



Committee of the Whole Report

For the Meeting of June 18, 2020

To: Committee of the Whole **Date:** June 11, 2020

From: Karen Hoesel, Director, Sustainable Planning and Community Development

Subject: **Rezoning Application No. 00634 and Development Permit with Variance Application No. 000527 for 324/328 Cook Street and 1044, 1048 and 1052/1054 Pendergast Street – Advance for Consideration after Signage Replaced**

RECOMMENDATION

Rezoning Application No. 00634

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00634 for 324/328 Cook Street and 1044, 1048 and 1052/1054 Pendergast Street, 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 securing 1.38 metres of the site adjacent to Pendergast Street, to the satisfaction of the Director of Engineering and Public Works.
 - b. Housing Agreement ensuring that future strata bylaws cannot restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - c. Section 219 Covenant securing an amenity contribution in the amount of \$136,163.47 toward the Local Amenities Reserve Fund, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - d. Section 219 Covenant to secure the construction of the following public realm improvements, to the satisfaction of the Director of Engineering and Public Works:
 - i. raingardens along Pendergast Street;
 - ii. enhanced boulevard planting and low seating walls; and
 - iii. permeable and impermeable concrete sidewalk pavers.
 - e. Section 219 Covenant to secure the maintenance of the proposed rain gardens and boulevard planting for a period of one year to the satisfaction of the Director of Parks, Recreation and Facilities.
 - f. Section 219 Covenant securing an amenity contribution in the amount of \$161,356.80 toward the Victoria Housing Reserve Fund, to the satisfaction of the Director of Sustainable Planning and Community Development.

2. Update report to Council on the potential acquisition of the commercial strata unit located at 380 Cook Street at 25% below market value.

Development Permit with Variance No. 000527

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. 00634, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00527 for 324/328 Cook Street and 1044, 1048, 1052/1054 Pendergast Street, in accordance with:

1. Receipt of final plans, generally in accordance with the plans date stamped October 9, 2019, with refinement of the artwork panels and to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. increase the building height from 13.5m to 16.2m (to the projecting portions of the roof).
3. The Development Permit lapsing two years from the date of this resolution.

EXECUTIVE SUMMARY

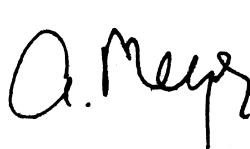
The purpose of this report is to advance a Rezoning Application and Development Permit with Variance Application for the properties located at 324/328 Cook Street and 1044, 1048 and 1052/1054 Pendergast Street back to Committee of the Whole for consideration now that the rezoning information signs have been reinstated on the subject properties in accordance with the Land Use Procedures Bylaw.

BACKGROUND

This proposal was presented to Committee of the Whole (COTW) on May 21, 2020 where it was advanced to Public Hearing and Opportunity for Public Comment. However, following the COTW meeting, it was brought to staff's attention that the rezoning information signs were removed from the subject properties for maintenance purposes prior to COTW. The *Land Use Procedures Bylaw* requires that the signs be posted on the subject properties for a minimum of 10 days prior to the initial Committee meeting and maintained on-site until the Public Hearing for the application has been held. The signs were reinstated on May 29, 2020; therefore the proposal is being brought back to COTW to confirm the direction provided by Council on May 21, 2020. No changes have been made to the proposal.

Respectfully submitted,


Alec Johnston
Senior Planner
Development Services Division




Karen Hoese, Director
Sustainable Planning and Community
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Report accepted and recommended by the City Manager:



Date: June 12, 2020