

SUMMARY AND RECOMMENDATION

5. CD-1 REZONING: 949 West 41st Avenue and 5469-5507 Willow Street (Oakridge Transit Centre)

Summary: To rezone 949 West 41st Avenue and 5469-5507 Willow Street from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit a mixed-use development consisting of 17 buildings between one and 26 storeys in height, with approximately 330 social housing units, 180 secured rental housing units including 45 moderate income rental units, and 1,120 strata housing units. The proposal also includes 2,229.7 sq. m (24,000 sq. ft.) of commercial space, a 69-space childcare centre, and a two-acre public park. A maximum building height of 83.8 m (275 ft.) and a floor space ratio (FSR) of 2.36 are proposed.

Applicant: James KM Cheng Architects

Referral: This item was referred to Public Hearing at the Council Meeting of October 20, 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 Council approves in principle the application by James KM Cheng Architects, on behalf of Modern Green Asset Holdings (Canada) Ltd. and 1069503 B.C. Ltd., the registered owners, to rezone 949 West 41st Avenue and 5469-5507 Willow Street (Oakridge Transit Centre) [*That Part of Block 866 in Reference Plan 15238, District Lot 526, Plan 7764; and Block 866 Except Part in Reference Plan 15238, District Lot 526, Plan 7764; and Lots 4 to 6, all of Block 867, District Lot 526, Plan 8454; PIDs: 010-328-700, 010-328-637, 004-338-367, 010-075-577 and 010-075-607, respectively*], from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 2.36 and the building height from 10.7 m (35 ft.) to 83.8 m (275 ft.) to permit a mixed-use development including:
- 17 buildings between one and 26 storeys in height,
 - 25,788.9 sq. m (277,589 sq. ft.) of floor space for social housing, equal to approximately 330 units,
 - 11,738.5 sq. m (126,352 sq. ft.) of floor space for secured rental housing units, at least 25% of which is moderate income rental housing — equal to approximately 180 total units, including 45 moderate income rental units,
 - 95,856.3 sq. m (1,031,789 sq. ft.) of floor space for strata residential housing, equal to approximately 1,120 units,
 - 2,229.7 sq. m (24,000 sq. ft.) of commercial floor space,
 - a 69-space childcare centre, and

- a two-acre public park,

all generally as presented in Appendix A of the Referral Report dated October 6, 2020, entitled “CD-1 Rezoning: 949 West 41st Avenue and 5469-5507 Willow Street (Oakridge Transit Centre)”;

FURTHER THAT the proposed form of development also be approved in principle, generally as represented in drawings by James KM Cheng Architects received July 26, 2019, and in revisions submitted May 8, 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 October 6, 2020, entitled “CD-1 Rezoning: 949 West 41st Avenue and 5469-5507 Willow Street (Oakridge Transit Centre)”, 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 October 6, 2020, entitled “CD-1 Rezoning: 949 West 41st Avenue and 5469-5507 Willow Street (Oakridge Transit Centre)”, 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 Subdivision By-law, generally as set out in Appendix C of the Referral Report dated October 6, 2020, entitled “CD-1 Rezoning: 949 West 41st Avenue and 5469-5507 Willow Street (Oakridge Transit Centre)”.
- 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 Noise Control By-law, generally as set out in Appendix C of the Referral Report dated October 30, 2018, entitled “CD-1 Rezoning: 949 West 41st Avenue and 5469-5507 Willow Street (Oakridge Transit Centre)”.
- F. THAT, at the time of enactment of the CD-1 By-law, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval the Oakridge Transit Centre Design Guidelines, generally as presented in Appendix F of the Referral Report dated October 20, 2020, entitled “CD-1 Rezoning: 949 West 41st Avenue and 5469-5507 Willow Street (Oakridge Transit Centre)”.
- G. THAT, if Council approves in principle this rezoning application and the draft CD-1 By-law generally as set out in Appendix A of the Referral Report dated October 20, 2020, entitled “CD-1 Rezoning: 949 West 41st Avenue and 5469-5507 Willow Street (Oakridge Transit Centre)”, Council rescinds concurrently the previous rezoning approval in principle for 5469-5507 Willow Street, approved on May 16, 2017.

H. THAT A through G 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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