



# Staff Report to Council

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**DATE: Monday, January 16, 2023**

**DEPARTMENT: Planning**

**APPLICATION NO.: Z22-0011**

**SUBJECT: Bylaw No. 2080 – Application to rezone 975, 979, and 983 Bray Avenue from the R2 (One- and Two-Family Residential) to the CC1 (City Centre) Zone to allow for a six-storey apartment building**

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At their Regular Meeting of June 6, 2022, Council passed the following resolution with respect to 975, 979, and 983 Bray Avenue:

1. Proceed with consideration of Bylaw No. 2080 to amend the zoning designation of 975, 979, and 983 Bray Avenue from R2 (One- and Two-Family Residential) to CC1 (City Centre) subject to the following terms and conditions:
  - a. That the applicant provides, **as a bonus for increased density**, the following contributions per residential unit, prior to the issuance of a building permit: **(secured in bylaw)**
    - i. \$750 towards the Affordable Housing Reserve Fund; and
    - ii. \$2,850 towards the General Amenity Reserve Fund;

Subject to reductions depending on the use and height in accordance with the Affordable Housing and Amenity Contribution Policy.

- b. That the applicant provides the following, **prior to Public Hearing: (completed)**
  - i. A technical memo from an engineer that verifies storm water can be adequately managed on-site for the proposed developments, to the satisfaction of the Director of Engineering;
  - ii. A frontage drawing to confirm if road dedication is required to complete all required frontage improvements, to the satisfaction of the Director of Engineering; and
  - iii. A memo prepared by a Landscape Architect that examines existing trees on site and in the frontage and provides comment on the potential for tree retention as part of the development plan, to the satisfaction of the Director of Planning;

- c. That the applicant registers, **prior to Bylaw Adoption**, a road dedication plan, if required, to the satisfaction of the Director of Engineering; **(not required)**
- d. That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following: **(completed)**
  - i. That the following will be provided and implemented to Bylaw No. 1000 standards to the satisfaction of the Director of Engineering prior to the issuance of a building permit:
    - 1. Full frontage improvements, including a 1.8 m wide concrete sidewalk, on-street parallel parking, streetlights as needed, and boulevard plantings per the Parks Department requirements;
    - 2. A storm water management plan; and
    - 3. A construction parking management plan.
  - ii. That the developer will connect and be responsible for any upgrades required to the services and utilities required for the development;
  - iii. That the building be strata titled into individual residential units prior to the issuance of an occupancy permit, to the satisfaction of the Approving Officer;
  - iv. That the developer consolidate the parcels in accordance with the CC1 zone regulations, prior to the issuance of a development permit;
  - v. That a separate covenant be registered prior to issuance of a building permit for the proposed residential building(s) that ensures parking is allocated to each unit and visitors as required by the zoning bylaw and is not provided in exchange for compensation separate from that of a residential unit; and
  - vi. That 100% of residential parking spaces, excluding visitor parking spaces, shall include conduits capable of providing wiring for Level 2 Electric Vehicle charging in the future; and
    - 1. All conduits must be connected to electrical rooms;
    - 2. Where an electric vehicle energy management system is provided all communications equipment, control systems, and other devices required to operate the EVMS shall be installed; and
    - 3. All conduits shall be labelled for the use of electric vehicle charging; and
    - 4. A separate covenant requiring the owner to construct the EV charging system in accordance with a plan approved by the City, repair and maintain and otherwise keep the EV charging system in operation, and not doing anything that would prevent an owner, occupant, or tenant from installing the EV charging equipment.

**COMMENTS**

The applicant has registered a Section 219 covenant against the title of the subject property that agrees to items 1. d) i-vi, in Council's resolution dated June 6, 2022.

A public hearing was held on July 18, 2022.

Bylaw No. 2080 was signed by the Minister of Transportation on July 25, 2022 as the properties are located within 800 m of a controlled access highway.

As there are no outstanding conditions required at this time, Council may wish to proceed with Bylaw adoption.

**OPTIONS:**

**Option 1**

That Council adopt Bylaw No. 2080.

**OR Option 2**

That Council take no action at this time with regard to Bylaw No. 2080.

**SUBMITTED BY: Julia Buckingham, Planner II**

**Concurrence:** Leah Stohmann, MCIP, RPP, Deputy Director of Planning and Subdivision

**Concurrence:** Donna Petrie, Senior Manager of Business Development and Events

**Concurrence:** Will Ying-udomrat, Manager of Legislative Services

**Concurrence:** Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

**Concurrence:** Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works

**Concurrence:** Michael Dillabaugh, CPA, CA, Director of Finance

**Concurrence:** Marie Watmough, Deputy Director of Corporate Services

**Concurrence:** Braden Hutchins, Director of Corporate Services

**Concurrence:** Darren Kiedyk, Chief Administrative Officer