



Committee of the Whole Report For the Meeting of January 10, 2019

To: Committee of the Whole **Date:** December 27, 2018
From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development
Subject: Development Variance Permit No. 00207 for 423 Edward Street

RECOMMENDATION

That Council consider the following revised motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00207 for 423 Edward Street, in accordance with:

1. Plans date stamped August 30, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required vehicle parking from four stalls to one stall
 - ii. reduce the rear yard setback from 7.5m to 3.25m
 - iii. allow the addition of a roof deck
 - iv. allow exterior changes to the street façade to a proposed house conversion
 - v. reduce the separation distance for an accessory building from the main building from 2.4m to 2.15m
 - vi. allow an accessory building in the side yard.
3. The Development Permit lapsing two years from the date of this resolution
4. Final issuance of the Development Variance Permit subject to:
 - i. a Statutory Right-of-Way of 1.8m on the Russell Street frontage being registered on title, to the satisfaction of the Director of Engineering and Public Works
 - ii. revised plans addressing minor drafting errors, to the satisfaction of the Director of Sustainable Planning and Community Development
 - iii. **a Housing Agreement securing at least two residential units as rental for a period of not less than 10 years, to the satisfaction of the City Solicitor**
 - iv. screening of the landing with lattice work or green landscape, subject to the discretion of the Director of Sustainable Planning and Community Development
 - v. the applicant entering into an agreement with a car share organization for membership for all three residential units, to the satisfaction of the Director of Sustainable Planning and Community Development."

EXECUTIVE SUMMARY

The purpose of this report is to present Council with a request from the applicant to amend the Council motion in relation to a Development Variance Permit Application for the property located at 423 Edward Street. The proposal is to convert a single-family dwelling with a secondary suite to a triplex.

On November 22, 2018, following an Opportunity for Public Comment, Council passed a motion (see Attachment C) requiring that the Development Variance Permit be issued subject to, amongst other things, a Housing Agreement securing at least two residential units as rental in perpetuity. The applicant has requested that this request be revised from perpetuity to a 10 year time limit stating that securing the rental of the units in perpetuity would restrict future refinancing and site redevelopment potential. The applicants' full rationale and request is attached in a letter dated December 10, 2018.

Staff have provided a revised motion should Council agree to the applicants' request. An alternative motion, consistent with the November 22, 2018, Council motion, is provided below should Council choose to deny the request and staff will withhold issuance of the Development Permit until the conditions are met.

ALTERNATE MOTION (Proceed with November 22, 2018 Council Motion)

That Council consider the following motion:

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 - iv. screening of the landing with lattice work or green landscape, subject to the discretion of the Director of Sustainable Planning and Community Development

- v. the applicant entering into an agreement with a car share organization for membership for all three residential units, to the satisfaction of the Director of Sustainable Planning and Community Development.”

Respectfully submitted,



Jim Handy
Senior Planner – Development Agreements
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

Dec 28, 2018

List of Attachments:

- Attachment A: Applicant letter to Mayor and Council, December 10, 2018
- Attachment B: Committee of the Whole Report, September 20, 2018
- Attachment C: Council motion, November 8, 2018