

SUMMARY AND RECOMMENDATION

2. CD-1 REZONING: 564-570 West 49th Avenue

Summary: To rezone 564-570 West 49th Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a four-storey residential building, with a partial fifth-floor amenity space, and 31 strata residential units. A height of 15.4 m (51 ft.) to the top of the roof parapet and a height of 18.4 m (60 ft.) to the top of the amenity space, and a floor space ratio (FSR) of 1.95 are proposed.

Applicant: Ning Hua Industrial Corp.

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 Ning Hua Industrial Corp., the registered owners of the lands located at 564-570 West 49th Avenue [*Lots 10 and 9, Block 895, District Lot 526, Plan 9908; PIDs: 009-595-961 and 009-595-945 respectively*], to rezone the lands from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 0.70 to 1.95 and the building height from 10.7 m (35 ft.) to 15.4 m (51 ft.) to permit the development of a four-storey residential building, with a partial fifth-floor amenity space, containing 31 strata residential units, generally as presented in Appendix A of the Referral Report dated September 1, 2020, entitled "CD-1 Rezoning: 564-570 West 49th Avenue", be approved in principle;

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

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Parking By-law, generally as set out in Appendix C of the September 1, 2020, entitled "CD-1 Rezoning: 564-570 West 49th Avenue".
- C. THAT, subject to enactment of the CD-1 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 September 1, 2020, entitled "CD-1 Rezoning: 564-570 West 49th Avenue".

D. THAT A through C 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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