

SUMMARY AND RECOMMENDATION

2. CD-1 REZONING: 8029-8225 Oak Street and 1012 West 64th Avenue

Summary: To rezone 8029-8225 Oak Street and 1012 West 64th Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of two residential buildings and two mixed-use buildings containing a total of 200 strata-titled residential units. A building height of 28.5 m (94 ft.) and a floor space ratio (FSR) of 3.25 are proposed.

Applicant: Arno Matis Architecture

Referral: This relates to the report entitled "CD-1 Rezoning: 8029-8225 Oak Street and 1012 West 64th Avenue", dated December 20, 2022, ("Report"), referred to Public Hearing at the Council Meeting of January 17, 2023.

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 Arno Matis Architecture, on behalf of:

- 1123197 B.C. Ltd., the registered owner of the lands located at 1012 West 64th Avenue and 8029-8109 Oak Street [*Lots 1 to 6, except the east 7 feet and the west 10 feet now highways, all of Lot 14 Block B District Lots 319, 323 and 324, Plan 1685; PIDs 014-446-006, 014-446-022, 014-446-049, 014-446-065, 013-152-041, and 014-446-090, respectively*] and
- 1119903 B.C. Ltd., the registered owner of the lands located at 8129-8225 Oak Street [*Lots 7 to 12 except the east 7 feet and the west 10 feet now highways, all of Lot 14 Block B District Lots 319, 323 and 324, Plan 1685; PIDs 008-629-927, 008-354-448, 014-446-111, 014-446-162, 011-435-224, and 007-972-288, respectively*] to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.60 to 3.25 and the building height from 10.7 m (35 ft.) to a maximum of 28.5 m (94 ft.), to permit two residential buildings and two mixed-use buildings with a maximum height of eight storeys, 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 Arno Matis Architecture received June 7, 2021, with revisions received November 29, 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.

- 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, 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 subject to 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 CD-1 By-law.

- E. THAT Recommendations A to D 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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