

9. TEXT AMENDMENT: 1601 Main Street

Summary: To amend CD-1 (Comprehensive Development) District (504) By-law No. 10264 for 1601 Main Street to permit an increase of 65 m² (700 sq. ft.) in commercial floor space to allow for expansion of a restaurant mezzanine and to add "Neighbourhood Public House" as a permitted use.

Applicant: Diamond Architectural Group Inc.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of September 29, 2015.

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

- A. THAT the application by Diamond Architectural Group Inc., on behalf of Onni Development (Main Street) Corp., to amend the text of CD-1 (Comprehensive Development) District (504) By-law No. 10264 for 1601 Main Street [*PID: 028- 593-472; Lot 1, District Lots 200A and 2037, Group 1 New Westminster District Plan BCP48238, Except Part in Air Space Plan EPP37728*] to permit an increase of 65 m² (700 sq. ft.) in commercial floor space to allow for expansion of a restaurant mezzanine and to add "Neighbourhood Public House" as a permitted use, generally as presented in Appendix A of the Policy Report dated September 18, 2015, entitled "CD-1 Text Amendment: 1601 Main Street", 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 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;
 - (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.