



Council Report

For the Meeting of June 28, 2018

To: Council **Date:** June 14, 2018
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Update Report for Rezoning Application No. 00573 and Development Permit with Variances Application No. DP 000504 for 2816 Shelbourne Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00573, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. DP 000504 for 2816 Shelbourne Street in accordance with:

1. Plans date stamped **May 8, 2018**.
2. Development meeting all *Zoning Regulation Bylaw* requirements except for the following variances:
 - a. Reduce the front setback from 10.7m to 8.38m
 - b. Reduce the rear setback from 4.0m to 2.25m
 - c. Reduce the north side yard setback from 4.0m to 3.77m
 - d. Reduce the south side yard setback from 4.0m to 3.35m
 - e. Reduce the parking from 8 stalls with one visitor stall to 5 stalls with no visitor stalls
 - f. **Reduce the site area from 920m² to 741.05m²**
 - g. **Reduce the lot width from 20.0m to 19.71m**
 - h. **Increase the number of dwelling units in an attached dwelling from 4 to 5.**
3. The Development Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to provide an updated motion for Council's consideration related to the Development Permit with Variances application for the property located at 2816 Shelbourne Street. On December 7, 2017, Council considered this matter, and although the report noted the variations from the RT Zone, Traditional Residential Attached Dwelling District, the recommendation was based on a site-specific zone. However, staff have confirmed that a site-specific zone is unnecessary, because the site area can be varied as it does not affect density in this particular zone. As such, a revised motion that includes site area, lot width and number of dwelling units in an attached dwelling is recommended in order to maintain consistency along the Shelbourne Street corridor. The public meeting notice has been prepared based on the above motion.

In addition, the applicant has altered the windows on the western façade in order to mitigate privacy concerns as per Council's motion of December 14, 2017. The western façade on the second storey now features transom windows, which will still allow natural light to enter the rooms while minimizing any overlook into the adjacent property.

The revised plans date stamped May 8, 2018 and the Committee of the Whole Report dated November 23, 2017 are attached for Council's reference.

Respectfully submitted,



Michael Angrove
Planner
Development Services



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



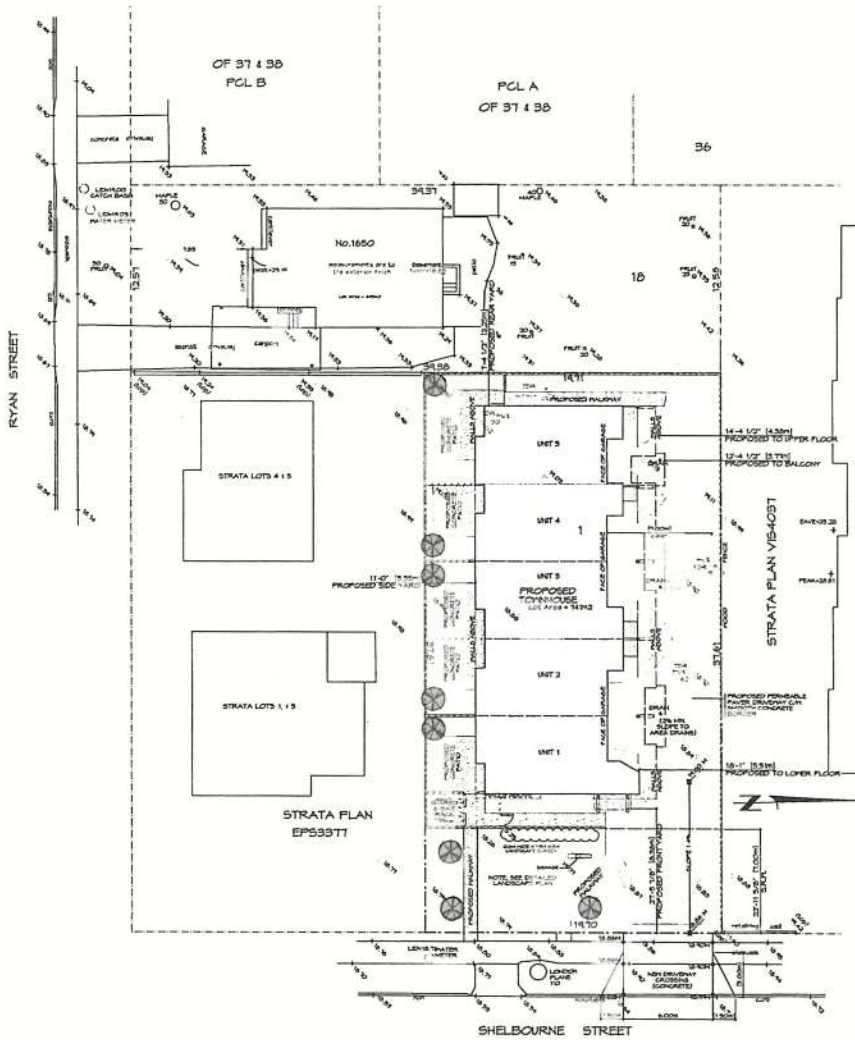
Date:

June 21, 2018

List of Attachments

- Attachment A: Plans date stamped May 8, 2018
- Attachment B: Committee of the Whole Report dated November 23, 2017
- Attachment C: Minutes from the December 14, 2017 Council Meeting.

- DRAWING LIST:**
- SK1 PROP. SITE PLAN & PROP. DATA
 - SK1a EXIST. SITE PLAN
 - SK2 FLOOR PLANS
 - SK3 ELEVATIONS
 - SK4 ELEVATIONS
 - SK5 STREETScape + SECTION
 - SK6 LANDSCAPE PLAN

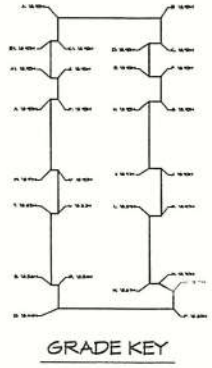


PROPOSED SITE PLAN
Scale: 1:150

SITE DATA - 2016 SHELBOURNE ST. (5-UNIT TOWNHOUSE)

LEGAL DESCRIPTION - Lot 1, Section 8A, Victoria District, Plan 987	CURRENT ZONING: R1-B	PROPOSED ZONING: SITE SPECIFIC	
PROPOSED			
LOT AREA	741.05 M ² (7716.55 FT ²)	FLOOR AREA** (including decks & terraces)	PROPOSED
NO. UNITS	5	UNIT 1 (Total)	142.10 M ² (1524.51 FT ²)
SETBACKS:		UPPER	50.20 M ² (539.51 FT ²)
FRONT	8.38 M (27.47')	MAN	51.53 M ² (554.50 FT ²)
REAR	2.25 M (7.38')	LOWER	26.36 M ² (283.76 FT ²)
SIDE (NORTH)	5.71 M (18.73')	UNIT 2 (Total)	138.21 M ² (1483.31 FT ²)
SIDE (SOUTH)	3.35 M (10.99')	UPPER	56.74 M ² (607.74 FT ²)
SIDE (COMBINED)	7.12 M (23.36')	MAN	56.05 M ² (599.34 FT ²)
AVG. GRADE	18.84 M (61.81')	LOWER	25.41 M ² (274.15 FT ²)
STOREYS	3 STOREYS	UNIT 3 (Total)	137.04 M ² (1464.24 FT ²)
BUILDING HEIGHT	4.70 M (15.42')	UPPER	56.66 M ² (604.04 FT ²)
FLOOR AREAS (EX. TERRACES)		MAN	55.81 M ² (601.34 FT ²)
UPPER FLOOR, TOTAL	203.81 M ² (2194.43 FT ²)	LOWER	25.37 M ² (273.25 FT ²)
MAIN FLOOR, TOTAL	230.41 M ² (2461.42 FT ²)	UNIT 4 (Total)	137.83 M ² (1483.50 FT ²)
LOWER FLOOR, TOTAL	121.22 M ² (1304.94 FT ²)	UPPER	56.44 M ² (602.56 FT ²)
TOTAL FLOOR AREA	641.50 M ² (6914.24 FT ²)	MAN	56.00 M ² (602.15 FT ²)
FLOOR AREA RATIO	0.86	LOWER	25.38 M ² (273.16 FT ²)
SITE COVERAGE	43.22 % (320.28 M ²)	UNIT 5 (Total)	135.41 M ² (1451.58 FT ²)
OPEN SITE SPACE		UPPER	55.76 M ² (600.14 FT ²)
ENTIRE SITE	356.6 % (264.41 M ²)	MAN	55.01 M ² (592.16 FT ²)
FRONT YARD	66.65 % (110.33 M ²)	LOWER	24.64 M ² (265.28 FT ²)
PARKING	5 COVERED SPACES		

** AREAS MEASURED TO INTERIOR FACE OF EXTERIOR WALLS & TO CENTER LINE OF SHARED PARTY WALLS



GRADE KEY

Average Grade Conditions

SECT/BIT	Start	Finish	Runoff	Distance	Factor	Staff Factors	Remarks	Stationing
AB	18.85	18.81	11.95	9.18	173.90			1546.32
BC	18.95	18.85	11.95	3.22	42.07			10.84
CD	17.10	18.61	11.95	1.17	20.28			
DE	18.10	18.85	11.95	2.15	55.80			
EF	18.35	18.85	18.95	1.07	20.28			
FG	18.85	18.85	18.95	2.22	42.07			
GH	18.95	18.95	18.95	1.07	20.28			
HI	17.10	18.91	18.95	6.05	114.72			
IJ	18.94	18.92	18.92	1.07	20.24			
JK	18.92	18.90	18.91	4.28	89.93			
KL	18.90	18.89	18.90	1.07	20.22			
LM	18.89	18.87	18.78	4.06	113.81			
NO	18.87	18.70	18.60	0.95	15.68			
OP	18.70	18.71	18.71	1.12	26.56			
PQ	18.71	18.85	18.78	1.58	29.30			
RQ	18.85	18.44	18.85	10.33	190.74			
RS	18.44	18.54	18.49	2.05	11.10			
RS	18.54	18.56	18.56	0.81	11.32			
ST	18.58	18.65	18.71	6.38	110.22			
TU	18.85	18.82	18.71	3.61	11.49			
UV	18.82	18.80	18.10	3.95	74.50			
VW	18.80	18.91	18.91	0.81	11.53			
WX	18.91	18.95	18.95	1.18	117.05			
XY	18.95	18.95	18.95	0.91	11.58			
YZ	18.95	18.91	18.95	1.89	35.82			
ZA1	18.95	18.95	18.95	6.81	11.58			
A1B1	18.95	18.95	18.95	3.28	62.16			
B1C1	18.95	18.95	18.95	0.91	11.58			
C1A	18.95	18.95	18.95	2.08	39.04			
TOTAL				82.08	1546.32			18.84

REV. NO.	DESCRIPTION	DATE
A	REV. PLAN - REMOVE PARKING EXHAUST DUCTS, ADD PROPOSED EXHAUST, LANDSCAPE, FLOOR AREA, REVISIONS TO STRATA PLAN, P.A., OPEN SITE DATA, REVISIONS TO STRATA PLAN, ADDITIONAL FLOOR AREA BREAKDOWN	JAN 08/17
B	SITE PLAN - MOVE BUILDING FORWARD 2 METERS, REMOVE FRONT TERRACE, REVISIONS TO STRATA PLAN, P.A., OPEN SITE DATA, REVISIONS TO STRATA PLAN, ADDITIONAL FLOOR AREA BREAKDOWN	AUG 30/17
C	NO CHANGES	MAY 03/18



RE-ISSUED FOR REZONING & DP
MAY 03, 2018



1161 NEWPORT AVE
Victoria, B.C. V8S 5E6
Phone: (250) 360-2144
Fax: (250) 360-2115

Drawn By: C. COLWELL
Reviewed By: R. ROBERTSON

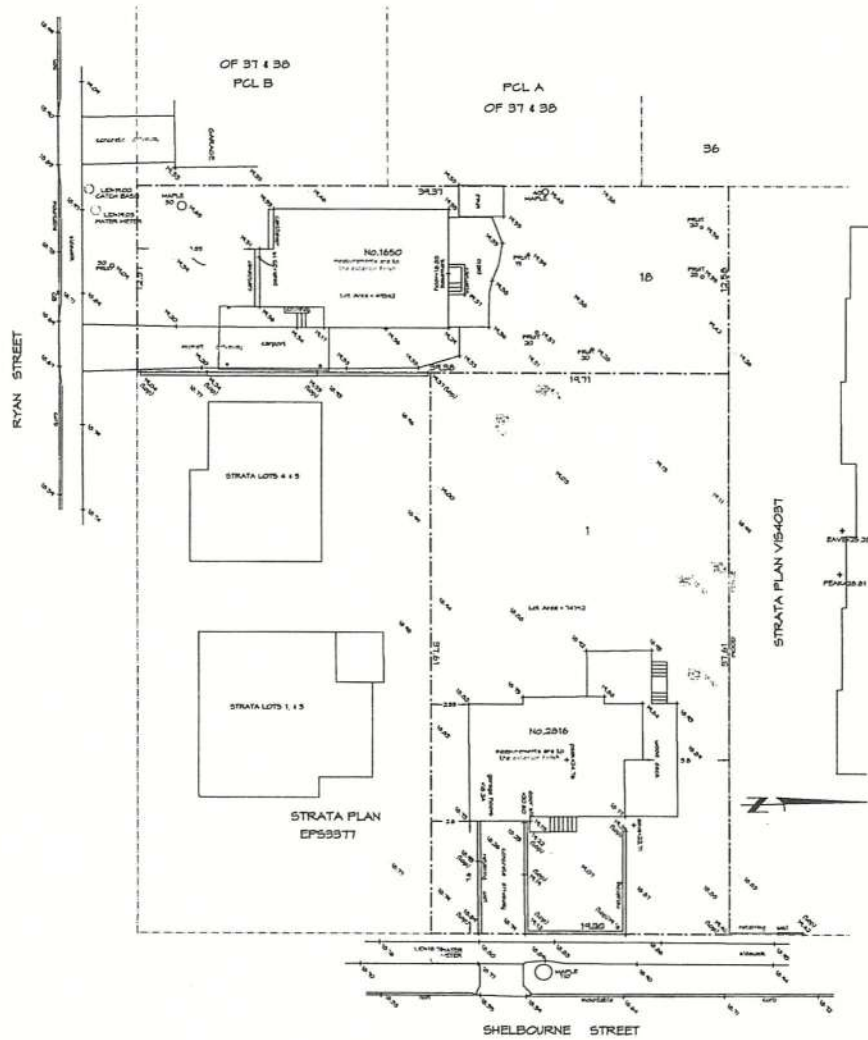
Date: MAR 24, 2017
Scale: AS NOTED

Project:
2016 SHELBOURNE ST - REZONING

Title:
PROPOSED SITE PLAN & SITE DATA

Revision: 1st
Sheet: SK1
Rev. A: JAN 08/17
Rev. B: JAN 08/17
Rev. C: MAY 03/18
Proj. No. TBD

Received
City of Victoria
MAY 08 2018
Planning & Development Department
Development Services Division



○ EXIST. SITE PLAN
Scale: 1:150

Received
 City of Victoria

MAY 08 2018
 Planning & Development Department
 Development Services Division

REV. NO.	DESCRIPTION	DATE
A	RELOCATE EXIST. SITE PLAN TO NEW PDS; RE-SCALE TO MATCH SITE PLAN	JAN 08/11
B	NO CHANGES	MAY 20/11
C	NO CHANGES	MAY 03/18



RE-ISSUED FOR
REZONING & DP
MAY 03, 2018



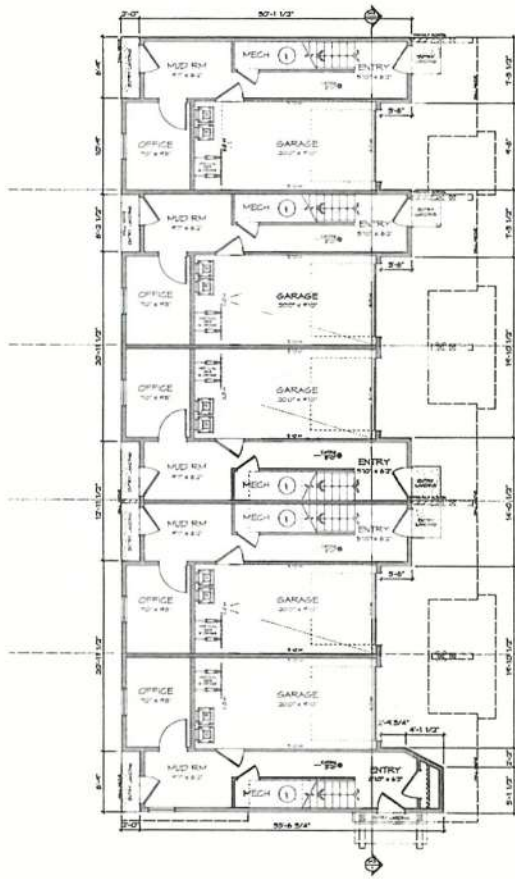
1161 NEWPORT AVE
Victoria, B.C. V8S 9E6
Phone: (250) 360-2144
Fax: (250) 360-2115

Drawn By: C. COLLINS
Date: MAR 24, 2011

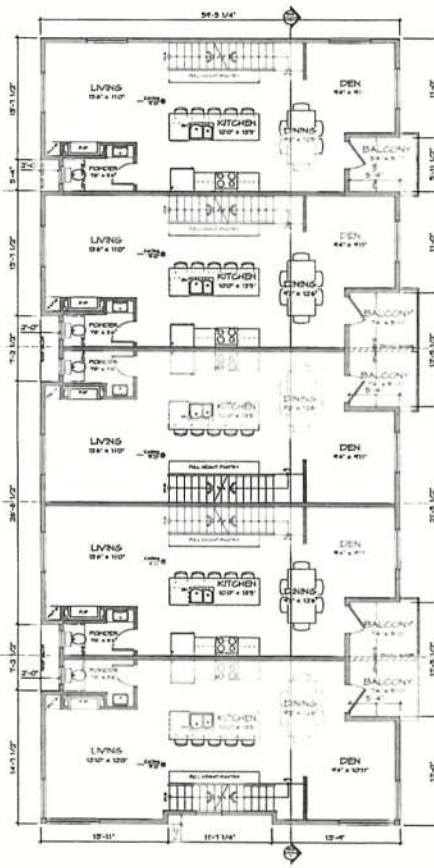
Scale: AS NOTED
Project:
2816
SHELBOURNE ST -
REZONING

Title:
EXISTING
SITE PLAN

Revision: MAY 20/11	Sheet: 5K 1a
REV. A JAN 08/11	
REV. B MAY 20/11	
REV. C MAY 03/18	Proj. No. TED



LOWER FLOOR PLAN
Scale: 1:75



MAIN FLOOR PLAN
Scale: 1:75



UPPER FLOOR PLAN
Scale: 1:75

RE-ISSUED FOR
REZONING 4 DP
MAY 03, 2018

ZEBRADESIGN



1161 NEWPORT AVE
Victoria, B.C. V8S 5E6
Phone: (250) 360-2144
Fax: (250) 360-2115

Drawn By: E. KOLYVAKI

Date: MAR 24, 2011

Scale: AS NOTED

Project:

2B16
SHELBOURNE ST -
REZONING

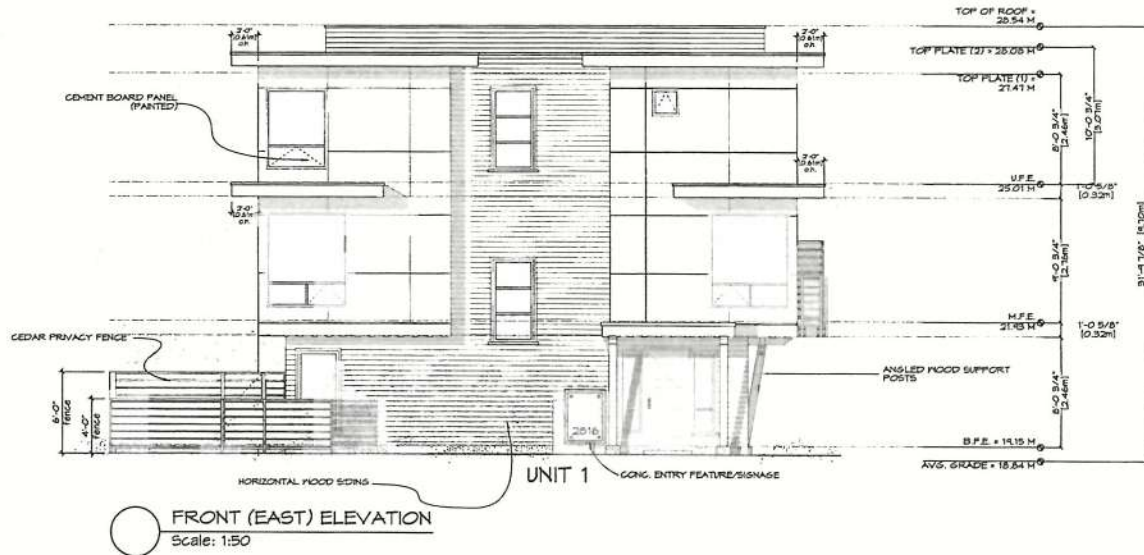
Title:
FLOOR PLANS

REV. NO	DESCRIPTION	DATE
A	ADD ELSDO COMMENTS. RESCALE TO METRIC SCALE. PROVISION CHANGES TO MATCH BLDG PLAN. COMMENTS	JAN 06/11
B	NO CHANGES	AUG 21/11
C	REVISION LOCATIONS MOVED IN UNIT 3 ON MAIN FLOOR, UPPER FLOOR BATHROOM REVISION CENTERED ON TOILETS (SUITS 4 & 5)	MAY 03/18

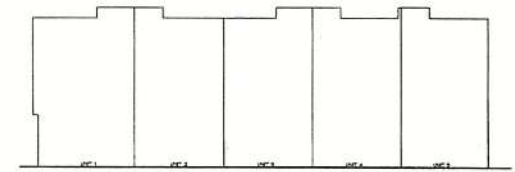
Revision:	Sheet:
REV A JAN 06/11	SK2
REV B AUG 21/11	
REV C MAY 03/18	

Proj No. TBD

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City of Victoria
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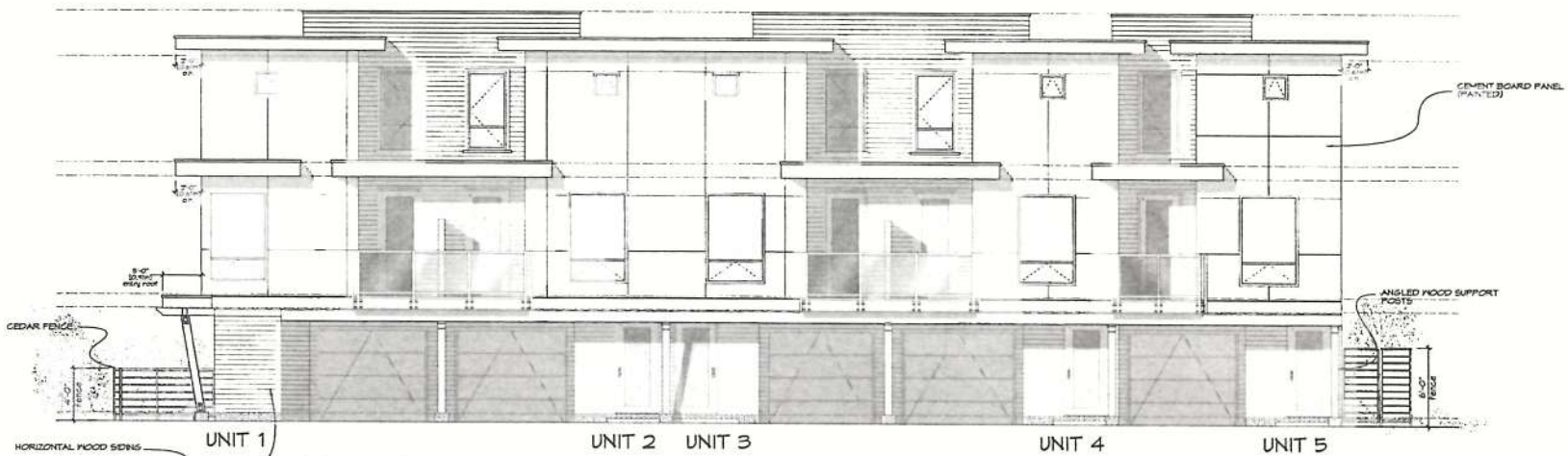


FRONT (EAST) ELEVATION
Scale: 1:50



GLAZING KEY

UNIT 1	UNIT 2	UNIT 3
BRUSH PLANK CLADDING - SEE ELEVATION NORTH CEILING: 10' PLASTER EXTERIOR WALL: 10' BRICK FLOOR: 10' BRICK FINISH: 10' BRICK	BRUSH PLANK CLADDING - SEE ELEVATION NORTH CEILING: 10' PLASTER EXTERIOR WALL: 10' BRICK FLOOR: 10' BRICK FINISH: 10' BRICK	BRUSH PLANK CLADDING - SEE ELEVATION NORTH CEILING: 10' PLASTER EXTERIOR WALL: 10' BRICK FLOOR: 10' BRICK FINISH: 10' BRICK
UNIT 4	UNIT 5	
BRUSH PLANK CLADDING - SEE ELEVATION NORTH CEILING: 10' PLASTER EXTERIOR WALL: 10' BRICK FLOOR: 10' BRICK FINISH: 10' BRICK	BRUSH PLANK CLADDING - SEE ELEVATION NORTH CEILING: 10' PLASTER EXTERIOR WALL: 10' BRICK FLOOR: 10' BRICK FINISH: 10' BRICK	



SIDE (NORTH) ELEVATION
Scale: 1:50

RE-ISSUED FOR
REZONING & DP
MAY 03, 2018

ZEBRADESIGN

1161 NEWPORT AVE
Victoria, B.C. V8S 5E6
Phone: (250) 360-2144
Fax: (250) 360-2115

Drawn By: G. GOLBY
Date: MAR 24, 2011

Scale: AS NOTED
Project:
2016
SHELBOURNE ST -
REZONING

Title:
ELEVATIONS

Revision: 187
Sheet: 5K3
Proj. No. TED

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City of Victoria
MAY 08 2018
Planning & Development Department
Development Services Division

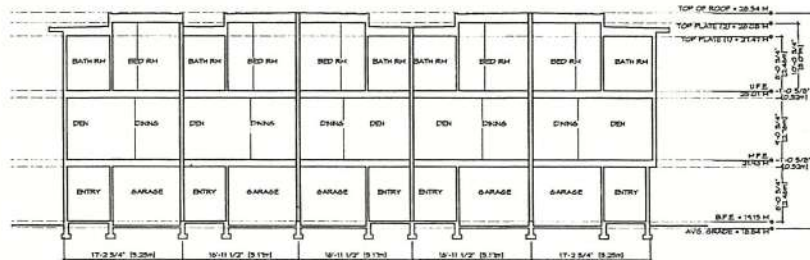
REV. NO.	DESCRIPTION	DATE
A	ADD FENCE HEIGHTS, ADD BAY & ENTRY ROOF PROJECTIONS, REMOVE WINDOW AS SHOWN, CHANGE BRICKWORK FROM TO CLADDING	JAN 06/11
B	REVISE FRONT BAY AREA, GATES & PARKWAY TO FIT SITE PLAN CHANGES	AUG 20/11
C	MARK AND UPDATE FLOOR FINISHES INDICATED ON 2 NORTH ELEV. & NORTH FLOOR FINISH RELOCATED ENT & NORTH ELEV. & FRONT CORRECTED TO ENT (FRONT ELEVATION)	MAY 03/18





SHELBOURNE STREET

STREETSCAPE
Scale: 1:100



BUILDING SECTION
Scale: 1:100

Received
City of Victoria

MAY 09 2018

Planning & Development Department
Development Services Division

REV. NO	DESCRIPTION	DATE
A	REVISE STREETSCAPE TO REFLECT CHANGES ON ELEVATIONS	JAN 08/11
B	REVISE FRONT SIGN AREA - GATES & FILLWORK TO SUIT SITE PLAN CHANGES	AUG 21/11
C	NO CHANGES	MAY 05/18



RE-ISSUED FOR
REZONING & DP
MAY 09, 2018

ZEBRADESIGN

1161 NEWPORT AVE
Victoria, B.C. V8S 5S6
Phone: (250) 360-2144
Fax: (250) 360-2115

Drawn By: G. COLLINS
K. KOSKOWSKI

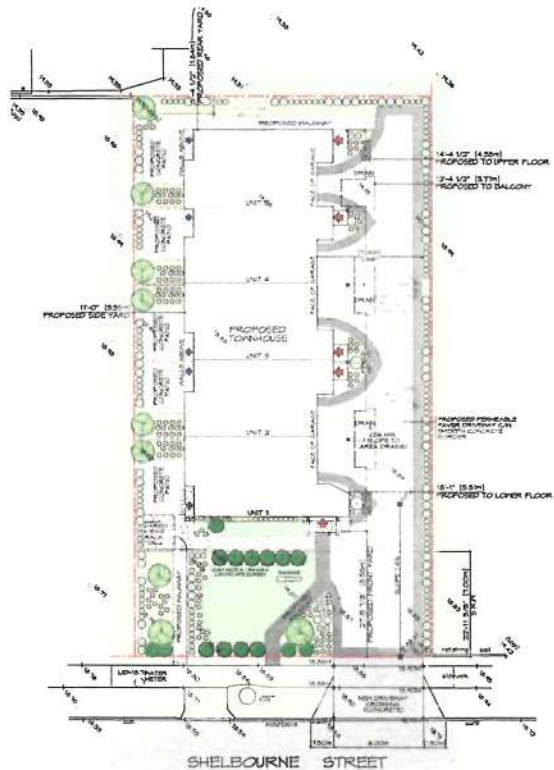
Date: MAR 24, 2011

Scale: AS NOTED

Project:
2816
SHELBOURNE ST -
REZONING

Title:
STREETSCAPE

Revision: BY: MJC DATE: 2011	Sheet: SK5
REV. A JAN 08/11	Proj. No. TBD
REV. B AUG 21/11	
REV. C MAY 05/18	



LANDSCAPE PLAN
 Scale: 1:150

LANDSCAPE PLAN LEGEND

TREES/SHRUBS

NEW TREE NEW SHRUBS/ PLANTS

GROUNDCOVER

LAWN PLANTED AREA GROUNDCOVER PLANTS

HARD LANDSCAPING

PERMEABLE PAVING
C/P1 SMOOTH
CONCRETE BORDER

CONCRETE
STAIRS/WALKWAYS
& PATIOS

PAVED
SIDEWALK

CONC. ENTRY
FEATURE/
SIGNAGE

CEDAR PRIVACY
FENCE

BRUSHED CONCRETE
DRIVEWAY CROSSING

EGRESS

MAIN ENTRY

SECONDARY ENTRY

NOTES:

1. LANDSCAPING INDICATED IS CONCEPTUAL ONLY AND REQUIRES INSTALLATION BY A QUALIFIED LANDSCAPING CONTRACTOR.
2. CONTRACTOR TO IDENTIFY UTILITIES PROVIDED THROUGH UNDERGROUND PIPING AND AVOID CONTACT WITH EXISTATIONS.
3. ALL LANDSCAPING SHALL BE PERFORMED TO BC S/LA, BC/LNA STANDARDS.
4. ALL EXISTING TREES TO REMAIN, UNLESS NOTED OTHERWISE.
5. FENCE TO BE MAX 1.2M (4'-0") HIGH IN FRONT YARD, AND MAX 1.8M (6'-0") HIGH BEYOND FRONT WALL OF BUILDING.

RE-ISSUED FOR
 REZONING 4 DP
 MAY 03, 2018



1161 NEWPORT AVE
 Victoria, B.C. V8S 5E6
 Phone: (250) 360-2144
 Fax: (250) 360-2115

Drawn By: C. COLLINS
 K. ROSSMAN

Date: MAR 24, 2011

Scale: AS NOTED

Project:
 2816
 SHELBORNE ST -
 REZONING

Title:
 LANDSCAPE PLAN

Revision: 187-00000000-0000-0000-0000-000000000000
 Date: 03/24/11

Rev. A: 01/06/11

Rev. B: 01/21/11

Rev. C: MAY 03/18

Sheet:
 SK6

Proj. No. TBD

REV. NO.	DESCRIPTION	DATE
A	LANDSCAPE PLAN - REVISE PATIOS, LAWN, PLANTED AREA, EGRESS DATE, PLANTING, SIGNAGE, FENCE, AND PERMEABLE PAVING TO CLEARANCE; REMOVE EXISTING TREES; ADD FENCE HEIGHT NOTE	JAN 06/11
B	LANDSCAPE PLAN - MOVE BUILDING FORWARD 3' (0.91M) FROM FRONT YARD; PERMEABLE PAVING AND SIGNAGE TO SUIT	AUG 20/11
C	NO CHANGES	MAY 03/18



Received
 City of Victoria

MAY 08 2018

Planning & Development Department
 Development Services Division



Committee of the Whole Report

For the Meeting of December 7, 2017

To: Committee of the Whole **Date:** November 23, 2017

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

Subject: Rezoning Application No. 00573 for 2816 Shelbourne Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00573 for 2816 Shelbourne Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once:

1. Staff are provided with a legal agreement securing the provision of one electric vehicle charging station per unit and one electric-assisted bicycle per initial purchaser for each of the five units as offered by the applicant to the satisfaction of the City Solicitor.
2. Staff receive proof of registration at the Land Titles Survey Authority of an executed Statutory Right-of-Way (SRW) of 7.0m on Shelbourne Street.
3. The applicant works with Staff to mitigate the impact of the requested variance for the rear (west) setback.

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.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 2816 Shelbourne Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a site specific zone in order to permit the construction of a five unit townhouse development.

The following points were considered in assessing this application:

- the proposal is consistent with the Traditional Residential designation in the *Official Community Plan, 2012*
- the proposal is inconsistent with the recommended density and height found in the *Oaklands Neighbourhood Plan, 1993*.

BACKGROUND

Description of Proposal

This Rezoning Application is to permit the construction of a five unit townhouse development. The following differences from the standard RT Zone, Traditional Residential District, are being proposed and would be accommodated in a new site-specific zone:

- reduce the site area from 920.0m² to 741.05m²
- permit an attached dwelling on a property with a lot area less than 920.0m²
- reduce the lot width from 20.0m to 19.72m

Additionally, the following variances are being requested which, along with the design of the building, would be discussed in the concurrent Development Permit Application report:

- reduce the front setback from 10.7m to 8.38m
- reduce the rear setback from 4.0m to 2.25m
- reduce the north side yard setback from 4.0m to 3.77m
- reduce the south side yard setback from 4.0m to 3.35m
- reduce the parking from 8 stalls with one visitor stall to 5 stalls with no visitor stalls.

Affordable Housing Impacts

The applicant proposes the creation of four new residential units which would increase the overall supply of housing in the area.

Sustainability Features

The applicant has identified a number of sustainability features which will be reviewed in association with the concurrent Development Permit Application for this property.

Active Transportation Impacts

As indicated in the applicant's letter dated November 6, 2017, electric-assisted bicycles will be provided to the initial purchasers of each of the five units. In addition, one six-stall bicycle rack will be installed near the front of the property.

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 mainly by single-family dwellings and townhouses, with some commercial and institutional uses located south of the subject site.

Existing Site Development and Development Potential

The site is presently a one-storey single-family dwelling. Under the current R1-B Zone, Single Family Dwelling District, the property could be developed as a two-storey single-family dwelling

with either a secondary suite or a garden suite.

Data Table

The following data table compares the proposal with the existing R1-B Zone, Single Family Dwelling District, and the RT Zone, Traditional Residential District. An asterisk is used to identify where the proposal is less stringent than the RT Zone, Traditional Residential District.

Zoning Criteria	Proposal – Site Specific	Existing R1-B Zone, Single Family Dwelling District	Zone Standard RT Zone, Traditional Residential District
Site area (m ²) - minimum	741.05m ² *	460m ²	920m ²
Site area per unit (m ²) - minimum	>100m ²	n/a	100m ²
Density (Floor Space Ratio) - maximum	0.93	n/a	1.0:1
Total floor area (m ²) - maximum	691.50m ²	420m ²	741.05m ²
Lot width (m) - minimum	19.71m*	15m	20.0m
Height (m) - maximum	9.70m	7.6m	10.5m
Storeys - maximum	3.0	2.0	3.0
Site coverage % - maximum	43.22%	40%	50%
Open site space % - minimum	35.68%	n/a	30%
Number of dwellings units in an attached dwelling	5*	n/a	4
Setbacks (m) – minimum:			
Front	8.38m*	7.5m	10.7m
Rear	2.25m*	7.5m or 25% lot depth	4.0m
Side (north)	3.77m (balcony)* 4.38m (wall)	1.5m or 10% lot width	4.0m
Side (south)	3.35m*	3.0 for one side yard	4.0m
Combined side yards	n/a	4.5m	n/a
Parking - minimum	5*	1	8
Visitor parking (minimum) included in the overall units	0*	n/a	1
Class 1 – Bicycle Storage	10	n/a	5
Class 2- Bicycle Racks	6 space rack	n/a	6 space rack

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 28, 2017. The minutes from this meeting are attached to this report.

ANALYSIS

Official Community Plan

The *Official Community Plan (OCP)*, 2012, designates the property within the Traditional Residential urban place designation. Within this designation multi-unit buildings up to three storeys, including attached dwellings, are envisioned along arterial and secondary arterial roads. Shelbourne Street is classified as a secondary arterial road. The envisioned floor space ratio is up to approximately 1 to 1. The proposed floor space ratio is 0.93 to 1.

Local Area Plans

The *Oaklands Neighbourhood Plan* Residential Development Potential map identifies this property for townhouses generally up to 18 units per acre with a 2.5 storey limit. This proposal is for 27.3 units per acre and three storeys. The plan also notes that slight reductions in parking requirements can be considered in light of the location on existing major bus routes. Finally, the plan notes that building setbacks for new townhouses be at least 10.7 metres from Shelbourne Street.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this application. A City-owned mature boulevard tree (London Plane) will require protective fencing during construction. An arborist review may be required prior to Building Permit approval to comment on the construction impacts to the tree's critical root zone.

CONCLUSIONS

The *Official Community Plan* and the *Oaklands Neighbourhood Plan* both support townhouses on this property. While the *Oaklands Neighbourhood Plan* recommends a lower number of units, the proposal does meet the *Official Community Plan's* recommended density of 1 to 1 floor space ratio. The proposal has a number of differences from the standard RT Zone, Traditional Residential District; however, the proposal does meet the overarching land use policies for the area. Staff, therefore, recommend Council consider moving this application forward for consideration at a Public Hearing.

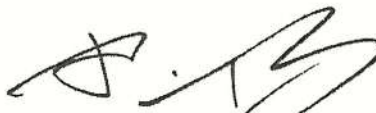
ALTERNATE MOTION

That Council decline Rezoning Application No. 00573 for the property located at 2816 Shelbourne Street.

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:

November 30, 2017

List of Attachments:

- Attachment A – Subject Map
- Attachment B – Aerial Map
- Attachment C – Plans date stamped August 22, 2017
- Attachment D – Letter from applicant to Mayor and Council dated November 6, 2017
- Attachment E – Green initiatives letter from applicant dated March 22, 2017
- Attachment F – Community Association Land Use Committee Minutes dated February 28, 2017
- Attachment G – Correspondence (Letters received from residents)

8. Rise and Report from Closed Meeting for Information
From the January 12, 2017 Closed Council Meeting

That Council authorize the Mayor and City Clerk to execute a lease with interisland launch ltd. for premises at 812 Wharf Street, in a form satisfactory to the City Clerk, for a period of 5 years commencing March 1, 2017 at the base rent of \$122,196.76 per annum for the first two years rising to \$127,756.71 per annum thereafter for the remainder of the 5 year initial term, with two options to renew the lease each for a further 5 year term, subject to the publication of the statutory notices required by the Community Charter.

REPORTS OF COMMITTEES

1. Committee of the Whole – December 7, 2017

1. Letter from the Minister of Transport

Motion:

It was moved by Councillor Isitt, seconded by Mayor Helps, that the correspondence dated October 20, 2017 from the Minister of Transport be referred to the January 11, 2017 Committee of the Whole meeting.

Carried Unanimously

2. Rezoning, Development Permit with Variances Application, Development Variance Permit Application No. 00583 for 3110 Doncaster Drive (Oaklands)

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman:

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00583 for 3110 Doncaster Drive, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variances Application and Development Variance Permit

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00583, if it is approved, consider the following motions:

1. "That Council authorize the issuance of a Development Permit with Variances Application for the west portion of 3110 Doncaster Drive, in accordance with:
 - a. Plans date stamped October 5, 2017.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front setback from 6.00m to 5.11m
 - ii. reduce the rear setback from 6.00m to 3.94m.
 - c. The Development Permit lapsing two years from the date of this resolution."
2. "That Council authorize the issuance of a Development Variance Permit Application for the east portion of 3110 Doncaster Drive, in accordance with:
 - a. Plans date stamped October 5, 2017.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the rear setback from 6.00m to 5.70m.
 - c. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

3. Rezoning Application No. 00573 and Development Permit with Variances Application No. 000504 for 2816 Shelbourne Street (Oaklands)

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday:

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00573 for 2816 Shelbourne Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once:

1. Staff are provided with a legal agreement securing the provision of one electric vehicle charging station per unit and one electric-assisted bicycle per initial purchaser for each of the five units as offered by the applicant to the satisfaction of the City Solicitor.
2. Staff receive proof of registration at the Land Title Survey Authority of an executed Statutory Right-of-Way (SRW) of 7.0m on Shelbourne Street.

3. The applicant works with Staff to mitigate the impact of the requested variance for the rear (west) setback.

Development Permit with Variances Application

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00573, if it is approved, consider the following motion: "That Council authorize the issuance of Development Permit with Variances Application No. 000504 for 2816 Shelbourne Street in accordance with:

1. Plans date stamped August 22, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements except for the following variances:
 - i. Reduce the front setback from 10.7m to 8.38m;
 - ii. Reduce the rear setback from 4.0m to 2.25m;
 - iii. Reduce the north side yard setback from 4.0m to 3.77m;
 - iv. Reduce the south side yard setback from 4.0m to 3.35m;
 - v. Reduce the parking from 8 stalls with one visitor stall to 5 stalls with no visitor stalls.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

4. Application for a New Liquor Primary Licence for Atomic Soap Lounge, 530 Pandora Avenue

Motion:

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Council direct staff to provide the following response to the Liquor Control and Licensing Branch:

1. Council, after conducting a review with respect to the location of the establishment, the person capacity and hours of liquor service, supports the application of Atomic Soap Lounge, located at 530 Pandora Avenue to obtain a new Liquor Primary License permitting service from 10:00 am until 10:00 pm daily with an interior occupant load of 59 persons (no outdoor service area is included in the application).

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered and is not expected to be appreciatively different than similar approvable establishments not subject to municipal review for liquor licencing. It is understood that the total licensed capacity is to be 59 persons and that approval of the Liquor Primary Licence is dependent on existence of the core soap making business.
- b. If the application is approved, the impact on the community is expected to be negligible given the size, hours, and primary focus of the business.
- c. The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the licensed location and a notice posted at the property. The City received ten letters in total including nine letters expressing concern or opposition to the application and one expressing support for the application for a liquor licence.
- d. Council recommends the issuance of the license as it is expected to support the economic viability of the business through support of its business plan to serve liquor complementary to the primary focus which is an instructor-led soap crafting experience.

Carried Unanimously

5. Advocacy to Shift Investment to Low-Emissions Transportation

Motion:

It was moved by Councillor Loveday, seconded by Councillor Isitt, that Council requests the Mayor write, on behalf of Council, to the Prime Minister of Canada and Premier of British Columbia, copying the federal and provincial ministers responsible for climate action, infrastructure and transportation, requesting that they fully implement their commitment in the Pan-Canadian Framework on Clean Growth and Climate Change in transportation sector, to shift investments "from higher to lower-emitting types of transportation" within the Capital Regional District.

Councillor Thornton-Joe withdrew from the meeting at 8:36 p.m. due to a pecuniary conflict of interest with the following item, as her husband is employed with BC Transit.

Councillor Lucas withdrew from the meeting at 8:36 p.m. and returned at 8:37 p.m.

Carried Unanimously

6. Transit Futures Plan

Motion:

It was moved by Councillor Alto, seconded by Councillor Isitt, that the Mayor, on behalf of Council, send the letter attached to the report to BC Transit.

Carried Unanimously

Councillor Thornton-Joe returned to the meeting at 8:38 p.m.