

SUMMARY AND RECOMMENDATION

3. CD-1 REZONING: 1245-1265 West 10th Avenue

Summary: To rezone 1245-1265 West 10th Avenue from RM-3 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 20-storey residential building with 164 rental units. A floor space ratio (FSR) of 6.50 and a height of 62.1 m (204 ft.), with additional height for rooftop amenity space, are proposed.

Applicant: Stuart Howard Architects Inc.

Referral: This relates to the report entitled “CD-1 Rezoning: 1245-1265 West 10th Avenue”, dated November 26, 2024, (“Report”), referred to Public Hearing at the Council Meeting of December 10, 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 Stuart Howard Architects Inc., on behalf of Westridge (W 10th) Holdings Ltd., the registered owner of 1245-1255 West 10th Avenue [*Lots 15 and 16 Block 353 District Lot 526 Plan 991; PIDs 015-019-101 and 015-019-527 respectively*], and Westridge (1265) Holdings Ltd., the registered owner of 1265 West 10th Avenue [*PID 015-019-543; Lot 17 Block 353 District Lot 526 Plan 991*], to rezone a consolidation of the above properties from RM-3 (Residential) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 1.00 to 6.50 and the building height from 36.6 m (120 ft.) to 62.1 m (204 ft.), plus additional height for rooftop amenity, to permit the development of a 20-storey residential rental building containing 164 rental units, with 20% of the residential floor area for below-market rental 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 Stuart Howard Architects Inc., received December 20, 2023, 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 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.

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