations.

- 1.5 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>

- 1.6 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>

- 1.7 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.
- 1.8 Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.

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

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

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

<https://guidelines.vancouver.ca/guidelines-garbage-recycling-storage-facility-design.pdf>

- 1.10 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 eight weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Engineering, Development and Major Projects and/or your Engineering, Building Site Inspector for details."
- (ii) "Tree species, final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum six 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, eight ft. long and 18 in. 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.

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.

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

- (a) All types of parking, loading, bicycle, end-of-trip facilities and passenger loading spaces individually numbered, and labelled on the drawings;
- (b) Identification of columns in the parking layouts;
- (c) Dimensions of columns and column encroachments into parking spaces;
- (d) 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;
- (e) Ramp/parkade warning and/or signal systems details, including: locations of lights, signs and detection devices; and
- (f) Design elevations at all breakpoints on both sides of ramps, drive aisles, loading and passenger loading spaces, accessible spaces, and entrances.

Note to Applicant: Engineering has not completed a formal review of this simplified rezoning application. Any comments based upon architectural or landscape drawings received as part of this application are provided as guidance and a formal review by Engineering will only be provided through the development permit application process.

1.12 Provision of a complete Hydrogeological Study, as required by the Zoning and Development By-law (Section 4.3.4), which addresses the requirements outlined in the *Groundwater Management Bulletin*, including but not limited to:

- (a) Construction-related and permanent groundwater management, including quantitative estimates (in litres per minute) of anticipated construction and permanent (post-construction) groundwater discharge rates for City approval;
- (b) Characterization and/or monitoring of soil conditions and properties of the underlying stratigraphy; and

Note to Applicant: The Final Hydrogeological Report should include details on the recommended future work, as described in Section 8.0 of the Preliminary Hydrogeological Investigation Report (dated December 17, 2024).

- (c) An updated Impact Assessment to confirm that there are no significant risks from groundwater extraction/diversion.

1.13 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.

Note to Applicant: The abandonment plan is required to be reviewed and accepted by the City Engineer prior to issuance of the Sewer Permit.

1.14 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.

1.15 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>

- 1.16 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.

Building Grades have not been designed for this site. Applicant to submit a building grade application to the City prior to development permit application submission. Building grades need to be finalized prior to development permit issuance.

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>.

- 1.17 Provision of a \$30,000 cash security deposit prior to building permit issuance, for protection, relocation and/or delivery of bus stop amenities adjacent to the site.

Note to Applicant: All supply, removal and relocation of street furniture shall be by the City's street furniture contractor, and coordinated with the City of Vancouver Street Furniture Coordinator.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

THAT, prior to enactment of the amending 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 (or successors in function), as necessary, and 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, the Director of Legal Services and the Approving Officer for consolidation of Lot 11 Block 973 District Lot 526 Plan 5886 and Lot 12, Except the South 10 Feet Now Road, Block 973 District Lot 526 Plan 5886 to create a single parcel, and dedication of the south 10

feet of the site for road purposes (in accordance to Schedule "E" of the Zoning and Development By-law).

Note to Applicant: A subdivision plan and application to the Subdivision and Strata Group is required. For general information see the subdivision website at:

<http://vancouver.ca/home-property-development/apply-to-subdivide-or-join-properties.aspx>

Note to Applicant: Restrictive Covenants 22697M (See 61494L) and GB54214 (See 116807L) on title require the approval of the Canadian Pacific Railway Company (CPR) for any new houses proposed and that they have a minimum dollar value. The applicant may wish to pursue having these charges released from title; however, as these Restrictive Covenants are not in favour of the City, their release is not a condition of redevelopment of these properties.

- 2.2 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 MPT Engineering Co. Ltd. dated November 27, 2024, no water main upgrades are required to service the development.

The main servicing the proposed development is 300 mm. 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.

As per the City of Vancouver Building By-law, the principal entrance must be within 90 m of a fire hydrant. Should the final design of the building change such that this requirement is no longer satisfied, provision of a new hydrant to be

installed in accordance with the aforementioned by-law will be required. The developer is responsible for 100% of the cost of this upgrade.

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

Note to Applicant: Implementation of development(s) at 1249 West 41st Avenue does not require any sewer upgrades.

Development to be serviced to the existing 200 mm SAN and 300 mm STM sewers along West 41st Avenue.

Note to Applicant: If the tie-in location is not consistent with the existing connection, please contact the City to confirm capacity. Sewer upgrades may be required.

Note to Applicant: Pending City of Vancouver Council Approval, the Vancouver Building Bylaw will be modified on January 1, 2026. The onsite rainwater release rate requirement is anticipated to be changed 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, pending Council approval. More information is available at vancouver.ca/rainwater.

- (c) Provision of street improvements with appropriate transitions, along West 41st Avenue adjacent to the site, including:

- (i) Minimum 2.0 m wide front boulevard;
- (ii) Minimum 2.4 m wide broom finish saw-cut concrete sidewalk;

Note to Applicant: The front boulevard must be hardscaped for approximately 20 m to accommodate a relocated bus stop.

- (iii) Integral concrete curb and slab at the new bus stop on West 41st Avenue per City standards;
- (iv) Curb and gutter, including road reconstruction as required to accommodate the new curb and gutter; and

Note to Applicant: Existing streetlight poles in the front boulevard will need to be raised to accommodate new full height curb. Road reconstruction on West 41st Avenue to meet City bus routes standards.

- (v) Removal of existing walls, stairs and other structures from the property dedication area along West 41st Avenue.

- (d) Provision of street improvements along the lane, adjacent to the site and appropriate transitions, including the following:

- (i) Full depth pavement reconstruction.

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

- (e) Provision of speed humps in the lane north of West 41st Avenue between Hudson and Selkirk Streets;
- (f) Provision of upgraded street lighting (roadway and sidewalk) to current City standards and IESNA recommendations;
- (g) Provision of new or replacement duct banks that meets current City standard;

Note to Applicant: Duct banks are to consist of electrical communication ducts and cables and connect to existing electrical and communication infrastructure.

Note to Applicant: A Development and Major Projects construction coordinator will contact the Applicant in the development permit stage and coordinate the submission of the detailed Electrical design. The detailed Electrical design is required prior to the start of any associated electrical work and is to conform with the current City Engineering Design Manual, Construction Specifications, Standard Detail Drawing, Canadian Electrical Code, and the Master Municipal Construction Documents.

- (h) Provision of street trees where space permits; and

Note to Applicant: Final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. Tree species to the approval of the City Arborist. Street tree planting to include appropriate soil volumes and approved root barriers of rigid construction, 8 ft. long and 18 in. deep, centre on each street tree adjacent to the sidewalk and any off-street bike facility. Installation of Engineered Soil under new sidewalks may be required to obtain appropriate soil volumes based on site conditions.

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

Housing

- 2.3 Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and a Section 219 Covenant to secure all residential units as secured market rental housing units, excluding Seniors Supportive or Independent Living Housing, pursuant to the City's Secured Rental Policy, for a term equal to the longer of 60 years and the life of the building, subject to a no-separate-sales covenant and a no-stratification covenant, a provision that none of such units will be rented for less than

90 consecutive days at a time, and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require.

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

- 2.4 If eligible tenants are identified to be residing on the site, the applicant will deliver a Tenant Relocation Plan to the satisfaction of the General Manager Planning, Urban Design and Sustainability and will enter into a 219 Covenant and/or such other agreements as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services determine are necessary to require the applicant to:
- (a) 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;
 - (b) 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; and
 - (c) Provide a Final Tenant Relocation Report prior to issuance of the Occupancy Permit. The Report must outline the names of tenants; indicate 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.

Environmental Services

- 2.5 The following conditions must be met prior to enactment of the rezoning:
- (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 Parks, have been provided to the City.

Agreements

Note to Applicant: 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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1249-1263 West 41st Avenue
DRAFT CONSEQUENTIAL AMENDMENT

DRAFT AMENDMENT TO THE SUBDIVISION BY-LAW NO. 5208

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 R1-1 maps forming part of Schedule A of the Subdivision By-law:

- (a) PID 011-047-615; Lot 11 Block 973 District Lot 526 Plan 5886; and
- (b) PID 011-047-321; Lot 12, Except the South 10 Feet Now Road, Block 973 District Lot 526 Plan 5886.

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**1249-1263 West 41st Avenue
PUBLIC BENEFITS SUMMARY**

Project Summary

Rezoning to RR-2B District to facilitate rental housing.

Public Benefit Summary:

The project would provide rental units and would generate a DCL contribution.

	Base Zoning	Proposed Zoning
Zoning District	R1-1	RR-2B
FSR of Base Zoning and FSR of Base Density (site area = 1,573.3 sq. m (16,935 sq. ft.))	0.7	Up to 2.2
Floor Area	1,101.3 sq. m (11,854 sq. ft.)	Up to 3,461.3 sq. m (37,257 sq. ft.)
Land Use	Residential	Residential Rental

Summary of development contributions anticipated under proposed zoning

City-wide DCL ^{1,2}	\$929,740
Utilities DCL ¹	\$582,571
TOTAL	\$1,512,311

Other benefits (not-quantified components): All residential units to be rental housing (non-stratified) all secured for the longer of 60 years and the life of the building.

¹ Based on by-laws in effect as of September 30, 2025 and assumes the development maximizes the allowable density. 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.

² This application is eligible for a waiver of the City-wide DCL, however the applicant has elected not to seek the waiver. As per Section 3.1B of the Vancouver Development Cost Levy By-law, the applicant's decision regarding the waiver for projects requiring rezoning is to be made at the rezoning application stage and the relevant requirements should be secured in the conditions of enactment. Should the applicant wish to request a DCL waiver at a later stage, the application would be expected to return to Council for a subsequent Public Hearing to amend the rezoning condition.

1249-1263 West 41st Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
1249 West 41st Avenue	011-047-615	Lot 11 Block 973 District Lot 526 Plan 5886
1263 West 41st Avenue	011-047-321	Lot 12, Except the South 10 Feet Now Road, Block 973 District Lot 526 Plan 5886

Applicant Information

Architect/Applicant	Pacific West Architecture Inc.
Property Owner	Million Maples Investments Ltd.

Site Statistics

Site Area	1,573.3 sq. m (16,935 sq. ft.); Site dimensions 41.5 m (136 ft.) x 39.5 m (130 ft.)
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Development Statistics

	Permitted Under Existing Zoning	Development Permitted Under Proposed Zoning
Zoning	R1-1	RR-2B
Uses	Residential	Residential Rental
Maximum Density	0.7 FSR	Up to 2.2 FSR
Floor Area	1,101.3 sq. m (11,854 sq. ft.)	Up to 3,461.3 sq. m (37,257 sq. ft.)
Height	11.5 m (38 ft.)	Up to 5 storeys (at the street): 16.8 m (55 ft.)
Unit Mix	n/a	as per RR-2B District
Parking, Loading and Bicycle Spaces	as per Parking By-law	as per Parking By-law
Natural Assets	To be assessed at the development permit stage	

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