

SUMMARY AND RECOMMENDATION

1. CD-1 REZONING: 5-15 West 2nd Avenue and 1751 Ontario Street

Summary: To rezone 5-15 West 2nd Avenue and 1751 Ontario Street from M-2 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of an 18-storey mixed-use building with 122 secured market rental housing units, of which 20% of the residential floor area will be below-market rental units. A height of 58.6 m (192 ft.) and a floor space ratio (FSR) of 7.91 are proposed.

Applicant: MA + HG Architects

Referral: This relates to the report entitled "CD-1 Rezoning: 5-15 West 2nd Avenue and 1751 Ontario Street, 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 MA + HG Architects on behalf of Mohinder Singh Sandhu, the registered owner of the land located at 5-15 West 2nd Avenue and 1751 Ontario Street [*Lots 9 and 10 Block 9 District Lot 200A Plan 197; PIDs 015-531-341 and 015-531-350 respectively*], to rezone the land from M-2 (Industrial) District to CD-1 (Comprehensive Development) District, to increase the permitted maximum floor space ratio (FSR) from 5.00 to 7.91 and the maximum building height from 30.5 m (100 ft.) to 58.6 m (192 ft.) to permit the development of an 18-storey mixed-use building containing 122 secured rental housing units, of which 20% of the residential floor area will be secured as below-market rental units, and commercial space on the ground floor, 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 MA + HG Architects received December 14, 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 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, a consequential amendment to the Southeast False Creek Official Development Plan to increase the maximum floor area limit for non-residential uses, the maximum floor area in Area 2B and the total permitted floor area for Southeast False Creek, generally as set out in Appendix C of the Report, be approved.
- D. THAT subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the CD-1, generally as set out in Appendix C of the Report, be approved.
- E. 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.

- F. THAT Recommendations A to E 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.

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