



Committee of the Whole Report

For the Meeting of February 28, 2019

To: Committee of the Whole **Date:** February 8, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00618 for 1712 & 1720 Fairfield Road

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00618 for 1712 & 1720 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. Preparation and execution of the following legal agreements:
 - a. Statutory Right-of-Way to secure 1.15 metres of 1712 Fairfield Road adjacent Fairfield Road, to the satisfaction of the Director of Engineering and Public Works
 - b. Housing Agreement to ensure that future strata bylaws cannot restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development
 - c. Section 219 Covenant to secure a voluntary contribution of \$112,080 to the Victoria Housing Reserve Fund, to the satisfaction of the Director of Sustainable Planning and Community Development

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 a Rezoning Application for the property located at 1712 and 1720 Fairfield Road. The proposal is to rezone from the R1-G Zone, Gonzales Single Family Dwelling District to a new site-specific zone in order to increase the density to 0.85:1 floor space ratio (FSR) and allow for attached dwellings at this location.

The following points were considered in assessing this application:

- the proposal is generally consistent with the *Official Community Plan*, 2012 (OCP) Traditional Residential Urban Place Designation in terms of use, density, built form and place character
- the proposal is consistent with some but not all of the policies of the *Gonzales Neighbourhood Community Plan*, 2002, which encourages a diversity of housing in the Gonzales neighbourhood to meet the needs of a variety of people, while also encouraging retention of zoning and land use policies that maintain the neighbourhood's single family dwelling character.

BACKGROUND

Description of Proposal

This Rezoning Application is to allow for attached dwellings up to 2.5 storeys in height with approximately 17 dwelling units with an overall density of 0.85:1 floor space ratio (FSR).

The new zone would allow for attached dwellings (i.e. townhouses); as well as, increased density, height, site coverage, and reduced open site space and setbacks in comparison to the R1-G Zone, Gonzales Single Family Dwelling District. In addition, a parking variance is proposed and will be discussed in relation to the concurrent Development Permit with Variances Application.

Affordable Housing Impacts

The applicant proposes the creation of 17 new residential units which would increase the overall supply of housing in the area. The mix of two, three and four bedroom units provides family oriented housing in an attached dwelling form. A Housing Agreement is also being proposed which would ensure that future Strata Bylaws could not prohibit the rental of units.

The applicant also proposes a voluntary contribution to the Victoria Housing Reserve Fund based on \$5 per square foot of total floor area, which amounts to \$112,080. The appropriate wording has been added to the recommendation to secure this amenity contribution.

Tenant Assistance Policy

The proposal is to demolish the two existing single family dwellings which would result in a loss of two residential units which are currently rented. Consistent with the Tenant Assistance Policy, the applicant has provided a Tenant Assistance Plan which is attached to this report.

Sustainability Features

As indicated in the applicant's letter, dated November 2, 2018, the following sustainability features are associated with this proposal:

- the site is in a walkable location along a transit route
- the proposed building design and site planning is based on “passive design” principles
- the underground parking stalls are wired for electric car chargers.

Active Transportation Impacts

The application proposes 36 long-term bicycle parking stalls and 10 short-term bicycle parking stalls, which support active transportation.

Public Realm Improvements

The application does not propose any public realm improvements in association with this 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 mix of single-family dwellings, duplexes, house conversions, attached dwellings (Montague Court), low-rise apartment and commercial buildings. The site is located immediately adjacent to Hollywood Park.

Existing Site Development and Development Potential

The site is comprised of three legal lots and is developed with two single-family dwellings. Under the current R1-G Zone, Gonzales Single Family Dwelling District, the three lots (two at 1712 Fairfield and one at 1720 Fairfield) could each be developed with a single-family dwelling with either a secondary suite or garden suite, for a total of six dwelling units.

Data Table

The following data table compares the proposal with the existing R1-G Zone and the R3-L Zone, Low Density Multiple Dwelling District, which permits a similar type of development to that of the proposal. An asterisk is used to identify where the proposal is less stringent than the comparable Zones.

Zoning Criteria	Proposal	R1-G	R3-L
Site area (m ²) – minimum	2433	460	555
Site area per unit (m ²) – minimum	143*	N/A	150
Number of units – maximum	17*	6	16
Density (Floor Space Ratio) – maximum	0.85:1*	0.5:1	0.8:1
Lot width (m) – minimum	48.38	15.00	18.00
Height (m) – maximum	11.45* (to midpoint of roof)	7.60	8.5 (to underside of highest ceiling)

Zoning Criteria	Proposal	R1-G	R3-L
Storeys – maximum	2.5*	2	3
Site coverage % – maximum	60.00*	30.00	40.00
Open site space % – minimum	35.50*	50.00	40.00
Number of dwellings units per building - maximum	7	N/A	10
Separation space between buildings (within the site) (m) – minimum	5.79*	N/A	6.00
Setbacks (m) – minimum			
Front	1.68*	7.50	4.50 7.5 (average)
Rear	6.10*	13.50	4.50
Side (east)	6.70*	8.50 (15% of lot width)	3.00
Side (west)	1.70* (to stair) 2.9* (to building face)	8.50 (15% of lot width)	3.00
Parking – minimum	22*	N/A	26
Bicycle parking stalls – minimum			
Long term	36	N/A	24
Short term	10	N/A	6

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant consulted the Fairfield Gonzales CALUC at a Community Meeting held on August 17, 2017. A second Community Meeting was held on December 13, 2018 to share changes to the application since the first meeting. Summaries of the two meetings are attached to this report.

ANALYSIS

Official Community Plan

The *Official Community Plan*, 2012 (OCP) Urban Place Designation for the subject property is Traditional Residential, which supports ground-oriented residential uses. The OCP states that new development may have a density of generally up to 1:1 FSR and up to two storeys in height. The OCP also notes that within each designation there will be a range of built forms and that decisions about the appropriate scale of building for a particular site will be based on an evaluation of the context in addition to consistency with OCP policies, other relevant City policies and local area plans. Given the existing context includes a range of building heights, including one, two and three storeys and the site is located on a transit corridor in close

proximity to an Urban Village, the proposed FSR of 0.85:1 and 2.5 storeys is considered appropriate for the subject property. In addition, the proposed townhouses also help advance the OCP housing objectives which encourage a diversity of housing types to create more home ownership options.

Gonzales Neighbourhood Community Plan

The housing objectives of the *Gonzales Neighbourhood Community Plan* promote the creation of a range of housing to meet the needs of people with different needs and incomes, which can include townhouses. The proposal for approximately 17 family-friendly attached dwellings (i.e. townhouses) is generally consistent with these objectives; however, the proposal is inconsistent with the Plan's housing recommendation, which encourages the continuation of single family zoning and land use policies that ensures the neighbourhood retains its detached dwelling character.

Housing Agreement

The applicant is amenable to entering into a Housing Agreement with the City to ensure that a future strata corporation could not pass any bylaws that would prohibit or restrict the rental of units to non-owners. The recommended motion provided for Council's consideration includes the necessary language.

Statutory Right-of-Way

The standard Right-of-Way for a collector street, such as Fairfield Road, is 20.0m. To achieve this, a Statutory Right-of-Way (SRW) of 1.15m is required on the Fairfield Road frontage for 1712 Fairfield Road. Staff recommend that Council make this requested SRW a condition of rezoning. The recommended motion provided for Council's consideration includes the necessary language.

Tree Preservation Bylaw and Urban Forest Master Plan

There were 26 trees inventoried by the project arborist in May 2018 (report attached). Five municipal trees (two in Hollywood Park and three boulevard trees on Fairfield Road), and 17 trees on neighbouring private properties were included in the review. All of the neighboring and publicly owned trees will be retained with the exception of one Cherry tree on the boulevard, which is proposed for removal due to its location within the parkade driveway entrance. This tree will be replaced with one new boulevard tree. The mature Ponderosa Pine and Horse Chestnut tree in Hollywood Park near the development would be protected and retained during the construction phase of this project.

There are two bylaw protected trees on the subject property. One bylaw protected Linden tree with poor structure would be removed; a bylaw protected Lombardy Poplar tree would be retained on the rear of the property. All of the non-protected site trees and shrubs are proposed for removal as they are unable to be retained due to the construction of the underground the parkade and building construction. Four replacement trees are proposed to replace the removed bylaw trees.

CONCLUSIONS

The proposal is consistent with the OCP as it relates to ground-oriented residential development within Traditional Residential areas and furthers the goals in the OCP with regards to

encouraging development along transit corridors in close proximity to services, and providing a diversity of housing types to create more home ownership options. Staff recommend for Council's consideration that the application advance to a Public Hearing, subject to the preparation of legal agreements.

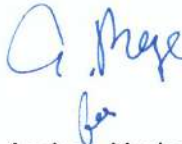
ALTERNATE MOTION

That Council decline Rezoning Application No. 00618 for the property located at 1712 & 1720 Fairfield Road.



Respectfully submitted,

Alec Johnston
Senior Planner
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: February 25, 2019

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped September 25, 2018
- Attachment D: Letter from applicant to Mayor and Council dated February 4, 2019
- Attachment E: Community Association Land Use Committee Meeting Summaries from August 17, 2017 and December 13, 2018
- Attachment F: Tenant Assistance Plans
- Attachment G: Arborist Report dated July 20, 2018
- Attachment H: Advisory Design Panel meeting minutes dated March 28, 2018
- Attachment I: Correspondence