

SUMMARY AND RECOMMENDATION

1. CD-1 REZONING: 5515-5525 Elizabeth Street

Summary: To rezone 5515-5525 Elizabeth Street from R1-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a four-storey residential building with a partial 5th floor rooftop amenity area with 27 strata-titled residential units. A floor space ratio of 2.0 and a maximum building height of 13.7 m (45 ft.) with additional height to 18.2 m (60 ft.) for a rooftop amenity and mechanical appurtenances are proposed.

Applicant: Ardor Development Ltd.

Referral: This relates to the report entitled “CD-1 Rezoning: 5515-5525 Elizabeth Street”, dated October 3, 2023 (“Report”), referred to Public Hearing at the Council Meeting of October 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 Ardor Development Ltd., on behalf of:

- Ardorhomes 5515 Elizabeth Holdings Ltd., the registered owner of 5515 Elizabeth Street [*PID 010-685-715; Lot 24 Block 849 District Lot 526 Plan 7240*]; and
- 1396947 B.C. Ltd., Inc.¹, the registered owner of 5525 Elizabeth Street [*PID 004-286-464; Lot 23 Block 849 District Lot 526 Plan 7240*];

to rezone the lands from R1-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.7 to 2.0 and the building height from 10.7 m (35 ft.) to 13.7 m (45 ft.), to permit a four storey residential building containing 27 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 Andrew Cheung Architects Inc., received December 15, 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 of the CD-1 By-law, the Subdivision By-law be amended, generally as set out in Appendix C with reference to R1-1 not RS-1;

¹ Represented by Ardor Development Ltd.

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 new CD-1 By-law.

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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