

K. BYLAWS

K.1 Bylaws for Official Community Plan and Rezoning Application for 2732 Doncaster Drive

Moved By Councillor Alto

Seconded By Councillor Lucas

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

1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 26) No. 18-088
2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1162) No. 18-086

FOR (8): Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Mayor Helps

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

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

1. Housing Agreement (2732 Doncaster Drive) Bylaw No. 18-087

FOR (8): Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Mayor Helps

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Alto

Seconded By Councillor Lucas

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. 00635, if it is approved, consider the following updated motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive, in accordance with:

1. Plans date stamped May 17, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

- a. reduce the site area from 920.0m² to 638.70m²
 - b. reduce the dwelling unit floor area from 33.0m² to 28.40m²
 - c. reduce the front yard setback from 7.50m to 4.50m
 - d. reduce the south side yard setback from 4.75m to 1.70m
 - e. reduce the north side yard setback from 4.75m to 4.0m
 - f. reduce the open site space from 30.0% to 22.22%
 - g. reduce the number of vehicle parking stalls from 10 to 8.
3. The Development Permit lapsing two years from the date of this resolution."

FOR (8): Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Mayor Helps

OPPOSED (1): Councillor Young

CARRIED (8 to 1)



Council Report

For the Meeting of September 20, 2018

To: Council **Date:** September 6, 2018
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: **Update Report on OCP Amendment Application, Rezoning Application No. 00635 and Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive**

RECOMMENDATION

OCP Amendment and Rezoning Application No. 00635:

That Council give first and second reading to Official Community Plan Amendment Bylaw (Bylaw No. 18-088), and Zoning Regulation Bylaw Amendment (Bylaw No. 18-086) and that Council give first, second, and third reading to Bylaw No. 18-087, to authorize a Housing Agreement to secure the building as rental for 25 years.

Development Permit with Variances Application No. 00072:

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. 00635, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive, in accordance with:

1. Plans date stamped May 17, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. reduce the site area from 920.0m² to 638.70m²
 - b. reduce the dwelling unit floor area from 33.0m² to 28.40m²
 - c. reduce the front yard setback from 7.50m to 4.50m
 - d. reduce the south side yard setback from 4.75m to 1.70m
 - e. reduce the north side yard setback from 4.75m to 4.0m
 - f. reduce the open site space from 30.0% to 22.22%
 - g. reduce the number of vehicle parking stalls from 10 to 8.
3. The Development Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information regarding an Official Community Plan (OCP) Amendment Application and Rezoning Application for the property located at 2732 Doncaster Drive.

The applicant proposes an OCP amendment to change the Urban Place Designation of the site from Traditional Residential to Urban Residential. The proposed rezoning is to change the zoning 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 rental building.

The necessary conditions that would authorize the approval of the OCP Amendment and Rezoning for the property located at 2732 Doncaster Drive, in accordance with Council's motion of June 14, 2018, have been fulfilled. The Committee of the Whole (COTW) report dated May 31, 2018, together with the COTW meeting minutes, are attached to this report.

OCP AMENDMENT FEEDBACK

On July 26, 2018, staff posted a notice on the City's website and sent a mailed notice of the proposed OCP amendment to all property owners and occupants within 200m of the subject site, inviting them to ask questions of staff and provide written or verbal comments to Council for their consideration by August 20, 2018. During the notification period, the City received correspondence from 11 members of the public (attached).

SECURED RENTAL HOUSING

As instructed by Council on June 14, 2018, a Housing Agreement to ensure the building would be secured as rental for 25 years has been prepared and will be registered on title following the adoption of Bylaw No. 18-087 to authorize the Housing Agreement, if it is approved by Council.

At Committee of the Whole on June 14, Council asked Staff to investigate whether rental rates could also be secured in the Housing Agreement. At this time the applicant is not amenable to securing rents in the Housing Agreement. A letter from the applicant explaining their decision is attached to this report.

VEHICLE PARKING

Schedule 'C' of the *Zoning Regulation Bylaw* was recently updated, and as such the parking variance for this Application has changed. The original variance was to reduce the number of vehicle parking stalls from 12 to 8. The updated variance, as shown in the above motion, is to reduce the number of vehicle parking stalls from 10 to 8.

CONCLUSIONS

The necessary conditions that would authorize the approval of the OCP Amendment and Rezoning Application for the property located at 2732 Doncaster Drive have been fulfilled. The recommendation provided for Council's consideration would advance this Application to a Public Hearing.

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:

Sept. 13, 2018

List of Attachments:

- Attachment A: Committee of the Whole Reports dated May 31, 2018
- Attachment B: Minutes from Committee of the Whole Meeting dated June 14, 2018
- Attachment C: Applicant's letter received June 18, 2018
- Attachment D: OCP Amendment Notice responses.



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.

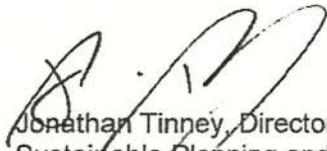
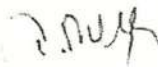
ALTERNATE MOTION

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)



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: Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive

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. 00635, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive, in accordance with:

1. Plans date stamped May 17, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. reduce the site area from 920.0m² to 638.70m²
 - b. reduce the dwelling unit floor area from 33.0m² to 28.40m²
 - c. reduce the front yard setback from 7.50m to 4.50m
 - d. reduce the south side yard setback from 4.75m to 1.70m
 - e. reduce the north side yard setback from 4.75m to 4.0m
 - f. reduce the open site space from 30.0% to 22.22%
 - g. reduce the number of vehicle parking stalls from 12 to 8
3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 2732 Doncaster Drive. The proposal is to construct an eleven unit multi-residential rental building.

The following points were considered in assessing this application:

- the proposal is generally consistent with the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial*
- the site area variance is supportable as the massing of the building has been designed for a smaller site
- the applicant proposes units that are below the required 33m²; however, the proposal would contribute eleven new units to the city's rental housing stock
- the front yard setback variance is supportable as the building is not overbearing in height and the ground floor units have entrances fronting the street, which helps animate the public realm
- the variance to the north side yard setback is supportable as it is minimal in nature and overlook concerns are addressed using transom windows
- the variance on the south side yard setback is supportable as the setback of the building to the south is significant and the proposal's windows minimize privacy concerns
- the variance to reduce the parking to eight stalls is supportable due to the property's location near major transit and across the street from the Hillside Mall Town Centre
- the open site space variance is supportable as the site coverage does not exceed the maximum and a common outdoor amenity space is provided at-grade.

BACKGROUND

Description of Proposal

The proposal is for an eleven unit multi-residential rental building. Specific details include:

- low-rise building form consisting of contemporary architectural features
- individual at-grade entrances for the ground floor units
- Juliet balconies for the units on the upper storeys and a shared amenity space in the rear yard
- an eight-stall surface parking lot and an eleven stall secure bicycle room located to the rear of the building
- exterior materials consisting of fibre cement siding, sheet metal, aluminium railings, and cedar fencing.

The proposed variances are related to:

- reduced site area from 920.0m² to 638.70m²
- reduced dwelling unit floor area from 33.0m² to 28.40m²
- reduced front yard setback from 7.50m to 4.50m
- reduced south side yard setback from 4.75m to 1.70m
- reduced north side yard setback from 4.75m to 4.0m
- reduced open site space from 30.0% to 22.22%
- reduced vehicle parking stalls from 12 to 8.

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 Development Permit with Variances Application.

Accessibility Impact Statement

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

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 existing R1-B Zone and the proposed R3-A1 Zone. An asterisk is used to identify where the proposal is less stringent than the existing 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

Zoning Criteria	Proposal	Zone Standard R3-A1	Existing R1-B Zone
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*, on March 14, 2018 the Application was referred for a 30-day comment period to the Oaklands CALUC. At the time of writing this report, a letter from the CALUC had not been received. However, the Applicant attended a CALUC meeting as part of the requirements for the Official Community Plan and Rezoning Application. The minutes from that meeting are attached to the Rezoning Application report.

This Application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan (OCP)* identifies this property within Development Permit Area 16 – General Form and Character (DPA16). *The Multi-Unit Residential, Commercial and Industrial* guidelines are the main applicable design guidelines for this project. These guidelines are intended to promote new developments that result in design excellence and livability; and contribute to a sense of place and urbanism that is responsive to Victoria's context, while enabling flexibility and fostering creativity.

The objectives of the designation are to integrate multi-unit residential buildings in a manner that is complementary to an established neighbourhood. Other objectives include enhancing character and streetscapes through high-quality architecture, landscape and urban design. As well, to achieve more liveable environments through considerations for human-scaled design, quality of open spaces, privacy impact, safety and accessibility.

With respect to context and transition, the transition of building form and height is appropriate for the current adjacent land uses. The proposal provides for a transition from the higher multi-

residential building to the south to the lower height single family dwellings to the north. Locating the driveway on the north side further provides breathing room to the single family dwellings and reduces shading.

The design and site planning contribute to the building's relationship to Doncaster Drive. The two ground floor units feature entrances fronting onto the street with useable front yard space, and the upper storey units have Juliet balconies. These balconies and entrances along the street frontage create a direct relationship to the street and add to the sense of safety with potential activity and overlook.

The exterior building material is primarily fibre cement siding, with aluminum balcony railings and sheet metal fascia feature contributing to a modern architectural style. The choice of materials will add variety in the streetscape, and distinguish this project from adjacent dwellings.

Tree Preservation Bylaw and Urban Forest Master Plan

There is a bylaw protected Deodar Cedar tree 4.0m from the rear property line. The Applicant has been made aware that if large structural roots are encountered, the City of Victoria Parks Arborist is to be contacted to complete a review.

There are no impacts to public trees with this application.

Regulatory Considerations

In total there are seven variances from the R3-A1 Zone. The first requested variance is to reduce the site area from 920m² to 638.70m². This variance is supportable as the building has been designed for a smaller site; it is notable that the building does not exceed the maximum site coverage and floor space ratio. Similarly, there is a variance to reduce the open site space from 30% to 22.22%, which primarily arises from the amount of area dedicated to vehicle parking and movement. However, as noted the site meets the overall maximum site coverage requirement. In addition, there is a shared private amenity space located at-grade in the rear yard.

A variance is requested to reduce the minimum dwelling unit floor area from 33m² to 28.40m². This variance is supportable as the proposal adds eleven rental units to the city's rental housing stock. In addition, the units maintain livability by having windows that allow natural light to enter the units. All but one unit have either a Juliet balcony or front yard amenity space, and there is shared amenity space in the rear yard.

Three of the variances relate to setbacks. The north side yard setback is proposed to be reduced from 4.75m to 4.0m. This is supportable as the driveway provides breathing room from the proposed building to the single family dwelling and overlook concerns are addressed using transom and corner windows only. The south side yard setback would be reduced from 4.75m to 1.70m. Again transom and corner windows help minimize privacy concerns and the existing building to the south has a large north setback due to the location of its driveway.

The front yard setback would be reduced from 7.50m to 4.50m, as the surface parking lot at the rear forces the building to move closer to the street. Staff have noted that this setback is not in line with the adjacent buildings, in which the multi-residential building to the south is approximately 10m from Doncaster Drive and the single family dwelling is approximately 7.5m from Doncaster Drive. However, the effect of the variance is reduced through the front

entrances and useable front yard amenity space of the ground floor units fronting on Doncaster Drive.

Finally, there is a variance to the required parking. The proposal is for 8 parking stalls, whereas the current Schedule C requires 12 parking stalls and the proposed Schedule C requires 10 parking stalls. This variance is supportable due to the location of the property in an area that has access to frequent transit and is highly walkable. The Hillside Mall Town Centre, which includes a grocery store, is located across the street.

CONCLUSIONS

The proposed development is generally consistent with the objectives of Development Permit Area 16, which seeks to integrate multi-unit residential buildings in a manner that is complementary to an established neighbourhood. The proposed building provides a step-down transition from the multi-residential building to the south and the single family dwelling to the north.

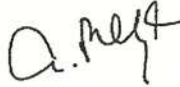
ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00072 for the property located at 2732 Doncaster Drive.

Respectfully submitted,

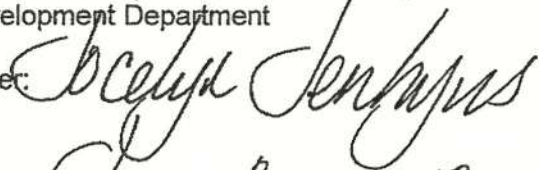


Michael Angrove
Planner
Development Services



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

June 8, 2018

E. LAND USE MATTERS

E.3 2732 Doncaster Drive - Rezoning Application No. 00635, Development Permit with Variances Application No. 00072, and Associated Official Community Plan Amendment (Oaklands)

Committee discussed:

- *The alignment with City policy and effects to the R1-B zone with urban place designation adjacent properties.*

Moved By Councillor Loveday

Seconded By Councillor Lucas

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

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.

Development Permit with Variances Application No. 00072 for 2732

Doncaster Drive

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. 00635, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive, in accordance with:

1. Plans date stamped May 17, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. reduce the site area from 920.0m² to 638.70m²
 - b. reduce the dwelling unit floor area from 33.0m² to 28.40m²
 - c. reduce the front yard setback from 7.50m to 4.50m
 - d. reduce the south side yard setback from 4.75m to 1.70m
 - e. reduce the north side yard setback from 4.75m to 4.0m
 - f. reduce the open site space from 30.0% to 22.22%
 - g. reduce the number of vehicle parking stalls from 12 to 8
3. The Development Permit lapsing two years from the date of this resolution."

Committee discussed:

- *The location and proposed use of the building and the type of housing needed in the City.*
- *Neighbourhood support for the application.*
- *The rental price proposed and whether the applicant is willing to ensure the amount in a housing agreement.*

Committee recessed at 10:20 a.m. and reconvened at 10:27 a.m.

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Michael Angrove

From: Cam Pringle <mr.cam@shaw.ca>
Sent: June 18, 2018 10:07 AM
To: Michael Angrove
Subject: 2732 Doncaster

Morning Mike

Thank you for your assistance so far and presenting our proposal to the Committee of the Whole. We look forward to presenting to Council at an upcoming Public Hearing.

Further to the COTW meeting on June 14th we wish to make clear that we never suggested or made a statement that the rental rate for these homes would be \$900 per month. What we have stated in conversations is that ***"based on current market conditions we would expect that the rental rates would start in the high \$900's per month."*** That comment was made a few times between November 2017 and February 2018 when we were asked what the projected rental rates would be. This was our prediction at that time however this building is being built as a market rental building. Markets change and the actual rental rate will depend on market conditions on the Spring of 2019.

The following are some details on why we can not fix the rental rate at this time.

The process to invest and develop a building is a long one. Once we have approval from the City on zoning and development permit we then seek to finalize construction and financing costs. If those costs fall into line with the market rental rates supporting the construction then the building will be built right away. An artificial rent control will make this difficult and our Lenders will not agree to this.

With eleven suites there will be a variation of market rents between the suites. Ground floor may have a different rental rate than the top floor for example.

We are researching the opportunity to include furnishings in these suites. If this makes sense the rental rate will increase however that would be offset by the tenant not needing to buy a bed or table etc. The concept here is that the homes become more livable as the furnishings are designed for the space.

We can however agree to the 25 year housing agreement.

Once completed this new building will offer 11 young workers a chance to work and live in the Oaklands Community. With lower rent and transportation costs we would hope that our tenants will be able to save up for a down payment for a home of their own to invest in. That is the profile of our future tenants.

Hopefully everyone can understand this and be prepared to support our position at the public hearing

Thanks again for your help
Cam Pringle
Cadillac developments ltd.

From: Freda A.
To: Michael Angrove
Subject: Application up-date please
Date: Monday, July 30, 2018 1:50:48 PM

Hi Michael,

I'm interested in knowing about the application by Cadillac Homes Inc.
 Address 2732 Doncaster Drive. Victoria BC

I attended a Neighbourhood meeting in the Oakland Area when this proposal was presented by Cadillac Homes Inc. I believe it was in the winter.

I had reservations about the rezoning application, & voiced my concerns regarding the area being developed.

I was concerned that there would be :-

1. Less parking on Doncaster Drive, already..only 2 spaces are available, right where the present single family dwelling stands.
 This was already a result of the Development of the Doncaster Connector.
 There was improved crosswalk & bicycle crossing.
 Several lots were eliminated on both sides of Doncaster Drive to create Green spaces.

2. Congestion at the intersection.

- a) e.g. the need for Emergency Vehicles at the proposed site
 & also the Construction Crew Vehicles.
- b) Visitor parking...where there already are few parking slots.
- c) There is a sign at the intersection prohibiting heavy vehicles on Doncaster Drive.
- d) Already bikers expressed concern about travelling N on Hillside, turning R on to Doncaster Drive---then, immediately turning L into the Underground Parking of the Condo Building at 1560 Hillside Ave.

I believe the present Zoning Designation should remain for the above reasons.
 Also the owner of the neighbouring single family house adjacent to this proposed site has expressed, both at the a-fore-mentioned Public Neighbourhood meeting, & also personally, to me, his option would be to move from this house!!

I live on the south side of the intersection. Our condo @1 525 Hillside is adjacent

to & borders onto Doncaster Connector --part of our lawn space is shared by the Parks Dept.

btw.

Today I received the Notice-"It'sYour Neighbourhood" from City hall.

I also found out you're on vacation 'til next week, as I called last Friday, (because I have difficulty navigating the 'tracker' due to my ancient brain cells!!)

I hope you can understand what I've tried to express.

I'm not on our Strata Council at present.

Sincerely,

Freda Abersek

A solid black rectangular box used to redact the signature.

From: [Diane Hickman](#)
To: [Michael Angrove](#)
Subject: Rezoning of 2732 Doncaster rezoning no 00635
Date: Monday, July 30, 2018 6:07:46 PM

I am totally against this rezoning application we moved into this area because it is single family residential that last thing we need in this area is a flophouse - there is already excess traffic with the mall we don't need to add to it
Sent from my iPhone

From: [georgette morgen](#)
To: [Michael Angrove](#)
Subject: Proposed changes to 2732 Doncaster Drive
Date: Monday, July 30, 2018 6:36:26 PM

Hi I am just responding to a notice I received in the mail about rezoning this property to accommodate a 3 story multi unit residences. I am told that rental properties are at an all time low and have noticed how expensive it is to buy in Victoria. If said property is going to be used as AFFORDABLE rental property I am open to it. If it is going to be units for sale, I am only for it IF it is AFFORDABLE. I am tired of every developer taking advantage of an already terrible situation. Let me clarify what I mean by affordable: if the places are less than 1000 sq feet they should not cost over \$200000. If they are less than 2000 sq feet, they should not cost over \$250000. We need more affordable housing in this city. If it can't be done then the current property should stay as is. We already have an abundance of expensive condos for sale.

Thank you.

Georgette Morgen, owner of a condo in 1525 Hillside Ave

Sent from my iPhone

From: [Eric Doherty](#)
To: [Michael Angrove](#)
Cc: [Maryann Abbs](#); landuse@oaklandsca.com; [Marianne Alto \(Councillor\)](#)
Subject: 2732 Doncaster Drive
Date: Tuesday, July 31, 2018 10:50:37 AM

Attn. Michael Angrove, City of Victoria

Re: 2732 Doncaster Drive

We support this proposed development and OCP amendment as it is providing increased rental housing supply very close to a Frequent Transit Network route, directly on a bike route, and across the street from a large grocery store. It is our understanding that there will be measures in place to ensure that this building remains rental for a considerable period of time. We would like the City to take whatever measures are available, such as re-zoning the site to rental only, to ensure it remains a rental building in the long term. Considering that buildings often last for over a century, the measures to keep this a rental building should last as long.

We are glad to see that the amount of parking has been reduced from the original proposal. The original amount of parking seemed excessive given the transit, walking and cycling friendly location. Even the present eight spaces is likely not in keeping with City of Victoria climate and active transportation mode share objectives for a Town Centre.


We ride and walk along Doncaster frequently and more cars crossing the sidewalk and bus lane at this busy location would increase the crash risk for us and other people walking and riding bicycles. Less parking means less traffic and a safer neighbourhood. We believe that Oaklands needs more people and fewer cars to become more livable.

Regarding environmental conditions, we believe that all re-zoned building should be required to use electricity rather than fossil fuels such as natural gas for water and space heating. (The supply of bio-gas is limited, and should be reserved for cooking and other specialty applications.) We understand that the City of Victoria may not be set up to require non-fossil fuel water and space heating as of yet; but if there is a mechanism to do so, this should be a requirement for this building.

Thank you,

Eric Doherty and Maryann Abbs

1555 Oakland Avenue



From: Linda Harold
To: Michael Angrove
Subject: 2732 Doncaster Drive
Date: Tuesday, July 31, 2018 9:04:13 AM

Dear M. Angrove,

I am opposed to re designation of 2732 Doncaster Street for the following reasons.

- 1) It would drastically change the character of the neighbourhood, and set a precedent for other applications such that Doncaster would be soon be all three-story multi-unit residential units.
- 2) Doncaster Drive roadway is ill-suited to extra parking and cars entering and leaving a building.
- 3) There is land available along Hillside and North Dairy for such projects and that is where they should be located.

Sincerely,
Linda J. Harold
Unit #304
1536 Hillside Avenue

On a related note, I think the city allows Doncaster Drive parking too close to Hillside Avenue such that it makes turning right a problem during the day, as you often can't get over to the turning lane because of the parked vehicles.

From: Lynne Crawshaw
To: Michael Angrove
Subject: Re: 2732 - Doncaster Dr.
Date: Wednesday, August 01, 2018 6:27:29 PM

Hello Mr. Mangrove -

Yesterday I received the letter about the proposed development at this address. I live at 1519 - Hillside ave., and have done so for nine and a half years.

I believe that Victoria should increase density to avoid urban sprawl that uses valuable farm land as it has in many Canadian cities. At the same time, I have a lot of concerns about a multi-unit development on that proposed site.

It is very close to the entrance-exit to Thrifty's store, as well as Canadian Tire and the rest of the mall. I shop at Thrifty's and have to use my car because of arthritis and back problems. Many times a day, that entrance-exit is extremely busy and will be much more so with additional traffic trying to access a multi-story unit. Car drivers may well need to cross traffic to head north to Dairy/Finlayson, which may well be dangerous, given the existing traffic flow.

Egress from my building is easier because of the middle lane but Doncaster does not have that possibility because it is a narrower road. If the small lot next to 2732 were a part of this proposal, it could have an entrance to parking from Westall avenue, but that is not part of the proposal at the moment.

Thank you to you, as a representative of the city of Victoria for giving us the opportunity to have input on this issue.

Lynne Crawshaw,
#403, 1519 - Hillside ave.

From: Rudolph Klauser
To: Michael Angrove
Subject: 2732 Doncaster drive rezoning
Date: Wednesday, August 01, 2018 7:24:01 PM

Hello Michael Angrove

Great idea for smaller rental units. Is good if they stay as rental for a considerable amount of time.
Also, that this does not set a precedent to demolish other smaller homes in the neighbourhood to build luxury condos.

Regards
Rudi Klauser and Grant Menzies

Sent from my iPad

From: [REDACTED]
To: [Michael Angrove](mailto:mangrove@victoria.ca)
Subject: OCP Bylaw for 2732 Doncaster Drive
Date: Monday, August 06, 2018 8:04:22 AM
Attachments: [OCP Bylaw for 2732 Doncaster Drive.doc](#)

August 6, 2018

Michael Angrove, Planner
mangrove@victoria.ca

I object to amending the Official Community Plan Bylaw for 2732 Doncaster Drive to change the Official Community Plan designation from Traditional Residential to Urban Residential.

There are currently many high rise condos and rental buildings being constructed in Victoria, but little if any residential housing. On Hillside Avenue in the area between Doncaster Dr and Cedar Hill and Cook Streets there exists the potential to create multi-unit residential buildings.

2732 Doncaster Drive is a small older dated bungalow on a deep lot. It should remain a single family dwelling, plus a legal suite could be added without a zoning change or permission of neighbours.

In the Official Community Plan designation Traditional Residential area of 2732 Doncaster Drive, new homes have been built, some with suites, and homes have been renovated with the addition of suites. For example the older home at 2848 Doncaster Dr is currently being redone and a suite is being added. New single detached homes were recently constructed on Doncaster Drive between Hillside Ave and North Dairy. On Westall Ave semi-detached homes were recently built at 1560, a new home was constructed at 1575, a new home was built at 1563 with a suite. Currently a single detached bungalow at 1551 Westall was demolished and a new home is being built with a suite. Thus the area north of Hillside Ave from Doncaster Dr west to Gosworth St is recognized by builders as a Traditional Residential area.

This area is ideally suited for families -- proximity to schools; to parks/playgrounds and Cedar Hill Recreation Centre; to bus service and shopping. The city of Victoria needs family accommodation, let's not destroy what we have.

In summary, do not amend the Official Community Plan Bylaw for 2732 Doncaster Drive since (a) apartments are currently being built in the city and there are other locations on Hillside Ave that could be used for multi-unit residential buildings, (b) the city needs family units so do not take away from what we already have.

If you have comments or questions about what I have written, feel free to contact me.

Sincerely,

Louise Manga
1543 Westall Avenue
Victoria V8T 2G6

[REDACTED]

From: A KLITSIE
To: Michael Angrove
Date: Friday, August 10, 2018 2:14:20 PM

Sent from Mail for Windows 10

Mr. Angrove, I would like to inform you of my opinion regarding the application for proposed changes to the property 2732 Doncaster Drive. In my opinion this spot and corner at Hillside and Doncaster are already very congested with traffic due to the access across the street into the Hillside Mall. As it is our owners are already having challenges getting in and out of our driveway from both directions. The traffic flow at this location is constant and I feel would become even worse if a building allowing multiple parking spaces were erected there. Many of the owners bought at 1560 Hillside because there is no building above one floor next to the driveway. The proposal will destroy the view people have on that side of the building and fear that the property values of those suites will be drastically reduced. Just yesterday there was a 3 car accident on the corner of Hillside and Doncaster and I fear more traffic will cause more accidents. There is also a population of physically challenged people who use the area and sidewalks to access the mall and I fear for their safety having more traffic to deal with.

Thank you for your attention, Alma Klitsie

1560 Hillside owner

From: Janusz Krawczynski
To: Michael Angrove
Subject: Changes to 2732 Doncaster Drive
Date: Tuesday, August 14, 2018 3:41:29 PM

Hello Michael,

I am responding to your "It's Your Neighbourhood" letter.

I have no problems with this development.

The only concern is the paving all of the surfaces like parking lots on this property.

If the developer could maintain some other way for parking stalls, something less impervious.

Thanks,

Janusz

Janusz Krawczynski
303-1525 Hillside Ave,
Victoria BC V8T 2C1

From: [REDACTED]
To: [Michael Angrove](#)
Subject: OCP Bylaw for 2732 Doncaster DR
Date: Saturday, August 18, 2018 2:51:06 PM

Regarding the application to change from TRADITIONAL RESIDENTIAL to URBAN RESIDENTIAL - definitely NO, as this change will:

- de-value my property - considerably
- impact my quality of life - dramatically
- further congest the traffic on Doncaster - which is currently a nightmare as it is now - by proposing this change, you are only creating more problems (such as accidents or loss of live)

In all fairness to the current residents surrounding this proposal - DO NOT LET THIS BE PASSED. I'm sure that none of wish to have any of the POINTS mentioned above and OTHER POINTS to impact our lives, properties and traffic congestion. We have all labored hard, paid our taxes and are enjoying what we have attained.

So DEFINITELY DO NOT CHANGE THE CURRENT TRADITIONAL RESIDENTIAL to URBAN RESIDENTIAL.

Dauna Bellizz
1560 Hillside AV