

SUMMARY AND RECOMMENDATION

2. CD-1 REZONING: 1065 Pacific Street

Summary: To rezone 1065 Pacific Street from RM-5A (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 32-storey residential building, with 180 secured rental units of which 20% of the residential floor area will be secured as below-market rental units. A floor space ratio (FSR) of 11.2 and a height of 91.4 m (300 ft.) are proposed.

Applicant: Buttjes Architecture Inc.

Referral: This relates to the report entitled "CD-1 Rezoning: 1065 Pacific Street", dated January 17, 2024, ("Report"), referred to Public Hearing at the Council Meeting of February 6, 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 Buttjes Architecture Inc., on behalf of W.F.C. Properties (Pacific) Inc., the registered owner of the lands located at 1065 Pacific Street [*PID 031-982-956; Lot 1 Block 13 District Lot 185 Group 1 New Westminster District Plan EPP125144*], to rezone the lands from RM-5A (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 2.2 to 11.2 and the maximum building height from 18.3 m (60 ft.) to 91.4 m (300 ft.) to permit the development of a 32-storey residential building containing 180 secured-rental units of which 20% of the residential floor area will be secured as below-market rental 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 in plans by Buttjes Architecture Inc., received December 13, 2022, provided 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 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 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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