

**I.1 Bylaw for 1046 and 1048 North Park Street: Rezoning Application No. 00812 and Development Permit with Variances Application No. 00198**

**Moved By** Councillor Dell

**Seconded By** Councillor Thompson

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1304) No. 23-056

**CARRIED UNANIMOUSLY**

DRAFT



## Council Report

### For the Meeting of June 1, 2023

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**To:** Council **Date:** May 23, 2023  
**From:** C. Kingsley, City Clerk  
**Subject:** 1046 and 1048 North Park Street: Rezoning Application No. 00812 and Development Permit with Variances Application No. 00198

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### RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1304) No. 23-056

### BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 22-023.

The issue came before Council on April 20, 2023, where the following resolution was approved:

#### ***1046 and 1048 North Park Street: Rezoning Application No. 00812 and Development Permit with Variances Application No.00198 (North Park)***

##### Rezoning Application

1. *That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated February 16, 2023, for 1046 and 1048 North Park Street.*
2. *That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set.*
3. *That subject to approval in principle at the Public Hearing, the applicant prepare and execute the following legal agreements, with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor prior to adoption of the bylaw(s):*
  - a. *Provision of transportation demand management measures including:*
    - i. *Purchase of four bicycles at the cost of \$500 each for use by residents*
    - ii. *Six yearly transit passes for a minimum of five years to be distributed to staff, and*
    - iii. *end of trip facilities including a locker room and a minimum of one staff shower.*
4. *That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.*
5. *That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.*

Development Permit with Variance Application

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. 00812 if it is approved, consider the following motion:

1. That subject to the adoption of the necessary Zoning Regulation Bylaw (Zoning Bylaw No. 80-159) amendment, Council authorize the issuance of Development Permit with Variances No. 00198 for 1046 and 1048 North Park Street, in accordance with plans submitted to the Planning department and date stamped by Planning on February 23, 2023 subject to:
  - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. reduce the side (west) lot line setback from 2.4m to 0m;
    - ii. reduce the rear (north) lot line setback from 6.4m to 5.15m
    - iii. reduce the minimum separation distance from the principal building to an accessory building from 2.4m to 2.3m
    - iv. increase the height from 12.7m to 16.64m
    - v. reduce the vehicle parking requirement from 14 to 0 spaces and the visitor parking requirement from 4 to 0 spaces.
    - vi. Increase the site coverage from 60 percent to 72.3 percent.
  - b. The property being consolidated into one lot.
2. That the Development Permit with Variances, if issued, lapses 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. 23-056

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by amending the R-91 Zone North Park Residential District, to increase the maximum total floor area from 1,253m<sup>2</sup> to 1,486m<sup>2</sup>, to increase the allowable density from 1.91:1 to 2.27:1, and to allow for accessory buildings as a permitted use for the property known as 1046 and 1048 North Park.

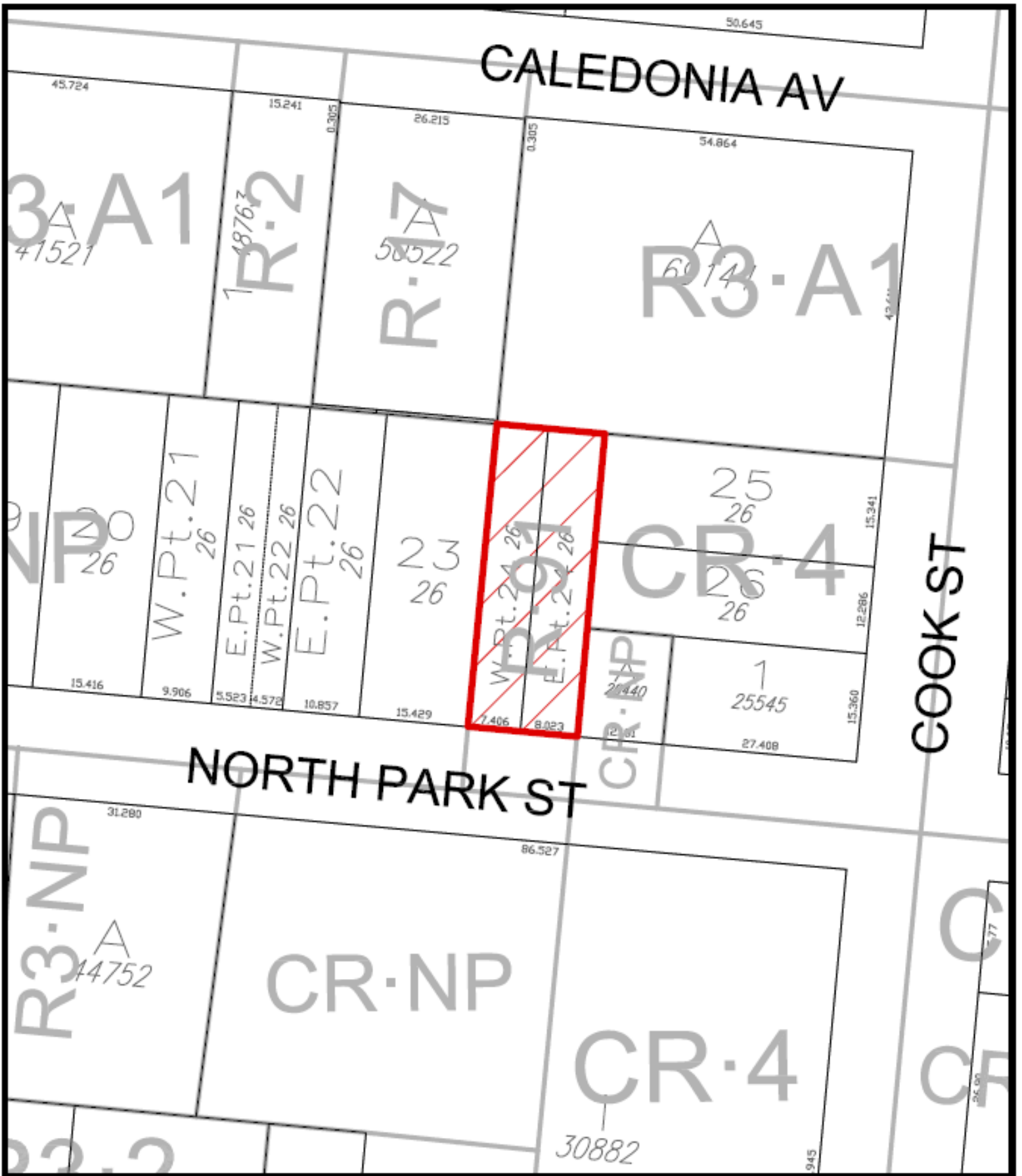
The Council of The Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1304)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw is amended as follows:
  - (a) in section 3.123.1, by inserting the following new subsection immediately after subsection b.:
    - c. Accessory Buildings subject to the regulations in Schedule “F”;
  - (b) in section 3.123.3a., by deleting “1253m<sup>2</sup>” and replacing it with “1486m<sup>2</sup>”; and
  - (c) in section 3.123.3b., by deleting “1.91:1” and replacing it with “2.27:1”.

READ A FIRST TIME the	day of	2023
READ A SECOND TIME the	day of	2023
Public hearing held on the	day of	2023
READ A THIRD TIME the	day of	2023
ADOPTED on the	day of	2023

CITY CLERK

MAYOR



1046 & 1048 North Park Street  
Rezoning No.00812

