

SUMMARY AND RECOMMENDATION

5. CD-1 REZONING: 1710-1730 East Pender Street

Summary: To rezone 1710-1730 East Pender Street from RM-4 and RM-4N (Residential) Districts to CD-1 (Comprehensive Development) District, to permit the development of an 18-storey mixed-use building containing 191 social housing units, including six live-work units, and ground floor commercial space. A floor space ratio (FSR) of 5.58 and a height of 60.8 m (199 ft.) with additional height for a rooftop amenity space are proposed.

Applicant: DIALOG BC Architecture Engineering Interior Design Planning Inc.

Referral: This relates to the report entitled “CD-1 Rezoning: 1710-1730 East Pender 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 DIALOG BC Architecture Engineering Interior Design Planning Inc. on behalf of:

- Lu'ma Native Housing Society, the registered owner of the lands located at 1710 East Pender Street [*PID 003-347-834; Lot F of Lot 6 Block D District Lot 183 Plan 20745*], and
- ALT Commercial Housing Society, the registered owner of the lands at 1730 East Pender Street [*Lots 4 and 5 Except the North 7 Feet, Now Road of Lot 6 Block D District Lot 183 Plan 729; PIDs 009 502-068 and 009 502-165*],

to rezone the lands (including a portion of a City road) from RM-4 and RM-4N (Residential) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 1.45 to 5.58 and the maximum building height from 10.7 m (35.1 ft.) to 60.8 m (199.5 ft.), with a maximum of 64.1 m (210.3 ft.) to accommodate a partial 19th floor rooftop amenity area, to permit the development of an 18-storey social housing mixed use building, containing 191 housing units including six live-work units, with commercial space on the ground floor, 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 for the CD-1 By-law, generally as prepared by DIALOG BC Architecture Engineering Interior Design Planning Inc., received May 19, 2023, 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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