

## SUMMARY AND RECOMMENDATION

**5. REZONING: 8636-8656 Oak Street**

**Summary:** To rezone 8636-8656 Oak Street from RM-3A (Multiple Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of two six-storey residential buildings with 91 rental housing units. A height of 19.8 metres (65 feet) and an FSR of 2.50 are proposed.

**Applicant:** W.T. Leung Architects Inc.

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of April 23, 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 W.T. Leung Architects Inc., on behalf of APCanada Investment Corporation, the registered owner, to rezone 8636-8656 Oak Street [*Lot 4, except part in Plan LMP27103 of Lots 6 and 7, Blocks 1 to 6 and 12 of Block C, District Lot 319, Group 1, New Westminster District Plan 2167; and Lots 5 to 7, except the west 7 feet, now road of Lots 6 and 7, all of Blocks 1 to 6 and 12 of Block C, District Lots 319, 323 and 324, Plan 2167; PIDs 014-010-330, 014-010-356, 014-010-364 and 014-010-372 respectively*], from RM-3A (Multiple Dwelling) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 1.45 to 2.50 and the building height from 10.7 m to 19.8 m to permit the development of two six-storey residential buildings which would contain 91 rental housing units, generally as presented in Appendix A of the Policy Report dated April 9, 2019 entitled "CD-1 Rezoning: 8636-8656 Oak Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by W.T. Leung Architects Inc. and received on April 26, 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, if Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Policy Report, dated April 9, 2019, entitled "CD-1 Rezoning: 8636-8656 Oak Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning by-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Arts, Culture and Community Services.

- 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 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.

**[RZ – 8636-8656 Oak Street]**