

## SUMMARY AND RECOMMENDATION

**4. REZONING: 445 Kingsway and 2935 St. George Street**

**Summary:** To rezone 455 Kingsway and 2935 St. George Street from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a 14-storey mixed-use building. A building height of 47.65 metres (156.4 feet) and a floor space ratio (FSR) of 7.22 are proposed.

**Applicant:** Acton Ostry Architects Inc.

**Referral:** This item was referred to Public Hearing at the Council Meeting of March 10, 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 Acton Ostry Architects Inc., on behalf of Razgul Holdings Ltd. (Inc. No. BC689424) and Azizamalco Holdings Canada Ltd. (Inc. No. BC1124915), to rezone 445 Kingsway and 2935 St. George Street [*PID: 011-726-598; Lot L, Block 132, District Lot 264A, Plan 21842; and PID: 009-994-131; Lot 2, Except Part in Explanatory Plan 6822, of Lot A, Block 132, District Lot 264A, Plan 7272; and PID: 010-671-919; Lot 1 of Lot A, Block 132, District Lot 264A, Plan 7272*] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 2.50 to 7.22 and the building height from 13.80 m (45.0 ft.) to 47.65 m (156.4 ft.) to permit the development of a 14-storey mixed-use building with commercial uses at grade and 215 secured rental housing units, with 20% of the residential floor area being secured as moderate income units, generally as presented in Appendix A of the Referral Report dated February 25, 2020, entitled "CD-1 Rezoning: 445 Kingsway and 2935 St. George Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Acton Ostry Architects Inc. and received on July 23, 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, if Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated February 25, 2020, entitled "CD-1 Rezoning: 445 Kingsway and 2935 St. George 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 Planning, Urban Design and Sustainability.

- 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 Referral Report dated February 25, 2020, entitled “CD-1 Rezoning: 445 Kingsway and 2935 St. George 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 Referral Report dated February 25, 2020, entitled “CD-1 Rezoning: 445 Kingsway and 2935 St. George 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 – 445 Kingsway and 2935 St. George Street]**