

## SUMMARY AND RECOMMENDATION

**2. VANCOUVER ODP AMENDMENT AND CD-1 REZONING: 809 West 41st Avenue**

**Summary:** For the site at 809 West 41st Avenue, to change the Generalized Land Use (GLU) designation in the *Vancouver Official Development Plan (ODP)* from Mixed-Use Low-Rise to Mixed-Use High-Rise 2, and to amend CD-1 (34) (Comprehensive Development) District to permit the development of a 32-storey mixed-use building containing 305 rental units, with 20% of the residential floor area for below-market rental units, commercial space that allows for a childcare facility, office space, and commercial space on the ground floor. A floor space ratio (FSR) of 14.32 and a height of 102.2 m (335 ft.) are proposed.

**Applicant:** Arno Matis Architecture

**Referral:** This relates to the report entitled “Vancouver ODP Amendment and CD-1 Rezoning: 809 West 41st Avenue”, dated May 19, 2026 (“Report”), referred to Public Hearing at the Council Meeting of June 2, 2026.

**Recommended Approval:** By the General Manager of Planning, Urban Design and Sustainability, subject to the following conditions as proposed for adoption by resolution of Council:

- 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, generally as presented in the Report, be approved in principle;

FURTHER THAT the draft *Vancouver Official Development Plan* amendment by-law, prepared for Public Hearing in accordance with Appendix A of the Report, 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 of the Report, 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 of the Report;

FURTHER THAT the *Vancouver Official Development Plan* amendment by-law only be brought forward for enactment if the conditions in Appendix C of the Report 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 of the Report, 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 of the Report, 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 of the Report;

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 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.

**[Vancouver ODP Amendment and CD-1 Rezoning: 809 West 41st Avenue]**