

## **REPORT**

### ***Climate Action, Planning and Development***

**To:** Mayor Johnstone and Members of Council  
**Date:** February 13, 2023

**From:** Jackie Teed  
Acting Director, Climate Action,  
Planning and Development  
**File:** REZ00229

**Item #:** [Report Number]

**Subject:** Rezoning Application for Detached Accessory Building: 228 Seventh Street – Clarification of Permitted Uses

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#### **RECOMMENDATION**

**THAT** Council receive this report for information

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#### **PURPOSE**

To provide Council with clarification with regards to the permitted uses proposed at the subject site

#### **DISCUSSION**

Appearing on tonight's agenda are the First, Second and Third Readings of Bylaw No. 8373 which would permit the construction of a new accessory building at 228 Seventh Street for the Westminster House society and amend the zoning of the site to make it consistent with its current use as a *substance use treatment and support recovery centre*.

As indicated in the report and consultation materials, the intended use of the new building is to house uses accessory to the principal use such as office administration and client intake. The primary residential use is intended to continue to take place in the existing building. The applicant has indicated that they may, in future, wish to relocate some accessory uses into the basement of the principal building; this would allow them to relocate the residential uses currently located in that space, into above-ground space in the accessory building. The proposed new accessory building has not been designed

for residential purposes and upgrades would be required in order to use the building for residential purposes.

The proposed CD Zone would permit the accessory building to be upgraded in future in support of the flexibility described above. This flexibility in the bylaw was not highlighted in the Council report. As such, staff considered this clarification important before Council consider the bylaws.

The public notification on the bylaws which is required by the Community Charter to provide '*a general description of the 'proposed bylaw, agreement or other matter to which the approval process relates'*' does clearly state the principal use of the property as a substance treatment and recovery centre, but did not detail the possibility of relocating some of the principal and accessory uses between the two buildings. The bylaw was made available to the public prior to this evening, meeting the City's consultation requirements.

It is noted that the applicant has indicated that they do not intend to expand the number of residents at the facility but the proposed CD Zone does not specifically limit the number of residents. The detailed operations of a substance use treatment and support recovery centre are covered by the provincially legislated *Community Care and Assisted Living Act*.

## **APPROVALS**

This report was prepared by:

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This report was approved by:

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Lisa Spitale, Chief Administrative Officer