



Council Report

For the Meeting of November 26, 2020

To: Council **Date:** November 19, 2020

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

Subject: **1050-1058 Pandora Avenue and 1508, 1514 and 1516 Cook Street: Rezoning Application No. 00695, Heritage Alteration Permit Application No. 00016, and Heritage Designation Application No. 000188**

RECOMMENDATION

Rezoning Application No. 00695

That Council adopt the following resolution:

1. Council approves a statutory right-of-way of two (2) metres for the purpose of a public pathway from Cook Street to Franklin Green Park, registered in favour of the City on title to the property located at 105-1058 Pandora Avenue and 1508, 1514 and 1516 Cook Street and 1518 Cook Street.

That the following bylaws **be given introductory readings:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1220) No. 20-041
2. Heritage Designation (1050-1058 Pandora Avenue and 1508, 1514 and 1516 Cook Street and 1518 Cook Street) Bylaw No. 20-007.
3. Housing Agreement (1050-1058 Pandora Avenue and 1508, 1514 and 1516 Cook Street and 1518 Cook Street) Bylaw (2020) No. 20-042.

Heritage Alteration Permit Application No. 00016

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. 00695, if it is approved, consider the following motions:

1. "That Council authorize the issuance of Heritage Alteration Permit Application No. 00016 for 1050-1058 Pandora Avenue and 1508-1518 Cook Street, in accordance with:
 - a. Plans, date stamped **November 16, 2020**;
 - b. The Conservation Plan for the Parkway Apartments, date stamped July 16, 2019;
 - c. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development; and
 - d. Heritage Alteration Permit lapsing two years from the date of this resolution.

2. That Council approve the designation of the heritage-registered property located at 1050-1058 Pandora Avenue and 1508-1516 Cook Street, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, consistent with the plans dated July 15, 2020."

BACKGROUND

The proposal is to retain and heritage-designate 50% of the existing heritage building and construct a new four- and six-storey mixed-use addition consisting of ground floor commercial uses and residential above. It came before Council on December 12, 2019, and again on August 6, 2020 where the following resolution was approved:

Rezoning Application No. 00695

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00695 for 1050-1058 Pandora Avenue and 1508-1518 Cook 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 appropriate legal agreements in order to secure the following:*
 - a. *all dwelling units remain rental in perpetuity;*
 - b. *a Statutory Right-of-Way of 3.083m along Cook Street, to the satisfaction of the Director of Engineering and Public Works;*
 - c. *pay for the construction an asphalt pathway in Franklin Green Park to connect the proposed 3m wide pathway at the northwest corner of the site to an existing park pathway to the west to the satisfaction of the Director of Parks, Recreation and Facilities;*
 - d. *provide a bus shelter on Cook Street in accordance with the site plan dated November 22, 2019, to the satisfaction of the Director of Engineering and Public Works and the Director of Sustainable Planning and Community Development;*
 - e. *provide two car share vehicles, two assigned car share parking spaces on-site, 118 car share memberships, a \$100 of driving credits for each resident, and 40 electric bicycle charging stations (110V wall outlets) in the underground parkade, to the satisfaction of the Director of Engineering and Public Works;*
 - f. *purchase 100 transit passes through BC Transit's EcoPass program to the satisfaction of the Director of Engineering and Public Works;*
 - g. *permit the proposed mews to access Franklin Green Park for fire exit purposes;*
 - h. *maintain unrestricted public access to the mews from Cook Street and Franklin Green Park from 8AM-8PM each day;*
 - i. *provide a community amenity contribution in the amount of \$24,000.00 toward the Tree Reserve Fund for tree planting purposes and enhancing the city's urban forest; and*
 - j. *provide a community amenity contribution in the amount of \$17,800.00 toward the Local Amenity Reserve Fund for the construction of two accessible asphalt pathways within Franklin Green Park linking Cook Street and the development to the existing pathways in the park and for the purchase and installation of a drinking fountain for the park to the satisfaction of the Director of Parks, Recreation and Facilities.*
 - k. *design, supply and installation of the 'New Town District' framework along both frontages, including furnishings, materials and pedestrian lights, as laid out in the City's*

Downtown Public Realm Plan and Streetscape Standards document to the satisfaction of the Director of Engineering and Public Works.

2. *Council authorizing street-level projecting canopies and cornices over the City Right-of-Way on 1050-1058 Pandora Avenue and 1508-1518 Cook Street, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.*
3. *That staff be directed to work with the applicant to achieve some street trees or form of greenery in the public realm on Cook Street as part of this development.*

Heritage Alteration Permit Application No. 00016

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. 00695, if it is approved, consider the following motions:

1. *“That Council authorize the issuance of Heritage Alteration Permit Application No. 00016 for 1050-1058 Pandora Avenue and 1508-1518 Cook Street, in accordance with:*
 - e. The Plans, date stamped July 15, 2020*
 - f. The Conservation Plan for the Parkway Apartments, date stamped July 16, 2019.*
 - g. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.*
 - h. Heritage Alteration Permit lapsing two years from the date of this resolution.*
2. *That Council approve the designation of the heritage-registered property located at 1050-1058 Pandora Avenue and 1508-1516 Cook Street, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, consistent with the plans dated July 15, 2020.”*

COMMENTS

Greenery on Cook Street

Council directed staff to work with the applicant to achieve some street trees or form of greenery in the public realm on Cook Street. In response to this request, the applicant is proposing to add six planters within the proposed statutory right-of-way (SRW) area in front of the addition on Cook Street. With the limited space in front of this proposed development due to the existing heritage building, the only area within the public realm that can accommodate additional greenery without impacting pedestrians, transit users and sightlines is within this SRW area. The large planters can accommodate small ornamental trees, and they will all be irrigated and maintained by the applicant. The plans have been updated accordingly for Council’s consideration.

Statutory Right-of-Way for Pathway

The applicant is willing to register a 2m SRW along the north side of the subject property to provide a pathway connection from Cook Street to Franklin Green Park for public use and enjoyment. The proposed pathway was discussed in the Committee of the Whole report dated November 28, 2019 with the intention of securing a SRW for public use; however, it was missed in the original recommendation for Council’s consideration. Ensuring the Council resolution is consistent with the agreements that have been drafted is simply a house keeping revision.

Public Hearing Conditions

With regard to the pre-conditions that Council set in relation to these applications, staff can report that the applicant has executed the following legal agreements:

- a housing agreement to ensure that all dwelling units remain rental in perpetuity
- a 3.083m statutory right-of-way on Cook Street
- a 2.50m statutory right-of-way “mews way” public path between the buildings from Cook Street to Franklin Green Park, to be open during daytime hours
- a 2m statutory right-of-way public path along the north side of the building from Cook Street to Franklin Green Park
- Section 219 Covenants securing the following items:
 - a bus canopy and two bus benches on Cook Street
 - two car share vehicles; two assigned car share parking spaces on-site; 118 car share memberships (one for each dwelling unit); a \$100 of driving credits for each resident; and 40 electric bicycle charging stations (110V wall outlets)
 - 100 transit passes through BC Transit's EcoPass program
- an encroachment agreement to authorize street-level projecting canopies and cornices over the City right-of-way on 1050-1058 Pandora Avenue and 1508-1518 Cook Street.

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,



Leanne Taylor
Senior Planner
Development Services Division



Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: November 24, 2020

List of Attachments

- Attachment A: Updated plans date stamped November 16, 2020.