

SUMMARY AND RECOMMENDATION

6. CD-1 REZONING: 2156-2174 West 14th Avenue

Summary: To rezone 2156-2174 West 14th Avenue from RT-7 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 17-storey mixed-use building containing 170 rental units, of which 20% of the residential floor area will be secured as below-market rental units, and ground-floor commercial space. A floor space ratio (FSR) of 5.8 and a height of 56 m (184 ft.), with additional height for rooftop amenity space, are proposed.

Applicant: HAVN Developments Ltd.

Referral: This relates to the report entitled "CD-1 Rezoning: 2156-2174 West 14th Avenue", 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 HAVN Developments Ltd. on behalf of:

- David Milan Jakovac, the registered owner of 2156 West 14th Avenue [*PID 013-886-584; Lot 5 Block 444 District Lot 526 Plan 2300*],
- Donald McLeod Anderson and Barbel Lieselotte Henning, the registered owners of 2166 and 2168 West 14th Avenue [*PID 013-886-568; Lot 4 Block 444 District Lot 526 Plan 2300*],
- Mei Zhen Li, the registered owner of 2172 and 2174 West 14th Avenue [*PID 013-886-550; Lot 3 Block 444 District Lot 526 Plan 2300*],

to rezone the lands from RT-7 (Residential) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.6 to 5.8 and the building height from 7.7 m (25 ft.) to 56 m (184 ft.) with additional height for the rooftop amenity to permit a 17-storey mixed-use building containing 170 rental units, of which 20% of the residential floor area will be secured as below-market rental units, and ground-floor commercial, 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 Musson Cattell Mackey Partnership, received

October 13, 2023, with revisions received January 12, 2024, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

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 the 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: 2156-2174 West 14th Avenue]