



## Council Report

For the Meeting of March 13, 2025

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**To:** Council

**Date:** February 27, 2025

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

**Subject:** Update Report for Rezoning Application No. 00830 and Development Permit Application with Variance Application No. 00247 for 1900 Richmond Road and 1921, 1929, 1931/1933 and 1935 Ashgrove Street

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### RECOMMENDATION

#### Rezoning Application

1. That Council:
  - a. Rescind third reading of Zoning Regulation Bylaw, Amendment Bylaw (No.1332) (Bylaw No. 24-002) (the "Bylaw 1332")
  - b. Amend Bylaw 1332 in Schedule 1 as follows:
    - i. in Part 4.95.3.a. by striking out "Development Permit" and replacing it with "Building Permit"
    - ii. at Part 4.95.11, strike out the title of the Part, "Floor Area in DA-1", and replace it with "Floor Area and Location of Uses in DA-1"
    - iii. after Part 4.95.11.a., insert the following new Part 4.95.11.b:

"b. A minimum of 170m<sup>2</sup> of the floor area of the ground floor must be dedicated to one or more of the following uses: medical laboratory, medical office or pharmacy".
  - c. Give Bylaw 1332 third reading, as amended.
2. That Council give Housing Agreement (1900 Richmond Road, 1921, 1929, 1931/1933, and 1935 Ashgrove Street) Bylaw (2025), No. 25-010 first, second, and third readings.

#### Development Permit with Variances

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. 00247 (the “DP”) for 1900 Richmond Road, 1921, 1929, 1931/1933, and 1935 Ashgrove Street, in accordance with plans submitted to the Planning department and date stamped by Planning on January 24, 2024, subject to:

- a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
  - i. increase the number of stories from 5 to 7
  - ii. increase the height from 20.64m to 26.58m
  - iii. increase the site coverage from 51.00% to 53.30%.
- b. Registration of a legal agreement on the title of all lots subject to the DP securing that there can be no development or construction on the lands until all lots are consolidated into one lot, with contents satisfactory to the Director of Planning and Development and form satisfactory to the City Solicitor.**

2. That the DP, 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 (DPV) Applications for the properties located at 1900 Richmond Road and 1921, 1929, 1931/1933 and 1935 Ashgrove Street prior to consideration of the bylaws for adoption and approval of the DPV. The proposal is to rezone five lots from the R3-2 Zone: Multiple Dwelling District, R1-B Zone: Single Family Dwelling District, and C1-R Zone: Richmond Limited Commercial 2 District to an amended C1-R Zone: Richmond Limited Commercial 2 District, to facilitate a second phase of development which involves the construction of a multi-unit rental building for seniors.

Council gave introductory readings to the rezoning bylaw on March 7, 2024, and since that time the applicant has been working to fulfil Council’s motion. During this period, minor drafting errors were identified in the draft bylaw that need slight revisions. Additionally, at the request of the applicant, it is recommended that the DPV motion be revised to include a legal agreement ensuring no development of the lands before lot consolidation, and that this agreement be registered in the Land Title Office prior to issuing the Development Permit. The applicant has otherwise met the conditions set by the Council, and the Housing Agreement Bylaw is prepared for introductory readings.

## UPDATE

### Zoning Regulation Bylaw Amendment

Two minor errors have been identified in the proposed Zoning Amendment Bylaw since its initial readings.

- the timing for the density bonus payment was incorrectly specified to occur at the Development Permit (DP) stage rather than at the Building Permit (BP) stage.
- the requirement to have a minimum of 170m<sup>2</sup> on the ground floor dedicated to one or more

of the following uses: medical laboratory, medical office, or pharmacy in the original development area was omitted.

It is noted that, due to challenges in tenanting the ground floor unit with medical uses, a Delegated Development Permit was approved on December 6, 2023 to allow the ground floor space to be used as restaurant or retail, which are also permitted uses in the zone. The variance supported the owner's efforts in finding a suitable commercial tenant for the space while ensuring active commercial uses are maintained at this prominent corner location within the Jubilee Village. If Council approves the recommended motions, the Zoning Amendment Bylaw will be corrected, however, the variance approved in 2023 would remain valid.

A tracked changes version of the Zoning Amendment Bylaw reflecting the proposed edits is attached to this report for Council's information. The recommendation includes language for Council consideration to rescind third reading of the bylaw, amend the bylaw as necessary, and give third reading to the Bylaw, as amended.

### **Lot Consolidation**

Typically, the city requires lot consolidation prior to DP issuance so that if an approved development does not proceed, and the DP lapses, each unconsolidated lot does not have the benefit of higher density and other zoning entitlements. The applicant proposes registering a legal agreement on title prior to DP issuance, which would allow permit applications, but the City will not issue the permits, and the applicant will not construct or demolish, until the lots are consolidated. An amended DP motion with this covenant is provided for Council's consideration.

### **CONCLUSIONS**

The applicant has generally fulfilled the conditions set by Council for the Rezoning and DPV. Minor revisions to the Zoning Amendment Bylaw due to drafting errors and the inclusion of a legal agreement ensuring no development on the lands prior to lot consolidation at the applicants' request are recommended. The recommendation provided for Council's consideration contains the appropriate language for Council in order to progress the application.

Respectfully submitted,

Chelsea Medd  
Senior Process Planner  
Development Services Division

Karen Hoesel, Director  
Planning and Development Department

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

## List of Attachments

- Attachment A: Council Report dated February 22, 2024
- Attachment B: Minutes from Council Meeting dated March 7, 2024
- Attachment C: Plans date stamped January 24, 2024
- Attachment D: Zoning Regulation Bylaw, Amendment Bylaw (No. 1332), 24-002 (as read at March 7, 2024 Council Meeting)
- Attachment E: Zoning Regulation Bylaw, Amendment Bylaw (No. 1332), 24-002 (redlined version donating proposed amendments)
- Attachment F: Housing Agreement (1900 Richmond Road, 1921, 1929, 1931/1933, and 1935 Ashgrove Street Bylaw (2024), No. 25-010