



Council Report

For the Meeting of November 21, 2024

To: Council
From: Curt Kingsley, City Clerk
Subject: 515 and 519 Rithet Street: Rezoning Application No. 00868 and Development Permit with Variances Application No. 00267
Date: November 1, 2024

RECOMMENDATION

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1351), No. 24-085

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 24-085.

The issue came before Council on August 1, 2024 where the following resolution was approved:

515 and 519 Rithet Street: Rezoning Application No. 00868 and Development Permit with Variances Application No. 00267 (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 July 11, 2024 for 515 and 519 Rithet 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 Regulation Bylaw amendment, 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. *Provision of a cash contribution of \$31,100.00 towards the City's Housing Reserve Fund, to be provided at the time of building permit issuance.*
 - b. *Provision of transportation demand management measures including:*
 - i. *two secure cargo bicycle parking spaces*
 - ii. *ten percent of bicycle parking dedicated to cargo bikes and fifty percent of all bicycle parking with access to an electric outlet*

- iii. a car share membership for all residential units
 - iv. one electric cargo bicycle purchased by the developer for residents' use.
4. That adoption of the Zoning Regulation 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 the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00267 for 515 and 519 Rithet Street, in accordance with plans submitted to the Planning department and date stamped by Planning on May 31, 2024, subject to:*
 - a. *Proposed development meeting all City zoning bylaw requirements, except for the following variances:*
 - i. *reduce the required rear-yard setback from 8.0m to 3.73m*
 - ii. *reduce the east side yard setback from 3.0m to 2.21m*
 - iii. *reduce the required number of vehicle parking stalls from twenty-four to ten.*
 - b. *Plan changes to identify the on-site visitor vehicle parking stall.*
 - c. *Plan changes to the bicycle parking area to include a bicycle and mobility scooter maintenance and wash area, space for the shared bicycle, and*
 - d. *Plan changes to provide for a greater proportion of horizontal bicycle parking 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. 24-085