



Committee of the Whole Report

For the Meeting of June 14, 2018

To: Committee of the Whole **Date:** May 31, 2018

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00635 for 2732 Doncaster Drive and associated Official Community Plan Amendment

RECOMMENDATION

That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00635 for 2732 Doncaster Drive, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation of a Housing Agreement to secure all units as rental housing for 25 years, executed by the applicant, to the satisfaction of City Staff.
2. That Council determine, pursuant to section 475(1) of the Local Government Act that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
3. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the *Local Government Act* with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
4. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the *Local Government Act*, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
5. That Council give first reading to the Official Community Plan Amendment Bylaw.

6. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the *Local Government Act*, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
7. That Council give second reading to the Official Community Plan Amendment Bylaw.
8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures; the density of the use of the land, building and other structures; the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for an Official Community Plan Amendment Application and Rezoning Application for the property located at 2732 Doncaster Drive. The proposal is to amend the Urban Place Designation from Traditional Residential to Urban Residential and rezone the property from the R1-B Zone, Single Family Dwelling District, to the R3-A1 Zone, Low Profile Multiple Dwelling District, in order to permit the construction of an eleven unit, multi-unit residential building.

The following points were considered in assessing this application:

- amending the Official Community Plan Urban Place Designation from Traditional Residential to Urban Residential is supportable as the property to the south is designated Urban Residential and the property across the street to the east is designated Town Centre
- the proposal is consistent with the Urban Residential designation, which envisions multi-unit residential buildings with a density of up to 1.2:1 Floor Space Ratio (FSR)
- the scale and massing of the proposal provides a fitting transition between the four storey residential building fronting Hillside Avenue and the single family dwellings to the north.
- the proposal is inconsistent with the Oaklands Neighbourhood Plan, 1993, which envisioned little change in the type of housing for this area. However, the proposal is consistent with the objective of keeping major redevelopments within the established scale and character of the neighbourhood.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone from the R1-B Zone, Single Family Dwelling District to

the R3-A1 Zone, Low Profile Multiple Dwelling District to allow for the construction of a three storey multi-unit residential building.

A number of variances from the standard R3-A1 Zone are being proposed and will be discussed in relation to the concurrent Development Permit with Variances Application.

Under the Traditional Residential Urban Place Designation in the *Official Community Plan, 2012* (OCP), a multi-unit residential building is only permitted on arterial or secondary arterial roads. Since Doncaster Drive is classified as a collector road, an Official Community Plan Amendment is required to permit a multi-unit residential building.

Affordable Housing Impacts

The applicant proposes the creation of 11 new residential units which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed to secure all units as rentals for a period of 25 years.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The application proposes eleven secure bicycle parking stalls and six visitor bicycle parking stalls, which support active transportation.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Land Use Context

The area is characterized by a mixture of commercial and residential uses: Hillside Mall is located immediately east of the property, immediately south is a multi-unit residential building, and to the north are single-family dwellings.

Existing Site Development and Development Potential

There is presently a single-family dwelling on the subject property. Under the current R1-B Zone, the property could be developed as a single-family dwelling with either a secondary suite or a garden suite.

Data Table

The following data table compares the proposal with the R3-A1 Zone, Low Profile Multiple Dwelling District. An asterisk is used to identify where the proposal is less stringent than the proposed R3-A1 Zone.

Zoning Criteria	Proposal	Zone Standard R3-A1	Existing R1-B Zone
Site area (m ²) - minimum	638.70*	920.0	460.0
Density (Floor Space Ratio) - maximum	0.79	1.0	N/A
Dwelling unit floor area (m ²) - maximum	28.40*	33.0	N/A
Total floor area (m ²) - maximum	509.20	638.70	N/A
Lot width (m) - minimum	16.76	N/A	15.0
Height (m) - maximum	9.70	10.70	7.60
Storeys - maximum	3	3	2
Site coverage % - maximum	24.40	33.33	40.0
Open site space % - minimum	22.22*	30.0	N/A
Open site space front yard % - minimum	100.0	100.0	N/A
Setbacks (m) – minimum:			
Front	4.50*	7.50	7.50
Rear	16.00	10.5	9.53
Side (north)	1.70*	4.75	1.68
Side (south)	4.00*	4.75	3.0
Parking - existing Schedule C - minimum	8*	12	N/A
Parking - proposed Schedule C - minimum	8*	9 + 1 visitor stall (10 total)	N/A
Bicycle parking stalls - existing Schedule C - (minimum)	Class 1 – 11 Class 2 – 6	Class 1 – 11 Class 2 – 6	N/A
Bicycle parking stalls - proposed Schedule C - (minimum)	Long term – 11 Short term – 6	Long term – 11 Short term – 6	N/A
Landscape screening for parking – wide (minimum)	0.80 (north) 0.60 (west) 0.60 (south)	0.60	N/A

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Oaklands CALUC at a Community Meeting held on February 26, 2018. The minutes from that meeting are attached to this report.

ANALYSIS

Official Community Plan

The property is currently designated as Traditional Residential, within the OCP, which envisions ground-oriented building forms with multi-unit residential buildings considered on arterial and secondary arterial roads. Since Doncaster Drive is not classified as an arterial or secondary arterial road, the proposal for a three-storey multi-unit residential building requires an Official Community Plan Amendment to change the Urban Place Designation from Traditional Residential to Urban Residential. The proposal is consistent with the Urban Residential designation, which envisions ground-oriented multi-unit residential buildings up to three storeys and up to a Floor Space Ratio of 1.2 to 1.

The *Local Government Act* (LGA) Section 475 requires a Council to provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected by an amendment to the OCP. Consistent with Section 475 of the LGA, Council must further consider whether consultation should be early and ongoing. This statutory obligation is in addition to the Public Hearing requirements. In this instance, staff recommend for Council's consideration that notifying owners and occupiers of land located within 200 metres of the subject site, along with posting a notice on the City's website, will provide adequate opportunities for consultation with those affected.

The OCP Amendment Application will change the Urban Place Designation of 2732 Doncaster Drive from Traditional Residential to Urban Residential. Given the surrounding area transitions from multi-unit residential buildings to single-family dwellings, and given that through the Community Association Land Use Committee (CALUC) Community Meeting process all owners and occupiers within a 200m radius of the site were notified and invited to participate in a Community Meeting, the consultation proposed at this stage in the process is recommended as adequate and consultation with specific authorities, under Section 475 of the LGA, is not recommended as necessary.

Should Council support the OCP amendment, Council is required to consider consultation with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board, and the provincial government and its agencies; however, further consultation is not recommended as necessary for this amendment to the Urban Place Designation as this matter can be considered under policies in the OCP.

Council is also required to consider OCP Amendments in relation to the City's *Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and the *Capital District Solid Waste Management Plan*. This proposal will have no impact on either of these plans.

Local Area Plans

The proposal is inconsistent with the Oaklands Neighbourhood Plan, 1993, which classifies the property within the "Areas of Greatest Stability" designation. This area seeks to maintain the dominant single-family dwelling housing typology; however, the broad housing objectives do note that any major redevelopment should be in keeping with the established scale and character of the existing neighbourhood. In this instance, the three-storey multi-unit residential building provides a step-down effect from the four-storey multi-unit residential building along Hillside Avenue to the single-family dwelling area to the north.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no impacts to public trees with this application. There is a bylaw protected tree 4.0m from the rear property line (Deodar Cedar). At the time of Building Permit, if large structural roots are encountered, the City of Victoria Parks Arborist is to be contacted to conduct a review.

Density Bonus Policy

Proposals that include a change to a property's Urban Place Designation are subject to the City of Victoria's *Density Bonus Policy*. In these instances, the current designation's base density is considered the base density, and any added density up to the new designation's maximum density, would require density bonusing. The current Traditional Residential designation has a maximum density of 1:1 FSR and the Urban Residential designation has a maximum density of 2.0:1 when OCP objectives are advanced. Since this proposal does not exceed the Traditional Residential maximum density of 1:1, density bonusing is not applicable.

CONCLUSIONS

The OCP amendment is supportable due to its proximity to a Town Centre, proximity to major transit corridors and the ability to provide a transition to the single-family dwellings to the north. Furthermore, the proposal is generally consistent with the Urban Residential designation in the OCP, which envisions ground-oriented multi-unit residential buildings. Therefore, Staff recommend Council consider supporting the application.

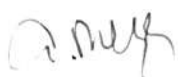
ALTERNATE MOTION

That Council decline Rezoning Application No. 00635 for the property located at 2732 Doncaster Drive.

Respectfully submitted,



Michael Angrove
Planner
Development Services



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

June 8, 2018

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped May 17, 2018
- Attachment D: Letter from applicant to Mayor and Council dated March 1, 2018
- Attachment E: Community Association Land Use Committee Minutes dated February 26, 2018
- Attachment F: Correspondence (Letters received from residents)