

## SUMMARY AND RECOMMENDATION

**2. REZONING: 5526-5592 Granville Street and 1498 West 39th Avenue**

**Summary:** To rezone 5526-5592 Granville Street and 1498 West 39th Avenue from RS-5 (Residential) District to RR-3B (Residential Rental) District, to permit the development of a six-storey mixed-use market rental building, with 20 percent of the residential floor area secured with below-market rents. A height of 22.0 m (72 ft.) and a floor space ratio (FSR) of 3.50 are proposed.

**Applicant:** L-Squared Design Ltd.

**Referral:** This relates to the report entitled “Rezoning: 5526-5592 Granville Street and 1498 West 39th Avenue”, dated May 30, 2023, (“Report”), referred to Public Hearing at the Council Meeting of June 13, 2023.

**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 L-Squared Design Ltd., on behalf of 1309622 B.C. LTD<sup>1</sup>, the registered owners of the lands located at:

- 5526-5592 Granville Street [*Lots 2 to 4 Block 951 District Lot 526 Plan 5559; PIDs 008-405-654, 011-117-915 and 003-680-827 respectively*], and
- 1498 West 39th Avenue [*PID 003-359-034; Lot 1 Block 951 District Lot 526 Plan 5559*],

to rezone the lands from RS-5 (Residential) District to RR 3B (Residential Rental) 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 subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Report, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning amendment by-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the

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<sup>1</sup> Beneficially owned and controlled by Jacke K. Li

General Manager of Planning, Urban Design and Sustainability.

- C. THAT subject to approval of the zoning amendment by-law, the Subdivision By-law be amended generally as set out in Appendix C of the Report;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the zoning amendment by-law.

- D. THAT Recommendations A to 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; 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: 5526-5592 Granville Street and 1498 West 39th Avenue]**