



Committee of the Whole Report For the Meeting of June 13, 2019

To: Committee of the Whole **Date:** May 30, 2019
From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development
Subject: **Update on Rezoning Application No. 00618 and Development Permit with Variances Application No. 00098 for 1712 and 1720 Fairfield Road**

RECOMMENDATION

Rezoning Application No. 00618

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 to 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 **(with the exception of two below-market ownership units)**, to the satisfaction of the Director of Sustainable Planning and Community Development
 - c. **Legal agreements to secure two one-bedroom units as below-market housing, to the satisfaction of the City Solicitor (below market housing offered for sale at 15% below market rate, in perpetuity).**

Development Permit with Variances Application No. 00098

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. 00618, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000519 for 1712 & 1720 Fairfield Road, in accordance with:

1. Plans date stamped May 28, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. **Reduce the required vehicle parking stalls from 24 to 22.**
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 new information, analysis and recommendations for a Rezoning Application and a Development Permit with Variances Application for the properties located at 1712 & 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 ground-oriented multiple dwelling units at this location. A parking variance to reduce the required parking stalls from 24 to 22 has been added to the associated Development Permit with Variance Application.

At the Council meeting of February 28, 2019, Council advanced the application to a public hearing (minutes attached), subject to completion of the conditions outlined in the following motion:

That Council direct staff to work with the applicant to provide for a more sensitive transition to Hollywood Park and 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:*
- 2. 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*
- 3. 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*
- 4. 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.*

That staff explore with the applicant the provision at least one unit of below market housing.

The following sections describe how the applicant has amended the proposal to address the motion.

Below-Market Housing

The applicant has amended their proposal to incorporate two one-bedroom units of below-market housing which would be sold at a minimum of 15% below market value for the first and all subsequent sales. The Capital Regional District (CRD) would manage the appraisal and sale of the below-market units in perpetuity (see attached letter from the CRD). This arrangement would be secured through legal agreements on title. The appropriate language has been added to the staff recommendation to secure this arrangement.

To accommodate the below-market units, the applicant has increased the number of units from 17 to 20 with some of the units in the street-fronting townhouse building (Block 1) arranged in a stacked configuration. The overall unit mix has increased with the addition of four one-bedroom units on the lower level of Block 1, which supports the OCP's housing objective to provide a broad range of house types to support a diverse, inclusive and multigenerational neighbourhood.

Legal Agreements

The applicant has prepared and executed the Statutory Right-of-Way (SRW) to secure 1.15m of 1712 Fairfield road and a Housing Agreement to ensure a future strata cannot restrict the rental of units (with the exception of the two below-market homeownership units). The SRW will be registered on title prior to a future Public Hearing for this application. A notice of the Housing Agreement will be placed on title should Council adopt the associated Housing Agreement Bylaw.

With the addition of on-site below-market housing, the applicant is no longer proposing a voluntary contribution of \$112,080 to the Victoria Housing Reserve Fund. Therefore, the recommendation has been updated to remove the condition of a Section 219 Covenant to secure the amenity. Since this application was received prior to November 8, 2018 it is subject to the *City of Victoria Density Bonus Policy* (2016), and no amenity contribution is required because the site's urban place designation is Traditional Residential and the proposed density is below the OCP maximum of 1:1 FSR.

Parking Variance

With the change in number and configuration of units, the parking requirement has increased to 24 stalls (22 for the dwelling units and 2 visitor stalls). The applicant is therefore requesting a parking variance to reduce the vehicle parking requirement from 24 to 22, with two stalls allocated for visitors and the remaining 20 stalls allocated to the 18 market units. Staff recommend that Council consider supporting the variance because, as with the previous proposal, the applicant is providing additional long term bike parking which helps to offset the potential impact of the parking variance. The recommended motion for Development Permit with Variance Application No. 00098 has been updated accordingly.

Transition with Hollywood Park

The applicant has changed the landscaping along the west edge of the site to include a low (1.2m) metal fence and privacy hedge to provide a more sympathetic transition with Hollywood Park and to more clearly delineate between private and public space. Additional planting on the park side of the property line would also be added by the Parks Department.

In addition to the landscaping changes, Blocks 1 and 2 have been rotated 180 degrees. This change reduces the massing along Fairfield Road and Hollywood Park, respectively, as the balconies now face the site perimeter and the upper half-storey is setback towards the middle of the site. Planters on the upper balconies also help to soften the building edge and contribute to the green character of the site and area. Lastly, the applicant has simplified the exterior material palette to further soften the building's appearance and enhance the overall fit with the existing context.

CONCLUSIONS

The applicant has made changes to address the conditions set by Council; therefore, staff recommend that the application advance to a Public Hearing subject to preparation of legal agreements to secure the two below-market units.

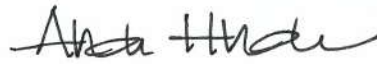
ALTERNATE MOTION

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

Respectfully submitted,

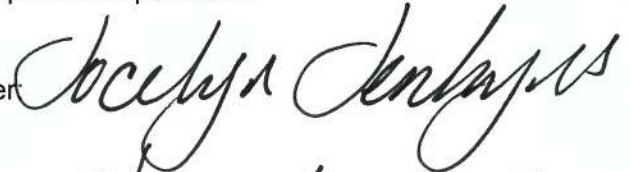


Alec Johnston
Senior Planner
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager



Date:

June 6, 2019

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped May 28, 2019
- Attachment D: Letter from applicant to Mayor and Council dated May 22, 2019
- Attachment E: Committee of the Whole reports and attachments dated February 28, 2019
- Attachment F: Council minutes dated February 28, 2019
- Attachment G: Letter from the Capital Regional District dated May 6, 2019
- Attachment H: Correspondence (letters received by residents).