

## SUMMARY AND RECOMMENDATION

**7. REZONING: 2542-2570 Garden Drive and 2309-2369 East 10th Avenue**

**Summary:** To rezone a site located at 2542-2570 Garden Drive and 2309-2369 East 10th Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey strata-titled residential building containing 68 units over two levels of underground parking. The site is located in the Commercial-Broadway Station Precinct sub-area of the *Grandview Woodland Community Plan*. A height of 20.8 metres (68 feet) and a floor space ratio (FSR) of 2.65 are proposed.

**Applicant:** Rositch Hemphill Architects

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of November 13, 2018.

**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 Rositch Hemphill Architects on behalf of Bucci Garden Homes Limited, the registered owner, to rezone:

- 2542 Garden Drive [*PID 006-925-081; Lot G of Lot 1, Block 165, District Lot 264A, Plan 20006*];
- 2560 Garden Drive [*PID 003-249-018; Lot 5, Except the East 2 Feet, Now Lane, of Lot 1, Block 165, District Lot 264a, Plan 2654*];
- 2570 Garden Drive [*PID 013-551-671; Lot 6 of Lot 1, Block 165, District Lot 264A, Plan 2654*]; and
- 2309-2369 East 10th Avenue [*Lots A, B, C and D, all of Lot 1, Block 165, District Lot 264A, Plan 2676; PIDs 013-584-499, 013-584-537, 005-096-413 and 003-406-989 respectively*];

all from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.65 and the maximum building height from 10.7 m (35 ft.) to 20.8 m (68 ft.) to permit the development of a six-storey residential building containing 68 strata-titled units, generally as presented in Appendix A of the Policy Report dated October 30, 2018, entitled "CD-1 Rezoning: 2542-2570 Garden Drive and 2309-2369 East 10th Avenue" be approved in principle;

AND THAT the proposed form of development also be approved in principle, generally as prepared by Rositch Hemphill Architects and received on December 15, 2017, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

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

- B. THAT, subject to the enactment of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C of the Policy Report dated October 30, 2018, entitled "CD-1 Rezoning: 2542-2570 Garden Drive and 2309-2369 East 10th Avenue";

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

- C. THAT A and B 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.

**[RZ – 2542-2570 Garden Drive and 2309-2369 East 10th Avenue]**