

J. **BYLAWS**

J.1 **Bylaws for Rezoning Application for 2813-2887 Quadra Street, and 2814-2890 and 2780/82 Fifth Street**

Moved By Councillor Alto
Seconded By Councillor Coleman

That the following bylaw **be given first and second readings:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1144) No. 18-028
2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1145) No. 18-029

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Coleman

That the following bylaw **be given first, second, and third readings:**

1. Housing Agreement (2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street) Bylaw (2018) No. 18-038

CARRIED UNANIMOUSLY



Council Report

For the Meeting of July 26, 2018

To: Council **Date:** July 12, 2018
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Update Report for Rezoning Application No. 00549 and Development Permit Application No. 000490 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street

RECOMMENDATION

That the following bylaws be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1144) No. 18-028
2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1145) No. 18-029

Further, that the following bylaw be given first, second, and third readings:

1. Housing Agreement (2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street) Bylaw (2018) No. 18-038

EXECUTIVE SUMMARY

The purpose of this report is to inform Council that, in accordance with Council's motion of December 14, 2017 (attached), the applicant has fulfilled the conditions set by Council in relation to Rezoning Application No. 00549:

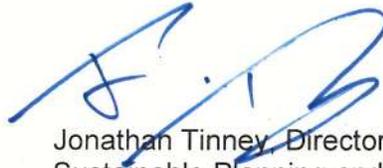
- Securing a car share agreement that includes the purchase of two cars and a car share membership for all units (existing and new) to the satisfaction of the Director of Engineering and Public Works.
- Restrictive covenant ensuring two car share stalls are allocated on the site for access by residents of both buildings, or an alternative arrangement as approved by the Director of Engineering and Public Works.
- Registration of a Statutory Right-of-Way for 2.72m along the entire frontage of Quadra Street.
- A restrictive covenant be registered on title which will prohibit the issuance of any building permits for the new project until the small parking lots are constructed for the existing units (Quadra Villa).
- An executed Housing Agreement to ensure the units in the new building are rental in perpetuity.

Respectfully submitted,



Michael Angrove
Planner
Development Services

JH



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:


July 11, 2018

List of Attachments:

- Attachment A: Council Minutes dated December 14, 2017
- Attachment B: Bylaw No. 18-028
- Attachment C: Bylaw No. 18-029
- Attachment D: Bylaw No. 18-038

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.

Development Permit with Variances Application No. 000496

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. 00558, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000496 for 1303 Fairfield Road, in accordance with:

1. Plans date stamped October 10, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the height from 12.00m to 15.60m
 - ii. increase the site coverage from 40% to 62.60%
 - iii. reduce the front setback (Moss Street) from 6.00m to 0.86m
 - iv. reduce the rear setback from 7.80m to 4.13m (to the building) and to 2.63m (to the balconies)
 - v. reduce the south side setback from 3.90m to 3.81m (to the building) and 0.00m (to the pergola)
 - vi. reduce the flanking street setback (Fairfield Road) from 6.00m to 0.62m
 - vii. reduce the vehicle parking requirement from 44 stalls to 16 stalls.
3. Refinement of trellis materials, colour and design to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.
5. Further consideration of the finishes on the tower element of the proposal."

Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Madoff, and Thornton-Joe
Opposed: Councillor Isitt

Councillor Young returned to the meeting at 9:07 p.m.

11. Rezoning Application No. 00549 & Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street

Motion:

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

Rezoning Application No. 00549

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

That Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street proceed for consideration at a Public Hearing and that staff prepare the necessary Zoning Regulation Bylaw amendments, subject to completion of the following for the new project prior to a Public Hearing:

1. Securing a car share agreement that includes the purchase of two cars and a car share membership for all units (existing and new) to the satisfaction of the Director of Engineering and Public Works.
2. Restrictive covenant ensuring two car share stalls are allocated on the site for access by residents of both buildings, or an alternative arrangement as approved by the Director of Engineering and Public Works.
3. Registration of a Statutory Right-of-Way agreement for 2.72m along the entire frontage of Quadra Street.
4. A restrictive covenant be registered on the title which will prohibit the issuance of any building permits for the new project until the small parking lots are constructed for the existing units (Quadra Villa).

5. An executed Housing Agreement to ensure the units in the new building are rental in perpetuity. And further for Quadra Villa (existing rental units), that staff prepare the necessary *Zoning Regulation Bylaw* amendments, subject to the following:
A site-specific zone be drafted to allow the following changes:
 1. Limiting development to the current existing situation for a maximum of 64 units.
 2. Changes to density (FSR), parcel coverage and open site space as a result of the reduced lot size.
 3. Reducing the vehicle parking requirement to 37 parking stalls for the existing development; however, 21 stalls may be provided on the new project lot, subject to the registration of an easement and a Section 219 covenant
 4. Additional floor area allowance for two laundry rooms and a caretaker's office.
 5. Setbacks that recognize the existing siting from Quadra Street and Fifth Street that were previously approved by the Board of Variance for the reconstruction of the stairs and decks.
 6. Reducing the setback requirement from Topaz Avenue for the relocation of the laundry rooms and caretaker's office.
 7. Reducing the setback requirement from the newly created interior lot line (south).

Development Permit Application No. 000490

That Council, after the Public Hearing for Rezoning Application No. 00549, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street in accordance with:

1. Plans date stamped August 8, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Prior to the issuance of any Building Permit the siting of Block A be re-evaluated with the intent of providing a greater separation space between the ground floor units and the Statutory Right of Way to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Prior to the issuance of any Building Permit, the entrance of the units be further defined to be more prominent to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Final plans to be in accordance with the plans identified above, to the satisfaction of the Director of Sustainable Planning and Community Development.
6. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

12. Update Report - Rezoning Application No. 00591 for 1122 Collinson Street

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00591 for 1122 Collinson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set subject to the preparation and execution of a Housing Agreement Bylaw to secure the six dwelling units as rental for 10 years to the satisfaction of the Director of Sustainable Planning and Community Development.

Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Madoff, Thornton-Joe, and Young

Opposed: Councillor Isitt

13. Rezoning Application No. 00582, Development Permit Application No. 00582 & Heritage Alteration Permit Application with Variances No. 00007 for 224 Superior Street

Motion:

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

Rezoning Application No. 00582

That Council instruct staff to prepare the necessary Zoning Regulation bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00582 for 224 Superior Street, that first and second reading of the Zoning Regulation bylaw amendments be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 2.41m on Superior Street.

Development Permit Application No. 00582

That Council after giving notice and allowing for an Opportunity for Public Comment at a meeting of Council and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00582 for 224 Superior Street, in accordance with:

1. Plans date stamped November 9, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance: