

## SUMMARY AND RECOMMENDATION

**2. CD-1 REZONING: 1325 West 70th Avenue**

**Summary:** To rezone 1325 West 70th Avenue from RM-3A (Multiple Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building with 65 secured market rental units. A height of 17.6 m (58.4 ft.) and a floor space ratio (FSR) of 2.40 are proposed.

**Applicant:** Matthew Cheng Architect 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 Matthew Cheng Architect Inc., on behalf of Leonic Investments Inc., the registered owner of the lands at 1325 West 70th Avenue [*PID 004-377-362; Lot 20 Block 39 of Block B District Lots 319, 323 and 324 Plan 2833; and Lots 1, 2, and 3 all of Lot 40 Block B District Lots 319, 323 and 324 Plan 6877; PIDs 004-394-305, 004-394-313, and 004-394-321 respectively*], to rezone the lands from RM-3A (Multiple Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 1.44 to 2.40 and the maximum building height from 10.7 m (35 ft.) to 17.6 m (58.4 ft.), to permit the development of a six-storey building containing 65 secured market rental housing units, generally as presented in Appendix A of the Referral Report dated October 20, 2020 entitled "CD-1 Rezoning: 1325 West 70th Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Matthew Cheng Architect Inc. and received on December 20, 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 October 20, 2020, entitled "CD-1 Rezoning: 1325 West 70th 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 and 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.

**[CD-1 Rezoning: 1325 West 70th Avenue]**