

SUMMARY AND RECOMMENDATION

5. REZONING: 835-837 East Hastings Street

Summary: To rezone 835-837 East Hastings Street from M-1 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building with 39 seniors social housing units and commercial uses on the ground floor. A height of 22.4 metres (73.6 feet) and a floor space ratio (FSR) of 4.33 are proposed.

Applicant: Terra Housing Consultants Ltd.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of October 1, 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 Terra Housing Consultants Ltd., on behalf of Lee's Benevolent Association of Canada, to rezone 835-837 East Hastings Street [*PID: 027-090-256; Lot G, Block 61, District Lot 181, Group 1, New Westminster District Plan BCP30460*] from M-1 (Industrial) District to CD-1 (Comprehensive Development) District, to permit development of a six-storey mixed-use building consisting of commercial use at grade and a total of 39 seniors social housing units at a floor space ratio (FSR) of 4.33 and building height of 22.4 m (73.6 ft.), generally as presented in Appendix A of the Policy Report dated September 17, 2019, entitled "CD-1 Rezoning: 835-837 East Hastings Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Patrick R. Stewart Architect and received on July 10, 2018, 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 September 17, 2019, entitled "CD-1 Rezoning: 835-837 East Hastings 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 September 17, 2019, entitled “CD-1 Rezoning: 835-837 East Hastings Street”, be approved;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the by-law to amend the Sign By-law at the time of enactment of the CD-1 By-law.

- 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 September 17, 2019, entitled “CD-1 Rezoning: 835-837 East Hastings Street”.

- E. THAT Recommendations 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 – 835-837 East Hastings Street]