



## **Council Report**

### **For the Meeting of December 1, 2022**

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**To:** Council **Date:** November 3, 2022

**From:** Karen Hoesel, Director, Sustainable Planning and Community Development

**Subject:** **Update Report for Rezoning Application No. 00792 for 680 Montreal Street**

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### **RECOMMENDATION**

That Council:

1. Rescind 2<sup>nd</sup> reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1285), No. 22-077 (the "Bylaw").
2. Amend the Bylaw as follows:
  - a. in the purpose statement, repeal the bullet beginning with "rezoning land known as" in its entirety and replace it with the following:

"• rezoning land known as 680 Montreal Street to the T-26 Zone, Laurel Point District, from the C-4H Zone, Harbour Activity District, the M-2 Zone, Light Industrial District, and the IH-Park Zone, Inner Harbour Parks and Causeway District.";
  - b. in section 4, strike out "both"; and
  - c. in section 4, immediately after "C-4H Zone, Harbour Activity District," insert "the IH-Park Zone, Inner Harbour Parks and Causeway District,"
3. Give 2<sup>nd</sup> reading to Bylaw, as amended.

### **UPDATE**

On September 8, 2022, Council gave first and second readings to Rezoning Bylaw No. 22-077 to rezone the property at 680 Montreal Street from the C-4H Zone, Harbour Activity District, and the M-2 Zone, Light Industrial District, to a new zone in order to allow the existing hotel use to continue once the provincially-legislated expiration of the Land Use Contract registered against 680 Montreal occurs on June 30, 2024.

A public hearing was to be held on October 6, 2022 but was cancelled as it was discovered that there was an error in the bylaw and associated public hearing notice. A small portion of the subject property is also within the IH-Park Zone, Inner Harbour Parks & Causeway District, which was not referenced in the original bylaw and notice.

This portion of the subject property that is zoned IH-Park was transferred to the Hotel from the federal government in 2021. Until that time, it was part of the federal foreshore lands and was used by the Hotel by as part of its water garden and associated landscaping. Therefore, the rezoning of the portion of the Hotel property currently zoned IH-Park will not result in the loss of City park land, because the City has not owned nor operated it as such. Furthermore, there is a covenant on the parcel in favour of Transport Canada that requires this portion of the land to be used for purposes of hotel landscape and uses ancillary to the operation of the hotel, so there is unlikely to be a loss in landscaped area should the parcel be redeveloped in the future.

There have not been any changes made to the proposal.

Council will need to rescind second reading of the bylaw, amend the bylaw, and subsequently give second reading to the amended bylaw to proceed with the Public Hearing.

## **CONCLUSIONS**

The recommendation provided for Council's consideration contains the appropriate language to advance this application to a Public Hearing.

Respectfully submitted,

Mike Angrove  
Senior Planner – Development Agreements  
Development Services Division

Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

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

## **List of Attachments**

- Attachment A: Council Report dated August, 25, 2022
- Attachment B: Committee of the Whole Report dated June 2, 2022
- Attachment C: Minutes from Committee of the Whole Meeting dated June 16, 2022
- Attachment D: Proposed Bylaw No. 22-077, as amended
- Attachment E: Blacklined version of the Bylaw