

SUMMARY AND RECOMMENDATION

3. CD-1 REZONING: 1650 East 12th Avenue

Summary: To rezone 1650 East 12th Avenue from C-2C1 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building containing 65 strata-titled residential units. A height of 21.3 m (70 ft.) and a floor space ratio (FSR) of 3.0 are proposed.

Applicant: Ciccozzi Architecture Inc.

Referral: This item was referred to Public Hearing at the Council Meeting of April 13, 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 Ciccozzi Architecture Inc. on behalf of 1650 East 12th Avenue Investments Ltd. (Wesgroup Properties), the registered owner of the land located at 1650 East 12th Avenue [*Lot A Block 170 District Lot 264A Plan 16071; PID 004-343-719*] to rezone the land (including a City lane) from C-2C1 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the maximum building height from 10.7 m (35 ft.) to 21.3 m (70 ft.), to permit the development of a six-storey mixed-use building containing 65 strata-titled residential units, generally as presented in Appendix A of the Referral Report dated March 30, 2021, entitled "CD-1 Rezoning: 1650 East 12th Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by Ciccozzi Architecture Inc. received April 30, 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 March 30, 2021, entitled "CD-1 Rezoning: 1650 East 12th Avenue", 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 March 30, 2021, entitled "CD-1 Rezoning: 1650 East 12th Avenue".
- D. THAT A through C 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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