

SUMMARY AND RECOMMENDATION

1. CD-1 REZONING: 1766 Frances Street

Summary: To rezone 1766 Frances Street from RM-4 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a nine-storey, mixed-use building with 84 social housing units and a childcare facility. A height of 29.28 m (96.06 ft.) is recommended and a floor space ratio (FSR) of 4.06 is proposed.

Applicant: M'akola Development Services

Referral: This item was referred to Public Hearing at the Council Meeting of January 20, 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 M'akola Development Services on behalf of the Vancouver Native Housing Society, the registered owner of the lands located at 1766 Frances Street [*PID: 003-683-648, Lot F Block 7 of Block D District Lot 183 Plan 20542*] to rezone the lands from RM-4 (Residential) to a new CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 1.45 to 4.06 and building height from 10.7 m (35.1 ft.) to 29.28 m (96.06 ft.) for a residential building with 84 social housing units and childcare use, generally as presented in Appendix A of the Referral Report dated January 5, 2021, entitled "CD-1 Rezoning: 1766 Frances Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by GBL Architects and received on June 1, 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 January 5, 2021, entitled "CD-1 Rezoning: 1766 Frances Street", 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.

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