

SUMMARY AND RECOMMENDATION

7. CD-1 REZONING: 3701-3743 West Broadway

Summary: To rezone 3701-3743 West Broadway from RS-1 (Residential) and 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 161 secured rental housing units, of which 32 units are secured at a moderate income rate. A height of 52.61 m (172.6 ft.) and a floor space ratio (FSR) of 5.27 are proposed.

Applicant: 0916789 B.C. Ltd. (Westbank)

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 0916789 B.C. Ltd. (Westbank), the registered owners of the lands located at 3701-3743 West Broadway [*PID 011-489-847, Lot A (See 368932L) Block 193 District Lot 176 Plan 4581; PID 011-489-308, Lot 9, Except the South 7 Feet and the East 7 Feet now Highways, Block 193 District Lot 176 Plan 4581; and PID 005-111-706, Lot 12 Block 193 District Lot 176 Plan 4581*] to rezone the lands from RS-1 (Residential) and C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 0.7 and 2.5 respectively to 5.27 and building height from 13.8 m (45.3 ft.) to 52.61 m (172.6 ft.) for the development of a 14-storey mixed-use building with 161 secured rental housing units, of which 20% of the residential floor area will be secured as moderate income units, under the *Moderate Income Rental Housing Pilot Program*, generally as presented in Appendix A of the Referral Report dated September 1, 2020, entitled "CD-1 Rezoning: 3701-3743 West Broadway", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Leckie Studio Architecture and Design Inc. and received November 15, 2019 with revisions submitted on May 27, 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 September 1, 2020, entitled "CD-1 Rezoning: 3701-3743 West 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 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 1, 2020, entitled "CD-1 Rezoning: 3701-3743 West Broadway", 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 September 1, 2020, entitled "CD-1 Rezoning: 3701-3743 West Broadway".
- 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 Subdivision By-law, generally as set out in Appendix C of the Referral Report dated September 1, 2020, entitled "CD-1 Rezoning: 3701-3743 West Broadway".
- 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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