

SUMMARY AND RECOMMENDATION

4. CD-1 REZONING: 848 Seymour Street

Summary: To rezone 848 Seymour Street from DD (Downtown) District to CD-1 (Comprehensive Development) District, to permit the development of a 30-storey hotel. A floor space ratio (FSR) of 17.67 and a height of 97.7 m (321 ft.) and are proposed.

Applicant: Perkins & Will

Referral: This relates to the report entitled "CD-1 Rezoning: 848 Seymour Street", dated October 31, 2023, ("Report"), referred to Public Hearing at the Council Meeting of November 14, 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 Perkins & Will, on behalf of Paul Y. Construction (B.C.) LTD., Inc., the registered owner of the lands located at 848 Seymour Street [*Lots 7 to 10 and the North ½ of Lot 11 all of Block 64 District Lot 541 Plan 210; PIDs 005-333-849, 005-333-865, 005-333-873, 005-333-911 and 005-334-144 respectively*] to rezone the lands from DD (Downtown) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 5.75 to 17.67 and the maximum building height from 91.4 m (300 ft.) to 97.7 m (321 ft.), to permit the development of a 30-storey hotel, 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 Perkins & Will, received June 24, 2022, provided 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 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.

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Sign By-law at the time of enactment of the CD-1 By-law.

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 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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