

SUMMARY AND RECOMMENDATION

4. CD-1 Rezoning: 1961-1995 East Broadway and 2465 Semlin Drive

Summary: To rezone 1961-1995 East Broadway and 2465 Semlin Drive from RT-5N (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building with 73 strata-titled residential units and commercial space at grade. A height of 21.6 metres (71 feet) with additional height for a rooftop amenity and a floor space ratio (FSR) of 3.00 are proposed.

Applicant: Urban Solutions Architecture Ltd.

Referral: This relates to the report entitled “CD-1 Rezoning: 1961-1995 East Broadway and 2465 Semlin Drive”, dated May 30, 2023, (“Report”), referred to Public Hearing at the Council Meeting of June 13, 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 Urban Solutions Architecture Ltd. on behalf of:

- 1131351 B.C. Ltd¹, the registered owner of 1967-1995 East Broadway and 2465 Semlin Drive [*Lots 33 to 36 of Lot C Block 152 District Lot 264A Plans 442 and 1771; PIDs 005-023-041, 007-997-078, 015-278-166 and 015-278-174 respectively*]; and
- Ernesto and Fortuna Flores, the registered owners of 1961 East Broadway [*PID 015-278-158; Lot 32 of Lot C Block 152 District Lot 264A Plans 442 and 1771*],

to rezone a consolidation of the lands from RT-5N (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.75 to 3.00 and the maximum building height from 10.7 m (35 ft.) to 21.6 m (71 ft.), to permit the development of a six-storey mixed-use building containing 73 strata-titled residential units and at-grade commercial uses, 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 Urban Solutions Architecture Ltd., received May 27, 2022 and a revision received October 25, 2022, provided the Director of Planning may allow minor

¹ Beneficially owned and controlled by Philip Shih-Han Chou

alteration 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 the 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 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.

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