

## SUMMARY AND RECOMMENDATION

**2. TEXT AMENDMENT: 1650 West 1st Avenue**

**Summary:** To amend CD-1 (Comprehensive Development) District (315), to increase the maximum total floor space ratio (FSR) for office, service and retail uses to 1.51.

**Applicant:** Chercover Massie & Associates Ltd.

**Recommended Approval:** By the General Manager of Planning and Development Services, subject to the following as proposed for adoption by resolution of Council:

- A. THAT the application, by Chercover Massie & Associates Ltd., on behalf of Constellation Capital Ltd. (Lululemon Athletica), to amend the text of CD-1 (315) By-law No. 7028 for 1650 West 1st Avenue [*Strata Lots 1 to 6, District Lot 526, Group 1, New Westminster District, Strata Plan LMS1875; PIDs: 019-196-083, 019-196-091, 019-196-105, 019-196-113, 019-196-121 and 019-196-130 respectively*] to increase the maximum total floor space ratio (FSR) for office, service and retail uses to 1.51, generally as presented in Appendix A of the Policy Report dated June 11, 2013, entitled "CD-1 Text Amendment: 1650 West 1st Avenue", be approved.
- B. THAT, subject to enactment of the amendments to the Zoning and Development By-law, the Parking By-law be amended to provide parking regulations, generally as set out in Appendix B of the Policy Report dated June 11, 2013, entitled "CD-1 Text Amendment: 1650 West 1st Avenue";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendments to the Parking By-law at the time of enactment of the amendments to CD-1 (315) By-law No. 7028.

- C. THAT Recommendations A and B be adopted on the following conditions:
- (i) That the passage of the above resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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.

[RZ. 768/2012 - 1650 West 1st Avenue]