

## SUMMARY AND RECOMMENDATION

**4. CD-1 REZONING: 325-343 West 41st Avenue**

**Summary:** To rezone 325-343 West 41st Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 10-storey residential building with a rooftop amenity floor, containing 95 secured market rental units, with 10% of the residential floor area being secured as moderate income units. A height of 37.9 m (124 ft.) and a floor space ratio (FSR) of 5.43 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 CM Bay Alberta St. Holdings Ltd., the registered owner, to rezone 325-343 West 41st Avenue [*Lots 10 and 11 Block 849 District Lot 52 Plan 7240; PIDs 010-685-341 and 010-685-367, respectively*], from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 5.43 and the building height from 10.7 m (35 ft.) to 34.2 m (112 ft.) and to 37.9 m (124 ft.) for the portion with rooftop amenity, to permit a 10-storey residential building, consisting of 95 secured rental residential units, of which 10% of the residential floor area (approximately nine 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: 325-343 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 12, 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: 325-343 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, 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: 325-343 West 41st 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: 325-343 West 41st Avenue]**