

SUMMARY AND RECOMMENDATION

1. REZONING: 156-180 West 2nd Avenue

Summary: To rezone 156-180 West 2nd Avenue from I-1 (Light Industrial) District to I-1C (Light Industrial) District, to permit the development of a building with light industrial and commercial uses. A building height of 46.5 metres (152.5 feet) and floor space ratio (FSR) of 6.0 are proposed.

Applicant: Westbank Projects Corp.

Referral: This relates to the report entitled "Rezoning: 156-180 West 2nd Avenue ", dated May 3, 2022, ("Report"), referred to Public Hearing at the Council Meeting of May 17, 2022.

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 Westbank Projects Corp., on behalf of Rogers Media Inc., Inc. No. A0116978 (formerly known as Rogers Broadcasting Limited, Inc. A73421), the registered owner of the lands located at 156 West 2nd Avenue [*PID: 009-566-830; Lot F Block 11 District Lot 200A Plan 10116*] and 180 West 2nd Avenue [*PID: 009-566-716; Lot E Except Part in Explanatory Plan 11440, Block 11 District Lot 200A Plan 10116*] to rezone the lands from I-1 (Light Industrial) District to I-1C (Light Industrial) District, generally as presented in the Report, be approved in principle;

FURTHER THAT the draft zoning amendment by-law, prepared for the Public Hearing in accordance with Appendix A of the Report, be approved in principle;

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

- B. THAT Recommendation 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.

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