

SUMMARY AND RECOMMENDATION

7. REZONING: 2202-2218 Main Street and 206 East 6th Avenue

Summary: To rezone 2202-2218 Main Street and 206 East 6th Avenue from IC-2 (Industrial) District to CD-1 (Comprehensive Development) District to permit development of a six-storey mixed-use building with at-grade and below-grade commercial retail space and 63 strata-titled residential units. A height of 22.6 metres (74 feet) and an FSR of 4.31 are proposed.

Applicant: Formosis Architecture (formerly Studio B Architects)

Referral: This item was referred to Public Hearing at the Regular Council Meeting of April 23, 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 Formosis Architecture (formerly Studio B Architects), on behalf of Main Street Arts Investments Inc. (PortLiving), to rezone 2202-2218 Main Street and 206 East 6th Avenue [*Lots 1 to 3, Block 38, District Lot 200A, Plan 197; PIDs: 010-136-576, 015-553-230 and 013-273-825 respectively*] from IC-2 (Industrial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 3.00 to 4.31 and building height from 18.3 m (60 ft.) to 22.6 m (74 ft.) to permit development of a six-storey mixed-use building consisting of at-grade and below-grade commercial retail space and 63 strata-titled residential units, generally as presented in Appendix A of the Policy Report dated April 9, 2019, entitled "CD-1 Rezoning: 2202-2218 Main Street and 206 East 6th Avenue" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Formosis Architecture (formerly Studio B Architects) and received on October 23, 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, 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 April 9, 2019, entitled "CD-1 Rezoning: 2202-2218 Main Street and 206 East 6th Avenue", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated April 9, 2019, entitled "CD-1 Rezoning: 2202-2218 Main Street and 206 East 6th Avenue".

D. THAT A through C be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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 – 2202-2218 Main Street and 206 East 6th Avenue]