

SUMMARY AND RECOMMENDATION

3. CD-1 (82) Text Amendment: 749 West 33rd Avenue, 4865-4885 Heather Street, 4818 Willow Street and 4885 Saint John Paul II Way

Summary: To amend CD-1 (82) (Comprehensive Development) District for 749 West 33rd Avenue, 4865-4885 Heather Street, 4818 Willow Street and 4885 Saint John Paul II Way to permit multiple dwelling use and increase the permitted heights to allow for a 13-storey community care facility and rental residential building(s) up to 14-storeys. No increase in density is proposed.

Applicant: dys Architecture

Referral: This relates to the report entitled "CD-1 (82) Text Amendment: 749 West 33rd Avenue, 4865-4885 Heather Street, 4818 Willow Street and 4885 Saint John Paul II Way", dated June 11, 2024, ("Report"), referred to Public Hearing at the Council Meeting of June 25, 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 dys Architecture, on behalf the Catholic Charities of the Archdiocese of Vancouver, the registered owner of the lands at 749 West 33rd Avenue, 4865-4885 Heather Street, 4818 Willow Street and 4885 Saint John Paul II Way [*PID 007-755-414; Block 1170 District Lot 526 Plan 14699*] to amend CD-1 (82) By-law No. 4671 to add multiple dwelling as a permitted use, increase the maximum building heights for Sub-areas B and D and update various provisions in the by-law to the current regulatory framework, to allow the development of a 13-storey community care facility with 240 assisted living and long-term care units and a maximum 14-storey rental residential building(s) containing approximately 166 units, generally as presented in the Report, be approved in principle;

FURTHER THAT the draft by-law to amend CD-1 (82) By-law No. 4671, 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 dys Architecture, received June 26, 2023, provided that 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.

**[CD-1 (82) Text Amendment: 749 West 33rd Avenue, 4865-4885 Heather Street,
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