

SUMMARY AND RECOMMENDATION

3. CD-1 REZONING: 255-285 Southwest Marine Drive

Summary: To rezone 255-285 Southwest Marine Drive from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building with 69 strata-titled units. A floor space ratio (FSR) of 2.39 and a height of 22.0 m (72 ft.) with additional height for mechanical appurtenances are proposed.

Applicant: Billard Architecture Inc.

Referral: This relates to the report entitled "CD-1 Rezoning: 255-285 Southwest Marine Drive", dated February 27, 2024, ("Report"), referred to Public Hearing at the Council Meeting of March 12, 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 Billard Architecture Inc. on behalf of 1118006 B.C Ltd., the registered owners of the lands located at 255-285 Southwest Marine Drive [*Lots D to H of Lot F Block 8 District Lot 322 Plan 11223; PIDs 009-127-810, 002-935-007, 009-127-836, 009-127-844 and 009-127-852 respectively*] to rezone the lands from R1-1 (Residential Inclusive) to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 2.39 and the building height from 11.5 m (38 ft.) to 22.0 m (72 ft.), to permit the development of a six storey residential building containing 69 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 Billard Architecture Inc., received March 22, 2023 with revisions received June 7, 2023, 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 of the CD-1 By-law, the Subdivision By-law be amended, 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 Subdivision By-law at the time of enactment of the 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; 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: 255-285 Southwest Marine Drive]