RECOMMENDATION

Rezoning Application No. 00642

That Council give first and second reading of the Zoning Regulation Bylaw Amendment No. 19-080 (Amendment No. 1199), and give first, second, and third readings to Housing Agreement (945 Pembroke Street) Bylaw No. 19-081.

Development Permit with Variance Application No. 00078

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. 00642, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00078 for 945 Pembroke Street, in accordance with:

2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
   i. reduce the required number of residential parking spaces from 12 to 10 and the number of visitor parking spaces from two to nil
   ii. reduce the continuous landscaping screen between a surface vehicle parking area and an adjacent lot primarily for residential uses from 1m to 0.60m.
3. Enter into an Agreement with a car share provider and purchase 12 car share memberships (one car share membership per dwelling unit).
4. The Development Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Rezoning and Development Permit with Variance Applications for the property located at 945 Pembroke Street. The proposal is to increase the density to 0.87:1 floor space ratio and construct two multi-unit residential buildings.
In accordance with Council’s motion of February 28, 2019 included below, the necessary conditions that would authorize the approval of the Rezoning Application for the subject properties have been fulfilled. The motion from the February 28, 2019 Council meeting is as follows:

Rezoning Application No. 00642

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00642 for 945 Pembroke Street, that first and second reading of the Zoning Regulation Bylaw Amendment and bylaw to authorize a housing agreement be considered by Council and a Public Hearing date be set, subject to the applicant preparing and executing a housing agreement to ensure that future Strata Bylaws could not prohibit the rental of units.

That Council direct staff to explore with the applicant to work with the CRD to secure one of the units as below market housing.

Development Permit with Variances Application No. 00078

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. 00642, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00078 for 945 Pembroke Street, in accordance with:

2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
   i. Lot A - reduce the required number of residential parking spaces from six to five and the number of visitor parking spaces from one to nil
   ii. Lot B - reduce the required number of residential parking spaces from six to five and number of visitor parking spaces from one to nil
   iii. Reduce the continuous landscaping screen between a surface vehicle parking area and an adjacent lot primarily for residential uses from 1m to 0.60m.
3. Enter into an Agreement with a car share provider and purchase 12 car share membership (one car share membership per dwelling unit).
4. The Development Permit lapsing two years from the date of this resolution."

COMMENTS

Site Planning and Subdivision

At Committee of the Whole (COTW) on February 28, 2019, the applicant proposed to subdivide the subject property into two lots and construct a multi-unit residential building on each lot. Following COTW, the applicant received more information on servicing the site and determined that it is not financially feasible to service two separate lots as originally proposed. The applicant has revised the plans to show two multi-unit residential buildings on one lot (revised plans attached). This proposed change does not alter the building heights, density, building setbacks or number of dwelling units. Even though there are no changes to the number of parking spaces being provided, the original wording for the parking variance in Council’s motion had to be adjusted to reflect two buildings on one lot. The recommendation for the Development Permit with Variance Application has been updated accordingly, for Council’s consideration.
Public Hearing Conditions

With regard to the pre-conditions that Council set in relation to these applications, staff can report that the following items have been fulfilled:

- an executed Housing Agreement was provided to ensure that all dwelling units remain rental in perpetuity
- an executed Housing Agreement to designate one of the dwelling units as an "Affordable Unit" under the Capital Regional District’s housing program
- an agreement between Modo and the applicant for the purchase of 12 car share memberships.

The recommendation provided for Council’s consideration contains the appropriate language to advance these applications to a Public Hearing and an Opportunity for Public Comment.

Respectfully submitted,

Leanne Taylor
Senior Planner
Development Services Division

Andrea Hudson, Acting Director
Sustainable Planning and Community Development Department

List of Attachments

Attachment A: Updated plans dated May 29, 2019
Attachment B: Council minutes dated February 28, 2019
Attachment C: Letter from the Capital Regional District dated June 13, 2019
945 PEMBROKE STREET
APPLICATION FOR REZONING

LEGAL DESCRIPTION: LOT A, SUBURBAN LOT 6, VICTORIA CITY, PLAN VIP83993

CONTACTS

APPLICANT

945 PEMBROKE ST
VICTORIA, BC, V8Z 4B7

ARCHITECT

CHRISTINE UNTOTT
VICTORIA, BC, V8Z 4B7

SURVEYOR


BUILDING CODE DATA

BUILDING CODE DATA


BUILDING CODE DATA

IN COMBINATION, AND (3) AND (4), FLOOR ASSEMBLIES SHALL BE FIRE RESISTANT REQUIRED FOR THE CONSTRUCTION: COMBUSTIBLE/NON-COMBUSTIBLE SPRINKLERED - NO

CONSTRUCTION: COMBUSTIBLE/NON-COMBUSTIBLE SPRINKLERED - NO

REZONING PROJECT INFORMATION TABLE

SITE SPECIFIC

TOTAL FLOOR AREA

920.33 m^2

COMMERCIAL FLOOR AREA

N/A

FLOOR SPACE RATIO

0.87:1

SITE COVERAGE

35.6%

OPEN SITE SPACE

32.5%

HEIGHT OF BUILDING

A: 9.71 m, B: 9.48 m

NUMBER OF STOREYS

3 1/2

PARKING STALLS ON SITE

10 (VARIANCE: 14 REQUIRED)

BICYCLE PARKING: STORAGE & RACK

LONG TERM: 16
SHORT TERM: 6

BUILDING SETBACKS

FRONT YARD (AVERAGE)

A: 5.44 m, B: 5.52
FRONT YARD (NORTH)

A: 5.65 m, B: 5.76
FRONT YARD (EAST)

A: 5.13 m, B: 5.19
FRONT YARD (WEST)

A: 5.21 m, B: 5.13
FRONT YARD (STEPS)

A: 3.12 m, B: 3.33
REAR YARD (SOUTH)

A: 12.98 m, B: 12.79 m
SIDE YARD (EAST)

2.21 m
SIDE YARD (WEST)

2.17 m
COMBINED SIDE YARDS

4.38 m

1 SQR. M./7.5 SQ.FT.

5 M: 7814 SQFT

6837 SQ.M./736 SQ.FT

HALE STOREY CHLOUd

REZONING RESUBMISSION NOTES

CITY OF VICTORIA

RECEIVED

DEEMED

JUN 24, 2019
MAY 29, 2019

ATTACHMENT A

THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR MODIFIED WITHOUT PERMISSION FROM CHRISTINE UNTOTT, ARCHITECT. THE DRAWING SHALL NOT BE USED FOR CONSTRUCTION UNTIL SIGNED, OR APPROPRIATE & REVIEWED (CHARACTER: UNITS, ARCHITECTURE, STRUCTURES, THE GENERAL CONTRACTORS, BOUNDARY, SURVEY, ETC.) AND APPROVED BY THE CITY OF VICTORIA. ALL DRAWINGS & ALL Thông THIN & MAGNIFIED TO POGING LAYOUP AND IS NOT SCALE DRAWING.
IH COLUMBIA BUILDING CODE

SECOND EXIT STAIR PROVIDED IN RESULT OF:

9.9.9,1. TRAVEL LIMIT TO EXITS OR EGRESS DOORS

1) EXCEPT AS PROVIDED IN SENTENCE (2) AND (3), EVERY DWELLING UNIT CONTAINING MORE THAN 1 STOREY SHALL HAVE EXITS OR EGRESS DOORS LOCATED SO THAT IT SHALL NOT BE NECESSARY TO TRAVEL UP OR DOWN MORE THAN 1 STOREY TO REACH A LEVEL SERVED BY:

a) AN EGRESS DOOR TO A PUBLIC CORRIDOR.

b) AN EXIT DOORWAY NOT MORE THAN 1.5 m ABOVE ADJACENT GROUND LEVEL TO UNIT 83

b) A PUBLIC CORRIDOR

i) SERVING MORE THAN ONE UNIT

ii) SERVED BY A:

- LIVING/DINING
- BEDROOM

UNIT 83

MAIN FLOOR 36.61 SQ.M/391 SQ.FT.

MAIN FLOOR PLAN

CALUO Meeting March 28, 2018
Rezoning Application May 9, 2018
Rezoning Resubmission 2 July 30, 2018
Rezoning Resubmission 3 Jan. 9, 2019
Rezoning Resubmission 4 May 27, 2019

Revision
No. Description Date

consultant

945 Pembroke Street
House B

Basement & Main Floor Plan

Revision
No. Description Date

A 2.01b

Note: This drawing is a working drawing & shall not be reproduced or revised without written permission from the architect & owner. All dimensions & reports are subject to change. Do not scale the drawings.
1. **945 Pembroke Street - Rezoning Application No. 000642 and Development Permit with Variances Application No. 00078 (North Park)**

**Rezoning Application No. 000642**
That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 000642 for 945 Pembroke Street, that first and second reading of the Zoning Regulation Bylaw Amendment and bylaw to authorize a housing agreement be considered by Council and a Public Hearing date be set, subject to the applicant preparing and executing a housing agreement to ensure that future Strata Bylaws could not prohibit the rental of units.

That Council direct staff to explore with the applicant to work with the CRD to secure one of the units as below market housing.

**Development Permit with Variances Application No. 00078**
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. 000642, if it is approved, consider the following motion:
"That Council authorize the issuance of Development Permit with Variance Application No. 00078 for 945 Pembroke Street, in accordance with:
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
   i. Lot A - reduce the required number of residential parking spaces from six to five and the number of visitor parking spaces from one to nil
   ii. Lot B - reduce the required number of residential parking spaces from six to five and number of visitor parking spaces from one to nil
   iii. Reduce the continuous landscaping screen between a surface vehicle parking area and an adjacent lot primarily for residential uses from 1m to 0.60m
3. Enter into an Agreement with a car share provider and purchase 12 car share membership (one car share membership per dwelling unit).
4. The Development Permit lapsing two years from the date of this resolution."

Carried.
June 13, 2019

Garde Colins
Linhar Projects Ltd
Delivered via email: quizleo@gmail.com

Dear Garde Colins,

RE: Affordable Home Ownership Agreement – 945 Pembroke Street

I am pleased to advise you that on June 12, 2019 the Capital Regional District (CRD) Board approved the recommendation of the Hospitals and Housing Committee (HHC) to introduce and adopt Bylaw No. 4305 “Resale Control and Housing Agreement Bylaw (Pembroke Street), 2019”.

Bylaw No. 4305 enables the CRD to act on a Housing Agreement between the CRD and the Developer which supports the CRD administering resale of one price-restricted, below-market housing units as part of the project.

We would appreciate it if you could keep us appraised of all developments (such as development approvals) as your project continues.

Sincerely,

John Reilly
Manager, Housing Planning & Programs

JR/mk
June 24, 2019

ToddCo Properties, Linhar Projects Ltd

Attention: Todd Doherty, Garde Collins and Malcolm Harman

Dear Todd, Garde and Malcolm:

Re: Carsharing Services at 945 Pembroke Street, Victoria

This letter will confirm that Modo received a cheque of $6,000.00 on June 24, 2019 for payment of the carshare Transport Demand Management measure to be provided in connection with the proposed development project at 945 Pembroke Street in Victoria, British Columbia.

It is intended that with these funds Modo will issue 600 membership shares to the Strata Corporation to be created in connection with the proposed development at 945 Pembroke Street. These membership shares will allow up to 12 future residents of the development to simultaneously be Modo members without the need to themselves pay a $500 membership fee.

Thank you for your support of carsharing in the City of Victoria.

Regards,

Sylvain Celaire
Director Business Development

200-470 Granville Street    843 Fort Street
Vancouver, BC   V6C 1V5     Victoria, BC   V8W 1H7
604.685.1393   250.995.0265
info@modo.coop  www.modo.coop