

SUMMARY AND RECOMMENDATION

2. CD-1 REZONING: 2246-2268 East Broadway

Summary: To rezone 2246-2268 East Broadway from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building containing 57 strata-titled residential units. A height of 19.7 m (65 ft.) and a floor space ratio (FSR) of 2.65 are proposed.

Applicant: Omicron AEC Ltd.

Referral: This item was referred to Public Hearing at the Council Meeting of December 8, 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 Omicron AEC Ltd. on behalf of 1159613 B.C. Ltd. (Lotus Capital), the registered owner of the lands located at 2246-2268 East Broadway [*Lots 6 to 9, except the south 10 feet, now lane of lot B, Block 164, District Lot 264A, Plans 304 and 1771; PIDs: 015-397-335, 013-615-297, 011-299-223 and 015-265-030 respectively*] to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.70 to 2.65 and the maximum building height from 10.7 m (35 ft.) to 19.7 m (65 ft.), to permit the development of a six-storey residential building containing 57 strata-titled residential units, generally as presented in Appendix A of the Referral Report dated November 24, 2020, entitled "CD-1 Rezoning: 2246-2268 East Broadway" be approved in principle;
- FURTHER THAT the proposed form of development also be approved in principle, generally as represented in drawings by Omicron AEC Ltd. received February 24, 2020 and supplemental drawings received October 14, 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, 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 November 24, 2020, entitled "CD-1 Rezoning: 2246-2268 East Broadway".
- 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.

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