



## Council Report

For the Meeting of May 27, 2021

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**To:** Council **Date:** May 19, 2021  
**From:** C. Kingsley, City Clerk  
**Subject:** 415 and 435 Michigan Street: Rezoning Application No. 00637 and Development Permit with Variances Application No. 00055

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### RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1253) No. 21-044

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

1. Housing Agreement (415 and 435 Michigan Street) Bylaw 2021 No. 21-045

### BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaws No. 21-044 and No. 21-045.

The issue came before Council on September 19, 2019 where the following resolution was approved:

**415 and 435 Michigan Street: Rezoning Application No. 00637 and Development Permit with Variances Application No. 00055**

**Rezoning Application No. 00637**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00637 for 415 and 435 Michigan Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure all of the dwelling units on site as rental, in perpetuity.
2. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure two of the proposed one-bedroom rental dwelling units as below-market housing (offered for rent at 30% of the gross annual household income for \$55,200 households, in perpetuity).
3. That Council direct staff to work with the applicant to revise the proposal to develop a comprehensive TDM package to mitigate the parking shortfall and submit revised plans to address inconsistencies in the project data table.

Development Permit with Variances Application No. 00055

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. 00637, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00055 for 415 and 435 Michigan Street, in accordance with:

1. Plans date stamped June 4. 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. increase the number of buildings permitted on one lot from one to three;
  - ii. reduce the front setback to buildings from 15m to 5.5m;
  - iii. reduce the front setback to canopies on a building from 12m to 5m;
  - iv. reduce the front setback to stairs on a building from 12m to 2.0m;
  - v. increase the site coverage from 14% to 23.6%;
  - vi. reduce the open site space from 40% to 31%;
  - vii. reduce the number of parking spaces (not visitor) from 221 to 130;
  - viii. reduce the number of parking spaces (visitor) from 22 to 11;
  - ix. permit accessory buildings in the side yard;
  - x. increase the floor area for an accessory building from 37m<sup>2</sup> to 54m<sup>2</sup>.
3. Revised plans addressing inconsistencies in the project data table.
4. The Development Permit lapsing two years from the date of this resolution."

Respectfully submitted,

Curt Kingsley  
City Clerk

**Report accepted and recommended by the City Manager**

**List of Attachments:**

- Bylaw No. 21-044
- Bylaw No. 21-045