

## SUMMARY AND RECOMMENDATION

**1. Text Amendment: 380-390 West 8th Avenue**

**Summary:** To amend CD-1 (330) (Comprehensive Development) District to increase the total maximum permitted floor space ratio (FSR) from 1.10 to 1.17 to allow for mezzanines within existing double-height spaces, and to increase the limit for Restaurant – Class 1 use from 65 sq. m to 150 sq. m.

**Applicant:** JTA Development Consultants

**Referral:** This item was referred to Public Hearing at the Council Meeting of September 15, 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 JTA Development Consultants, on behalf of Y-8 Properties Ltd., to amend CD-1 (Comprehensive Development) District (330) By-law No. 7371 for 380-390 West 8th Avenue [*PID 019-000-626, Lot H Block 22 District Lot 302 Plan LMP19447*] to increase the total maximum permitted floor space ratio (FSR) from 1.10 to 1.17 to allow for mezzanines within existing double-height spaces, and to increase the limit for Restaurant – Class 1 use from 65 sq. m to 150 sq. m to allow an existing restaurant/catering business to have a larger seating area, generally as presented in Appendix A of the Referral Report dated September 1, 2020 entitled “CD-1 Text Amendment: 380-390 West 8th Avenue” be approved in principle;

FURTHER THAT the above approval 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.

**[CD-1 Text Amendment: 380-390 West 8th Avenue]**