

SUMMARY AND RECOMMENDATION

3. CD-1 REZONING: 1045 West 14th Avenue

Summary: To rezone 1045 West 14th Avenue from RM-3 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 20-storey residential building and 202 rental units of which 20% of the residential floor area for below-market rental units. A floor space ratio (FSR) of 5.95 and a height of 60.4 m (198 ft.), with additional height for rooftop amenity space, are proposed.

Applicant: Buttjes Architecture Inc.

Referral: This relates to the report entitled "CD-1 Rezoning: 1045 West 14th Avenue", dated January 21, 2025, ("Report"), referred to Public Hearing at the Council Meeting of February 4, 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 Buttjes Architecture Inc., on behalf of Wall Financial Corporation, the registered owner of the lands located at 1045 West 14th Avenue [*PID 014-667-410; Lot C Block 435 District Lot 526 Plan 1276*], to rezone the lands from RM-3 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 1.0 to 5.95 and the maximum building height from 10.7 m (35 ft.) to 60.4 m (198 ft.), with additional height for the portion with rooftop amenity and mechanical equipment, to permit a 20-storey residential rental building, 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 Buttjes Architecture Inc., on behalf of Wall Financial Corporation received January 5, 2024;

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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