

SUMMARY AND RECOMMENDATION

2. CD-1 REZONING: 2535 Carolina Street and 557-569 East 10th Avenue

Summary: To rezone 2535 Carolina Street and 557-569 East 10th Avenue from RT-5 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of an 18-storey mixed-use building containing 150 rental units with 20% of the residential floor area for below-market rental units, and commercial space on the ground floor. A floor space ratio (FSR) of 5.8 and a height of 54.0 m (177 ft.), with additional height for rooftop amenity space, are proposed.

Applicant: HAVN Developments Ltd.

Referral: This relates to the report entitled “CD-1 Rezoning: 2535 Carolina Street and 557-569 East 10th Avenue”, dated January 7, 2025, (“Report”), referred to Public Hearing at the Council Meeting of January 21, 2025.

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
- Donald McLeod Anderson, the registered owner of 2535 Carolina Street [*PIDs 007-733-364 and 007-733-496; Lot 13 and the East 7 Feet of Lot 14 of Lot A Block 156 District Lot 264A Plans 390 and 1771*],
 - Kyung Sook Park, the registered owner of 557 East 10th Avenue and 559 East 10th Avenue [*PIDs 005-294-436 and 005-294-304, The West ½ of Lot 15 and Lot 16 of Lot A Block 156 District Lot 264A Plans 390 and 1771*], and
 - Adrian Yiu-Hei Lai and Vicky S Y Kwan, as joint tenants, the registered owners of 569 East 10th Avenue [*PIDs 015-315-916 and 015-315-924, Lot 14, Except the East 7 Feet and the East ½ of Lot 15 of Lot A Block 156 District Lot 264A Plans 390 and 1771*],

to rezone a consolidation of the above properties from RT-5 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.75 to 5.8 and the maximum building height from 10.7 m (35 ft.) to 54.0 m (177 ft.) with additional height for the portion of the rooftop amenity, to permit the development of an 18-storey mixed-use rental building with 20% of the residential floor area for below-market rental units, and commercial use on the ground floor, 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 Architects, on behalf of HAVN Developments Ltd. received October 5, 2023;

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 new 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.

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