

SUMMARY AND RECOMMENDATION

3. CD-1 REZONINGS: (i) 5392-5472 Manson Street and (ii) 5250-5270 Ash Street and 595 West 37th Avenue

Summary: To rezone two, non-contiguous sites at 5392-5472 Manson Street (referred to as the “Manson Street site”) and at 5250-5270 Ash Street and 595 West 37th Avenue (referred to as the “Ash Street site”) from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District, to permit the development of two 18-storey buildings with 248 strata-titled residential units on the Manson Street site and a six-storey residential building with approximately 77 social housing units on the Ash Street site. A floor space ratio (FSR) of 5.62 and a height of 59.9 m (197 ft.) (Manson Street site) and a FSR of 3.10 and a height of 21.5 m (71 ft.) (Ash Street site) with additional height for a rooftop amenity or mechanical appurtenances, are proposed.

Applicant: Peterson Group

Referral: This relates to the report entitled “CD-1 Rezoning: (i) 5392-5472 Manson Street and (ii) 5250-5270 Ash Street and 595 West 37th Avenue”, dated January 9, 2024, (“Report”), referred to Public Hearing at the Council Meeting of January 23, 2024.

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 Peterson Group on behalf of:
- (i) Manson Street Development Ltd., the registered owner of the lands at 5472-5434 Manson Street [*Lots 12 to 14 Block 876 District Lot 526 Plan 8838; PIDs 008-337-390, 009-918-647, and 009-918-655 respectively*], and 1321952¹ B.C. Ltd., the registered owners of the lands at 5408-5392 Manson Street [*Lots 15 and 16 Block 876 District Lot 526 Plan 8838; PIDs 009-918-663 and 009-918-671 respectively*], to rezone the lands from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 5.62 and the building height from 11.5 m (38 ft.) to 59.9 m (197 ft.), to permit the development of two 18-storey residential buildings containing 248 strata-titled residential units; and
 - (ii) Ash 37 Development BT Ltd., the registered owner of the lands located at 595 West 37th Avenue and 5250-5270 Ash Street [*Lots 21 to 23 Block 839 District Lot 526 Plan 8710; PIDs 009-954-759, 009-954-783, and 009-954-821 respectively*], to rezone the lands from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 3.10 and the building height from 11.5 m (38 ft.) to

¹ Represented by Peterson Group subsidiaries

21.5 m (71 ft.), to permit the development of a six-storey residential building containing 77 social housing units, generally as presented in the Report,

be approved in principle as one application together for both non-contiguous sites;

FURTHER THAT both of the draft CD-1 By-laws, prepared for the Public Hearing in accordance with Appendix A of the Report, be approved in principle;

FURTHER THAT the proposed forms of development also be approved in principle, generally as prepared by:

(iii) IBI Architects, received September 28, 2022; and

(iv) NSDA Architects, received September 28, 2022, and revised plans received April 12, 2023;

provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendices B1 and B2 of the Report;

AND FURTHER THAT the Director of Legal Services be instructed to bring forward the draft CD-1 By-laws together for enactment on the same day under one omnibus By-law that will enact both CD-1 By-laws at the same time.

B. THAT subject to approval in principle of the rezoning and the Housing Agreements described in Part 2 of Appendix B1 and B2 of the Report, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-laws for enactment prior to enactment of both of the CD-1 By-laws, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and General Manager of Planning, Urban Design and Sustainability.

C. THAT subject to approval of both of the CD-1 By-laws, the Subdivision By-law be amended, 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 Subdivision By-law at the time of enactment of both of the CD-1 By-laws.

D. THAT Recommendation A to C 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: (i) 5392-5472 Manson Street and
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