

SUMMARY AND RECOMMENDATION

2. CD-1 REZONING: 5235-5275 Kersland Drive

Summary: To rezone 5235-5275 Kersland Drive from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a five-storey residential building with 65 strata-titled residential units. A height of 18.0 metres (59 feet) and a floor space ratio (FSR) of 2.0 are proposed.

Applicant: Listraor and Locarno

Referral: This relates to the report entitled "CD-1 Rezoning: 5235-5275 Kersland Drive", dated June 27, 2023 ("Report"), referred to Public Hearing at the Council Meeting of July 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 Listraor and Locarno on behalf of 1236235 B.C. Ltd¹., the registered owner of the lands located at 5235-5275 Kersland Drive [*Lots 27, 26, 25 and 24 Block 840 District Lot 526 Plan 8324; PIDs 004-170-075, 010- 153-225, 010-153-195 and 010-153-012 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 2.0 and the maximum building height from 10.7 m (35 ft.) to 18.0 m (59 ft.) to permit the development of a five-storey residential building containing 65 strata-titled 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 Baldwin Architecture, received February 15, 2022, 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 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.

¹Represented by Listraor and Locarno

- C. THAT Recommendations A and B 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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