

SUMMARY AND RECOMMENDATION

2. TEXT AMENDMENT: 100 West 49th Avenue (Langara College)

Summary: To amend CD-1 (55) By-law No. 4412 for 100 West 49th Avenue (Langara College) to permit rooftop mechanical appurtenances to exceed one-third of the width of the proposed Science and Student Services Building. The need for this amendment has arisen through the detailed architectural design stage for the building. If approved, it would not result in a substantive change to the form of development that was approved by Council on February 18, 2014.

Applicant: Brook Pooni Associates Inc. on behalf of Langara College

Referral: This item was referred to Public Hearing at the Regular Council Meeting of April 15, 2014.

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

- A. THAT the application by Brook Pooni Associates Inc. on behalf of Langara College to amend CD-1 (Comprehensive Development) District (55) By-law No. 4412 for 100 West 49th Avenue [*PID: 008-775-842; Lot 1 (Reference Plan 9821) of Lot A Block 1165 District Lot 526 Plan 12842*] to permit rooftop mechanical appurtenances to exceed one-third of the width of the building in Sub-Area 1, generally as presented in Appendix A of the Policy Report dated April 1, 2014, entitled "CD-1 Text Amendment: 100 West 49th Avenue (Langara College)" be approved.
- B. THAT Recommendation 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; 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 bylaw 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 790/2013 - 100 West 49th Avenue)