

SUMMARY AND RECOMMENDATION

3. CD-1 (715) Amendment: 1649 East Broadway (formerly 1619-1651 East Broadway)

Summary: To amend CD-1 (715) (Comprehensive Development) District for 1649 East Broadway to increase the floor space ratio (FSR) from 4.0 to 5.0 and to increase the maximum building height from 33.2 m (108.9 ft.) to 36.5 m (119.8 ft.), allowing for two additional storeys to permit the development of a 12-storey mixed-use building with 114 secured rental residential units, including 91 market rental units and 23 below-market rental units, and commercial uses at grade.

Applicant: IBI Group Architects

Referral: This item was referred to Public Hearing at the Council Meeting of July 21, 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 IBI Group Architects, on behalf 0923172 B.C. Ltd., the registered owner, a company related to the developer, Jameson Development Corp., to amend the text of CD-1 (Comprehensive Development) District (715) By-law No. 12299 for 1649 East Broadway [*PID: 030-467-365, Lot 1 Block 154 District Lot 264A Group 1 New Westminster District Plan EPP82462*], to increase the floor space ratio (FSR) from 4.0 to 5.0 and to increase the maximum building height from 33.2 m (108.9 ft.) to 36.5 m (119.8 ft.) thereby adding an additional two floors to permit a 12-storey mixed-use building consisting of commercial uses at grade and 114 secured rental residential units, of which not less than 20% of the residential floor area that is counted in the calculation of the floor space ratio (23 residential units) will be secured as below-market rental units and the remaining 91 residential units will be secured market rental units, generally as presented in Appendix A of the Referral Report dated July 7, 2020, entitled "CD-1 (715) Amendment: 1649 East Broadway (formerly 1619-1651 East Broadway)" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by IBI Group Architects and received on March 9, 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 July 7, 2020, entitled "CD-1 (715) Amendment: 1649 East Broadway (formerly 1619-1651 East Broadway)", 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 A through 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.

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