

E.1 1475 Fort Street - Development Permit with Variance Application No. 00120 (Rockland)

Council received a report dated May 14, 2020 from the Director of Sustainable Planning and Community Development presenting Council with an application to construct a four-storey residential rental building with multiple buildings on an existing panhandle lot. The report recommends proceeding to an opportunity for public comment.

Committee discussed the following:

- *Variations to the process which provides for additional consultation*
- *Potential delays to the project should additional consultation be imposed*
- *Height differentials between the proposal and the current surrounding context*
- *Merits of rental-only tenure buildings amidst a housing crisis.*
- *Preservation of bylaw-protected trees on and around the site*

Moved By Councillor Alto

Seconded By Councillor Potts

Development Permit with Variances Application No. 00120 for 1475 Fort Street

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

- a. A Housing Agreement to secure rental tenure of the dwelling units in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development
- b. A Section 219 covenant to ensure that the dwelling units are not strata titled, to the satisfaction of the Director of Sustainable Planning and Community Development
- c. A section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street, to the satisfaction of the Director of Engineering and Public Works.

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00120 for 1475 Fort Street, in accordance with:

1. Plans date stamped April 8, 2020
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the vehicle parking from 45 stalls to 26 stalls;
 - ii. reduce the visitor parking from 3 stalls to 2 stalls;
 - iii. increase the building height from 12 metres to 14.39 metres;
 - iv. reduce the front setback from 10.5 metres to 1.81 metres

- v. reduce the rear setback from 7.2 metres to 3.96 metres
 - vi. reduce the east side yard setback from 7.2 metres to 3.05 metres
 - vii. reduce the west side yard setback from 7.2 metres to 3.86 metres
 - viii. increase the site coverage from 40 percent to 47 percent
 - ix. allow for an accessory structure to be located in the front yard rather than the rear yard
3. The Development Permit lapsing two years from the date of this resolution.”

Amendment:

Moved By Councillor Thornton-Joe
Seconded By Councillor Isitt

Subject to the applicant undertaking a CALUC community meeting that includes mail notices to owners and occupiers within 50 metres of the subject property and subject to staff providing an update report to COTW along with a revised motion reflecting any changes to the proposal.

Amendment to the Amendment:

Moved By Councillor Young
Seconded By Councillor Thornton-Joe

~~**Subject to the applicant undertaking a CALUC community meeting that includes mail notices to owners and occupiers within 50 metres of the subject property and subject to staff providing an update report to COTW along with a revised motion reflecting any changes to the proposal.**~~

That Council request that the applicant undertake a CALUC community meeting that includes mail notice to owners and occupiers within 50 metres of the subject property, and staff provide a further report to Committee of the Whole based on this process along with a revised motion reflecting any changes to the proposal

FOR (3): Councillor Isitt, Councillor Dubow, and Councillor Young
OPPOSED (4): Councillor Alto, Councillor Loveday, Councillor Potts, and Councillor Thornton Joe

DEFEATED (3 to 4)

On the amendment:

FOR (6): Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Dubow, and Councillor Young
OPPOSED (1): Councillor Alto

CARRIED (6 to 1)

On the main motion as amended:

Moved By Councillor Alto

Seconded By Councillor Potts

Development Permit with Variances Application No. 00120 for 1475 Fort Street

Subject to the applicant undertaking a CALUC community meeting that includes mail notices to owners and occupiers within 50 metres of the subject property and subject to staff providing an update report to COTW along with a revised motion reflecting any changes to the proposal.

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

- a. A Housing Agreement to secure rental tenure of the dwelling units in perpetuity while allowing all or a portion of the dwelling units to be leased to a third party housing provider for non-market housing, to the satisfaction of the Director of Sustainable Planning and Community Development
- b. A Section 219 covenant to ensure that the dwelling units are not strata titled, to the satisfaction of the Director of Sustainable Planning and Community Development
- c. A Section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street, to the satisfaction of the Director of Engineering and Public Works.
- d. An agreement to secure sixteen car share memberships, to the satisfaction of the Director of Engineering and Public Works.

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1. Plans date stamped April 8, 2020
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 - vi. reduce the east side yard setback from 7.2 metres to 3.05 metres
 - vii. reduce the west side yard setback from 7.2 metres to 3.86 metres

- viii. increase the site coverage from 40 percent to 47 percent
 - ix. allow for an accessory structure to be located in the front yard rather than the rear yard
3. The Development Permit lapsing two years from the date of this resolution.”

FOR (6): Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Dubow

OPPOSED (1): Councillor Young

CARRIED (6 to 1)