

SUMMARY AND RECOMMENDATION

6. REZONING: 2601-2619 East Hastings Street

Summary: To rezone 2601-2619 East Hastings Street from C-2C (Commercial and Mixed Use) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey, mixed-use building with 46 secure rental residential units with commercial uses on the ground floor. A building height of 21.9 metres (72 feet) and a floor space ratio (FSR) of 3.74 are proposed.

Applicant: Studio One Architecture Inc. and JTA Development Consultants

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 Studio One Architecture Inc. and JTA Development Consultants, on behalf of Nicolaou Properties, to rezone 2601-2619 East Hastings Street [*Lots 30, 31, and 32, all of District Lot 52, Town of Hastings Suburban Lands, Plan 410, PIDs: 015-296-211, 015-296-237, and 015-296-253 respectively*] from C-2C to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 3.0 FSR to 3.74 FSR and the building height from 13.8 m (45.3 ft.) to 21.9 m (71.9 ft.) to permit the development of a six-storey mixed- use building including 46 rental housing units, generally as presented in Appendix A of the Policy Report dated September 17, 2019, entitled "CD-1 Rezoning: 2601-2619 East Hastings Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Studio One Architecture Inc. and received on May 16, 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, 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: 2601-2619 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: 2601-2619 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: 2601-2619 East Hastings 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 – 2601-2619 East Hastings Street]