

SUMMARY AND RECOMMENDATION

6. TEXT AMENDMENT: 1980 Foley Street

Summary: To amend CD-1 (402) (Comprehensive Development) District for 1980 Foley Street to increase the maximum building height from 36.6 metres to 65.6 metres to permit the development of a 13-storey office building. The proposal includes ground-floor retail and restaurant space and a floor area of 48,158 square metres (518,369 square feet).

Applicant: Francl Architecture

Referral: This item was referred to Public Hearing at the Council Meeting of December 10, 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 Francl Architecture, on behalf of 630321 B.C. Ltd, to amend the text of CD-1 (402) (Comprehensive Development) District By-law 8131 for 1980 Foley Street [*PID 025-102-419 Lot 1, District Lots 264A and 2037, Group 1, New Westminster District Plan LMP50588*], to increase the permitted building height from 36.6 m to 65.6 m and to add retail and restaurant as permitted uses, allowing development of a 13-storey office building with ground-floor retail and restaurant, and a floor area of 48,158 sq. m (518,369 sq. ft.), generally as presented in Appendix A of the Referral Report dated November 26, 2019, entitled "CD-1 Text Amendment: 1980 Foley Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Francl Architecture and received on July 19, 2019, 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 Referral Report.

- 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 – 1980 Foley Street]