

SUMMARY AND RECOMMENDATION

4. CD-1 REZONING: 3429-3469 Fraser Street

Summary: To rezone 3429-3469 Fraser Street from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey, mixed-use building with 104 secured rental residential units. A height of 21.8 metres (71.5 feet) and a floor space ratio (FSR) of 3.43 are proposed.

Applicant: Rize Alliance Properties Ltd.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of September 10, 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 Rize Alliance Properties Ltd., on behalf of Rize Alliance (Fraser & 19th) Properties Ltd., to rezone 3429-3469 Fraser Street [*Lot 7 Block 68 District Lot 301 Plan 187 and Lot P Block 68 District Lot 301 Plan 18908; PIDs: 015-626-440 and 007-069-235 respectively*] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 2.50 to 3.43 and building height from 13.8 m (45.3 ft.) to 21.8 m (71.5 ft.) to permit the development of a six-storey, mixed-use building with 104 secured rental residential units, generally as presented in Appendix A of the Policy Report dated August 27, 2019, entitled "CD-1 Rezoning: 3429-3469 Fraser Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Yamamoto Architecture and received on March 27, 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, except that Condition 9 of Part 2 be replaced with:

"Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter into a Housing Agreement and/or Section 219 Covenant to secure all 104 residential units as secured market rental housing units pursuant to the City's Rental 100 Program, for the longer of 60 years or the life of the building, subject to a no-separate-sales covenant and a no-stratification covenant, that none of such units will be rented for less than one month at a time, and such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may require.

Note to Applicant: This condition will be secured by a Housing Agreement to be entered into by the City at by-law enactment pursuant to Section 565.2 of the Vancouver Charter and/or a Section 219 Covenant.”

- 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 August 27, 2019, entitled “CD-1 Rezoning: 3429-3469 Fraser Street”, 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 August 27, 2019, entitled “CD-1 Rezoning: 3429-3469 Fraser Street”, be approved.
- D. 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 August 27, 2019, entitled “CD-1 Rezoning: 3429-3469 Fraser Street”.
- 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 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 – 3429-3469 Fraser Street]