

## SUMMARY AND RECOMMENDATION

**3. TEXT AMENDMENT: 103-127 West 2nd Avenue and 1753-1791 Manitoba Street, and 165-195 West 2nd Avenue and 1778 Columbia Street**

**Summary:** To amend the text of CD-1 (531) (Comprehensive Development) District at 103-127 West 2nd Avenue and 1753-1791 Manitoba Street, and 165-195 West 2nd Avenue and 1778 Columbia Street, to add 'Fitness Centre' and 'Animal Clinic' as allowable uses.

**Applicant:** DIALOG

**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 DIALOG, on behalf of 0742012 B.C. Ltd. (Executive Group of Companies), to amend the text of CD-1 (Comprehensive Development) District (531) By-law No. 10482 for 103-127 West 2nd Avenue and 1753-1791 Manitoba Street [*PID 29-480-604, Air Space Parcel A, District Lot 200A, Group 1, New Westminster District Air Space Plan EPP44063*] and 165-195 West 2nd Avenue and 1778 Columbia Street [*PID 030-306-604, Air Space Parcel B, Block 10, District Lot 200A, Group 1, New Westminster District Air Space Plan EPP70730*] (formerly 105-167 West 2nd Avenue), to add 'Fitness Centre' and 'Animal Clinic' as allowable uses to enable a fitness centre at 121 West 2nd Avenue and a veterinary clinic at 189 West 2nd Avenue, generally as presented in Appendix A of the Policy Report dated January 29, 2019 entitled "CD-1 (531) Text Amendment: 103-127 West 2nd Avenue and 1753-1791 Manitoba Street, and 165-195 West 2nd Avenue and 1778 Columbia Street" be approved.
- 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 – 103-127 West 2nd Avenue and 1753-1791 Manitoba Street, and 165-195 West  
2nd Avenue and 1778 Columbia Street]**