

SUMMARY AND RECOMMENDATION

1. CD-1 Rezoning: 1111-1123 Kingsway

Summary: To rezone 1111-1123 Kingsway from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a 14-storey, mixed-use building with commercial uses at grade and 131 secured rental housing units, of which 20 per cent of the residential floor area will be reserved as moderate-income units. A height of 44.2 metres (145 feet) and a floor space ratio (FSR) of 5.58 are recommended.

Applicant: 1076164 B.C. Ltd. (Peterson Group)

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 1076164 B.C. Ltd. (Peterson Group), the registered owner of the lands located at 1111-1123 Kingsway [*Lot V, Block 58, District Lot 301, Group 1, Plan 21267, PID 007-643-888; and Lot L, Block 58, District Lot 301, Plan 3257, PID 013-023-667*], to rezone the lands from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 2.5 to 5.58 and building height from 13.8 m (45.3 ft.) to 44.2 m (145 ft.) for the development of a 14-storey mixed-use building, with 131 secured rental housing units, of which 20 per cent of the residential floor area will be secured as moderate income units, generally as presented in Appendix A of the Referral Report dated April 14, 2020, entitled "CD-1 Rezoning: 1111-1123 Kingsway", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Musson Cattell Mackey Partnership and received on July 5, 2019, with revisions submitted on December 12, 2019 and January 23, 2020, 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 April 14, 2020, entitled "CD-1 Rezoning: 1111-1123 Kingsway", 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 April 14, 2020, entitled “CD-1 Rezoning: 1111-1123 Kingsway”, 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 April 14, 2020, entitled “CD-1 Rezoning: 1111-1123 Kingsway”.
- 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.

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