



Council Report

For the Meeting of April 4, 2024

To: Council **Date:** March 13, 2024
From: C. Kingsley, City Clerk
Subject: 2816 Irma Street: Rezoning Application No. 00829 and Development Permit with Variances Application No. 0217

RECOMMENDATION

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

1. Zoning Regulation Bylaw Amendment Bylaw (No. 1333) No. 24-011

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 24-011.

The issue came before Council on December 14, 2023 where the following resolution was approved:

2816 Irma Street: Rezoning Application No. 00829 and associated Development Permit with Variances Application No. 0217 (Burnside)

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 December 14, 2023, for 2816 Irma Street.*
2. *That, after publication of notification in accordance with section 467 of the Local Government Act, first, second, and third reading of the zoning bylaw amendment be considered by Council once the following conditions are met, to the satisfaction of the Director of Parks, Recreation and Facilities:*
 - a. *a replacement tree plan prepared by an arborist or landscape architect showing the location of proposed replacement trees meeting requirements under the bylaw*
 - b. *revisions to the arborist report commenting on retention status of municipal tree M1 in relation to the proposed 1.8 m wide sidewalk*
 - c. *an updated Civil plan showing the location of site servicing on private property, proposed location of all third-party utilities, and adding proposed street trees.*
3. *That following the third reading of the zoning amendment bylaw, the applicant prepares and execute the following legal agreement, with contents satisfactory to the Director of Sustainable Planning and Community Development and form satisfactory to the City Solicitor prior to adoption of the bylaw:*

- a. a 1.38m Statutory Right of Way on Irma Street.
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 Variances Application

That Council, after giving notice, 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 Variances No. 00217 for 2816 Irma Street, in accordance with plans submitted to the Planning department and date stamped by Planning on September 14, 2023, subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 6.00m to 4.45m;
 - ii. reduce the side (north) setback from 4.0m to 3.0m;
 - iii. reduce the requirement for soft landscaping between surface vehicle parking spaces and an adjacent lot used primarily for residential purposes from 1.0m to 0.0m;
 - iv. reduce the number of visitor parking spaces from 1 to 0; and
 - v. allow roof decks.
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. 24-011