

SUMMARY AND RECOMMENDATION

1. Miscellaneous Amendments Concerning Various CD-1 By-laws

Summary: To make miscellaneous amendments to by-laws for the following: CD-1 (531) for 105-167 West 2nd Avenue and CD-1 (522) for 104-150 East 1st Avenue to improve clarity, update references, correct inadvertent errors or omissions, and/or improve the administration of the by-laws.

Applicant: General Manager of Planning, Urban Design and Sustainability

Referral: This relates to the report entitled “Miscellaneous Amendments Concerning Various CD-1 By-laws”, dated January 17, 2024, (“Report”), referred to Public Hearing at the Council Meeting of February 6, 2024.

Recommended Approval: By the General Manager of Planning, Urban Design and Sustainability.

A. THAT Council approves the application to:

- (i) amend CD-1 (531) By-law No. 10492 for 105-167 West 2nd Avenue to permit a wider range of commercial uses, generally as presented in Appendix A of the Report; and
- (ii) amend CD-1 (522) By-law No. 10425 for 104-150 East 1st Avenue to permit a wider range of commercial uses, generally as presented 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; 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.

[Miscellaneous Amendments Concerning Various CD-1 By-laws]