

SUMMARY AND RECOMMENDATION

4. REZONING: 1166 West Pender Street

Summary: To rezone 1166 West Pender Street from Downtown District (DD) District to CD-1 (Comprehensive Development) District, to permit the development of a 32-storey office building. A height of 120 metres (393.55 feet) and a floor space ratio (FSR) of 19.4 are proposed.

Applicant: Hariri Pontarini Architects

Referral: This item was referred to Public Hearing at the Regular Council Meeting of June 11, 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 Hariri Pontarini Architects, on behalf of 1166 Pender Holdings Ltd. (Reliance Properties), to rezone 1166 West Pender Street [*PID 030-250-722; Parcel A (Being a consolidation of lots 7 and 8, See CA6291851) Block 16 District Lot 185 New Westminster District Plan VAP 92*] from Downtown District (DD) to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 9.0 to 19.4 to allow for the construction of a 32-storey office building with a floor area of 33,575.7 sq. m (361,406 sq. ft.) and building height of 120.0 m (393.55 ft.), generally as presented in Appendix A of the Policy Report dated May 14 2019, entitled "CD-1 Rezoning: 1166 West Pender Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Hariri Pontarini Architects and received on January 17, 2019, 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 May 14 2019, entitled "CD-1 Rezoning: 1166 West Pender Street", 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 May 14 2019, entitled "CD-1 Rezoning: 1166 West Pender Street".
- 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 – 1166 West Pender Street]