

SUMMARY AND RECOMMENDATION

3. CD-1 REZONING: 485 West 28th Avenue

Summary: To rezone 485 West 28th Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building containing 27 strata-titled units. A height of 21.0 m (69 ft.) with additional height for a rooftop amenity space and a floor space ratio (FSR) of 2.54 are proposed.

Applicant: Giant Union Design Architecture and Planning Ltd.

Referral: This item was referred to Public Hearing at the Council Meeting of March 9, 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 Giant Union Design Architecture and Planning Ltd., on behalf of 1098428 BC Ltd., the registered owner of the lands located at 485 West 28th Avenue [PID 010-869-662; Lot 4 Block 721 District Lot 526 Plan 6539] to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 0.7 to 2.54 and the building height from 10.7 m (35 ft.) to 21.0 m (69 ft.) and to 24.0 m (79 ft.) for the portion with rooftop amenity, to permit the development of a six-storey building containing 27 strata-titled residential units, generally as presented in Appendix A of the Referral Report dated February 23, 2021, entitled "CD-1 Rezoning: 485 West 28th Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by Giant Union Design Architecture and Planning Ltd. received June 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, 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 February 23, 2021, entitled "CD-1 Rezoning: 485 West 28th Avenue".
- 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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