

BYLAWS

6. Bylaws for 875 & 877 North Park Street

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the following bylaw **be given first, second, and third reading:**

- a. *Housing Agreement (875 and 877 North Park Street) Bylaw (2017) No. 17-133*

Carried Unanimously

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday, that Council **rescind third reading** of the following bylaw:

- a. *Land Use Contract Discharge (875 and 877 North Park Street) Bylaw No. 17-132*

Carried Unanimously



Council Report

For the Meeting of December 14, 2017

To: Council **Date:** December 7, 2017
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: **Land Use Contract Discharge (Rezoning Application No. 00568) and Development Permit with Variances Application No. 00050 – Rescind third reading of the Land Use Contract Discharge Bylaw and Application Ready to Proceed to a Public Hearing**

RECOMMENDATION

That Council rescind third reading of the Land Use Contract Discharge Bylaw (Bylaw No. 17-132), give first, second and third reading to Bylaw No. 17-133 to authorize the Housing Agreement to ensure that the rental units remain rental in perpetuity, to the satisfaction of the City Solicitor and set a Public Hearing date.

EXECUTIVE SUMMARY

At the Council meeting of November 23, 2017, Council received a staff report advising that a Land Use Contract (LUC) Discharge Bylaw for the property located at 875 and 877 North Park Street, which is to facilitate the addition of three new affordable rental dwelling units in the existing apartment building, would not require a Public Hearing as there would be no change to the land use or density. Following discharge of the existing LUC, the current R3-C Zone, Central Area Residential District, would apply to the subject property. Since the LUC controls use and density and the R3-C Zone allows for additional uses not permitted in the existing LUC, a Public Hearing and notification to all residents and occupants within a 100m of the subject property is required.

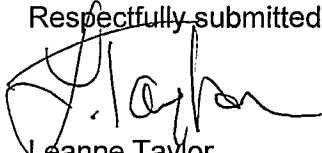
At the same meeting, Council gave three readings to the LUC discharge bylaw; however, since the bylaw requires a Public Hearing, third reading must be rescinded to comply with the *Local Government Act* for Public Hearings.

Conditions for Public Hearing

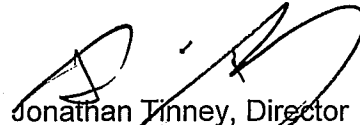
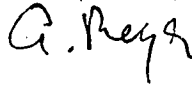
With regard to the precondition that Council set in relation to this application, staff can report that a Housing Agreement to ensure that the units remain as rental in perpetuity has been prepared and will be registered on title following the adoption of the bylaw to authorize the Housing Agreement.

The recommendation provided for Council's consideration contains the appropriate language to advance this application to a Public Hearing.

Respectfully submitted,

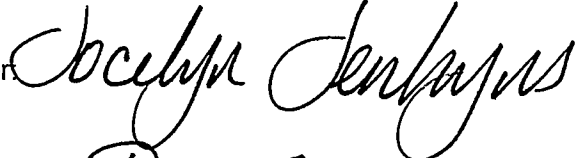


Leanne Taylor
Senior Planner
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager



Date: Dec 7, 2017