

## SUMMARY AND RECOMMENDATION

**4. REZONING: 721-735 West 49th Avenue**

**Summary:** To rezone 721-735 West 49th Avenue from RS-1 (Single-detached Houses and Duplexes) District to RM-8AN (Multiple Dwelling) District, to permit a townhouse development with a maximum floor space ratio (FSR) of 1.20. If rezoning is approved, a subsequent development permit process will include a review of a proposed form of development.

**Applicant:** 1279121 B.C. Ltd

**Referral:** This item was referred to Public Hearing at the Council Meeting of July 20, 2021.

**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 1279121 B.C. Ltd., the registered owner of the lands located at 721-735 West 49th Avenue [*Lot 6 and 5, Block F, Block 1008, District Lot 526, Plan 10991; PIDs: 009-221-352 and 009-221-328, respectively*] all from RS-1 (Single-Detached Houses and Duplexes) District to RM-8AN (Multiple Dwelling) District, generally as presented in Appendix A of the Referral Report dated July 6, 2021, entitled "Rezoning: 721-735 West 49th 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, subject to 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 July 6, 2021, entitled "Rezoning: 721-735 West 49th 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.

**[Rezoning: 721-735 West 49th Avenue]**