

SUMMARY AND RECOMMENDATION

1 REZONING: 303 East 8th Avenue (Western Front)

Summary: To rezone 303 East 8th Avenue from RM-4 (Multiple Dwelling) District to CD-1 (Comprehensive Development) District to accommodate the existing artist-run centre (Western Front) operating on site, including accessory uses and dwellings uses. The existing building would be retained at a floor space ratio (FSR) of 1.98 and height of 10.7 m (35.1 ft.).

Applicant: General Manager of Planning and Development Services

Referral: This item was referred to Public Hearing at the Regular Council Meeting of December 17, 2013.

Recommended Approval: By the General Manager of Planning and Development Services:

- A. THAT the application to rezone 303 East 8th Avenue [*PID 015-551-610; Lot 16, Block 42, District Lot 200A, Plan 197*] from RM-4 (Multiple Dwelling) District to CD-1 (Comprehensive Development) District, to allow Cultural and Recreational uses in conjunction with Dwelling and Service uses within the existing building on the site, thereby permitting the range of activities occurring in the artist-run centre known as Western Front, generally as presented in Appendix A of the Policy Report dated December 3, 2013, entitled "CD-1 Rezoning: 303 East 8th Avenue (Western Front)", be approved.
- B. THAT the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B to the Sign By-law [assigned Schedule "B" (C-1)], generally as set out in Appendix B of the Policy Report dated December 3, 2013, entitled "CD-1 Rezoning: 303 East 8th Avenue (Western Front)", be approved.
- 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 property owners 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 owners; 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 - 303 East 8th Avenue)