

G. BYLAWS

G.4 Bylaw for 736 Princess: Rezoning Application No. 00602 and Development Permit with Variances Application No. 00065

Moved By Councillor Alto

Seconded By Councillor Loveday

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

1. Zoning regulation Amendment Bylaw (No. 20-106)

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

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

1. Housing Agreement Bylaw (No. 20-107)

CARRIED UNANIMOUSLY



Council Report

For the Meeting of October 8, 2020

To: Council **Date:** October 2, 2020

From: Karen Hoes, Director, Sustainable Planning and Community Development

Subject: **Update report on the Rezoning Application No. 00602 and Development Permit with Variances Application No. 00065 for 736 Princess Avenue**

RECOMMENDATION

That Council give first and second reading of the Zoning Regulation Amendment Bylaw (No. 20-106) and first, second, and third reading of the Housing Agreement Bylaw (No. 20-107).

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update on the Rezoning and Development Permit with Variances Applications for the property located at 736 Princess Avenue, considered by Council at the Committee of the Whole meeting on July 9, 2020. The proposal is to rezone from the M-1 Zone, Limited Light Industrial District, to the P-CR Zone, Princess Commercial Residential District, in order to increase the density from 3:1 floor space ratio (FSR) to 4.01:1 FSR and construct a six-storey, mixed-use building consisting of commercial and residential uses, including 28 affordable rental dwelling units of supportive transitional housing.

In accordance with Council's motion of July 9, 2020, included below, a housing agreement and section 219 covenant have been prepared and these legal agreements will be executed by the applicant prior to Public Hearing.

Rezoning Application No. 00602

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00602 for 736 Princess Avenue, 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:

- a. *Preparation and execution of the appropriate legal agreements executed by the applicant in order to secure the following:*
 - i. *a housing agreement to ensure the 28 supportive transitional housing units remain rental and affordable (very low income levels) for at least 60 years in accordance with the City's definition of affordability in the Victoria Housing Strategy 2016-2025 (Phase Two: 2019-2022)*
 - ii. *that all 28 non-market dwelling units are owned by a non-profit or government agency*

- iii. *that the applicant provides a minimum of five accessible dwelling units and designed in accordance with CSA B651-12 Accessible Design for the Built Environment standards.*

Development Permit with Variances Application No. 00065

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. 00602, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00065 for 736 Princess Avenue, in accordance with:

1. *Plans date stamped June 18, 2020.*
2. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - i. *reduce the required number of residential parking spaces from 14 to 0;*
 - ii. *reduce the required number of commercial parking spaces from 17 to 8;*
 - iii. *reduce the required number of visitor parking spaces from 3 to 0;*
 - iv. *reduce the required number of long-term residential bicycle parking spaces from 28 to 7;*
 - v. *reduce the required number of short-term residential bicycle parking spaces from six to 0;*
3. *The applicant identifies the location of the PMT station on the site plan, to the satisfaction of the Director of Sustainable Planning and Community Development.*
4. *The Development Permit lapsing two years from the date of this resolution.”*

Public Hearing Conditions

With regard to the pre-conditions that Council set in relation to this application, the applicant has prepared the following legal agreements:

- a housing agreement to ensure that the 28 supportive transitional housing units will remain rental and affordable (very low income levels) for at least 60 years in accordance with the City’s definition of affordability in the *Victoria Housing Strategy 2016-2025 (Phase Two: 2019-2022)*
- Section 219 Covenant securing the following:
 - all 28 non-market dwelling units are owned by a non-profit or government agency
 - a minimum of five accessible dwelling units are designed in accordance with CSA *B651-12 Accessible Design for the Built Environment* standards.

The housing agreement and section 219 covenant will be executed by the applicant prior to the Public Hearing that is tentatively scheduled for October 22, 2020, subject to Council’s approval. It is the City’s standard process to ensure that legal agreements are registered on title prior to Public Hearing. The applicant has notified staff that the abovementioned section 219 covenant may not be registered on title in time for a Public Hearing on October 22, but it is critical that a Public Hearing occurs on this date in order for the applicant to be eligible for funding to construct the supportive housing project. Since affordable housing applications are identified as Council Priority, Council may consider advancing these applications to a Public Hearing; however, it is recommended that Council postpone final adoption of the Zoning Amendment Bylaw and the Housing Agreement Bylaw until staff receives confirmation from the applicant that the section 219 covenant has been registered on title.

The recommendation provided for Council's consideration contains the appropriate language to advance these applications to a Public Hearing.

Respectfully submitted,



Leanne Taylor
Senior Planner
Development Services Division



Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: October 6, 2020