

G. BYLAWS

G.1 Bylaws for 1908, 1916, and 1920 Oak Bay Avenue: Rezoning Application No. 00694 and Development Permit with Variances Application No. 000551

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1237) No. 20-103

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

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

1. Housing Agreement (1908, 1916, and 1920 Oak Bay Avenue) Bylaw (2020) No. 20-119

CARRIED UNANIMOUSLY



Council Report

For the Meeting of November 26, 2020

To: Council **Date:** November 20, 2020
From: C. Coates, City Clerk
Subject: 1908, 1916, and 1920 Oak Bay Avenue: Rezoning Application No. 00694 and Development Permit with Variances Application No. 000551

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1237) No. 20-103

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

1. Housing Agreement (1908, 1916, and 1920 Oak Bay Avenue) Bylaw (2020) No. 20-119

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaws No. 20-103 and No. 20-119.

The issue came before Council on November 12, 2020 where the following resolution was approved:

1908, 1916, and 1920 Oak Bay Avenue: Rezoning Application No. 00694 and Development Permit with Variances Application No. 000551

Rezoning Application No. 00694

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00694 for 1908, 1916, and 1920 Oak Bay Avenue, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of legal agreements to:
 - a. ensure that a future strata cannot restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - b. secure the following transportation demand management measures, to the satisfaction of the Director of Engineering and Public Works:
 - i. \$25,000 towards the construction of a crosswalk
 - ii. one car share membership per dwelling unit
 - iii. one car share membership per commercial unit
 - iv. one hundred dollars in car share usage credits per membership
 - v. electric vehicle conduits for all underground parking stalls

- vi. four electric vehicle charging stations
- vii. 24 electric bike charging stations
- viii. one bicycle repair station;
- c. secure a Statutory Right-of-Way of 3.35 meters along the Oak Bay Avenue to the satisfaction of the Director of Engineering and Public Works; and
- d. to secure the following, to the satisfaction of the Director of Engineering and Public Works:
 - i. public realm improvements to Oak Bay Avenue and Redfern Street; and
 - ii. removal and disposal of existing storm drain main along the frontage in its current alignment, including excavation, backfill above the spring line of the new pipe, and surface restoration.

Development Permit with Variances Application No. 000551

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. 00694, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 000551 for 1908, 1916, and 1920 Oak Bay Avenue, in accordance with:

1. Plans date stamped September 29, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front setback (south) for the upper storeys from 6.00m to 2.30m;
 - ii. reduce the rear setback (north) from 6.00m to 5.30m;
 - iii. reduce the interior lot line setback (west) for the second and third storeys from 2.40m to 1.00m;
 - iv. reduce the interior lot line setback (west) for the second storeys from 2.40m to 0.15m for planter boxes;
 - v. reduce the flanking street setback (east) from 2.40 m to 0.35m;
 - vi. reduce the number of commercial vehicle parking spaces from 26 to 10;
 - vii. reduce the number of residential vehicle parking spaces from 44 to 43;
 - viii. increase the distance between entrances and the short term bicycle parking from 15m to 48.1m;
 - ix. increase the number of storeys from 4 to 5;
 - x. increase the height from 15m to 17.68m.
3. The Development Permit lapsing two years from the date of this resolution.”

Respectfully submitted,



Chris Coates
City Clerk

Report accepted and recommended by the City Manager:



Date: November 20, 2020

List of Attachments:

- Bylaw No. 20-103
- Bylaw No. 20-119