



REFERRAL REPORT

Report Date: May 19, 2026
Contact: Simon Jay
Contact No.: 604.829.2004
RTS No.: 18631
VanRIMS No.: 08-2000-20
Meeting Date: June 2, 2026

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: Vancouver ODP Amendment and CD-1 Rezoning: 809 West 41st Avenue

Recommendation to refer

THAT the *Vancouver Official Development Plan* amendment, rezoning application and plans, described below, be referred to Public Hearing together with the recommendations set out below and with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary *Vancouver Official Development Plan* amendment and zoning by-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

Recommendations for Public Hearing

- A. THAT the application by Arno Matis Architecture, on behalf of 809 Projects Holdings Ltd., the registered owner of the lands located at 809 West 41st Avenue [PID 010-075-909; Lot A Block 867 District Lot 526 Plan 8454], to amend the Generalized Land Use designation of the lands in the *Vancouver Official Development Plan* from Mixed-Use Low-Rise to Mixed-Use High-Rise 2 be approved in principle;

FURTHER THAT the draft *Vancouver Official Development Plan* amendment by-law, prepared for Public Hearing in accordance with Appendix A, be approved in principle.

- B. THAT subject to the approval of Recommendation A, the application to amend CD-1 (34) (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) to 14.32 and increase the maximum building height to 102.2 m (335 ft.) to permit the development of a 32-storey mixed-use building containing 305 rental units, of which 20% of the residential floor area will be secured as below-market rental units, commercial space on the ground floor, seventh floor office space and seventh floor commercial space that allows for a private childcare facility, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared in accordance with Appendix B, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Arno Matis Architecture, received on April 30, 2025, and revised drawings received February 4, 2026;

FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix C;

FURTHER THAT the *Vancouver Official Development Plan* amendment by-law only be brought forward for enactment if the conditions in Appendix C for the enactment of the CD-1 By-law are satisfied;

AND FURTHER THAT the Director of Legal Services be instructed to bring forward the CD-1 By-law for enactment following the enactment of the *Vancouver Official Development Plan* amendment by-law.

- C. THAT subject to approval in principle of the *Vancouver Official Development Plan* amendment, rezoning and the Housing Agreement described in Part 2 of Appendix C, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 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.
- D. THAT subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the CD-1, generally as set out in Appendix D, be approved.
- E. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1, generally set out in Appendix D;

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

- F. THAT Recommendations A to E be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted shall not obligate the City to enact a by-law to amend the *Vancouver Official Development Plan* or rezone 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.

Purpose and Executive Summary

This report evaluates an application to amend the *Vancouver Official Development Plan (ODP)* and the Zoning and Development By-law for the site at 809 West 41st Avenue. The proposal is to change the Generalized Land Use (GLU) designation in the *Vancouver ODP* from Mixed-Use Low-Rise to Mixed-Use High-Rise 2, and to amend CD-1 (34) (Comprehensive Development) District.

The proposal is for a 32-storey mixed-use building containing 305 market rental units, of which 20% of the residential floor area will be secured as below-market rental units, commercial space on the ground floor, seventh-floor office space, and seventh-floor commercial space that allows for a private childcare facility.

The proposed height exceeds the height range of the current GLU designation in the *Vancouver ODP* and both the height and density exceed what was anticipated under the both the *Oakridge Transit Centre and Adjacent Sites Policy Statement (OTC Policy)* and the *Transit-Oriented Areas (TOA) Rezoning Policy*.

As this rezoning application requires an amendment to the *Vancouver Official Development Plan*, a Public Hearing is required in accordance with section 559.02(1) of the *Vancouver Charter*.

The review of this application was predominantly guided by processes and policies in effect prior to enactment of the Vancouver ODP on March 31, 2026. Following the enactment of the ODP By-law, this application is now subject to the requirements of the ODP and the *Vancouver Charter* with respect to additional consultation and an ODP review. The General Manager of Planning, Urban Design and Sustainability recommends approval in principle subject to conditions contained in Appendix C.

Context and Background

1. Site and Context

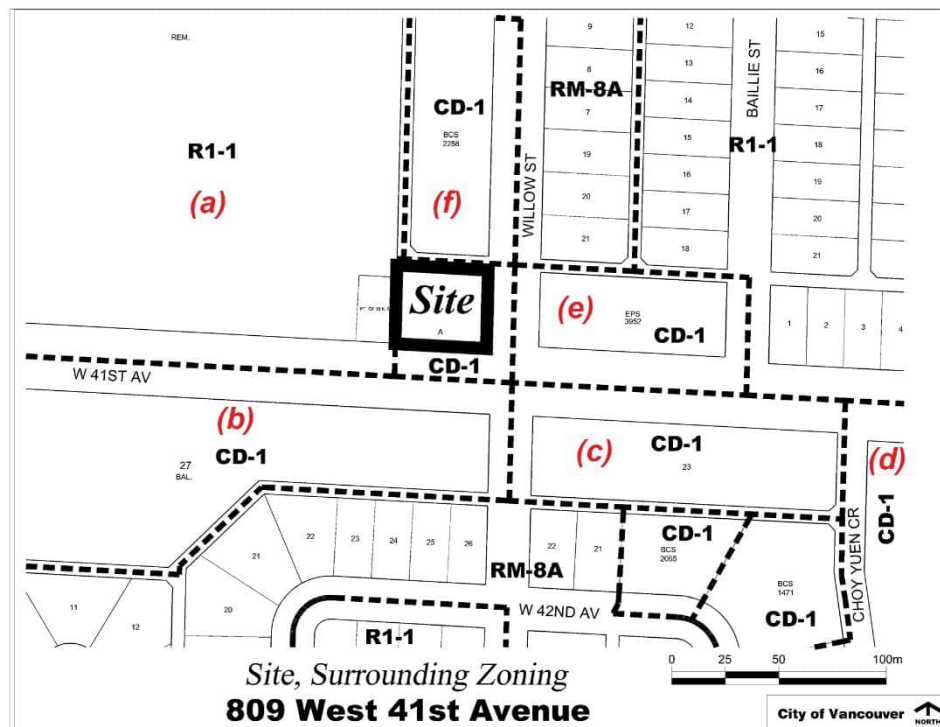
The subject site is comprised of one legal parcel, located on the northwest corner of West 41st Avenue and Willow Street (Figure 1), and is currently developed with a two-storey office building known as the Oakmont Medical Centre. It is located within 600 m walk of the Oakridge-41st Canada Line Station and has easy access to the R4 rapid bus and frequent bus service on 41st Avenue.

In [2022, Council approved in principle a rezoning](#) for the site for an 18-storey mixed-use development with 131 market rental units, of which 20% of the residential floor area at Moderate Income Rental Housing units. This approved rezoning was never enacted, and has since been withdrawn by the applicant because of viability concerns. The base zoning is the original CD-1 (34) from 1965, which permits the current buildings/uses on site.

The surrounding area is undergoing significant change with developments under consideration or approved, including Oakridge Centre, with heights up to 52 storeys, R5-1 zoning allowing up to 26 storeys, and other significant developments listed below (see Figure 1):

- (a) 929-989 West 41st Avenue (former Oakridge Transit Centre); 5.79-hectare (14-acre) vacant site, with an approved multi-tower development up to 26-storeys;
- (b) 950 West 41st Avenue (Jewish Community Centre (JCC)); a three-storey building and parking lot on a 1.3 hectares (3.34 acres) site, with an active rezoning application for an expanded community centre and heights up to 39 storeys;
- (c) 5718 Willow Street (King David High School); a two-storey private school that is proposed to be relocated to the JCC site;
- (d) 650 W 41st Ave (Oakridge Centre); 11.45-hectare (28-acre) site under construction, with multiple towers up to 52-storeys;
- (e) 795 West 41st Avenue; a six-storey residential building developed under the *Cambie Corridor Plan*; and
- (f) 5551-5639 Willow Street; three-storey townhouse complex.

Figure 1: Site and Surrounding Zoning



2. Policy Context

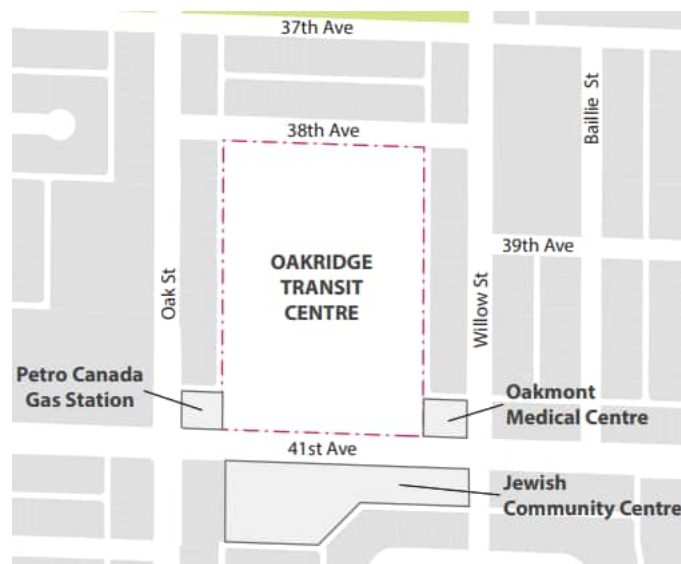
- **Vancouver Official Development Plan:** The site has a Generalized Land Use (GLU) designation of Mixed-Use Low-Rise, which supports a range of residential tenures in combination with required non-residential uses in buildings up to eight storeys when located within a Transit-Oriented Area.
- **Transit-Oriented Areas (TOA) Designation By-law and Transit-Oriented Areas (TOA) Rezoning Policy:** This site is within Tier 3 of the Oakridge – 41st Avenue Station TOA, which enables up to eight storeys and 3.0 FSR. The policy also requires rental

projects to provide a minimum 20% of the residential floor area as below market rental as well as no net loss of commercial space.

- **Oakridge Transit Centre and Adjacent Sites Policy Statement (OTC Policy):** The OTC Policy Statement provides detailed policy guidance for the former Oakridge Transit Centre site, as well as high-level guidance for three adjacent sites (Figure 2), including the Oakmont Medical Centre.

Subsection, 9.2.3 Oakmont Medical Centre, provides direction for a residential or mixed-use building up to six-storeys and 2.0 to 2.5 FSR. The subsection also refers to the *Cambie Corridor Plan* Section 5 Built Form Guidelines for additional building form guidance.

Figure 2: Four sites identified in the OTC Policy



- **Cambie Corridor Plan:** OTC and the adjacent sites, which include the Oakmont Medical Centre, are located within the Oakridge Municipal Town Centre (MTC) sub-area of the *Cambie Corridor Plan*. The *Cambie Corridor Plan* intentionally does not provide specific policy direction for these four sites, instead deferring to the *OTC Policy* for guidance. The *Cambie Corridor Plan* provides direction for the surrounding MTC sites, for which the redevelopment of the OTC and adjacent sites should respond to.
- **Issues Report: Direction for Intensification of Large Sites to Include Moderate Income Rental Housing (Issues Report):** In 2019, Council directed staff to consider additional density for the OTC and adjacent sites, with the density determined during a rezoning process. Additional density was permitted beyond the *OTC Policy* for proposals that include moderate income rental housing, with the goal of delivering additional secured rental and below-market rental housing.
- **Rezoning Approval:** In 2022, Council approved an 18-storey mixed-use building on this site, with an (FSR) of 7.11, a building height of 60.6 m (199 ft.), and additional height for a rooftop amenity. The height and density approved was beyond the *OTC Policy* and was considered under the *Issues Report* because of the inclusion of approximately 21 moderate income rental units.

- **Housing Needs Report:** The *Vancouver Charter* requires that when Council amends or adopts an affordable and special needs housing zoning by-law, also known as inclusionary zoning, Council must consider the most recent housing needs report, and the housing information on which it is based. The most recent housing needs report amendment was received on January 1, 2025.

Discussion

1. Proposal

The proposal is for a 32-storey mixed-use building containing 305 market rental units of which a minimum of 20% of the residential floor area is for below-market units (Figure 3). Commercial space on the ground floor, seventh floor office space and seventh floor commercial space that allows for a private childcare facility, and indoor rooftop amenity space are proposed. A building height of 102.2 m (335 ft.) and a floor space ratio (FSR) of 14.32 is proposed. Six levels of underground parking are to be accessed from the lane.

Figure 3: Proposed Building Looking Northwest



2. Policy Analysis

Vancouver Official Development Plan

An amendment to change the Generalized Land Use (GLU) designation for this site to Mixed-Use High-Rise 2 can be supported as the proposal generally aligns with the Urban Structure Strategy and key ODP objectives by providing new rental housing and commercial uses near rapid transit.

The site is located on the periphery of the Municipal Town Centre in the *Urban Structure Strategy* (the “Strategy”), which anticipates a mixed-use centre with significant housing and jobs space, services, and amenities, and enabling some higher buildings in strategic locations. The *Strategy* illustrates the long-term vision for growth and change over the coming decades, and any changes to a site’s anticipated height or density should occur through detailed area planning work. The *Strategy* serves as a preliminary guide only, and is to be accompanied with additional analysis and consideration within the broader neighbourhood context. Extensive area planning work was undertaken for the MTC through the *Cambie Corridor Plan* and the *Oakridge Transit Centre and Adjacent Sites Policy Statement* and the proposal generally aligns with the intent of the MTC neighbourhood type.

The proposed mixed-use rental residential building supports ODP policy directions and objectives pertaining to purpose-built market and below-market rental housing (Policy 1.2.2; Policy 1.6.1) and small-scale office uses (Policy 2.2.7). The site’s proximity to rapid transit and the Willow Street bike route supports policy objectives to locate diverse housing types, shops and services in areas well-served by sustainable travel modes (Policy 5.1.1; Direction FG1.2).

The proposed amendments to the *ODP* have been considered in accordance with section 562.02(5) of the *Vancouver Charter*.

TOA Rezoning Policy, OTC Policy, and Issues Report

The site is located in Tier 3 of the *TOA Rezoning Policy*, which enables up to eight storeys and an FSR of 3.0, and requires no net loss of commercial space. The *OTC Policy* enables up to six storeys and an FSR of 2.5 for this site. The proposal therefore greatly exceeds the height and density permitted in both the *TOA Rezoning Policy* and the *OTC Policy*. However, the *Issues Report* allows additional height and density for moderate-income rental projects. The 2022 rezoning for 18-storeys, was permitted by the *Issues Report*, and acknowledged that the site could support a tower form based on the emerging surrounding context.

The neighbourhood and policy context have changed significantly since the *OTC Policy* was approved in 2015. The *OTC Policy* is based on several repealed policies including *Cambie Corridor Plan* (phase two), *CityPlan* and the *Oakridge Langara Policy Statement*. It also predates the *Vancouver Official Development Plan*, *Cambie Corridor Plan* (phase three), *TOA Rezoning Policy*, *Issues Report*, and the R5-1 district schedule. The neighbourhood is undergoing significant change with the construction of Oakridge Centre, and the approval and construction of other buildings on 41st Avenue and Cambie Street (see Figure 2).

The *OTC Policy* references the *Cambie Corridor Plan* for built form guidelines. The intent of the *OTC Policy* and the *Cambie Corridor Plan* is for the tallest towers to be located on 41st Avenue close to the Canada Line station, which is where this site is located.

The proposal includes replacement employment space, which contains ground floor retail plus seventh floor office and commercial space intended to be a private childcare facility, which meets the objectives of the *TOA Rezoning Policy*.

The *TOA Rezoning Policy* requires the provision of affordable housing. The proposal provides 20% of the residential floor area at below-market rents, meeting affordability objectives of the *TOA Rezoning Policy*. A requirement for affordability was also included in the 2022 approved rezoning; however, that application was withdrawn for viability reasons.

Although the application exceeds the height and density of current policy, it does fit with the emerging context, and therefore the amendment to the site's *ODP* designation is supportable.

3. Form of Development

Built form and urban design direction for this proposal is guided by the *Transit-Oriented Areas (TOA) Rezoning Policy* and *Cambie Corridor Plan*. The *TOA* policy sets parameters for heights and densities, see Figure 4. The site borders the Oakridge Municipal Town Centre neighbourhood and the emerging Oak Street and 41st Avenue node in the *Cambie Corridor Plan*. The *Cambie Corridor Plan* sets high-level urban design objectives strengthening a walkable mixed-use urban centre with a high concentration of retail and employment opportunities.

This application reflects the *Cambie Corridor Plan's* vision for mixed-use tower-on-podium building typology. The proposal generally meets the expectations of the *Cambie Corridor Plan* for tower separations, setbacks, overall massing, contextual fit, amenities and public realm. The proposal seeks variation to the height, density, tower setback and floor plate size.

Staff reviewed the site-specific conditions and note that the proposal is appropriate for the context and generally meets the urban design guidelines. Refer to the Urban Design Analysis Summary (Figure 4) below and the application statistics in Appendix H.

Figure 4: Urban Design Analysis Summary

Criteria	Policy	Proposal	Evaluation	Response
Floor Area and Density	Up to 3.4 FSR (mixed-use, TOA)	14.32	Exceed the policies. However, reflect the emerging immediate context of the Oakridge Municipal Town Centre including heights that range from 26 storeys (R-5) to potential 39 storeys (Jewish Community Centre). The proposed density reflects the smaller-than-typical site size due to its frontage.	While the height and density are a much higher than anticipated by the policies, they complement the emerging context. The proposal meets the urban design guidelines and policies as outlined in this table and is appropriate for its context.
Height	Up to 8 storeys (TOA)	32 storeys		
Tower Separation	24.4 m (80 ft)	Complies	While the proposal does not meet the minimum recommended tower setbacks within the site, the neighbouring Oakridge Transit Centre (OTC, Parcel D)	Staff recommend support with Condition 1.1 seek to further soften the interface

Setbacks and Step-backs	Half to be on site: 12.2 m (40 ft.) side property line.	On site: Approx. 9.1m (29.8 ft.) side property line.	has an approx. 58.8 m (193 ft) frontage and can reasonably accommodate a tower with an 80 ft. separation. Required road dedication result in a shallow site and a tower closer to the north townhouses than typical. The future pedestrian mews allows for softer interface with the townhouses.	with the townhouses and the general context.
Building Massing Floor Plates	604 sq. m (6,500 sq. ft.)	Approx. 650 sq. m (7,000 sq. ft.)	The proposal exceeds the <i>Cambie Corridor Plan's</i> direction by approximately 7%. This results in minor and incremental decrease in openness-to-the-sky, increased sense of enclosure and shadowing on the immediate public realm. The proposed floor plate is less than the 10% outlined in the <i>Residential Tower Floor Plates</i> Bulletin.	Staff recommend support in line with the <i>Residential Tower Floor Plates</i> Bulletin.
Shadowing / Solar Access	No new shadows on public parks (fall equinox 10 a.m. to 4 p.m. PDT.	No new shadows on public parks.	Per the <i>Solar Access Guidelines for Areas Outside of Downtown</i> Guidelines, the proposal does not introduce additional shadowing on the future Oakridge Transit Centre (OTC) park beyond the shadow produced by the OTC development.	Staff recommend support.

- **Urban Design Panel (UDP):** A review by the Urban Design Panel was not required due to the close alignment with the *Cambie Corridor Plan's* built form guidelines.
- **Natural Assets:** The *Urban Forest Strategy* and the Protection of Trees By-law were used to evaluate the proposal. Four on-site trees are proposed for removal, and three City-owned trees are proposed for retention. Approximately two new on-site trees and 16 City-owned trees are proposed. The final numbers of trees are confirmed at the development permit stage. See Appendix C for landscape and tree conditions.

While the project exceeds the height and density anticipated by the policies, the proposed height and massing reflect the emerging context of the Oakridge Municipal Town Centre and the Oak Street and 41st Ave node which have unique and major sites of varying heights. The form of development generally reflects the *Cambie Corridor Plan's* guidelines for the proposed typology.

Refer to the [rezoning application booklet](#) for drawings and the Council agenda for application renderings. Note that these drawings and statistics are posted as-submitted by the applicant to

the City. Following staff review, the final approved zoning statistics are documented within this report and final drawings are prepared for the development permit application to follow.

4. Housing

This application, if approved, would add 305 units to the City's inventory of rental housing, including 20% of the residential floor area as below-market rental units, which would contribute to the targets set out in the *Housing Vancouver Strategy* (see Appendix F, Figure 1).

- **Housing Mix:** The project proposes 56% two and three-bedroom units, thereby meeting the *Family Room: Housing Mix Policy for Rezoning Projects* which requires a minimum of 35% family units. A condition of approval and a provision in the CD-1 By-law have been included to ensure the project meets the minimum unit mix requirements, in both the market rental and below-market rental portions.
- **Average Rents and Income Thresholds:** The proposed market rental and below-market rental units will provide housing options that are significantly more affordable than average home ownership costs, as shown in Appendix F, Figure 2. If approved, starting rents for the below-market units will be 10% less the city-wide average market rents at the time of initial tenancy, and upon unit turnover.

Per the *Transit Oriented Areas Rezoning Policy*, eligibility and monitoring requirements for the below-market units are described in the Rental Incentive Programs Bulletin.

- **Security of Tenure:** All 305 units in the proposal would be secured through a Housing Agreement and Section 219 Covenant for the longer of 60 years or the life of the building. The Housing Agreement will secure not less than 20% of the residential floor area for below-market units.
- **Tenants:** The rezoning site does not currently have any existing rental residential and there are no eligible tenants as defined under the City's *Tenant Relocation and Protection Policy (TRPP)*. If any eligible tenants are identified through the City's regulatory approvals process, the applicant will be required to meet the City's *TRPP* for the *Plan* area.

5. Private Childcare

A privately-owned and operated childcare facility is proposed and will occupy a total of 274 sq. m (2,953 sq. ft.) of indoor space and contain a contiguous outdoor play space. As this will be a privately-run childcare facility, the future operator will be determined by the applicant. The facility will be subject to further design review during the development permit process and is expected to be licensable by Vancouver Coastal Health's Community Care and Facilities Licensing (CFFL). Private childcare facilities are captured as a commercial use in the CD-1 By-law.

6. Transportation and Parking

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

7. Public Consultation

Vancouver ODP Amendment Consultation

Per Council's direction on March 31, 2026 (RTS [18514](#)), staff consulted the Vancouver School Board, Conseil scolaire francophone, xʷməθkʷəy̓əm (Musqueam Indian Band), Sk̓wx̓wú7mesh Úxwumixw (Squamish Nation) and səlilwətał (Tsleil-Waututh Nation) (Local Nations) on the rezoning application and Vancouver ODP amendment application.

The Vancouver School Board conducted an evaluation of the possible impacts on the current and future school enrolment, as well as land use impacts to school properties and surrounding areas (see Appendix E).

A list of in-stream rezoning applications now subject to the ODP were shared with the Local Nations in early March. In April, staff met with each Nation to discuss specific projects of potential interest or impact. As of May 1, 2026, no specific comments were received in relation to this application. Staff recognize that absence of comment does not indicate absence of interest or impact and remain available to receive and consider input as the application progresses through later stages of the development process.

Public Input

Public input primarily included mailed postcards, a site sign, a webpage with a digital model, an online comment form, and question and answer (Q&A) period. Refer to the application webpage: <https://www.shapeyourcity.ca/809-w-41-ave-2>.

In total, approximately 14 submissions were received. Comments supported the delivery of new rental housing, and suitable location. Concerns included impacts on neighbourhood livability, views, and loss of light and greenery. Refer to Appendix E for a full summary of the public input collected and responses to public comments.

8. Public Benefits

Refer to Appendix G for full summary of public benefits.

- **Development Cost Levies (DCLs):** The applicant has requested a Class A waiver of the City-wide DCLs. It is expected that the project will pay DCLs of \$3,174,027 based on December 2025 rates. The value of the DCL waiver for the residential floor area is estimated to be \$4,556,528.

The childcare is proposed to be privately-owned and operated and is not eligible for the DCL rate available to not-for-profit childcares (\$10 per building permit). The proposed privately owned childcare is subject to the rate for 'commercial and other' uses.

Community Amenity Contributions (CAC): This application is subject to a negotiated CAC. Real Estate Services staff have determined that based on the cost of securing the market rental and below-market rental housing, no CAC is anticipated.

- **Public Art:** The public art contribution is estimated to be \$475,993 based on the current (2016) rate.

Financial Implications

This project is expected to provide 305 rental units, with a minimum of 20% of the residential floor area secured at below-market rates, DCLs as well as a public art contribution.

See Appendix G for additional details.

Conclusion

An amendment to change the Generalized Land Use designation in the *Vancouver Official Development Plan* to Mixed-Use High-Rise 2 is required to make this application consistent with the *ODP*. The proposed land use, form of development and public benefits are generally consistent with the emerging context of the area and intent of the *Cambie Corridor Plan*, *TOA Rezoning Policy* and the *OTC Policy*. The General Manager of Planning, Urban Design and Sustainability recommends approval in principle of the *ODP* amendment in Appendix A and the CD-1 by-law in Appendix B subject to conditions contained in Appendix C.

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APPENDIX A
PROPOSED VANCOUVER OFFICIAL DEVELOPMENT PLAN AMENDMENT
to redesignate 809 West 41st Avenue to Mixed-Use High-Rise 2

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of Schedule A of the Vancouver Official Development Plan By-law No. 14660.
2. Council amends the Generalized Land Use designations of the lands identified in the maps attached to this by-law as Schedule A by amending Map 4 to redesignate the site to Mixed-Use High-Rise 2, and amends all corresponding illustrative maps in Part 4 accordingly.
3. 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.
4. This by-law is to come into force and take effect on the date of its enactment.



APPENDIX B
809 West 41st Avenue
PROPOSED CD-1 (34) BY-LAW AMENDMENTS

Note: A by-law 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 of By-law No. 4159.

2. Council strikes out section 2 and substitutes the following:

“2. The area outlined in black on the said plan is rezoned CD-1.”.

3. Council renumbers section 3 as section 9.

4. Council adds new sections 3 to 8 as follows:

“ **Definitions**

3. Words in this by-law have the meaning given to them in the Zoning and Development By-law, except that:

- (a) for the purposes of calculating the total dwelling unit area for section 5.1 of this by-law, “Dwelling Unit Area” is the floor area of each dwelling unit, measured to the inside of all perimeter walls, excluding any floor area as required by section 6.5 of this by-law; and
- (b) “Below-Market Rental Dwelling Units” means dwelling units that meet the requirements of approved Council policies and guidelines for below-market rental housing, as secured by a housing agreement and registered on title to the property.

Uses

4. Subject to approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this by-law or in a development permit, the only uses permitted within this CD-1 and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses;
- (b) Dwelling Uses, limited to Mixed-Use Residential Building;
- (c) Institutional Uses;
- (d) Live-Work Use;
- (e) Manufacturing Uses;

- (f) Office Uses;
- (g) Retail Uses;
- (h) Service Uses;
- (i) Utility and Communication Uses; and
- (j) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

- 5.1 A minimum of 20% of the total dwelling unit area must be below-market rental dwelling units.
- 5.2 The design and layout of at least 35% of the total number of below-market rental dwelling units and at least 35% of the total number of other dwelling units must:
 - (a) be suitable for family housing; and
 - (b) have 2 or more bedrooms.
- 5.3 No portion of the seventh storey of a building may be used for residential purposes.
- 5.4 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building, other than the following:
 - (a) display of flowers, plants, fruits and vegetables in combination with a permitted use;
 - (b) farmers' market;
 - (c) neighbourhood public house;
 - (d) public bike share; and
 - (e) restaurant,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this by-law.

Floor Area and Density

- 6.1 Computation of floor area must assume that the site area is 1,559.7 m², being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.
- 6.2 The maximum floor space ratio for all uses combined is 14.32.

- 6.3 The total floor area for commercial uses must be a minimum of 1,130 m².
- 6.4 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 6.5 Computation of floor area and dwelling unit area must exclude:
- (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that:
 - (i) the total area of these exclusions must not exceed 12% of the permitted floor area, and
 - (ii) the balconies must not be enclosed for the life of the building;
 - (b) patios and roof decks, if the Director of Planning considers the impact on privacy and outlook;
 - (c) floors or portions thereof that are used for:
 - (i) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,
 - (ii) bicycle storage, and
 - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;
 - (d) entries, porches and verandahs if the Director of Planning first approves the design;
 - (e) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and
 - (f) all storage area below base surface for non-dwelling uses.
- 6.6 The Director of Planning or Development Permit Board may exclude common amenity areas from the computation of floor area, to a maximum of 10% of the total permitted floor area, if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines.
- 6.7 Where floor area associated with residential storage area is excluded, a minimum of 20% of excluded floor area above base surface must be located within the below-market rental dwelling units as storage area.

Building Height

- 7.1 Building height must not exceed 102.2 m.

- 7.2 Despite section 7.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, the Director of Planning, after considering the impact on building placement, massing, views, overlook, shadowing and noise, may permit architectural features, common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures, or any other appurtenances that the Director of planning considers similar to the foregoing, to exceed the maximum building height.

Access to Natural Light

- 8.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 8.2 For the purposes of section 8.1 above, habitable room means any room except a bathroom or a kitchen.”

* * * * *

APPENDIX C CONDITIONS OF APPROVAL

Note: Any changes to the conditions approved by Council will be contained in its decision. Applicants are advised to consult the minutes for any changes or additions to these conditions.

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Consideration by Council of the proposed form of development is in reference to plans prepared by Arno Matis Architecture, received on April 30, 2025, and revised drawings received February 4, 2026.

THAT, prior to approval of the form of development, the applicant shall obtain approval of a development application by the Director of Planning or Development Permit Board who shall have particular regard to the following:

Urban Design

1.1 Design development to build upon the contextual fit and neighbourliness as follows:

- (a) Provide a gentler transition to the rear townhouses.

Note to Applicant: Suggested strategies include increasing the tower's rear setback as much as feasible through floor plate shape refinements, reducing the number of podium level overhang balconies (i.e. recessed balconies).

- (b) Ensure as much alignment as possible of the podium with the future adjacent Oakridge Transit Centre (OTC).

Note to Applicant: As this project and the OTC develop, the podiums and street walls should be coordinated as much as possible for a continuous urban edge and pedestrian experience (approximately 8.5 m (27.75 ft.) front setback (podium portion) and 7.5 m (24.5 ft.) rear setback, exact setback to be coordinated with OTC). The shoulder setback above Level 5 should closely reflect the expected 3 m (10 ft.) of the abutting OTC. Setbacks apply to all floors (i.e. no overhands). Integrate loading into building footprint and remove any obstructions in the rear mews.

- (c) Reduce the perceived height and visual presence of the rooftop storey by setting back the indoor amenities and introducing contiguous outdoor amenities.

Note to Applicant: Per the Plan, an additional partial storey is supported for common rooftop amenity spaces if contiguous with common outdoor amenity space. Additional height should be stepped back from all building edges to minimize the appearance from ground level (*Cambie Corridor Plan 5.2.2*).

1.2 Design development to further enrich the public realm and pedestrian experience as follows:

- (a) Ensure an unobstructed rear yard and mews condition, soften the public realm interface.

Note to Applicant: The rear setback ensures continuity of the public realm and pedestrian movement from the adjacent OTC. The proposed loading (Class B) currently encroaches into this setback and interrupts the pedestrian movement. Integrating service elements into the building form will ensure an unobstructed public realm, reduces visual impact especially to neighbouring properties across the lane, and enhances pedestrian comfort and interest. See also landscape condition 1.5.

- (b) Introduce continuous ground-level weather protection at all commercial frontages.

Note to Applicant: Continuous weather protection should be integrated with the building design, be part of the overall architecture and composition, and be appropriate in scale. Suggested canopy dimensions are a minimum 1.8 m (6 ft.) depth at 2.7 m (9 ft.) above grade with the depth increasing proportionally to a maximum height of 3.65 m (12 ft.) above grade.

- (c) Extend the retail frontage as much as possible to activate the rear mews.

Note to Applicant: Commercial uses should wrap flanking streets where appropriate. Commercial lanes should provide visual interest by creating engaging facades that soften the utility functions performed in the lanes (*Cambie Corridor Plan* 5.2.9, 5.2.24).

1.3 Design development to build upon the project's livability as follows:

- (a) Ensure adequate indoor and outdoor amenities, including children's play areas.

Note to Applicant: Tower developments should provide minimum ratio of 1.2 sq. m of common indoor amenity space per dwelling unit, and a minimum ratio of 2.0 sq. m of common outdoor amenity space per dwelling unit (Design and Development Guidelines 2.4.1). Provide co-located rooftop amenities (CCP 5.3.2). Integrate outdoor kitchen space and an adjacent washroom (CCP 5.3.15). Design a portion of the outdoor amenity to support children's play with a focus on flexible features. Natural play elements and exploratory structures are encouraged over traditional standalone play equipment. See the *High-Density Housing for Families with Children Guidelines*. See Housing Condition 1.9.

1.4 Explore the provision of a parking knock-out panel for potential future vehicular access to the neighbouring Oakridge Transit Centre (OTC).

Landscape

- 1.5 Design development to ensure that the public realm treatments are continuous and coordinated with the context of the neighboring Oakridge Transit Centre (OTC) as best possible, enhancing the overall public realm interface. Refer to Section 9.2.3 of the *Oakridge Transit Centre Policy Statement* and Urban Design Condition 1.1 (b) and 1.2 (a).

Note to Applicant:

- (a) Enhance the rear lane interface and pedestrian experience by incorporating the following elements to ensure seamless integration with the adjacent OTC:

- (i) Ensure that all loading spaces are within the building footprint;
 - (ii) Additional landscape design components to soften the edge and improve visual continuity and overall user comfort;
 - (iii) Ensure material continuity while creating a safe and welcoming pedestrian experience, establishing the rear lane from Willow Street as a secondary gateway to the adjacent OTC.
 - (iv) Relocate or conceal the parkade mechanical exhaust using landscape design elements.
- (b) Develop the corner open space created by the podium setback with a cohesive landscape design that includes seating and planting, supporting use and engagement by both residents and visitors to the adjacent commercial units.

Sustainability

- 1.6 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezonings* (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 Rezonings – Process and Requirements

Parks

- 1.7 Design development to ensure no new shadows will be cast by the development on the planned Oakridge Transit Centre park on fall equinoxes from 10am to 4pm.

Note to Applicant: Refer to *Solar Access Guidelines for Areas Outside of Downtown* and *OTC Policy Statement*. Updated shadow study to be provided at Development Permit stage in 15-minute increments from 10am to 12pm on the autumnal equinox. Study to show context shadows and demonstrate no new shadowing of the planned park during protected hours by this development

Housing

- 1.8 The proposed unit mix, including 10 studio units (3%), 125 one-bedroom units (41%), and 110 two-bedroom units (36 %), 60 three-bedroom units (20 %) is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the market rental units and 35% of the below-market rental units, designed to be suitable for families with children.

- 1.9 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 (S. 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 (S. 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 (S. 3.7.3); and
- (d) A balcony for each unit with 1.8 by 2.7 m minimum dimensions (S. 4.3.2).

Note to Applicant:

- (a) The guidelines prescribe a set of performance criteria for common indoor and outdoor amenity spaces to sufficiently contribute towards livability. If a ratio of minimum 2.0 sq. m (21.5 sq. ft.) per dwelling unit for outdoor amenity space, and at least 1.4 sq. m. (15 sq. ft.) per unit for indoor amenity space, is provided, staff will consider those performance criteria to have been met.
- (b) Bulk storage should be designed in accordance with the Bulk Storage and In-suite Storage – Multiple Dwelling Residential Developments Bulletin.

- 1.10 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.

Childcare

- 1.11 Design the childcare centre to ensure it is licensable by Vancouver Coastal Health's Community Care Facilities Licensing (CCFL). This includes complying with the minimum indoor and outdoor space requirements for the intended program(s).

Engineering

- 1.12 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 8 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.

- 1.13 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>

- 1.14 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>

- 1.15 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.
- 1.16 Provision of a lighting simulation to support all offsite lighting upgrades to City standards and IESNA recommendations.
- 1.17 Provision of garbage and recycling storage amenity design to the satisfaction of the General Manager of Engineering Services as presented in the [Garbage and Recycling Storage Amenity Design Supplement](#).

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

- 1.18 Amenities designed below grade should enable access and pick up from a location without reliance of the lane for extended bin storage. If this cannot be confirmed, then an on-site garbage bin staging area is to be provided adjacent the lane. Pick up operations should not require the use of public property for storage, pick up or return of bins to the storage location.
- 1.19 Submission to Engineering of an updated landscape plan reflecting all the public realm changes, including demonstration of:
- (a) Display of the following note(s):

- (i) "This plan is **"NOT FOR CONSTRUCTION"** and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Engineering, Development and Major Projects and/or your Engineering, Building Site Inspector for details."
- (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 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil volumes. Installation of Engineered Soil may be required to obtain appropriate soil volumes based on site conditions. Root barriers shall be of rigid construction, 8 feet long and 18 inches deep, centre on each street tree adjacent to the sidewalk and any off-street bike facility. Planting depth of root ball must be below sidewalk grade. Contact Park Board at pbdevelopment.trees@vancouver.ca for inspection after tree planting completion".
- (iii) "Off-site assets are to be constructed to the satisfaction of the General Manager of Engineering Services and as per the approved City geometric design, with the final design and location to be determined once the City geometric is received."

Note to Applicant: Drawings submitted as part of the Development Permit application will be preliminary with appropriate placeholders, and the final off-site geometric design will be provided by the City of Vancouver. An Engineering Project Coordinator will engage the Developer to facilitate the delivery of any City design after Development Permit issuance.

- (iv) "The required Green Infrastructure improvements for 809 West 41st Avenue will be as per City-issued design".

Note to Applicant: Callouts must be included along with the note.

(b) Existing locations of:

- (i) Street furniture; and

Note to Applicant: For drawings with existing street furniture displayed, a note must be added stating:

- (ii) "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."
- (iii) 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) Deletion of:
 - (i) Any portion of the at-grade mechanical vents for the parkade air intake proposed within the SRW area along 41st Avenue.

Note to Applicant: No permanent structural encroachment is permitted within the SRW area.
- (d) 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.
- (e) Streetscape designed in compliance with “Cambie Corridor” Streetscape Design Guidelines.

Note to Applicant: Where a design detail is not available, make note of the improvement on the plan. Public realm changes include all off-site improvements sought for this rezoning. The Streets Design Guidelines are viewable online at <https://vancouver.ca/streets-transportation/streetscape-design-guidelines.aspx> and are to be used alongside the City design guidelines and construction standards.

- 1.20 Provision of parking access, per [Parking By-law Section 4](#) and the [Design Supplement](#):
 - (a) Two-way vehicle flow, including:
 - (i) Convex mirrors at the bottom of the main parkade ramp.
- 1.21 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) Dimension of columns and column encroachments into parking spaces;
 - (c) 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;
 - (d) Design elevations at all breakpoints on both sides of ramps, drive aisles, loading and passenger loading spaces, accessible spaces, and entrances.
- 1.22 Provision of a Final Hydrogeological Study, as required by the Zoning and Development By-law (Section 4.3), which addresses the requirements outlined in the Groundwater Management Bulletin, including but not limited to:

- (a) Characterization and/or monitoring of soil and groundwater conditions above the proposed slab depth.

Note to Applicant: The Final Hydrogeological Study should include details on the recommended future work, as described in Section 7.1 of the Preliminary Hydrogeological Study (dated March 18, 2025).

- (b) 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.

Note to Applicant: Subject to the findings of the Final Hydrogeological Study, the City may require that the parkade be tanked below the water table.

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

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.

- 1.23 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.

- 1.24 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.

- 1.25 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>

- 1.26 Show all City supplied building grades and entranceway design elevations on the architectural and landscape plans, while ensuring any topographic survey used for design purposes is derived from a benchmark with elevations consistent with those denoted on the City issued building grade plan.

Note to Applicant: When providing additional property line elevations for proposed entrances, interpolate a continuous grade between the elevations provided on the City supplied building grade plan.

For more information, please contact Engineering, Streets Design Branch at building.grades@vancouver.ca or call 604-871-6373.

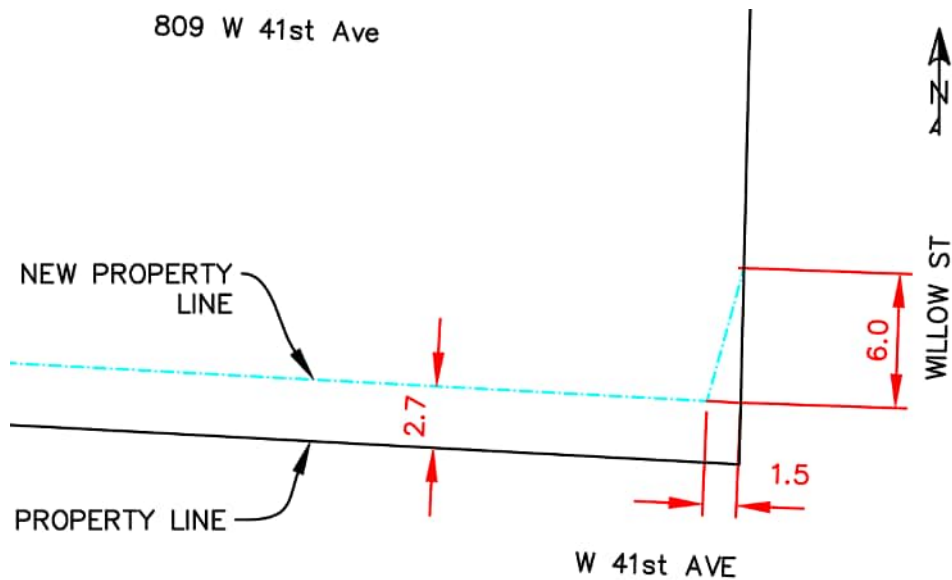
<https://vancouver.ca/home-property-development/building-grades-for-sidewalk-and-street-elevation.aspx>.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

THAT, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability, and the General Manager of Engineering Services, as necessary, and 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 the dedication of the south 2.7 m of the site for road purposes and of the further dedication of a corner-cut truncation for road purposes at the South East corner, measured from the intersection of the 2.7 m dedication line and the current Willow Street property line, northerly 6.0 m distance along the east property line and 1.5 m distance in an westerly direction along the 2.7 m dedication line as shown in the following diagram:



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

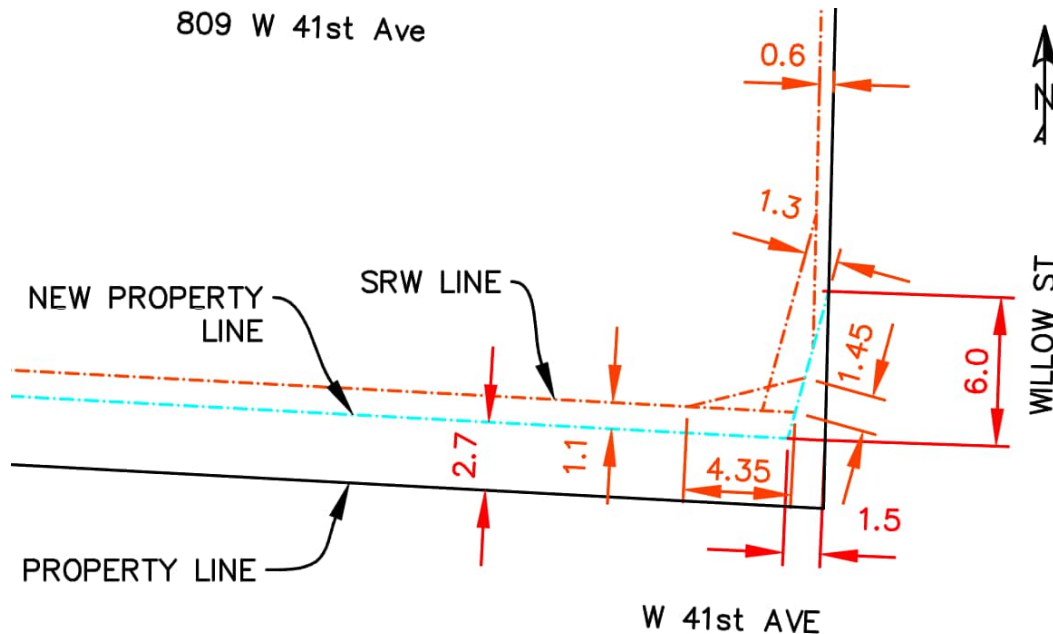
<http://vancouver.ca/home-property-development/apply-to-subdivide-or-join-properties.aspx>

- 2.2 Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for release of an Easement & Indemnity Agreement 410245M (commercial crossing) and N108985 (encroachment) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition for zoning enactment.

- 2.3 Provision of a statutory right-of-way (SRW) for public pedestrian use over a portion of the site, adjacent to Willow Street and 41st Avenue, to achieve the distances listed below. The SRW will be free of any encumbrance such as structure, stairs, planter walls, and mechanical vents at grade and is to accommodate the underground parking structure within the SRW agreement.
- (a) 0.6 m offset from the east property line;
 - (b) 1.1 m offset from the new south property line;
 - (c) 1.3 m offset from the new property line on the southeast corner;
 - (d) A triangle measuring 4.35 m along the south SRW line and 1.45 m along the new property line on the southeast corner from the intersection of the south SRW line and the new property line on the southeast corner.

Note to Applicant: The preparation of this legal agreement includes statutory rights-of-way and the requirement for [collection of a fee for service](#) and will be due prior to issuance of the Development Permit.



- 2.4 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. Except as explicitly provided for in Condition 2.5 (a), 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 Creus Engineering Ltd. dated January 23, 2026, no water main upgrades are required to service the development.

The mains servicing the proposed development is 200 mm main on Willow Street or the 200 mm main on 41st Avenue. Should the development require water service connections larger than 200 mm, the developer shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost of the upgrade. 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 809 West 41st Avenue does not require any sewer upgrades.

Development to be serviced to the existing 500 mm COMB sewers in Willow Street.

Note to Applicant: The City of Vancouver Council has approved a Vancouver Building Bylaw change effective January 1st, 2026. The onsite rainwater release rate requirement has been updated to the following: The post-development 10-year flow rate discharged from the site shall be no greater than 25 L/s/Ha of site area, and the first 15 mm of rainfall over areas not covered in landscaping shall be controlled to 5 L/s/ha. The post-development estimate shall utilize the 2100 IDF curves to account for climate change. Acceptable calculation methods will also be specified. This site will be required to comply with these requirements. More information is available at vancouver.ca/rainwater.

- (c) Provision of street improvements with appropriate transitions, along Willow Street 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;
 - (iii) Corner curb ramp;
 - (iv) Curb and gutter, including relocation of the existing catch basin, and road reconstruction as required to accommodate the curb and gutter;
 - (v) Minimum 1.8 m wide raised asphalt protected bike lane;
 - (vi) Type E curb between the sidewalk and bike lane;
 - (vii) Full-depth road reconstruction to the road centerline;

Note to Applicant: Road reconstruction on Willow Street to meet City higher zoned standards.

- (d) Provision of street improvements with appropriate transitions, along 41st Avenue adjacent to the site, including:
- (i) Minimum 1.5 m wide front boulevard;
 - (ii) Minimum 3.0 m wide broom finish saw-cut concrete sidewalk;
 - (iii) Corner curb ramp;
 - (iv) Curb and gutter, including relocation of the existing catch basin, and road reconstruction as required to accommodate the curb and gutter;
 - (v) Integral concrete curb and slab at the bus stop on 41st Avenue;
- Note to Applicant: Road reconstruction on 41st Avenue to meet City higher zoned, arterial, bus lane standards.
- (vi) Removal of the existing driveway crossing and reconstruction of the curb and gutter;
 - (vii) Minimum 2.0 m wide raised asphalt protected bike lane;
 - (viii) Type E curb between the sidewalk and bike lane;

Note to Applicant: The City of Vancouver to provide approved Geometric design. All elements of the Geometric design must be constructed to meet City Standards including, but not limited to relocation of existing catch basins or installation of new catch basins where required to accommodate the geometric design.

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. Confirm if your site is within a Streetscape Design Guideline area and follow the applicable guidelines.

- (e) Provision of street improvements with appropriate transitions, along the lane north of 41st Avenue adjacent to the site, including:
- (i) Full depth pavement reconstruction with a center valley cross-section;
- Note to Applicant: Lane reconstruction to meet City “Higher-Zoned Lane” standards.
- (ii) Relocate lane catch basins to the centerline;
 - (iii) New standard concrete lane crossing, with new lane returns and ramps on both sides, at the lane entrance on Willow Street.

Note to Applicant: Refer to the City design guidelines and construction standards.

<https://vancouver.ca/streets-transportation/street-design-construction-resources.aspx>

- (f) Provision of improvements at the intersection of Willow Street and 41st Avenue including:
- (i) Installation of left turn bays and left turn arrows on 41st Avenue, and
 - (ii) Upgrades to the existing traffic signal including accommodating the geometric changes associated enabling works to modify or relocate existing infrastructure
 - (iii) Willow Street and 41st Avenue entire intersection street lighting upgrade to current City standards and IESNA recommendations.

Note to Applicant: These works constitute excess and/or extended services and will be subject to a latecomer agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

- (g) Provision of the following improvements to the satisfaction of the General Manager of Engineering Services:
- (i) Installation of a Subsurface Infiltration Trench or Dry Well in the lane, connected to the new centerline catch basin to treat and retain 90% of average annual rainfall from the laneway, to the greatest extent practical.

Note to Applicant:

- Subsurface infiltration trench generally include a subsurface storage area filled with drain rock.
- Dry Well generally include a deep perforated sump surrounded by drain rock connected to a catch basin.

Green Infrastructure (GI) should be used to manage rainwater from the street right-of-way as required in the [Rain City Strategy](#). The retention standard for the right-of-way is to treat and retain 90% of average annual rainfall where possible. These design standards are applied to the prescribed GI measures listed above.

- (h) Provision of upgraded street lighting (roadway and sidewalk) and existing lane lighting to current City standards and IESNA recommendations.
- (i) 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.

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.

- (j) Provision of street trees where space permits.

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.

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

2.5 Provision of one or more Latecomer Agreements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following works, which constitute excess and/or extended services:

- (a) Intersection upgrades as per Condition 2.4 (f).

Note to Applicant: The benefiting area for these works is under review.

Note to Applicant: An administrative recovery charge will be required from the applicant to settle the latecomer agreement. The amount, which will be commensurate with the costs incurred by the City to administer the latecomer scheme, will be provided by the City and specified in the latecomer agreement.

Urban Design

2.6 Provision of a shared access agreement to the satisfaction of the Director of Planning and the Director of Legal Services, if a knock out panel is provided per Urban Design Condition 1.4, to secure access to underground parking within future development on the adjacent property at 929-949 West 41st Avenue (THAT PART OF BLOCK 866 IN REFERENCE PLAN 15238; AND BLOCK 866, EXCEPT PART IN REFERENCE PLAN 15238; BOTH OF PLAN 7764, DISTRICT LOT 526, GROUP 1, NEW WESTMINSTER DISTRICT).

Housing

2.7 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 class A for profit affordable rental housing, excluding Seniors Supportive or Independent Living Housing, and including at least 20% of the residential floor area that is counted in the calculation of the dwelling unit area per the CD-1 By-law to be secured as below-market rental dwelling housing units, and the remaining units to be secured as market rental units, subject to the conditions set out below for such units, subject to the conditions set out below for such units and in accordance with the requirements set out in the *Transit Oriented Areas Rezoning Policy*, for a term equal to the longer of 60 years and the life of the building and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require. The agreement or agreements will include but not be limited to the following terms and conditions:

- (a) A no separate-sales covenant;

- (b) A no stratification covenant;
- (c) A provision that none of the units will be rented for less than 90 consecutive days at a time;
- (d) That the average initial starting monthly rents by unit type for the below-market rental housing dwelling units in the project will be at least 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;
- (e) That a rent roll indicating the agreed maximum average initial monthly rents for the below-market rental housing dwelling units will be required prior issuance of an Occupancy Permit, to the satisfaction of the General Manager of Planning, Urban Design or Sustainability (or successor in function) and the Director of Legal Services;
- (f) Following initial occupancy, on a change in tenancy for a below-market rental housing dwelling unit, the starting rent for such new tenancy will be at least 10% below the average market rent for private rental apartment units city-wide as published by the Canada Mortgage and Housing Corporation in the most recent Rental Market Survey Data Tables for Vancouver for that unit type at the time of the change in tenancy;
- (g) That the applicant will verify eligibility of new tenants for the below-market rental housing dwelling units, based on the following:
 - (i) For new tenants, annual household income cannot exceed (4) four times the annual rent for the unit (i.e. at least 25% of household income is spent on rent); and
 - (ii) There should be at least one occupant per bedroom in the unit.
- (h) That the applicant will verify the ongoing eligibility of existing tenants in below-market rental housing dwelling units every five (5) years after initial occupancy:
 - (i) For such tenants, annual household income cannot exceed 5 times the annual rent for the unit (i.e. at least 20% of income is spent on rent); and
 - (ii) There should be at least one occupant per bedroom in the unit.
- (i) On an annual basis, or at the request of the City, the applicant will report to the City of Vancouver on the operation of the below-market rental housing dwelling units which will ensure that the City can confirm that the units are being operated as agreed, and will include a rent roll for the below-market rental housing dwelling units, and a summary of the results of eligibility testing for these units; and
- (j) Such other terms and conditions as the General Manager of Planning, Urban Design or Sustainability (or successor in function) and the Director of Legal Services may require in their sole discretion.

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

Public Art

- 2.8 Execute an agreement satisfactory to the Director of Legal Services and the General Manager of Arts & Culture for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials.

NOTE TO APPLICANT:

- (a) Provide development details to the satisfaction of the Head of Public Art (a checklist will be provided) confirming the selection of Option A: Art on Site, or Option B1 (time-limited): 60% cash-in-lieu of Art.
- (b) Applications eligible for Option B1 are limited to all current and in-stream rezoning applications referred to public hearing as of December 10, 2025 and prior to July 31, 2026.
- (c) Please contact Public Art staff at publicart@vancouver.ca to discuss your application or to set up a meeting to discuss the options further.

Environmental Contamination

- 2.9 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: 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.

* * * * *

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

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

DRAFT AMENDMENT TO THE SIGN BY-LAW NO. 11879

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

“809 West 41st Avenue [CD-1 #] [By-law #] C-2”

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

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

“[CD-1#] [By-law #] 809 West 41st Avenue”

* * * * *

APPENDIX E ADDITIONAL INFORMATION

Public Consultation Summary

Approximately 700 page views were recorded. A total of 11 comments were received with five comments in support for delivering more housing and suitable location, and five expressing concerns about building height, density, and impacts on neighbourhood livability.

Event	Date(s)	Details
Webpage published	September 9, 2025	https://www.shapeyourcity.ca/809-w-41-ave-2
Postcard mailed	March 3, 2026	1,610 notices mailed (approximate)
Site sign installed	September 19, 2025	n/a
Online comment form	September 2025 to April 2026	11 submissions <ul style="list-style-type: none"> • 5 responses support • 5 responses opposed • 1 response mixed
Question and Answer (Q&A) period (2 weeks)	March 4, 2026 to March 17, 2026	1 submission
Other input (phone calls, direct emails, etc.)	September 9, 2025 to April 1, 2026	2 submissions
Total webpage views	September 9, 2025 to April 1, 2026	700 page views
Total Submissions (Comments submitted + questions asked + other input methods)		14 submissions

Map of Notification Area



NOTIFICATION AREA

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

Areas of support:

- **Housing:** Provides much needed rental housing to help address the city's housing shortage.
- **Location:** Close to transit, shops, and services, and well suited for higher density residential use.

Areas of concern:

- **Building height and density:** Height and density are excessive and out of character for the area, with severe shadow impacts, loss of light and greenery, and overbuilding compared to surrounding lower scale development.
- **Neighbourhood livability:** Increased construction activity, traffic, parking pressure, noise, and cumulative impacts from multiple nearby developments, without addressing local housing needs or affordability.

Response to Public Comments

- The neighbourhood is currently undergoing significant change, towards a high-rise, mixed-use, transit-oriented area, and the height and density of this proposal fits this developing context.
- Construction noise and any noise associated with the development after occupancy will be regulated by the City's Noise Control By-law.
- It is not anticipated that this project will put additional pressure on either traffic or street parking in the area. The site is required to provide parking and loading as per the Parking By-law and the City will continue to monitor parking in the area.

Vancouver School Board Comments

		Capacity Utilization	
		2025	2039
Catchment			
Elementary School	Jamieson Elementary	111%	210%
Secondary School	Eric Hamber Secondary	100%	110%

Future School Capacity Utilization Rates (2039)

Sustained high enrolment demand with capacity shortages at both elementary and secondary.

* * * * *

APPENDIX F HOUSING

Figure 1: Progress Towards 10 Year Housing Vancouver Targets (2024-2033) as of March 31, 2026

Housing Type	Category	10-year Targets ^{1, 2}	Units Approved Towards Targets ³
Purpose-Built Rental Housing Units ³	Market Rental	30,000	19,996 units (67%)
	Developer-Owned Below Market Rental	5,500	2,892 units (53%)
	Total	35,500	22,888 units (64%)

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

If approved, starting rents for the below-market units will be 10% less the city-wide average market rents at the time of initial occupancy. On unit turnover, rents in the below-market units may be re-indexed to 10% less the city-wide average market rent by unit type current at the time of unit turnover.

Figure 2 – Below-Market Unit Average Rents, Market Rents in Newer Buildings, Cost of Ownership and Household Incomes Served

	Proposed Average Unit Size	Below-Market Rental Units		Newer Rental Buildings Westside		Monthly Costs of Ownership for Median-Priced Apartment – Westside (with 20% down payment)		
		2026 Starting Rents ¹	Average Household Income Served ⁴	Average Market Rent ²	Average Household Income Served ⁴	Monthly Costs of Ownership ³	Average Household Income Served ⁴	Down-payment at 20% ³
Studio	466-531 sq. ft.	\$1,535	\$61,380	\$2,003	\$80,120	\$3,188	\$127,534	\$110,600
1-bed	384 -530 sq. ft.	\$1,674	\$66,960	\$2,601	\$104,040	\$4,012	\$160,491	\$143,800
2-bed	661-826 sq. ft.	\$2,382	\$95,292	\$3,706	\$148,240	\$6,125	\$244,989	\$220,000
3-bed	807-843 sq. ft.	\$3,253	\$130,104	\$4,875	\$195,000	\$9,128	\$365,130	\$339,300

1. Starting rents shown are calculated based on a 10 per cent discount to city-wide average market rents as published by CMHC in the October 2025 Rental Market Report and set in the Rental Incentive Programs Bulletin for the year 2026.
2. Data from October 2025 CMHC Rental Market Survey for buildings completed in 2016 or later on the Westside of Vancouver
3. Based on the assumptions: Median of all BC Assessment strata apartment sales prices in Vancouver Eastside/Westside/Downtown in 2023 by unit type, 20% down-payment, 5% mortgage rate (in-line with qualifying rate), 25-year amortization, \$400-\$600 monthly strata fees and monthly property taxes at \$2.78 per \$1,000 of assessed value (2023 assessments and property tax rate)
4. Incomes are estimated based on rents or monthly ownership costs at 30% of income

**APPENDIX G
PUBLIC BENEFITS**

City-wide DCL ^{1,2}	\$242,826
Utilities DCL ¹	\$2,931,202
Public Art ³	\$475,993
TOTAL	\$3,650,021

Other Benefits (non-quantifiable components): 305 market rental units, of which 20% of the residential floor area would be rented at below-market rates, secured for the greater of 60 years and the life of the building.

¹ Based on rates in effect as of December 10, 2025 and the proposed 21,204 sq. m (228,236 sq. ft.) of residential floor area and 1,130 sq. m (12,167 sq. ft.) of commercial floor area.

DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage. DCL By-laws are subject to future adjustment by Council including annual inflationary adjustments. A development may qualify for 12 months of in-stream rate protection. See the City’s [DCL Bulletin](#) for more details.

² This application has requested and is expected to be eligible for a Class A (100%) waiver of the City-wide DCL applicable to the residential portion of the building. The application is therefore subject to the maximum average starting rents and unit sizes by unit type applicable to class A for-profit affordable rental housing as per the By-law. These requirements will be secured by a Housing Agreement, and compliance will be assessed through the development permit stage to occupancy permit issuance. The value of the City-wide DCL waiver on the residential floor area is estimated to be \$4,556,528.

³ The *Public Art Policy and Procedures for Rezoned Developments* requires rezoning proposals having a floor area of 9,290 sq. m (100,000 sq. ft.). Based on rates in effect as of 2016. Rates are subject to adjustments, see [Public Art Policy and Procedures for Rezoned Developments](#) for details.

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APPENDIX H REZONING APPLICATION SUMMARY

Property

Address	Parcel Identifier (PID)	Legal Description
809 West 41st Avenue	010-075-909	Lot A Block 867 District Lot 526 Plan 8454

Applicant Team

Applicant/ Architect	Arno Matis Architecture
Developer/ Property Owner	809 Projects Holdings Ltd.

Statistics

	Permitted Under Existing Zoning	Proposed
Zoning	CD-1 (34)	CD-1 (34)
Site Area	1,559.7 sq. m (16,788 sq. ft.)	1,559.7 sq. m (16,788 sq. ft.)
Land Use	Commercial	Commercial, residential
Maximum FSR	N/A	14.32
Maximum Height	N/A	102.2 m (335 ft.)
Floor Area	N/A	22,334.2 sq. m (240,403 sq. ft.)
Unit Mix	N/A	10 studio units 125 1-bedroom 110 2-bedroom 60 3-bedoom 305 Total
Natural Assets	4 on-site trees 3 street trees	4 on-site trees proposed for removal. 2 new on-site trees proposed. 16 new street trees proposed. Final numbers to be confirmed at development permit stage.

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