

Councillor Young returned to the meeting at 1:19 a.m.

I.1.c.e Rezoning Application No. 00634 & Development Permit Application No. 00527 for 324/328 Cook Street and 1044, 1048 and 1052/1054 Pendergast Street (Fairfield)

Moved By Councillor Alto
Seconded By Mayor Helps

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, and that staff report back to Committee of the Whole once the following conditions are met:

1. Preparation and execution of the following legal agreements:
 1. Statutory Right-of-Way securing 1.38 metres of the site adjacent Pendergast Street, to the satisfaction of the Director of Engineering and Public Works.
 2. 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.
 3. 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.
 4. 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 wall
 - iii. permeable and impermeable concrete sidewalk pavers.
 5. 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.
2. Update report to Council on the proposed day-care facility located at 380 Cook Street and execution of any necessary legal agreements, to the satisfaction of the Director of Sustainable Planning and Community Development.

Development Permit Application No. 00527

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 Variances 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 November 23, 2018, with refinement to artwork panels, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. The Development Permit lapsing two years from the date of this resolution."

Direct staff to work with BC Housing and/or the applicant to secure 10-20% of the units as affordable rental housing in perpetuity and ensure the tenants who are being displaced have first right of refusal provided they meet the eligibility requirements for the affordable units.

Direct staff to work with the applicant to revise the plans to remove the three parking stalls on Pendergast in exchange for green space.

Ask staff to report back on the process for determining the vulnerability of tenants with respect to this application and all future applications.

Motion to refer:

Moved By Councillor Isitt

Seconded By Councillor Potts

That Council refer the application back to staff to engage with the applicant and report back to Council on the prospects of substantially improving affordability in this project.

FOR (2): Councillor Isitt, and Councillor Young

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

DEFEATED (2 to 7)

Amendment:

Moved By Councillor Loveday

Seconded By Councillor Alto

That the motion be amended by striking the following wording:

"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, and that staff".

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Loveday

That the motion be amended by striking point #1.

Mayor Helps recalled the previous amendment motion.

Motion to refer:

Moved By Councillor Isitt

Seconded By Councillor Loveday

That this matter be referred to the January 10, 2019 Committee of the Whole meeting for discussion.

Amendment on the motion to refer:

Moved By Councillor Isitt

Seconded By Councillor Loveday

That the referral motion be amended as follows:

"That this matter be referred to staff with direction to work on:

Direct staff to work with BC Housing and/or the applicant to secure 10-20% of the units as affordable rental housing in perpetuity and ensure the tenants who are being displaced have first right of refusal provided they meet the eligibility requirements for the affordable units.

Direct staff to work with the applicant to revise the plans to remove the three parking stalls on Pendergast in exchange for green space.

Ask staff to report back on the process for determining the vulnerability of tenants with respect to this application and all future applications.

Update report to Council on the proposed day-care facility located at 380 Cook Street and execution of any necessary legal agreements, to the satisfaction of the Director of Sustainable Planning and Community Development."

FOR (7): Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (2): Mayor Helps, and Councillor Alto

CARRIED (7 to 2)

Mayor Helps recalled the amendment on the motion to refer.

Amendment on the motion to refer:

Moved By Councillor Isitt

Seconded By Councillor Young

That the referral motion be amended as follows:

"That this matter be referred to staff with direction to work on:

Direct staff to work with BC Housing and/or the applicant to incorporate affordability into the project, including the option of securing 10-20% of the units as affordable rental housing in perpetuity and ensure the tenants who are being displaced have first right of refusal provided they meet the eligibility requirements for the affordable units.

Direct staff to work with the applicant to revise the plans to remove the three parking stalls on Pendergast in exchange for green space.

Ask staff to report back on the process for determining the vulnerability of tenants with respect to this application and all future applications.

Update report to Council on the proposed day-care facility located at 380 Cook Street and execution of any necessary legal agreements, to the satisfaction of the Director of Sustainable Planning and Community Development."

CARRIED UNANIMOUSLY

On the motion to refer as amended:

That this matter be referred to staff with direction to work on:

Direct staff to work with BC Housing and/or the applicant to incorporate affordability into the project, including the option of securing 10-20% of the units as affordable rental housing in perpetuity and ensure the tenants who are being displaced have first right of refusal provided they meet the eligibility requirements for the affordable units.

Direct staff to work with the applicant to revise the plans to remove the three parking stalls on Pendergast in exchange for green space.

Ask staff to report back on the process for determining the vulnerability of tenants with respect to this application and all future applications.

Update report to Council on the proposed day-care facility located at 380 Cook Street and execution of any necessary legal agreements, to the satisfaction of the Director of Sustainable Planning and Community Development.

FOR (7): Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young
OPPOSED (2): Mayor Helps, and Councillor Alto

CARRIED (7 to 2)