



## Council Report

For the Meeting of November 21, 2024

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**To:** Council **Date:** November 6, 2024  
**From:** Curt Kingsley, City Clerk  
**Subject:** 1885 Government Street: Heritage Designation Application No. 000209

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### RECOMMENDATION

That the following bylaw be given first and second readings:

1. Heritage Designation (1885 Government Street) Bylaw, No. 24-087

### BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 24-087.

The issue came before Council on October 17, 2024 where the following resolution was approved:

**1885 Government Street: Rezoning Application No. 00870, Development Permit with Variances Application No. 000641, and Heritage Designation Application No. 000209 (Downtown)**

#### **Rezoning Application**

1. That Council instruct the Director of Planning and Development to prepare the necessary Zoning Bylaw 2018 amendment that would authorize the proposed development outlined in the staff report dated September 19, 2024 for 1885 Government 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 Planning and Development and form satisfactory to the City Solicitor prior to adoption of the bylaw:
  - a. provision of a Housing agreement to secure all residential units within the building as rental in perpetuity
  - b. provision of Transportation Demand Management (TDM) agreement to secure the following TDM measures:
    - i. one electric Modo vehicle plus 70 car-share memberships and \$100 driving credits, to be located on-site

- ii. *eight extra-large bike parking spaces for cargo bikes at grade*
- iii. *a single bike repair station*
- iv. *the equivalent of the BC Transit ECOpass value for four commercial retail units with one ECOpass per unit for five years at \$1000/pass*
- v. *transportation option information package for new residents*
- c. *provision of an access agreement over 610 Herald Street and 635 Chatham Street in favour of 1885 Government to provide access to the underground parking below 1885 Government Street for the purpose of a driveway, with the City as a party to ensure the agreement is not discharged without City approval*
- d. *provision of a public realm agreement to secure frontage improvements as illustrated on plans date stamped June 27, 2024*
- 4. *That subject to adoption of the zoning bylaw amendment, Council authorize the projecting encroachments over the City right of way on Government Street and Herald Street generally as shown on the plans submitted to the City and date stamped June 27, 2024 provided that the applicant enters into an encroachment agreement with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor at the time of building permit approval*
- 5. *That adoption of the zoning bylaw amendment will not take place until:*
  - a. *third reading of an associated heritage designation bylaw to designate the property known as 1885 Government Street, as described in the Statement of Significance attached as Attachment D, pursuant to Section 611 of the Local Government Act, to the satisfaction of the Director of Planning and Development*
  - b. *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*
- 6. *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 Bylaw 2018 amendment, Council authorize the issuance of Development Permit with Variances No. 000641 for 1885 Government Street, in accordance with plans submitted to the Planning and Development department and date stamped on June 27, 2024, subject to:*
  - a. *proposed development meeting all City zoning bylaw requirements, except for the following variances:*
    - i. *reduce the required number of vehicle parking stalls from 54 to thirteen*
    - ii. *increase the building height from 15m to 19.51m; and*
  - b. *plan changes to:*
    - i. *provide 50% of long-term bicycle parking stalls as horizontally mounted*
    - ii. *revise the proposed cargo bicycle stalls to have a minimum stall width of 0.9m, depth of 2.4m, and aisle width of at least 1.5m behind each stall*
    - iii. *revise the soil cells on the civil plan to match the layout and dimensions on the Landscape Plan*
    - iv. *add a note on the landscape plans identifying that the soil cells are to be irrigated and drained using an underdrain or an overflow, if required crossfall cannot be met*

