

SUMMARY AND RECOMMENDATION

4. CD-1 REZONING: 450-496 Prior Street, 550 Malkin Avenue and 1002 Station Street

Summary: To amend CD-1 (761) By-law No. 12833 for 1002 Station Street and 250-310 Prior Street and to rezone 450-460 Prior Street, 550 Malkin Avenue and to rezone 450-460 Prior Street, 550 Malkin Avenue from I-3 District, 496 Prior Street from I-2 District and 1002 Station from CD-1 (761) (Comprehensive Development) District to a new CD-1 District, to permit the development two 19-storey mixed-use buildings containing commercial space, cultural amenity space, and secured market rental residential units. A height of 64 m (210 ft.), and a floor space ratio (FSR) of 4.68 are proposed.

Applicant: Francl Architecture

Referral: This relates to the report entitled “CD-1 Rezoning: 450-496 Prior Street, 550 Malkin Avenue and 1002 Station 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 Council approves the application(s) to amend CD-1 (761) By-law No. 12883 for 1002 Station Street and 250-310 Prior Street to amend Schedule A, generally as presented in Appendix C of the Report, be approved in principle;

FURTHER THAT the draft CD-1 By-law amendment, prepared for the Public Hearing in accordance with Appendix C of the Report, be approved in principle;

- B. THAT the application by Francl Architecture on behalf:

- 456 Prior Street Holdings Ltd.¹, the registered owner of 450-460 Prior Street and 550 Malkin Avenue [*PID 010-292-209; Lot B Blocks 2 to 7, 9 and 20 District Lots 181, 196 and 2037 Plan 7989*] and
- Providence Healthcare Society Ltd., the registered owner of part of 1002 Station Street [*PID 031-226-967; Lot 4 District Lot 2037 Group 1 Plan EPP105034*],

and with respect to,

- those lands owned by the City of Vancouver, and located at 496 Prior Street [*Lots 26 and 27 of Block 105 District Lot 196 Plan 196; PIDs 015-555-135; 015-555-151 respectively*],

¹ Represented by Strand Development Corporation

(collectively the “Lands”, the “rezoning site” or the “site”)

to rezone the Lands from I-2 District, I-3 District and CD-1 (761) (Comprehensive Development) District, as applicable, to a new CD-1 District, to increase the maximum floor space ratio (FSR) from 3.0 to 4.68 and the maximum building height from 30.5 m (100 ft.) to 64 m (210 ft.) to permit the development of two 19-storey mixed-use buildings containing commercial space, cultural amenity space and secured market rental residential units, 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 Francl Architecture, received August 12, 2021, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the Report.

- C. 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, the General Manager of Planning, Urban Design and Sustainability, and the General Manager of Arts, Culture and Community Services.
- 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 D 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 D 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.

*Recommendations A and B are submitted as a package for Council's consideration.
Recommendation A must be approved for Recommendation B to be approved.*

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