

## SUMMARY AND RECOMMENDATION

**2. CD-1 REZONING: 6095 Fraser Street**

**Summary:** To rezone 6095 Fraser Street from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a seven-storey mixed-use building, with two-storeys of commercial and 36 secured rental units. A floor space ratio (FSR) of 4.0 and a height of 24.7 m (81 ft.) are proposed, with additional height for a rooftop amenity.

**Applicant:** Kenneth E King Architecture & Planning

**Referral:** This relates to the report entitled “CD-1 Rezoning: 6095 Fraser Street”, dated January 9, 2024, (“Report”), referred to Public Hearing at the Council Meeting of January 23, 2024.

**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 Kenneth E King Architecture & Planning on behalf of Banwait Investments Holdings Ltd, the registered owner of the lands located at 6095 Fraser Street:
- *Lots 25 and 26, Except Part in Plan 5651 Block 3 District Lot 645 Plan 2317; PIDs 004-989-384 and 004-989-449 respectively;*
  - *PID 004-989-686; The North 15 feet of Lot 27 Except the East 7 feet, Block 3, District Lot 645 Plan 2317; and*
  - *PID 004-989-775; Amended Lot 28 (see 15942-L) Block 3 District Lot 645 Plan 2317,*

to rezone the lands from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 3.5 to 4.0 and the building height from 22.0 m (72 ft.) to 24.7 m (81 ft.), to permit a seven-storey mixed-use building with 36 secured rental units and commercial space, 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 Kenneth King Architect & Planning, received June 30, 2022 and supplemental materials received November 3, 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 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.

**[CD-1 Rezoning: 6095 Fraser Street]**