

SUMMARY AND RECOMMENDATION

1. REZONING: 809-889 West 33rd Avenue

Summary: To rezone 809-889 West 33rd Avenue from RS-1 (One-Family Dwelling) District to RM-8A (Multiple Dwelling) District to permit a townhouse development with a floor space ratio (FSR) of up to 1.2. If rezoning is approved, a subsequent development permit process would entail review of a proposed form of development.

Applicant: Formwerks Architecture Inc.

Referral: This item was referred to Public Hearing at the Council Meeting of June 23, 2020.

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 Formwerks Architecture Inc. on behalf of Bernadetta Cheng, Mary Michiko Malcolm, Eleanor Gillies Rapp and Jennifer Louise Rapp, Nam Wai Pat and Hang Yu Hui, Michael Wallace Cockell and Elizabeth Mary Cockell, the registered owners, to rezone 809-889 West 33rd Avenue [*Lots 6 to 10, Block 817, District Lot 526, Plan 9078; PIDs: 009-761-292, 009-761-322, 009-761-365, 009-761-381 and 009-761-411 respectively*] all from RS-1 (One Family Dwelling) District to RM-8A (Multiple Dwelling) District, generally as presented in Appendix A of the Referral Report dated June 9, 2020, entitled "Rezoning: 809-889 West 33rd Avenue" be approved in principle;

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

- B. THAT, subject to the enactment of the rezoning by-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Subdivision By-law generally as set out in Appendix C of the Referral Report dated June 9, 2020 entitled "Rezoning: 809-889 West 33rd Avenue".
- 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.

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