

## SUMMARY AND RECOMMENDATION

**1. REZONING: 1906-1918 West 4th Avenue**

**Summary:** To rezone 1906-1918 West 4th Avenue from C-2B (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a five-storey mixed-use building with commercial at grade and 32 for-profit affordable rental housing units over one level of underground parking. A height of 18.8 metres (62 feet) and a floor space ratio (FSR) of 3.08 are proposed.

**Applicant:** Rositch Hemphill Architects

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of January 15, 2019.

**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 Harkerson B.C. Wholesale Lumber (1966) Ltd., to rezone 1906-1918 West 4th Avenue [*Lots 17, 18 and 20, all except Part in Plan 3932; Lot 19, except (A) the East 20 Feet and (B) Part in Plan 3932; and The East 20 Feet of Lot 19, except Part in Plan 3932; all of Block 246 District Lot 526 Plan 590; PIDs: 015-245-543, 015-245-551, 015-245-560, 015-245-659, 015-245-608 respectively*] from C-2B (Commercial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 2.50 to 3.08 and the building height from 15.3 m (50.2 ft.) to 18.8 m (61.8 ft.) to permit the development of a five-storey mixed-use building with commercial at grade and 32 for-profit affordable rental housing units, generally as presented in Appendix A of the Policy Report, dated January 2, 2019, entitled "CD-1 Rezoning: 1906-1918 West 4th Avenue" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Rositch Hemphill Architects and received on December 21, 2017, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

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

- B. THAT, if Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Policy Report, dated January 2, 2019, entitled "CD-1 Rezoning: 1906-1918 West 4th Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning 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 Arts, Culture and Community Services.

- C. THAT the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report, dated January 2, 2019, entitled “CD-1 Rezoning: 1906-1918 West 4th Avenue”, be approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law generally as set out in Appendix C of the Policy Report dated January 2, 2019, entitled “CD-1 Rezoning: 1906-1918 West 4th Avenue”.
- E. THAT A through D 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 bylaw 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 – 1906-1918 West 4th Avenue]**