

SUMMARY AND RECOMMENDATION

6. TEXT AMENDMENT: 1229-1289 Hornby Street

Summary: To amend the text of CD-1 (Comprehensive Development) District (588) at 1229-1289 Hornby Street, to decrease the permitted floor area for sub-area A by 429.8 square metres and to increase the permitted floor area for sub-area B by the same amount, allowing for revisions to the floor plans on levels 34 and 35.

Applicant: IBI Group Architects

Referral: This item was referred to Public Hearing at the Regular Council Meeting of February 12, 2019.

Recommended Approval: By the General Manager of Planning, Urban Design and Sustainability:

- A. THAT the application by IBI Group Architects, on behalf of the registered owners Rattenbury Enterprises Ltd. and 0785687 B.C. Ltd. (Reliance Properties and Jim Pattison Developments), to amend the text of CD-1 (Comprehensive Development) District (588) By-law No. 11107 for 1229-1289 Hornby Street [*PID: 029-416-141, Lot G Block 100 District Lot 541 Group 1 New Westminster District Plan EPP44019*], to decrease the permitted floor area for sub-area A by 429.8 sq. m (4,626 sq. ft.) and to increase the permitted floor area for sub-area B by the same amount, allowing for revisions to the floor plans on levels 34 and 35, generally as presented in Appendix A of the Policy Report dated January 29, 2019 entitled "CD-1 Text Amendment: 1229-1289 Hornby Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by IBI Group Architects and received on September 10, 2018, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development.

- B. THAT A 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.

[TA – 1229-1289 Hornby Street]