

SUMMARY AND RECOMMENDATION

5. CD-1 REZONING: 4426-4464 Knight Street and 1406 East 28th Avenue

Summary: To rezone 4426-4464 Knight Street and 1406 East 28th Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building with 72 secured market rental housing units, including 10 live-work units. A height of 20 m (66 ft.) and a floor space ratio (FSR) of 3.1 are proposed.

Applicant: GBL Architects

Referral: This item was referred to Public Hearing at the Council Meeting of July 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 GBL Architects, on behalf of Alliance Wingsail (Knight Street) Holdings Ltd., the registered owner of the lands located at:

- 4426 Knight Street [*PID 012-228-729; Amended Lot A (See 94924L) of Lot 3 South Part of Blocks 1 and 3 District Lot 352 Plan 3754*],
- 4438 Knight Street [*PID 012-228-753; Lot B, Except the West 7 Feet Now Road, of Lot 3 South Part of Blocks 1 and 3 District Lot 352 Plan 3754*],
- 4464 Knight Street [*PID 012-228-940; Lot C Except the West 7 Feet Now Road of Lot 3 South Part of Blocks 1 and 3 District Lot 352 Plan 3754*], and
- 1406 East 28th Avenue [*PID 014-215-136; Amended Lot 1 (See 94923L) of Lot 3 South Part of Blocks 1 and 3 District Lot 352 Plan 1909*],

to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.6 to 3.1, and permit a building height of 20 m (66 ft.) for a six-storey rental building containing a total of 72 secured market rental housing units, including 10 live-work units, generally as presented in Appendix A of the Referral Report dated June 22, 2021, entitled "4426-4464 Knight Street and 1406 East 28th Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by GBL Architects received June 10, 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 22, 2021, entitled

“4426-4464 Knight Street and 1406 East 28th Avenue”, 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, 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 June 22, 2021, entitled “4426-4464 Knight Street and 1406 East 28th 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.

[CD-1 REZONING: 4426-4464 Knight Street and 1406 East 28th Avenue]