

SUMMARY AND RECOMMENDATION

3. CD-1 REZONING: 357-475 West 41st Avenue

Summary: To rezone 357-475 West 41st Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 14-storey and 22-storey mixed-use building with a rooftop amenity floor, containing 419 secured market rental units, with 18% of the residential floor area being secured as moderate income units. A height of 72.6 m (238 ft.) and a floor space ratio (FSR) of 6.32 are proposed.

Applicant: Coromandel Properties

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 Coromandel Properties, on behalf of Coromandel Oakridge Developments Ltd., the registered owner, to rezone 357-475 West 41st Avenue [*Lots 5-12 Block 856 District Lot 526 Plan 7240; PIDs 010-680-980, 002-877-881, 010-680-110, 010-680-144, 010-680-187, 010-680-217, 010-680-250 and 010-680-284, respectively*], from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 6.32 and the maximum building height from 10.7 m (35 ft.) to 72.6 m (238 ft.) to permit a mixed-use development with 14-storey and 22-storey buildings, with ground-floor commercial-retail space and 419 secured rental residential units, of which 18% of the residential floor area (approximately 64 residential units) would be secured as Moderate Income Rental Units, generally as presented in Appendix A of the Referral Report dated July 6, 2021, entitled "CD-1 Rezoning: 357-475 West 41st Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by IBI group received July 22, 2019 and supplemental drawings received May 11, 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 July 6, 2021, entitled "CD-1 Rezoning: 357-475 West 41st 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 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 July 6, 2021, entitled "CD-1 Rezoning: 357-475 West 41st Avenue", 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 July 6, 2021, entitled "CD-1 Rezoning: 357-475 West 41st Avenue".
- E. 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: 357-475 West 41st Avenue".
- F. THAT A through E 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: 357-475 West 41st Avenue]