

K. **BYLAWS**

K.1 **Bylaws for 1712 and 1720 Fairfield Road: Rezoning Application No. 00618 and Development Permit with Variances Application No. 00098**

Moved By Councillor Loveday

Seconded By Councillor Alto

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1193) No. 19-065

FOR (7): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Moved By Councillor Loveday

Seconded By Councillor Potts

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

1. Housing Agreement (1712 & 1720 Fairfield Road) Bylaw (2019) No. 19-066

CARRIED UNANIMOUSLY



Council Report

For the Meeting of July 25, 2019

To: Council **Date:** July 11, 2019
From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development
Subject: Rezoning Application No. 00618 and Development Permit with Variance Application No. 00098 for 1712 and 1720 Fairfield Road

RECOMMENDATION

That Council give first and second reading of the Zoning Regulation Bylaw Amendment No. 19-065 (Amendment No. 1193), and give first, second and third readings of Housing Agreement (1712 & 1720 Fairfield Road) Bylaw No. 19-066.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Rezoning and Development Permit with Variance Applications for the properties located at 1712 and 1720 Fairfield Road. The proposal is to increase the density to 0.85:1 floor space ratio (FSR) and allow for ground-oriented multiple dwelling units at this location.

In accordance with Council's motion of June 13, 2019, included below, the necessary conditions that would authorize the approval of the Rezoning Application for the subject properties have been fulfilled. The motion from the June 13, 2019 Council meeting is as follows:

Rezoning Application No. 00618

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00618 for 1712 & 1720 Fairfield 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 and execution of the following legal agreements:*
 - a. *Statutory Right-of-Way to secure 1.15 metres of 1712 Fairfield Road adjacent to Fairfield Road, to the satisfaction of the Director of Engineering and Public Works*
 - b. *Housing Agreement to ensure that future strata bylaws cannot restrict the rental of units to non-owners (with the exception of two below-market ownership units), to the satisfaction of the Director of Sustainable Planning and Community Development*
 - c. *A legal agreement between the owner and the CRD to secure two one-bedroom units for ownership as below-market housing (offered for sale at 15% below market rate, in perpetuity) in a form satisfactory to the City Solicitor.*

Development Permit with Variances Application No. 00098

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. 00618, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000519 for 1712 & 1720 Fairfield Road, in accordance with:

- 1. Plans date stamped May 28, 2019.*
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:*
 - i. Reduce the required vehicle parking stalls from 24 to 22.*
- 3. The Development Permit lapsing two years from the date of this resolution."*

COMMENTS

Public Hearing Conditions

With regard to the pre-conditions set by Council in relation to these applications, staff can report that the following items have been fulfilled:

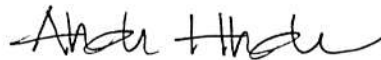
- an executed Housing Agreement was provided to ensure that a future strata cannot restrict the rental of any units with the exception of two below-market homeownership units
- the applicant has entered into a legal agreement with the CRD to ensure that two units are sold below-market value in perpetuity
- a Section 219 Covenant to secure a 1.15m Statutory Right-of-Way in front of 1712 Fairfield Road was registered on title.

The recommendation provided for Council's consideration contains the appropriate language to advance these applications to a Public Hearing and an Opportunity for Public Comment.

Respectfully submitted,



Alec Johnston
Senior Planner
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: July 15, 2019