

5. CD-1 REZONING: 816-860 West 13th Avenue and 2915-2925 Willow Street

Summary: To rezone 816-860 West 13th Avenue and 2915-2925 Willow Street from RM-4 (Residential) District to CD-1 (Comprehensive Development) District to permit the development of two 21-storey mixed-use buildings, with 354 rental units, of which 20% of the residential floor area will be for below-market rental units, and a private 49-space childcare facility. A floor space ratio (FSR) of 7.4 and a height of 66.6 m (219 ft.), with additional height for rooftop amenity space, are proposed.

Applicant: PC Urban (13th and Willow) Holdings Corp.

Referral: This relates to the report entitled “CD-1 Rezoning: 816-860 West 13th Avenue and 2915-2925 Willow Street”, 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 PC Urban (13th and Willow) Holdings Corp., on behalf of:

- Eric Ennyu and Karen Mai Ennyu, the registered owners of 816 West 13th Avenue [*PID 005-809-916; Strata Lot 2 District Lot 526 Strata Plan VR. 998 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1*],
- David Michael Sweeney and Patricia Jane Sweeney, the registered owners of 818 West 13th Avenue [*PID 006-289-991; Strata Lot 1 District Lot 526 Strata Plan VR. 998 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1*],
- Colin Roger Mallet and Judith Ann Angel, the registered owners of 826 West 13th Avenue [*PID 006-289-126; Strata Lot 2 District Lot 526 Strata Plan VR. 997 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1*],
- Alison Jennifer Laura Seto and Jeffrey Leung Seto, the registered owners of 828 West 13th Avenue [*PID 002-726-670; Strata Lot 1 District Lot 526 Strata Plan VR 997 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1*],
- Debra June Tivy, the registered owner of 834 West 13th Avenue [*PID 005-095-743; Strata Lot 2 District Lot 526 Strata Plan VR. 1069 Together with an Interest in the*

Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1],

- Ian Charles Carey Druce, the registered owner of 836 West 13th Avenue [PID 006-379-915; Strata Lot 1 District Lot 526 Strata Plan VR. 1069 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1],
- Brian John Habjan and Jillian Anne Brock, the registered owners of 844 West 13th Avenue [PID 002-896-231; Strata Lot 2 District Lot 526 Strata Plan VR. 1070 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1],
- Jimmy Albino Zadra, the registered owner of 846 West 13th Avenue [PID 002-693-330; Strata Lot 1 District Lot 526 Strata Plan VR. 1070 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1],
- Hirschel Wasserman and Nicola Sarah Fried, the registered owners of 856 West 13th Avenue [PID 003-056-562; Strata Lot 2 District Lot 526 Strata Plan VR. 1066 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1],
- Dianne Marie Miller, the registered owner of 860 West 13th Avenue [PID 003-091-660; Strata Lot 1 District Lot 526 Strata Plan VR. 1066 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1],
- Hussien Jaffer and Nazma Amir Kassam, the registered owners of 2915 Willow Street [PID 006-285-881; Strata Lot 1 District Lot 526 Strata Plan VR. 972 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1], and
- Joyce Evelyn Pratibha Lachkovics and Andrew Josef Lachkovics, the registered owners of 2925 Willow Street [PID 006-285-899; Strata Lot 2 District Lot 526 Strata Plan VR. 972 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1],

to rezone the above properties from RM-4 (Residential) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 1.45 to 7.4 and the maximum building height from 10.7 m (35 ft.) to 66.6 m (219 ft.) with additional height for the portion with rooftop amenity, to permit the development of two 21-storey mixed-use residential buildings containing 354 rental units, of which 20% of the residential floor area will be for below-market rental units, and a private 49-space childcare facility 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 Franc Architecture Inc., received January 9, 2024;

AND 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.

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