

SUMMARY AND RECOMMENDATION

3. REZONING: 441-463 West 59th Avenue

Summary: To rezone 441-463 West 59th Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of two six-storey residential buildings with a total of 63 market strata housing units, over two levels of underground parking. A height of 21.3 metres (70 feet) and a floor space ratio (FSR) of 2.50 are proposed.

Applicant: iFortune Homes Inc.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of January 15, 2019.

Recommended Approval: By the General Manager of Planning, Urban Design and Sustainability, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by iFortune Homes Inc. on behalf of iFortune West 59 (BT) Ltd., the registered owner, to rezone 441-463 West 59th Avenue [*Lots 9 to 12, all of Block 1005 District Lot 526 Plan 9489; PIDs 009-671-927, 009-671-951, 009-671-960 and 009-671-994 respectively*], from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 0.70 to 2.50 and the building height from 10.7 m (35 ft.) to 21.3 m (70 ft.) to permit the development of two six-storey residential buildings with a total of 63 market strata housing units, as presented in Appendix A of the Policy Report dated January 2, 2019, entitled "CD-1 Rezoning: 441-463 West 59th Avenue", be approved;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by W.T. Leung Architects and received on April 11, 2018, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the Policy Report.

- B. THAT, subject to the enactment of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C of the Policy Report, dated January 2, 2019, entitled "CD-1 Rezoning: 441-463 West 59th Avenue";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to Subdivision By-law at the time of enactment of the CD-1 By-law.

- C. THAT A and B 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 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 – 441-463 West 59th Avenue]