



Council Report

For the Meeting of September 5, 2024

To: Council **Date:** August 27, 2024
From: C. Kingsley, City Clerk
Subject: 1702 Quadra Street/ 862 Fisgard Street: Housing Agreement

RECOMMENDATION

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

1. Housing Agreement (1708 Quadra Street) Bylaw (2024), No. 24-044

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 24-044.

The issue came before Council on September 28, 2023 where the following resolution was approved:

1702 Quadra Street/ 862 Fisgard Street: Rezoning Application No. 00806 and associated Development Permit with Variances Application No. 00193 (North Park)

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 August 31, 2023, for 1702 Quadra Street/862 Fisgard Street.*
2. *That, pursuant to section 30 of the Land Use Procedures Bylaw, Council waives the requirement for the holding of a public hearing.*
3. *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:*
 - a. *That the applicant makes the following revisions to the plans satisfactory to the Director of Sustainable Planning and Community Development:*
 - i. *incorporation of a 2.0m wide Statutory Right of Way on the Quadra Street frontage*
 - ii. *provision of one accessible vehicle stall, one van accessible vehicle stall, one visitor stall, and one car share vehicle stall*
 - iii. *addition of a servicing/loading area for garbage collection*
 - iv. *provision of a bicycle repair facility*
 - v. *inclusion of rooftop amenity space*
 - vi. *consider revision of the materials and/or colour palette to better respond to the heritage context*
 - vii. *sidewalk grades through the driveway not exceeding 3%*

- viii. a driveway crossing in compliance with the Highway Access Bylaw
 - ix. functional vertical long term bicycle parking racks
 - x. manoeuvring aisle for the short-term bicycle parking a minimum of 1.5m wide
 - xi. maximum grade of the driveway at 6% for the first 6.0m and 15% beyond the first 6.0m.
 - b. Adjustments to the proposed variances necessary to accommodate the required plan revisions.
 - c. The Arborist Report, Civil, and Landscape Plans are revised to the satisfaction of the Director of Parks, Recreation, and Facilities to address outstanding Parks comments including:
 - i. confirm the retention of trees OS1, OS2, and OS3
 - ii. review and discuss feasibility of retention for Tree M1
 - iii. revise the Arborist report and Tree Management Plan to be consistent with the revised building design
 - iv. provide a tree impact summary
 - v. provide a tree preservation summary.
- 4. That following the third reading of the zoning amendment bylaw, the applicant prepares and execute the following legal agreements, 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. The property shall be rental in perpetuity or the greater of 60 years or the life of the building.
 - b. Provision of transportation demand management measures including
 - i. one care share vehicle
 - ii. one car share vehicle parking stall
 - iii. car share memberships for all units
 - iv. end of trip facilities including a bicycle repair facility
 - v. a minimum of 12 cargo bike stalls
 - vi. 20 percent of long-term stalls with charging capability.
 - vii. BC Transit EcoPasses for 10 percent of dwelling units secured for 5 years
- 5. That following the third reading of the zoning amendment bylaw, the applicant prepares 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. 2.0m wide Statutory Right of Way along Quadra Street for highway purposes
 - b. Section 219 covenant to secure upgrades to existing sidewalk conditions, addition of street furniture and upgrades to Fisgard Green, and soil cells for any new trees proposed on the Quadra Street frontage.
- 6. 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
- 7. 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, 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. 00193 for 1702 Quadra Street/862 Fisgard Street in accordance with revised plans submitted to the Planning department subject to:

- a. *Proposed development meeting all City zoning bylaw requirements, except for the following variances:*
 - i. *reduce vehicle parking from 60 stalls to 4 stalls*
 - ii. *reduce the Quadra Street setback from 4.5m to 2.0m for the base and 4.0m for the tower*
 - iii. *reduce the Fisgard Street setback from 4.5m to 0m for the base and 3.5m for the tower*
 - iv. *reduce the north lot line setback from 6.0m to 0.3m for the bike enclosure and 4.2m for the tower*
 - v. *reduce the west lot line setback from 6.0m to 0.0m for the bike enclosure, 3.8m for the base, and 6.5m for the tower*
 - vi. *increase the site coverage from 50.0 percent to 78.7 percent*
 - vii. *reduce the open site space from 40.0 percent to 22.0 percent*
 - viii. *increase the height from 37.0m to 42.7.*
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. 24-044