

SUMMARY AND RECOMMENDATION

4. REZONING: 2209-2249 East Broadway

Summary: To rezone 2209-2249 East Broadway from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building containing 87 market strata housing units. A building height of 21.5 metres (70.5 feet) and a floor space ratio (FSR) of 2.65 are proposed.

Applicant: EPIX Developments Ltd.

Referral: This item was referred to Public Hearing at the Council Meeting of December 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 EPIX Developments Ltd., on behalf of Epix Broadway BT Inc., to rezone 2209-2249 East Broadway [*Lot 84F, Block 151, District Lot 264A, Plan 3029, and Lots 85F, 86F, 87F, 88F and 89F, all except the north 5 feet now lane, Block 151, District Lot 264A, Plan 3029; PIDs 013-234-935, 013-234-978, 013-234-994, 013-235-044, 004-405-021 and 013-235-079, respectively*], from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 2.65 and the building height from 10.7 m (35.1 ft.) to 21.5 m (70.5 ft.) to permit the development of a six-storey residential building which would contain 87 market strata housing units, generally as presented in Appendix A of the Referral Report dated November 26, 2019, entitled "CD-1 Rezoning: 2209-2249 Broadway" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Taylor Kurtz Architecture + Design Inc. and received on December 21, 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 Referral Report.

- B. 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 Subdivision By-law, generally as set out in Appendix C of the Referral Report dated November 26, 2019, entitled "CD-1 Rezoning: 2209-2249 East Broadway".
- C. THAT A and B 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 – 2209-2249 East Broadway]