

**2. CD-1 REZONING: 6409-6461 Cambie Street and 505 West 49th Avenue**

**Summary:** To rezone 6409-6461 Cambie Street and 505 West 49th Avenue from RT-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development a 10-storey mixed-use building, with 48 strata-titled residential units, commercial space, live-work space, and a 37-space childcare facility. A height of 40.5 metres (133 feet) with additional height for a rooftop amenity and a floor space ratio (FSR) of 4.68 are proposed.

**Applicant:** Esatto Architecture Ltd.

**Referral:** This relates to the report entitled “CD-1 Rezoning: 6409-6461 Cambie Street and 505 West 49th Avenue”, dated February 15, 2022, (“Report”), referred to Public Hearing at the Council Meeting of March 1, 2022.

**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 Esatto Architecture Ltd., on behalf of Gryphon 6128 Holdings Ltd., the registered owner of the lands located at 6409-6461 Cambie Street and 505 West 49th Avenue [*Lots 13 to 16 of Lot B Block 1008 District Lot 526 Plan 10803; PIDs 009-301-097, 009-301-127, 009-301-135 and 009-301-143 respectively*] to rezone the lands from RT-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.60 to 4.68 and the building height from 6.1 m (20 ft.) to 40.5 m (133 ft.), to permit a 10-storey mixed-use building, with 48 strata-titled residential units, commercial space, live-work space, and a 37-space childcare facility, 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 Esatto Architecture Ltd., received June 24, 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: 6409-6461 Cambie Street and 505 West 49th Avenue]**