

SUMMARY AND RECOMMENDATION

2. CD-1 REZONING 427-477 West 49th Avenue

Summary: To rezone 427-477 West 49th Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 14-storey mixed-use building with a rooftop amenity floor, containing 128 strata-titled residential units, commercial space at grade, and a 37-space childcare facility. A height of 54.3 m (178 ft.) and a floor space ratio (FSR) of 3.99 are proposed.

Applicant: GBL Architects Inc.

Referral: This item was referred to Public Hearing at the Council Meeting of September 21, 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 Inc., on behalf of Transca Vancouver W 49th Ave Ltd., the registered owner of the land located at 427-477 West 49th Avenue [*Lots 19 to 22 of Lot 4 Block 999 District Lot 526 Plan 5531; PIDs 011-138-394, 011-138-416, 011-138-424, and 011-138,441 respectively*] to rezone the land from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.75 to 3.99 and the building height from 10.7 m (35 ft.) to 50.6 m (166 ft.) and to 54.3 m (178 ft.) to accommodate a rooftop amenity space, to permit the development of a 14-storey mixed-use building with 128 strata-titled residential units, commercial at grade, and a childcare facility, generally as presented in Appendix A of the Referral Report dated September 7, 2021, entitled "CD-1 Rezoning: 427-477 West 49th 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 Inc. received July 31, 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 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 September 7, 2021, entitled "CD-1 Rezoning:427-477 West 49th Avenue", be approved.
- 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 Noise Control

By-law, generally as set out in Appendix C of the Referral Report dated September 7, 2021, entitled "CD-1 Rezoning: 427-477 West 49th Avenue".

- 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 Subdivision By-law, generally as set out in Appendix C of the Referral Report dated September 7, 2021, entitled "CD-1 Rezoning: 427-477 West 49th Avenue".
- 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.

[CD-1 Rezoning: 427-477 West 49th Avenue]