

SUMMARY AND RECOMMENDATION

4. REZONING: 5504-5536 Victoria Drive

Summary: To rezone 5504-5536 Victoria Drive from RT-2 (Residential) District to RR-3B (Residential Rental) District, to permit the development of a six-storey mixed-use rental building of which 20% of the residential floor area is secured as below-market rental units. A height of 22.0 m (72 ft.) and a floor space ratio (FSR) of 3.50 are proposed.

Applicant: JTA Development Consultants

Referral: This relates to the report entitled “Rezoning: 5504-5536 Victoria Drive”, dated August 29, 2023 (“Report”), referred to Public Hearing at the Council Meeting of September 12, 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 JTA Development Consultants on behalf of 0877281 B.C. Ltd.¹, the registered owner of the lands located at:

- 5504 Victoria Drive [*PID 014-012-995; Lot 46 Except the West 7 Feet, Now Road Block 9 District Lot 394 Plan 2164*],
- 5512 Victoria Drive [*PID 014-013-053; Amended Lot 47 (See 152926L) Block 9 District Lot 394 Plan 2164*], and
- 5536 Victoria Drive [*PID 014-013-061; Amended Lot 49 (See 152927L) Block 9 District Lot 394 Plan 2164*],

to rezone the lands from RT-2 (Residential) 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

¹ Beneficially owned and controlled by Balinder Kaur Johal and Amarjit Singh Johal.

may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.

C. THAT Recommendations 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; 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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