

SUMMARY AND RECOMMENDATION

3. CD-1 REZONING: 1290 Hornby Street

Summary: To rezone 1290 Hornby Street from DD (Downtown District) District to CD-1 (Comprehensive Development) District, to permit the development of a 35-storey mixed-use building with 211 strata-titled residential units and a cultural amenity space. A building height of 106.11 m (348.13 ft.) and a floor space ratio (FSR) of 11.96 are proposed.

Applicant: Buttjes Architecture

Referral: This relates to the report entitled "CD-1 Rezoning: 1290 Hornby 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 Buttjes Architecture on behalf of W.F.C. Properties Inc., the registered owner of the lands located at 1290 Hornby Street [*Lots 15 to 19, all of Block 101 District Lot 541 Plan 210; PIDs 008-206-899, 008-206-937, 008-206-953, 008-206-970 and 008-206-988, respectively*] to rezone the lands from DD (Downtown District) to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 5.00 to 11.96 and the maximum building height from 91.4 m (300 ft.) to 106.11 m (348.13 ft.), to permit the development of a 35-storey mixed-use building containing 211 strata-titled residential units and a cultural amenity space, generally as presented in the Report, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Merrick Architecture, received December 13, 2018, with addendums received November 27, 2019 and addendums by Buttjes Architecture received March 11, 2022, 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, 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.
- C. THAT, subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule A, 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 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: 1290 Hornby Street]