

**3. CD-1 REZONING: 1665-1685 West 11th Avenue**

**Summary:** To rezone 1665-1685 West 11th Avenue from RM-3 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 20-storey residential building containing 190 rental units, with 20% of the residential floor area for below-market rental units. A floor space ratio (FSR) of 6.5 and a height of 65.2 m (214 ft.), with additional height for rooftop amenity space, are proposed.

**Applicant:** Acton Ostry Architects Inc.

**Referral:** This relates to the report entitled “CD-1 Rezoning: 1665-1685 West 11th Avenue”, dated May 6, 2025 (“Report”), referred to Public Hearing at the Council Meeting of May 20, 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 Acton Ostry Architects Inc., on behalf of the registered owners of lands located 1665-1685 West 11th Avenue as listed in Schedule 1 with corresponding lot Parcel Identifiers (PIDs) and legal descriptions, 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 6.5 and the maximum building height from 10.7 m (35 ft.) to 65.2 m (214 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 the proposed form of development also be approved in principle, generally as prepared by Acton Ostry Architects Inc., on behalf of Palmar Properties Inc., received December 20, 2023 and resubmission plans received October 1, 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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