

## SUMMARY AND RECOMMENDATION

**3. CD-1 (845) TEXT AMENDMENT: 728-796 Main Street and 205 Union Street**

**Summary:** To amend CD-1 (845) (Comprehensive Development) District By-law for 728-796 Main Street and 205 Union Street to allow for the residential tenure to be 100% social housing, a floor space ratio (FSR) increase from 6.79 to 7.4, and a height increase from 35.5 m (115 ft.) to 39.0 m (128 ft.).

**Applicant:** Studio One Architecture

**Referral:** This relates to the report entitled “728-796 Main Street and 205 Union Street”, dated September 24, 2024, (“Report”), referred to Public Hearing at the Council Meeting of October 8, 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 Studio One Architecture, on behalf of Hogan’s Alley Society, Inc., the registered owner of the lands located at 728-796 Main Street and 205 Union Street [*PID 031-746-713; Lot A Block 20 District Lot 196 Group 1 New Westminster District Plan EPP114015*] to amend the text of CD-1 (Comprehensive Development) District (845) By-law No. 13614 to permit all dwelling uses to be social housing, amend the family housing mix, increase the building height from 35.5 m (116 ft.) to 39 m (128 ft.) and the floor space ratio (FSR) from 6.79 to 7.4, generally as presented in the Report, be approved in principle;

FURTHER THAT the draft CD-1 By-law to amend CD-1 (845) By-law No. 13614, prepared for the Public Hearing in accordance with Appendix A of the Report, be approved in principle;

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 (845) Text Amendment: 728-796 Main Street and 205 Union Street]**