

**SUMMARY AND RECOMMENDATION**  
Revised February 8, 2021**4. CD-1 REZONING: 728-796 Main Street**

**Summary:** To rezone 728-796 Main Street from HA-1A (Chinatown South) to CD-1 (Comprehensive Development) District, to permit an 11-storey mixed-use building containing 19 social housing units, 75 strata residential units, and ground-floor commercial retail units. A maximum building height of 35.5 m (116.5 ft.) and a floor space ratio (FSR) of 6.79 are proposed.

**Applicant:** Studio One Architecture Inc.

**Referral:** This item was referred to Public Hearing at the Council Meeting of January 19, 2021.

**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 Studio One Architecture Inc. on behalf of Bonnis Development Main Inc., the registered owner of the lands located at 728-796 Main Street [*PID 007-762-267, Lot 7 Block 20 District Lot 196 Plan 184; PID 024-208-086, Lot H Block 20 District Lot 196 Group 1 New Westminster District Plan LMP38786; and PID 015-644-316, Lot 10 Block 20 District Lot 196 Plan 184*], to rezone the lands from HA-1A (Chinatown South) to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 5.35 to 6.79 and the building height from 27.4 m (90 ft.) to 35.5 m (116.5 ft.) to permit the development of a mixed-use building containing 19 social housing units and 75 strata residential units, with at-grade commercial uses, generally as presented in Appendix A of the Referral Report dated November 5, 2020, entitled "CD-1 Rezoning: 728-796 Main Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Studio One Architecture Inc. and received on January 2, 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 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 November 5, 2020, entitled "CD-1 Rezoning: 728-796 Main Street", be approved.
- C. 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 November 5, 2020, entitled "CD-1 Rezoning: 728-796 Main Street".

- D. THAT, if the rezoning is approved, Council approves a Single Room Accommodation (SRA) Conversion/Demolition Permit to allow for the demolition of 24-SRA-designated rooms at 796 Main Street, subject to enactment of the CD-1 By-law and issuance of the associated development permit, on the condition that, prior to the issuance of the SRA Conversion or Demolition Permit, subject to the terms set out in Appendix H, the owner enter into the following:
- (i) Housing Agreement that restricts the tenure of 19 housing units to social housing for the life of the building or 60 years whichever is greater; and
  - (ii) Section 219 Covenant prohibiting both stratification and separate sale of any of the 19 social housing units;

FURTHER THAT if Council approves in principle this rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated November 5, 2020, entitled "CD-1 Rezoning: 728-796 Main Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 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 Arts, Culture and Community Services.

- E. THAT A through D 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: 728-796 Main Street]**