

SUMMARY AND RECOMMENDATION

4. REZONING: 5889-5925 Dunbar Street

Summary: To rezone 5889-5925 Dunbar Street from R1-1 (Residential Inclusive) District to RR-2B (Residential Rental) District, to permit the development of a five-storey residential rental building with a partial storey for rooftop amenity space. A floor space ratio (FSR) of 2.20 is proposed.

Applicant: Steve Peng Architect

Referral: This relates to the report entitled "Rezoning: 5889-5925 Dunbar Street", dated November 26, 2024, ("Report"), referred to Public Hearing at the Council Meeting of December 10, 2024.

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 Steve Peng Architect, on behalf of:

- Hua Ming Luo, the registered owner of 5889 Dunbar Street [*PID 014-650-851; The North 1/2 of Lot 30, Except the West 10 Feet Now Lane, Block 4 District Lot 320 Plan 1847*]; and
- 1079202 B.C. Ltd, the registered owner of 5925 Dunbar Street [*PID 014-650-878; The South 1/2 of Lot 30, Except the West 10 Feet Now Lane, Block 4 District Lot 320 Plan 1847*];

to rezone the lands from R1-1 (Residential) District to RR-2B (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 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.

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