



**Council Report
For the Meeting of February 8, 2018**

To: Council **Date:** January 19, 2018
From: C. Coates, City Clerk
Subject: Zoning Regulation Bylaw, Amendment Bylaw No. 17-047
Housing Agreement Bylaw No. 17-048

RECOMMENDATION

That Council consider the following in relation to the proposed bylaws for Rezoning Application No. 00516 for 1120, 1124 and 1128 Burdett Avenue:

1. Rescind second reading of the Zoning Regulation Bylaw Amendment No. 17-047.
2. Amend Schedule 1 of the Zoning Regulation Bylaw Amendment No. 17-047.
3. Give second reading to Zoning Regulation Bylaw Amendment No. 17-047 as amended and direct staff to schedule a public hearing.

BACKGROUND

In February 2016, Council considered a Committee of the Whole report regarding a rezoning and development permit with variances application for 1120 – 1128 Burdett Avenue. Council forwarded the application to public hearing and on May 25, 2017, Council gave first and second reading to *Zoning Regulation Bylaw, Amendment Bylaw No. 17-047* and first, second and third reading to *Housing Agreement Bylaw No. 17-048*. However, before the application was considered at a public hearing, the applicant withdrew the proposal to consider revisions.

On November 9, 2017 staff provided Council with a report outlining changes to the proposal that were initiated by the applicant and the following resolution was approved:

Rezoning Application No. 00516 and Development Permit with Variances Application No. 000462 for 1120, 1124, and 1128 Burdett Avenue

That Council authorize the following in relation to the proposed bylaws and set a Public Hearing date for Rezoning Application No. 00516 for 1120, 1124 and 1128 Burdett Avenue:

1. *Amend Schedule 1 of the Zoning Regulation Bylaw Amendment No. 17-047.*
2. *Give third reading to Zoning Regulation Bylaw Amendment No. 17-047 as amended.*
3. *Rescind third reading of the Housing Agreement Bylaw No. 17-048.*
4. *Amend Schedule A of the Housing Agreement Bylaw No. 17-048.*
5. *Give third reading to Housing Agreement Bylaw No. 17-048 as amended.*

Following consideration of Rezoning Application No. 00516, if it is approved, that Council consider this updated motion with respect to Development Permit with Variances No. 000462:

"That Council authorize the issuance of Development Permit with Variances Application No. 000462 for 1120, 1124 and 1128 Burdett Avenue, in accordance with:

1. *Plans date stamped August 11, 2017.*
2. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*

- i. increase the height from 12m to 13.53m (previously 13.55m)
 - ii. increase the site coverage from 40% to 51.42% (previously 57.06%)
 - iii. reduce the open site space from 50% to 46.58% (previously 42.16%)
 - iv. reduce the minimum required front yard setback from 10.5m to 5.11m for the building (previously 4.51m)
 - v. reduce the east side yard setback from 6.77m to 3.75m for the building, and 2.82m for the parkade stairs
 - vi. reduce the west side yard setback from 6.77m to 4.22m for the building face, 2.22m for the balconies, and nil for the parkade
 - vii. reduce the required residential parking from 1.2 spaces per dwelling unit to 0.8 spaces per dwelling unit (previously 1.02 spaces per dwelling unit).
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
 4. That Council authorize the City Solicitor to execute an Encroachment Agreement for a fee of \$750, plus \$25 per m² of exposed shored face during construction in a form satisfactory to staff. This is to accommodate shoring for construction of the underground parking structure if the method of construction involves anchor pinning into the public Right-of-Way.
 5. The Development Permit lapsing two years from the date of this resolution."

That Council write a letter of thanks to the CMHC for the rental construction financing program.


However, this resolution did not correctly outline the steps required to amend the *Zoning Regulation Bylaw, Amendment Bylaw No. 17-047*. In order to correctly proceed with forwarding this application to public hearing, Council may wish to consider amendments to Bylaw No. 17-047 as outlined in the recommendation.

Respectfully submitted,



Chris Coates
City Clerk

Report accepted and recommended by the City Manager:


Date: Jan 31, 2018

List of Attachments:

- Bylaw No. 17-047
- Bylaw No. 17-048
- Committee of the Whole Report from the meeting held November 9, 2017