

SUMMARY AND RECOMMENDATION

5. CD-1 REZONING: 203-263 West 49th Avenue

Summary: To rezone 203-263 West 49th Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a four-storey mixed-use building containing 89 strata-titled residential units with commercial space on the ground floor. A height of 15.9 m (53 ft.), with additional height (3 m or 10 ft.) for a rooftop amenity space, and a floor space ratio (FSR) of 2.50 are proposed.

Applicant: GBL Architects

Referral: This item was referred to Public Hearing at the Council Meeting of October 6, 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, on behalf of 1111517 B.C. Ltd., the registered owner of the lands located at:

- 203 West 49th Avenue [*PID 014-075-504; Lot 15 of Lot 8 Block 1000 District Lot 526 Plan 2063*],
- 207 West 49th Avenue [*PID 014-075-512; Lot 16 of Lot 8 Block 1000 District Lot 526 Plan 2063*],
- 219 West 49th Avenue [*PID 014-075-521; Lot 17 of Lot 8 Block 1000 District Lot 526 Plan 2063*],
- 231 West 49th Avenue [*PID 014-075-539; Lot 18 of Lot 8 Block 1000 District Lot 526 Plan 2063*],
- 231 West 49th Avenue [*PID 014-075-547; Lot 19 of Lot 8 Block 1000 District Lot 526 Plan 2063*],
- 241 West 49th Avenue [*PID 014-075-598; Amended Lot 20 (See 438372L) of Lot 8 Block 1000 District Lot 526 Plan 2063*],
- 255 West 49th Avenue [*PID 014-075-610; Amended Lot 22 (See 260187L) of Lot 8 Block 1000 District Lot 526 Plan 2063*], and
- 263 West 49th Avenue [*PID 014-075-628; Amended Lot 23 (See 397547L) of Lot 8 Block 1000 District Lot 526 Plan 2063*];

to rezone the lands from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.70 to 2.50 and the maximum building height from 10.7 m (35 ft.) to 15.9 m (53 ft.) and to 18.9 m (63 ft.) for the portion with rooftop amenity, to permit the development of a four-storey mixed-use building containing 89 residential strata-titled units with commercial space on the ground floor, generally as presented in Appendix A of the

Referral Report dated September 9, 2020, entitled "CD-1 Rezoning: 203-263 West 49th Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by GBL Architects, received on September 27, 2019 and supplemental drawings received May 21, 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 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 September 9, 2020, entitled "CD-1 Rezoning: 203-263 West 49th Avenue", 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 September 9, 2020, entitled "CD-1 Rezoning: 203-263 West 49th Avenue".
- 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 Subdivision By-law, generally as set out in Appendix C of the Referral Report dated September 9, 2020, entitled "CD-1 Rezoning: 203-263 West 49th Avenue".
- 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.

[CD-1 Rezoning: 203-263 West 49th Avenue]