

SUMMARY AND RECOMMENDATION

3. REZONING: 443 Seymour Street

Summary: To rezone 443 Seymour Street from DD (Downtown District) to CD-1 (Comprehensive Development) District, to permit the development of a 29-storey commercial office building. A building height of 104.8 metres (343.9 feet) and a floor space ratio (FSR) of 22.47 are proposed.

Applicant: Chris Dikeakos Architects Inc.

Referral: This item was referred to Public Hearing at the Council Meeting of April 28, 2020.

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 Chris Dikeakos Architects Inc., on behalf of 601 West Pender Holdings Ltd. (Reliance Properties), to rezone 443 Seymour Street [*PID 015-612-694; Lot B (Explanatory Plan 9806) Block 23 District Lot 541 Plan 210*] from Downtown District (DD) to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 9.00 to 22.47 to allow construction of a 29-storey commercial office building with a total floor area of 39,036.5 sq. m (420,199 sq. ft.) and building height of 104.8 m (343.9 ft.), generally as presented in Appendix A of the Referral Report dated March 20, 2020, entitled "CD-1 Rezoning: 443 Seymour Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Chris Dikeakos Architects Inc., and received on November 1, 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 Referral 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 Referral Report dated April 28, 2020, entitled "CD-1 Rezoning: 443 Seymour 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 Referral Report dated March 20, 2020, entitled "CD-1 Rezoning: 443 Seymour 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 – 443 Seymour Street]