



Council Report

For the Meeting of September 7, 2023

To: Council **Date:** August 28, 2023
From: C. Kingsley, City Clerk
Subject: 1905 Lee Avenue: Rezoning Application No. 00710 and Associated Development Permit with Variances Application No. 00563

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw Amendment Bylaw (No. 1308) No. 23-072

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 23-072.

The issue came before Council on June 15, 2023 where the following resolution was approved:

1905 Lee Avenue: Update Report for Rezoning Application No. 00710 and Associated Development Permit with Variances Application No. 00563 (South Jubilee)

Rezoning Application

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 April 27, 2023, for Rezoning Application No. 00710 for 1905 Lee Avenue and associated Development Permit with Variances Application No. 00563.

1. *That first and second reading of the Zoning Regulation Bylaw amendment be considered by Council and a public hearing date be set once the applicant refines the plans to remove the walkway across the City Boulevard, to the satisfaction of the Director of Parks, Recreation and Facilities; and Director of Engineering and Public Works.*
2. *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 Variances 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. 00710, if it is approved, consider the following motion:

1. *"That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00563 for 1905 Lee Avenue, to facilitate the small lot subdivision and in accordance with plans submitted to the Planning department and date stamped September 14, 2022, subject to:*
 - a. *Proposed development meeting all City zoning bylaw requirements, except for the following variances:*
Existing House
 - i. *reduce the rear yard setback from 6.0m to 2.01m;*
 - ii. *reduce the side yard setback (north) for a habitable window from 2.40m to 1.65m.*
Proposed House
 - i. *reduce the rear yard setback from 6.0m to 2.40m;*
 - ii. *reduce the front yard setback from 6.0m to 2.49m;*
 - iii. *no parking be required*
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. 23-072