



## Council Report

For the Meeting of January 16, 2025

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**To:** Council **Date:** January 10, 2025  
**From:** Curt Kingsley, City Clerk  
**Subject:** 320 Cook St and 1075 Pendergast St: Rezoning Application No. 00854 and Development Permit with Variances Application No. 00288

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### RECOMMENDATION

That the following bylaw be given first, second, and third readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1352), No. 24-086

### BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 24-086.

The issue came before Council on May 16, 2024 where the following resolution was approved:

***320 Cook Street and 1075 Pendergast Street: Rezoning Application No. 00854 and Development Variance Permit Application No. 00288 (Fairfield)***

***Rezoning Application***

1. *That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated May 2, 2024 for 320 Cook Street and 1075 Pendergast Street.*
2. *That, pursuant to section 30 of the Land Use Procedures Bylaw, Council waives the requirement for the holding of a public hearing.*
3. *That, after publication of notification in accordance with section 467 of the Local Government Act, first, second and third reading of the zoning regulation bylaw amendment be considered by Council.*
4. *That following the third reading of the zoning amendment bylaw, the applicant prepare and execute the following legal agreements, with contents satisfactory to the Director of Sustainable Planning and Community Development and form satisfactory to the City Solicitor prior to adoption of the bylaw:*
  - a. *Secure the following Transportation Demand Management measures to offset the proposed parking variance, with terms to the satisfaction of the Director of Engineering and Public Works:*

- i. one BC Transit EcoPass for every two-stall shortfall provided for a minimum of a five year term and assigned to any employee or volunteer working on the property at no cost to the employee.*
5. *That adoption of the zoning bylaw amendment will not take place until all the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.*
6. *That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.*

### **Development Variance Permit Application**

*That Council, after giving notice, consider the following motion:*

1. *That subject to the adoption of Zoning Regulation Bylaw, Council authorize the issuance of Development Variance Permit No.00288 for 320 Cook Street and 1075 Pendergast Street, in accordance with plans submitted to the Planning department and date stamped by Planning on September 18, 2023, subject to:*
  - a. *Proposed development meeting all City zoning bylaw requirements, except for the following variances:*
    - i. decreasing the vehicle parking from 33 stalls to 19 stalls.*
2. *That the Development Variance Permit, if issued, lapses two years from the date of this resolution.”*

Respectfully submitted,

Curt Kingsley  
City Clerk

**Report accepted and recommended by the City Manager**

#### **List of Attachments:**

- Bylaw No. 24-086