

SUMMARY AND RECOMMENDATION

6. CD-1 REZONING: 1405 East 15th Avenue and 3047-3071 Maddams Street

Summary: To rezone 1405 East 15th Avenue and 3047-3071 Maddams Street from RT-2 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building with 82 secured market rental units. A building height of 21 m (68.89 ft.) and a floor space ratio (FSR) of 2.71 are recommended.

Applicant: Stuart Howard Architects Inc.

Referral: This item was referred to Public Hearing at the Council Meeting of June 8, 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 Stuart Howard Architects Inc., on behalf of Caulfield Rock (Clark Park) Holdings Inc., the registered owner of the lands at 1405 East 15th Avenue, 3071 Maddams Street, 3053/3055 Maddams Street and 3047/3049 Maddams Street [*Lots A and B of Lot D Block 171 District Lot 264A Plan 11513; PIDs 009-057-536 and 007-707-801, respectively, and Lots C and D of Lot D Block 171 District Lot 264A Plan 12591, PIDs 006-945-694, 008-055-12, respectively*] to rezone the lands from RT-2 (Residential) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.75 to 2.71, and building height from 9.2 m (30.18 ft.) to 21 m (68.89 ft.) to permit the development of 82 secured market rental units, generally as presented in Appendix A of the Referral Report dated May 25, 2021, entitled "CD-1 Rezoning: 1405 East 15th Avenue and 3047-3071 Maddams Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by Stuart Howard Architects Inc. received on June 24, 2020, with revisions submitted on April 22, 2021, 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 May 25, 2021, entitled "CD-1 Rezoning: 1405 East 15th Avenue and 3047-3071 Maddams 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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