

J. BYLAWS

J.3 Bylaw for Rezoning Application for 356 Harbour Road

Moved By Councillor Coleman
Seconded By Councillor Lucas

That Council rescind second reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18- 055.

CARRIED UNANIMOUSLY

Moved By Councillor Coleman
Seconded By Councillor Lucas

That Council amend Schedule 1 of Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055, by adding brewery, distillery, and liquor retail store as permitted uses to Sub-Area D2, Amendment Bylaw (No. 1152) No. 18-055.

CARRIED UNANIMOUSLY

Moved By Councillor Coleman
Seconded By Councillor Lucas

That Council give second reading to Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055, as amended.

CARRIED UNANIMOUSLY

Moved By Councillor Coleman
Seconded By Councillor Lucas

Further, following the Public Hearing for Rezoning Application No. 00619, if it is approved, consider the following updated motion:

"That Council authorize the issuance of Development Permit Application No. 000520 for 356 Harbour Road, in accordance with:

1. Plans date stamped January 25, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. The Development Permit lapsing two years from the date of this resolution.
4. Revised plans that provide bicycle parking in accordance with Schedule C of the Zoning Regulation Bylaw and the Dockside Green Master Development Agreement, to the satisfaction of the Director of Sustainable Planning and Community Development."

CARRIED UNANIMOUSLY



Council Report

For the Meeting of September 6, 2018

To: Council **Date:** August 24, 2018
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Update Report: 356 Harbour Road

RECOMMENDATION

That Council consider the following in relation to the proposed bylaw for Rezoning Application No. 00619 for 356 Harbour Road:

- a. Rescind second reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No.18-055.
- b. Amend Schedule 1 of Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No.18-055, by adding brewery, distillery, and liquor retail store as permitted uses to Sub-Area D2, Amendment Bylaw (No. 1152) No. 18-055.
- c. Give second reading to Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055, as amended.

Further, following the Public Hearing for Rezoning Application No. 00619, if it is approved, consider the following updated motion:

"That Council authorize the issuance of Development Permit Application No. 000520 for 356 Harbour Road, in accordance with:

1. Plans date stamped January 25, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. The Development Permit lapsing two years from the date of this resolution.
4. **Revised plans that provide bicycle parking in accordance with Schedule C of the Zoning Regulation Bylaw and the Dockside Green Master Development Agreement, to the satisfaction of the Director of Sustainable Planning and Community Development."**

BACKGROUND

Development Permit

The Development Permit was received and reviewed prior to the adoption of the new off-street parking regulations (Schedule C of the Zoning Regulation Bylaw), and minor revisions to the plans are required to address the new bicycle parking requirements. In addition, the Dockside Green Master Development Agreement (MDA) identifies bicycle parking requirements over and above the requirements set out in Schedule C.

This change will result in the addition of ten short-term bicycle parking stalls.

Bylaw Amendment

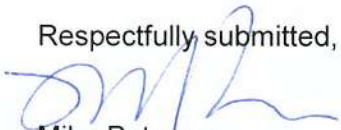
The amendment to the bylaw is the result of an inconsistency between the previous bylaw as proposed and the public notice. The proposal is to rezone the property in order to add brewery, distillery and liquor retail store as an accessory use to the D-2 sub area of the CD-9 Zone, Dockside District. However, the way the previous bylaw was written would have added additional uses to this sub-area that were not requested by the applicant but were consistent with the Zoning Regulation Bylaw amendment, approved by Council in January, 2017. This then resulted in an inconsistency with the public notice which only indicated that brewery, distillery and liquor retail store uses were being added. To rectify this situation the recommendation will rescind the previous bylaw and provides the necessary language to then introduce and adopt the correct and amended bylaw.

Access Agreement

Staff confirm that the shared access agreement, as a condition of the Committee of the Whole motion, has been registered on title.

The staff recommendation provided for Council's consideration reflects the update provided in this report with additional wording shown in bold.

Respectfully submitted,




Miko Betanzo
Senior Planner
Development Services Division

JH.



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: Aug 31, 2018