



## Council Report

For the Meeting of February 14, 2019

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**To:** Council  
**From:** C. Coates, City Clerk  
**Date:** February 7, 2019  
**Subject:** 1303 Fairfield Road – OCP Amendment and Rezoning Application No. 00558

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### RECOMMENDATION

That the following bylaws be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1150) No. 18-045
2. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 24) No. 18-046

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

3. Housing Agreement (1303 Fairfield Road) Bylaw (2019) No. 18-047

### BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaws No. 18-045, 18-046, and 18-047.

The issue came before Council on December 13, 2018 where the following resolution was approved:

#### **1303 Fairfield Road - OCP Amendment and Rezoning Application No. 00558**

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. 00558 for 1303 Fairfield Road, 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. Revision and execution of the following legal documents:
  1. Housing Agreement to ensure the residential units remain rental in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development
  2. Statutory Right-of-Way of 0.86 meters along the Moss Street and Fairfield Road frontages, to the satisfaction of the Director of Engineering and Public Works
  3. Section 219 Covenant for public realm improvements to Moss Street and Fairfield Road, to the satisfaction of the Director of Engineering and Public Works
  4. Section 219 Covenant to secure commitment to Step 3 of the BC Energy Step Code, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. 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; and that such persons, organizations and authorities have been notified of the proposed OCP Amendment through mailed notice and 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, and having 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.


3. 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.
4. That Council give first reading to the Official Community Plan Amendment Bylaw.
5. 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.
6. That Council give second reading to the Official Community Plan Amendment Bylaw.
7. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

Respectfully submitted,



Chris Coates  
City Clerk

Report accepted and recommended by the City Manager:

  
Date: FEB 8, 2019.

**List of Attachments:**

- Bylaw No. 18-045
- Bylaw No. 18-046
- Bylaw No. 18-047