

SUMMARY AND RECOMMENDATION

4. CD-1 REZONING: 208 East 54th Avenue, 7018-7078 Main Street, and 211 East 55th Avenue

Summary: To rezone 208 East 54th Avenue, 7018-7078 Main Street, and 211 East 55th Avenue from RT-2 (Residential) to CD-1 (Comprehensive Development) District, to permit the development of two six-storey mixed-use residential buildings containing 131 secured market rental units and ground floor commercial space. A building height of 22.0 metres (72.2 feet) and a floor space ratio (FSR) of 3.62 are proposed.

Applicant: Matthew Cheng Architects

Referral: This relates to the report entitled “CD-1 Rezoning: 208 East 54th Avenue, 7018-7078 Main Street and 211 East 55th Avenue”, dated March 28, 2022, (“Report”), referred to Public Hearing at the Council Meeting of April 11, 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 Matthew Cheng Architect Inc., on behalf of 7000 Main Holdings Ltd., the registered owner of the lands located at 208 East 54th Avenue, 7018-7078 Main Street and 211 East 55th Avenue [*Lots 1 to 4 Block 1 South East 1/4 of District Lot 655 Plan 21352 and Lots 5 to 8, Except Part in Plan 4466, Block 1 South East 1/4 of District Lot 655; PIDs 008-047-901, 008-047-944, 008-047-961, 008-047-979, 013-866-877, 011-932-678, 013-866-885, and 013-866-893 respectively*], to rezone the lands from RT-2 (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.75 to 3.62 and the building height from 9.2 m (30.0 ft.) to 22.0 m (72.2 ft.), to permit two six-storey mixed-use residential buildings, 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 Matthew Cheng Architect Inc. received March 1, 2021, with revisions received July 25, 2022, provided that 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 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.
- D. 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.

- 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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