

## SUMMARY AND RECOMMENDATION

**6. CD-1 REZONING: 3449-3479 West 41st Avenue and 5664 Collingwood Street**

**Summary:** To rezone 3449-3479 West 41st Avenue and 5664 Collingwood Street from RS-5 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building with 109 secured market rental housing units. A height of 21 m (69 ft.) and a floor space ratio (FSR) of 2.73 are proposed.

**Applicant:** Ciccozzi Architecture Inc.

**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 Ciccozzi Architecture Inc., on behalf of Sightline Properties (Collingwood St) Ltd., the registered owner of the lands located at:

- 3449 West 41st Avenue [*Lot 3 Blocks 6 and 7 District Lot 2027 Plan 2070; PID 013-224-751*], and
- 3469-3479 West 41st Avenue and 5664 Collingwood Street [*Lots C, B and A of Blocks 6 and 7 District Lot 2027 Plan 16886; PIDs 007-340-346, 007-340-290 and 007-340-257 respectively*],

to rezone the lands from RS-5 (Residential) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.85 to 2.73, and increase the building height from 10.7 m (35.1 ft.) to 21 m (69 ft.) for a six-storey, residential building containing 109 market rental housing units, generally as presented in Appendix A of the Referral Report dated July 6, 2021, entitled "CD-1 Rezoning: 3449-3479 West 41st Avenue and 5664 Collingwood Street", 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 on May 1, 2020 and revised plans received September 17, 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 July 6, 2021, entitled "CD-1 Rezoning: 3449-3479 West 41st Avenue and 5664 Collingwood 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 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 July 6, 2021, entitled "CD-1 Rezoning: 3449-3479 West 41st Avenue and 5664 Collingwood Street".
- 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: 3449-3479 West 41st Avenue and 5664 Collingwood Street]**