

SUMMARY AND RECOMMENDATION

3. CD-1 REZONING: 1066-1078 Harwood Street

Summary: To rezone 1066-1078 Harwood Street from RM-5A (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 33-storey residential building, with 278 secured rental units, of which 20% of the floor area is secured as below-market rental units. A height of 91.4 m (300 ft.) and a floor space ratio (FSR) of 12.55 are proposed.

Applicant: Henriquez Partners Architects

Referral: This relates to the report entitled "CD-1 Rezoning: 1066-1078 Harwood Street", dated May 3, 2022, ("Report"), referred to Public Hearing at the Council Meeting of May 17, 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 Henriquez Partners Architects on behalf of BOSA4RENT 1066-1078 HARWOOD INC., the registered owner of the lands located at 1066-1078 Harwood Street [*Lots 8 to 9, Block 13 District Lot 185 Plan 92; PIDs 004-345-410 and 015-749-053, respectively*], to rezone the lands from RM-5A (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 2.20 to 12.55 and the building height from 58.0 m (190.3 ft.) to 91.44 m (300 ft.), to permit the development of a 33-storey residential building with 278 secured rental units, of which 20% of the units are secured at below-market rental units, generally as presented in the Report, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for 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 Henriquez Partners Architects, received April 7, 2021 with revisions submitted October 21, 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 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 Recommendations A and B 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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