

SUMMARY AND RECOMMENDATION

3. CD-1 REZONING: 8804 Osler Street

Summary: To rezone 8804 Osler Street from MC-1 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building with 38 strata-titled residential units and ground-floor commercial use. A height of 24.8 metres (81 feet) and a floor space ratio (FSR) of 3.05 are proposed.

Applicant: DA Architects + Planners

Referral: This relates to the report entitled “CD-1 Rezoning: 8804 Osler Street”, dated November 2, 2021, (“Report”), referred to Public Hearing at the Council Meeting of November 16, 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 DA Architects + Planners on behalf of Osler Holdings Ltd., the registered owner of the lands located at 8804 Osler Street [*PID 006-626-157; Lot F of Lot 13 Block C District Lots 319, 323 and 324 Plan 20428*], to rezone the lands from MC-1 (Industrial) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 2.50 to 3.05 and the building height from 13.8 m (45 ft.) to 24.8 m (81 ft.), to permit a six-storey mixed-use development with ground-floor commercial and 38 strata-titled residential units, 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 in plans by DA Architects + Planners received February 18, 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 Recommendations 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: 8804 Osler Street]