

SUMMARY AND RECOMMENDATION

7. CD-1 REZONING: 349 East 6th Avenue

Summary: To rezone 349 East 6th Avenue from RM-4 (Multiple Dwelling) to CD-1 (Comprehensive Development) District to permit the development of a 12-storey residential building with 82 social housing units. A height of 38.7 m (127.0 ft.) and a floor space ratio (FSR) of 4.87 are proposed.

Applicant: IBI Group Architects (Canada) Inc.

Referral: This item was referred to Public Hearing at the Council Meeting of November 3, 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 Brunswick & 6th Development Ltd. and the developer Wall Financial Corporation, on behalf of Brunswick & 6th Development Ltd., the registered owner of the lands located at 349 East 6th Avenue [*Strata Lots 1 to 23, all of District Lot 200A Strata Plan VR. 259; PIDs 003-768-139, 003-768-163, 003-768-171, 003-768-198, 003-768-210, 003-768-244, 003-768-261, 003-768-279, 003-768-295, 003-768-333, 003-768-350, 003-768-376, 003-768-406, 003-768-414, 003-768-449, 003-768-465, 003-768-481, 003-768-503, 003-768-554, 003-768-571, 003-768-601, 003-498-077, 003-768-619 respectively, and the Common Property of Strata Plan VR.259*] to rezone the lands from RM-4 (Multiple Dwelling) to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 1.45 to 4.87 and building height from 10.7 m (35.1 ft.) to 38.7 m (127 ft.) to allow construction of a new development containing 82 social housing units, generally as presented in Appendix A of the Referral Report dated October 20, 2020, entitled "CD-1 Rezoning: 349 East 6th Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by IBI Group Architects (Canada) Inc., and received on May 6, 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 approval be subject to the Conditions of Approval contained in Appendix B of the Referral Report and to enactment of the amendment to the Rental Housing Stock Official Development Plan By-law which enables replacement rental units on sites that are in adjacent zoning districts.

- 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 October 20, 2020, entitled "CD-1 Rezoning: 349 East 6th Avenue", 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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