

SUMMARY AND RECOMMENDATION

4. CD-1 REZONING: 461-479 East 16th Avenue

Summary: To rezone 461-479 East 16th Avenue from RM-4 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 20-storey mixed-use building with 211 rental units, 20% of the floor area for below-market rental units and commercial space on the ground floor. A floor space ratio (FSR) of 8.0 and a height of 64 m (210 ft.), with additional height for rooftop amenity space, are proposed.

Applicant: Fabric Living

Referral: This relates to the report entitled “CD-1 Rezoning: 461-479 East 16th Avenue”, dated February 25, 2025 (“Report”), referred to Public Hearing at the Council Meeting of March 11, 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 Fabric Living on behalf of:

- Joan Jose Silvestre, Ana Maria Silvestre and Jovito Silvestre, the registered owners of the lands located at 461 East 16th Avenue [*PID 003-83-825; Strata Lot 1 District Lot 301 Strata Plan VR. 345, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1*],
- Tieu Ha Truong, the registered owner of the lands located at 463 East 16th Avenue [*PID 003-883-841; Strata Lot 2 District Lot 301 Strata Plan VR. 345, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1*],
- Wen Shao Huang, the registered owner of the lands located at 465 East 16th Avenue [*PID 014-497-000; Lot 17 Block 99 District Lot 301 Plan 1652*],
- Main to Fraser Investments Inc., the registered owner of the lands located at 471 East 16th Avenue [*PID 014-496-984; Lot 16 Block 99 District Lot 301 Plan 1652*],
- Bertha Miriam Esquitin and Jose Ramon Teres-Flores, the registered owners of the lands located at 475 East 16th Avenue [*PID 026-454-556; Strata Lot 1 Block 99 District Lot 301 Group 1 New Westminster District Strata Plan BCS1551, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V*], and

- Gregory James Moodie and Megan Hollstedt, the registered owners of the lands located at 479 East 16th Avenue [*PID 026-454-564; Strata Lot 2 Block 99 District Lot 301 Group 1 New Westminster District Strata Plan BCS1551, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V*],

to rezone the lands from RM-4 (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 1.45 to 8.0 and the building height from 10.7 m (35 ft.) to 64.0 m (210 ft.) with additional height for the portion with rooftop amenity, to permit the development of a 20-storey mixed-use building with additional height for the portion with rooftop amenity, containing 211 rental units, of which a minimum of 20% of the residential floor area will be secured as below-market rental units, with commercial space 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 in plans by Franci Architecture received April 4, 2024 and revised January 22, 2025;

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: 461-479 East 16th Avenue]