

**K. BYLAWS**

**K.1 Bylaw for 1314-1318 & 1324 Wharf Street (Northern Junk) Rezoning Application No. 00701 and Heritage Alteration Permit No. 00236**

*Councillor Potts joined the meeting at 10:46 pm.*

**Moved By** Councillor Loveday  
**Seconded By** Councillor Alto

That the following bylaw **be given first and second readings:**

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1256), No. 21-061

FOR (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Loveday, and Councillor Potts

OPPOSED (4): Councillor Dubow, Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

**CARRIED (5 to 4)**

**Moved By** Councillor Loveday  
**Seconded By** Councillor Potts

That the following bylaw **be given first, second readings:**

- Housing Agreement (1314 and 1318 Wharf Street) Bylaw (2021), No. 21-062

FOR (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Loveday, and Councillor Potts

OPPOSED (4): Councillor Dubow, Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

**CARRIED (5 to 4)**



**Council Report  
For the Meeting of July 15, 2021**

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**To:** Council **Date:** July 8, 2021  
**From:** C. Kingsley, City Clerk  
**Subject:** 1314-1318 and 1324 Wharf Street: Rezoning Application No. 00294

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**RECOMMENDATION**

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1256) No. 21-061

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

1. Housing Agreement (1314 and 1318 Wharf Street) Bylaw (2021), No. 21-062

**BACKGROUND**

Attached for Council's initial consideration are copies of the proposed Bylaw No. 21-061 and Bylaw No. 21-062

The issue came before Council on October 1, 2021 where the following resolution was approved:

**1314 and 1318 Wharf Street: Update Report on Rezoning Application No. 00701 and Heritage Alteration Permit with Variances Application No. 00236 (Northern Junk) (Downtown)**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00701 for 1314 and 1318 Wharf 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. Plan revisions to include frontage works and building access consistent with the City's Subdivision and Development Servicing Standards, revised long term bike parking spaces to meet the requirements set out in Schedule C of the Zoning Regulation Bylaw and minor plan corrections, to the satisfaction of the Director of Sustainable Planning and Community Development and Director of Engineering & Public Works.
2. That Council authorize the placement of Pad Mounted Transformer (PMT) on public property and work with the applicant to ensure the addition of the PMT is incorporated as an enhancement to the public realm with all associated expenses being born by the applicant to the satisfaction of the Director of Sustainable Planning and Community Development.
3. Preparation of the following agreements, registered on title by the applicant, to the satisfaction of City staff:

- a. Statutory right-of-way for public access over the area dedicated to the Harbour Pathway and the internal alley between the two heritage buildings, to the satisfaction of City staff;
  - b. Housing Agreement to secure 47 residential rental units as rental in perpetuity, to the satisfaction of the City Solicitor;
  - c. Section 219 Covenant to secure off-site tree replacement at a four to one ratio with a cash in lieu contribution with values set per the Tree Preservation Bylaw (Bylaw No. 05-106) for public realm improvements, and a cash in lieu contribution for offsite short term bicycle parking; and
  - d. A legal agreement to ensure that building amendments would be made along the north property line to comply with building code requirements should a building be proposed for the property located at 1324 Wharf Street.
4. That Council authorize the Mayor and City Clerk to execute encroachment agreements, to be executed at the time of the building permit approval, if the other necessary approvals are granted, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:
    - a. building encroachments; and
    - b. anchor-pinning in the City right-of-way.

### **Heritage Alteration Permit with Variances No. 00236**

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. 00701, if it is approved, consider the following motion:

“That Council authorize the issuance of Heritage Alteration Permit with Variances Application No. 00236 for 1314 and 1318 Wharf Street, in accordance with:

1. Plans date stamped August 10, 2020.
2. The Conservation Plan for the Caire and Grancini Warehouse at 1314 Wharf Street, date stamped October 22, 2019.
3. The Conservation Plan for the Fraser Warehouse at 1316-1318 Wharf Street, date stamped October 22, 2019.
4. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - a. Reduce the required short term bicycle parking spaces from 10 to 0; and
  - b. Increase the maximum permitted height from 8 metres to 21 metres.
5. Final plans to be generally in accordance with the plans identified above, to the satisfaction of the Director of Sustainable Planning and Community Development.
6. The applicant provide details regarding their intended process for commissioning a story wall for the north elevation of the building, including an artist selection process, scope and content, and an explanation for how their project will consider the Indigenous cultural heritage of the waterfront public realm, to the satisfaction of the Director of Sustainable Planning and Community Development.
7. The applicant providing a lighting plan for the heritage buildings, to the satisfaction of the Director of Sustainable Planning and Community Development.
8. That Council authorize the placement of Pad Mounted Transformer (PMT) on public property and work with the applicant to ensure the addition of the PMT is incorporated as an enhancement to the public realm to the satisfaction of the Director of Sustainable Planning and Community Development.
9. Heritage Alteration 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. 21-061
- Bylaw No. 21-062