

SUMMARY AND RECOMMENDATION

3. CD-1 REZONING: 4506 Rupert Street and 3309 Price Street

Summary: To rezone 4506 Rupert Street and 3309 Price Street from C-1 (Commercial) and RS-1 (Residential) Districts to CD-1 (Comprehensive Development) District, to permit the development of a five-storey, mixed-use building with 51 secured market rental residential units, including four live-work units. A height of 15.1 metres (49.5 feet) and a floor space ratio (FSR) of 2.30 are proposed.

Applicant: GBL Architects Inc.

Referral: This item was referred to Public Hearing at the Council Meeting of June 23, 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 GBL Architects Inc. on behalf of 4506 Rupert Holdings Ltd. (Inc. no. BC1228769), the registered owners, to rezone 4506 Rupert Street and 3309 Price Street [*PIDs: 015-093-867, 010-306-757, 010-306-765, and 010-306-820 respectively; Lot A (Reference Plan 2155), Block 96 District Lots 36 and 51, Plan 849, and Lots 1, 2, and 7, all of Block 96, District Lots 36 and 51, Plan 7903*] from C-1 (Commercial) and RS-1 (Residential) Districts to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 1.20 to 2.30 and building height from 10.7 m (35.1 ft.) to 15.1 m (49.5 ft.) to permit development of a five-storey, mixed-use building with 51 secured market rental residential units, including four live-work units, generally as presented in Appendix A of the Referral Report dated June 9, 2020, entitled "CD-1 Rezoning: 4506 Rupert Street and 3309 Price Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by GBL Architects Inc. and received on November 22, 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 June 9, 2020, entitled "CD-1 Rezoning: 4506 Rupert Street and 3309 Price 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, 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 June 9, 2020, entitled “CD-1 Rezoning: 4506 Rupert Street and 3309 Price Street”.
- D. 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 June 9, 2020, entitled “CD-1 Rezoning: 4506 Rupert Street and 3309 Price Street”, be approved.
- E. 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 June 9, 2020, entitled “CD-1 Rezoning: 4506 Rupert Street and 3309 Price Street”.
- F. THAT A through E 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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