

## SUMMARY AND RECOMMENDATION

**2. CD-1 REZONING: 150 West 4th Avenue**

**Summary:** To rezone 150 West 4th Avenue from I-1 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of a seven-storey industrial and office building. A height of 28.9 m (95 ft.) and a floor space ratio (FSR) of 4.0 are proposed.

**Applicant:** TKA+D Architecture and Design Inc.

**Referral:** This relates to the report entitled “CD-1 Rezoning: 150 West 4th Avenue”, dated October 5, 2021 (“Report”), referred to Public Hearing at the Council Meeting of October 19, 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 TKA+D Architecture and Design Inc., on behalf of 1090345 B.C. Ltd., the registered owner of the lands at 150 West 4th Avenue [*PID 031-128-360; Lot A Block 21 District Lot 200A Group 1 New Westminster District Plan EPP101475*] to rezone from I-1 (Industrial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 3.0 to 4.0 and the building height from 18.3 m to 28.9 m to permit the development of a seven-storey industrial and office building, generally as presented in the Report, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A of the Report, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by TKA+D Architecture and Design Inc., received April 19, 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 Report.

- B. THAT subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Report, be approved.
- C. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1, generally as set out in Appendix C of the Report;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law.

- D. THAT subject to approval of the CD-1 By-law, the Vancouver Development Cost Levy By-law and the Vancouver Utilities Development Cost Levy By-law be amended to include this CD-1 in the definition of “mixed-employment (light industrial)”, generally as set out in Appendix C of the Report;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Vancouver Development Cost Levy By-law and the Vancouver Utilities Development Cost Levy By-law at the time of enactment of the CD-1 By-law.

- E. THAT Recommendations 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 bylaw 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: 150 West 4th Avenue]**