



## Council Report

### For the Meeting of September 26, 2024

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**To:** Council **Date:** September 10, 2024  
**From:** C. Kingsley, City Clerk  
**Subject:** 1042 and 1044 Richardson Street: Rezoning Application No. 00753 and Development Permit with Variances Application No. 00158

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### RECOMMENDATION

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1341), No. 24-049

### BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 24-049.

The issue came before Council on May 23, 2024 where the following resolution was approved:

***1042 Richardson Street: Update on Rezoning Application No. 00753 and Development Permit with Variances Application No. 00158 (Fairfield)***

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 January 22, 2024 for 1042 Richardson 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 regulation bylaw amendment be considered by Council.*
3. *That following the third reading of the zoning amendment bylaw, the applicant prepare 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. *Secure the rental tenure of all dwelling units in perpetuity*
  - b. *Secure two accessible units.*
  - c. *Restrict strata titling of the building,*
  - d. *Secure a housing agreement for 10% of the units in the building (a total of two bachelor units) at 95% of Canada Mortgage and Housing Corporation (CMHC) median market rates for the greater of 60 years or the life of the building.*
  - e. *Secure the following Transportation Demand Management measures to offset the proposed parking variance, with terms to the satisfaction of the Director of Engineering and Public Works:*

- i. one car share vehicle, secured through a developer-funded contribution of \$55,000
  - ii. car share memberships and usage credits for all residential units
  - iii. one on-street dual head charger providing charge for one car share vehicle stall and one for public use
  - iv. 23 additional bicycle parking over schedule C requirements
  - v. 45% of required bicycle parking to be oversized
  - vi. 50% charging provision for all bicycle stalls
  - vii. a bike wash and maintenance station.
  - viii. a car share stall with EV charging capacity provided within the site.
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, consider the following motion:

1. "That subject to the adoption of Zoning Regulation Bylaw, Council authorize the issuance of Development Permit with Variances No. 00158 for 1042/1044 Richardson Street, in accordance with plans submitted to the Planning department and date stamped by Planning on January 22, 2024, subject to:
  - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. increasing the maximum height from 18.5m to 19.46m
    - ii. increasing the maximum site coverage from 40 percent to 52.70 percent
    - iii. decreasing the minimum open site space from 50 percent to 39.8 percent
    - iv. decreasing the front setback from 4.0m to 2.4m (to the building) and 1.50m (to balconies)
    - v. decreasing the rear yard (north) setback from 10.0m to 5.0m
    - vi. decreasing the east side yard setback from 6.0m to 1.20m
    - vii. decreasing the west side yard setback from 6.0m to 2.89m (to the building) and 2.09m (to balconies)
    - viii. decreasing the vehicle parking from 19 stalls to 8 stalls.
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. 24-049