



**Council Report  
For the Meeting of April 3, 2025**

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**To:** Council **Date:** March 13, 2025

**From:** Karen Hoese, Director, Planning and Development

**Subject:** **Rezoning Application No. 00784 and Development Permit with Variances Application No. 00174 for 1132 and 1134 Empress Avenue**

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**RECOMMENDATION**

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1355), No. 25-009

**DEVELOPMENT PERMIT WITH VARIANCES APPLICATION**

That Council, after adoption of the necessary Zoning Regulation Bylaw Amendment consider the following motion:

1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorizes the issuance of Development Permit with Variances No. 00174 for 1132 and 1134 Empress **Avenue**, in accordance with plans submitted to the Planning department and date stamped by Planning on **March 3, 2025**, subject to:
  - a. Proposed development meeting all City *Zoning Regulation Bylaw* requirements, except for the following variances:
    - i. reduce the front yard setback fronting Empress **Avenue** from 4.0m to 3.0m
    - ii. reduce the side yard (east) setback from 2.0m to 1.53m for the trellis, and 1.08m for the existing duplex stairs
    - iii. reduce the side yard (west) setback from 5.0m to 2.7m for the existing duplex, 2.26m for the new three-storey structure, and 2.04m for the trellis
    - iv. reduce the required number of accessible parking spaces from one to zero
    - v. reduce the required long-term bike parking stalls from ten to six.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.

## EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Rezoning and Development Permit with Variances applications for the properties located at 1132 and 1134 Empress Avenue. The proposal is to rezone from the R-2 Zone, Two Family Dwelling District, to a new zone to change the use to multiple dwellings and increase the density to 0.77:1 floor space ratio (FSR) to allow a new three-unit rental building, connected to the existing duplex by a deck, while retaining and designating the existing heritage residence. The concurrent Development Permit with Variance application that pertains to the proposed form, character, exterior design, finishes and landscaping.

Council passed a motion on December 12, 2024, directing staff to prepare the necessary Zoning Regulation Bylaw amendment to authorize the proposed development, subject to the provision of revised drawings showing the required long-term bicycle stall width and lighting design and placement and the *Heritage Designation Bylaw* receiving introductory readings.

The *Heritage Designation Bylaw* received introductory readings on March 13, 2025. The applicant has made the required changes to the drawings and has also resubmitted the plans to correct a minor error which has resulted in a small change to the permitted maximum building height in the new zone. Additionally, it was determined that the eave projection into the setback variance was an error and is no longer required.

The Development Permit with Variances motion has been amended to reflect the accurate addressing of the site from “Empress Street” to “Empress Avenue”.

## UPDATE

### Council Motion

Council considered this application at the December 12, 2024, Committee of the Whole Meeting (Attachment C) and on the same day passed a motion (Attachment D) directing staff to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development subject to the following condition:

- a. *Revised plans showing the long-term bicycle parking stall as being located 0.45m away from the wall.*
- b. *Consider revising plans and elevations showing the design and placement of exterior lighting that aligns with the guidance provided in the General Urban Design Guidelines (2022).*
- c. *Preparation of a Heritage Designation Bylaw to designate the exterior of the building at 1132 and 1134 Empress Street, as described in the Statement of Significance in Attachment E, pursuant to Section 611 of the Local Government Act, to the satisfaction of the Director of Planning and Development, and that the introductory readings of the Heritage Designation Bylaw be considered by Council concurrently with the Zoning Regulation Bylaw amendment.*

In accordance with this resolution, the application has been revised as follows:

- The long-term bike parking width has been revised to show the long-term bicycle parking being located 0.45m away from the wall.

- Plans have been revised to show the lighting design on the building exterior and landscaping that is generally consistent with guidance provided in the *General Urban Design Guidelines (2022)*.
- A *Heritage Designation Bylaw* to designate the exterior of the building at 1132 and 1134 Empress Avenue has received introductory readings on March 13, 2024.

### **Plan Revisions**

Further refinement of the proposed zone and review of the updated plan set has led to the following changes:

- A variance relating to an eave projection is no longer required as it was determined that the eave in question is not projecting into the rear yard setback required as per the new zone.
- Vehicular and bicycle parking is now subject to specific regulations in section 3.161.8 of the proposed new zone, which is based on the relevant parking regulations of Schedule P: Missing Middle Regulations of the *Zoning Regulation Bylaw*.
- The allowed height (maximum) in the proposed zone has been changed from 8.95m to 9.20m to accommodate a miscalculation in the earlier drawings.

Note that in the Committee of the Whole report dated November 28, 2024, “Empress Avenue” was mistakenly referred to as “Empress Street” in some instances. The Development Permit with Variances motion has been updated to reflect this change.

### **CONCLUSIONS**

The recommendation provided for Council’s consideration contains the appropriate language for Council to consider approval of the application

Respectfully submitted,

Aishwarya Pathania  
Planner  
Development Services Division

Karen Hoese, Director  
Planning and Development Department

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

### **List of Attachments**

- Attachment A: Zoning Regulation Bylaw, Amendment Bylaw (No. 1355) No. 25-009
- Attachment B: Plans date stamped March 3, 2025
- Attachment C: Committee of the Whole Report dated December 12, 2024
- Attachment D: December 12, 2024, Council Meeting Minutes