

## SUMMARY AND RECOMMENDATION

**2. CD-1 REZONING: 5589-5661 Baillie Street**

**Summary:** To rezone 5589-5661 Baillie Street from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit two six-storey residential buildings with 120 secured-market rental units. A building height of 19.65 m (64.5 ft.), with additional height for a rooftop amenity, and a floor space ratio (FSR) of 2.5 are proposed.

**Applicant:** Integra Architecture Inc.

**Referral:** This relates to the report entitled "CD-1 Rezoning: 5589-5661 Baillie Street", dated May 24, 2022 ("Report"), referred to Public Hearing at the Council Meeting of June 7, 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 Integra Architecture Inc. on behalf of Baillie 40 Street Ventures BT Ltd., the registered owner of the lands located at 5589-5661 Baillie Street [*Lots 15 to 18 of Lot 2 Block 998 District Lot 526 Plan 9894; PIDs 009-396-675, 009-430-504, 004-513-070 and 009-430-521 respectively*], to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.7 to 2.5 and the maximum building height from 10.7 m (35 ft.) to 19.65 m (64.5 ft.) to permit the development of two six-storey residential buildings, consisting of 120 secured-market rental residential units, 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 Integra Architecture Inc., received October 5, 2021, provided 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.

- B. THAT, if after Public Hearing, Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B, 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 the approval of the CD-1 By-law, the Subdivision By-law be amended 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 Subdivision By-law at the time of enactment of the new CD-1 By-law.

- D. THAT Recommendations A to 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: 5589-5661 Baillie Street]**