

SUMMARY AND RECOMMENDATION

3. CD-1 REZONING: 2929 Commercial Drive

Summary: To rezone 2929 Commercial Drive from C-2C1 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a five-storey mixed-use building with a rooftop amenity floor, containing 27 social housing units. A height of 19.25 m (63.2 ft.) and a floor space ratio (FSR) of 2.67 are proposed.

Applicant: DYS Architecture

Referral: This item was referred to Public Hearing at the Council Meeting of June 22, 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 DYS Architecture, on behalf of the Vancouver Elementary School Teachers' Association and the Vancouver Secondary Teachers' Association, the registered owners of the lands located at 2929 Commercial Drive [*PID 005-402-069; Lot 2 Block 170 District Lot 264A Plan 14017*] to rezone the lands from C-2C1 (Commercial) District to CD-1 (Comprehensive Development) District, to limit the floor space ratio (FSR) from 3.00 down to 2.67 and to increase the building height from 13.8 m (45.2 ft.) to 19.25 m (63.2 ft.), to permit the development of a five-storey mixed-use building with a rooftop amenity floor, containing 27 social housing units, generally as presented in Appendix A of the Referral Report dated June 8, 2021, entitled "CD-1 Rezoning: 2929 Commercial Drive", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by DYS Architecture received November 23, 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 June 8, 2021, entitled "CD-1 Rezoning: 2929 Commercial Drive", 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 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 June 8, 2021, entitled “CD-1 Rezoning: 2929 Commercial Drive”, be approved.
- D. 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 June 8, 2021, entitled “CD-1 Rezoning: 2929 Commercial Drive”.
- 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.

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