

SUMMARY AND RECOMMENDATION

5. CD-1 REZONING: 701 Kingsway

Summary: To rezone 701 Kingsway from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a 24-storey mixed-use building, containing 201 rental units, and commercial space on the ground floor and on level two. A floor space ratio (FSR) of 8.5 and a height of 84.6 m (278 ft.), with additional height for rooftop amenity space, are proposed.

Applicant: Qualex-Landmark Living Inc.

Referral: This relates to the report entitled “CD-1 Rezoning: 701 Kingsway”, 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 Qualex-Landmark Living Inc., on behalf of Qualex-Landmark Fraser Holdings Inc., the registered owner of the lands located at 701 Kingsway:

- *PID 009-480-854; Lot 1 Block 102 District Lot 301 Plan 2466,*
- *PID 009-480-285; Lot 1 Except Portions in Explanatory Plan 16798 and Reference Plan 3452, Now Road Block 102 District Lot 301 Plan 187, and*
- *PID 009-480-331; Lot 2 Except Portions in Plan 2466 and Reference Plan 1102 Block 102 District Lot 301 Plan 187,*

to rezone the lands from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 3.5 to 8.5 and the maximum building height from 22.0 m (72 ft.) to 84.6 m (278 ft.) with additional height for the portion with rooftop amenity, to permit the development of a 24-storey mixed-use building containing 201 rental units, of which 20% of the residential floor area will be for below-market rental units, with commercial space on the ground floor and on level two, 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 RWA Group Architecture, received January 5, 2024, 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 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: 701 Kingsway]