



Council Report

For the Meeting of October 19, 2023

To: Council **Date:** October 10, 2023
From: C. Kingsley, City Clerk
Subject: 623/625 Avalon Road: Rezoning Application No. 00744 and Development Permit with Variances Application No. 00223

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw Amendment Bylaw (No. 1319) No. 23-086

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 23-086.

The issue came before Council on July 13, 2023 where the following resolution was approved:

623/625 Avalon Road: Rezoning Application No. 00744 and Development Permit with Variances Application No. 00223 (James Bay)

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 June 15, 2023 for 623/625 Avalon Road.*
2. *That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set.*
3. *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.*
4. *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. 00744, if it is approved, consider the following motion:

1. *"That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorizes the issuance of Development Permit with Variance No. 00223 for 623/625 Avalon Road, in accordance with plans submitted to the Planning department and date stamped by Planning on January 11, 2023, subject to:
 - a. *Proposed development meeting all City zoning bylaw requirements, Schedule M – Garden Suites, except for the following variances:
 - i. *increase the rear yard site coverage from 25% to 28.10%.**
 - b. *Secure the provision of three car share memberships including credits for each membership with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor.*
 - c. *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. 23-086