

## SUMMARY AND RECOMMENDATION

**1. CD-1 REZONING: 1369-1381 Kingsway**

**Summary:** To rezone 1369-1381 Kingsway C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building with 49 secured market rental residential units and commercial space at-grade. A height of 24.1 metres (79 feet) and a floor space ratio (FSR) of 3.80 are proposed.

**Applicant:** Yamamoto Architecture Inc.

**Referral:** This relates to the report entitled "CD-1 Rezoning: 1369-1381 Kingsway", 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 Yamamoto Architecture Inc. on behalf of Peterson Cedar Cottage BT Inc. the registered owner of the lands located at:
- 1369 and 1375 Kingsway [*Lots I and H Block 36 District Lot 301 Plan 3451; PIDs 012-886-254 and 012-886-238 respectively*], and
  - 1377, 1379 and 1381 Kingsway [*PID 005-174-481; Lot G Except Part in Plan LMP51635, of Lots 8 and 9 Block 36 District Lot 301 Group 1 New Westminster District Plan 3451*],

to rezone the lands from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 2.5 FSR to 3.80 FSR and the maximum building height from 13.8 m (45.3 ft.) to 24.1 m (79 ft.), to permit the development of a six-storey, mixed-use building with 49 secured market rental residential units and commercial space at-grade, 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 Yamamoto Architecture Inc., received November 30, 2020, provide 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 in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Report, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 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 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.
- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the 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.

- 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 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: 1369-1381 Kingsway]**