

**H.1.a.j 953 Balmoral Road – Rezoning Application No. 00598 and Development Permit with Variance Application No. 000506 (North Park)**

**Moved By** Councillor Loveday  
**Seconded By** Councillor Coleman

Rezoning Application No. 00598

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00598 for 953 Balmoral Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following documents, executed by the applicant to the satisfaction of City Staff:
  - a. Statutory Right-of-Way of 1.22m on Balmoral Road.
2. The applicant provide an amenity contribution in the amount of \$76,694.69 toward the Local Amenities Reserve Fund in accordance with the *City of Victoria Density Bonus Policy* to the satisfaction of City Staff.
3. Following consideration of Rezoning Application No. 00487, if approved, that Council authorize staff to prepare and enter into an Encroachment Agreement for a fee of \$750 plus \$25 per m<sup>2</sup> of exposed shored face during construction, to the satisfaction of the City staff.

Development Permit with Variance Application No. 000506

That, subject to review by the Advisory Design Panel and report back to the Committee of the Whole, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00598, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 000506 for 953 Balmoral Road, in accordance with:

1. Plans date stamped January 18, 2018
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. reduce the required number of parking spaces from 12 to 5
  - ii. Part 3.3(10): reduce the front yard setback from 10.50m to 2.00
  - iii. Part 3.3 (10): reduce the side (east) yard setback from 6.10m to 1.52m
  - iv. Part 3.3(10): reduce the side (west) yard setback from 6.10m to 3.64m

- v. Part 3.3(4)(1): increase the site coverage from 30% to 43%
  - vi. Part 3,3(4)(6)(1): reduce the open site space from 30% to 15.30%
3. Registration of legal agreements on the property's title to secure the MODO Car Share Vehicle and parking space, car share memberships, one monthly transit pass for each unit over a period of three years (396 monthly passes), and one bicycle for each unit to the satisfaction of City Staff.
  4. Revise the landscape plan to indicate floating pavement where the proposed parking spaces overlap with the tree's critical root zone in accordance with the arborist report prepared by Talbot Mackenzie & Associates.
  5. The Development Permit lapsing two years from the date of this resolution."

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young  
OPPOSED (1): Councillor Isitt

**CARRIED (8 to 1)**