



## Council Report

For the Meeting of March 11, 2021

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**To:** Council **Date:** March 4, 2021

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

**Subject:** **Update on Rezoning Application No. 00711 and Development Permit with Variances Application No. 00140 for 1114 Rockland Avenue**

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### RECOMMENDATION

#### Rezoning Application No. 00711

That Council give first and second reading of the Zoning Regulation Bylaw Amendment No. 21-025 (Amendment No. 1249), and give first, second and third reading of Housing Agreement (1114 Rockland Avenue) Bylaw No. 21-026.

#### Development Permit with Variances Application No. 00140

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. 00711 for 1114 Rockland Avenue, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00140 for 1114 Rockland Avenue, in accordance with:

1. Plans date stamped June 29, 2020.
2. Revisions to the plans to shift the location of the sidewalk to the property line and adjust the landscaping along the street frontage to the satisfaction of the Director of Sustainable Planning and Community Development.
3. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. reduce the vehicle parking from 17 stalls to 12 stalls;
  - ii. reduce the west side setback from 3 metres to 2 metres;
  - iii. reduce the east side setback from 3 metres **to 2.6 metres (building face)** and 0.35 metres (lobby only)
  - iv. **reduce the front setback from 4 metres to 3.6 metres**
  - v. **reduce the rear setback from 5 metres to 3.33 metres**
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 Application and Development Permit with Variances Application for the property located at 1114 Rockland Avenue. The proposal is to create a new site-specific zone that permits an increase in density and allows for a five-storey building with multiple dwelling units. The applicant has fulfilled the conditions set by Council and the application is ready to advance to Public Hearing.

## PUBLIC HEARING CONDITIONS

### Legal Agreements

In accordance with Council's motion of November 19, 2020 (see attached minutes), the following conditions have been fulfilled:

#### Affordable Home Ownership Units

The applicant has worked with the Capital Regional District (CRD) to secure two one-bedroom units to be sold at a minimum of ten percent below market value. This arrangement has been secured through a housing agreement with the CRD and legal agreements on title. The maximum income threshold for qualifying buyers has been set at \$75,000 (gross annual income), which falls within the target income range identified in the City's Housing Strategy for affordable home ownership units.

While the agreement is not in perpetuity, it would be for the lesser of the life of the building or ninety-nine years. This commitment is also included in the new zone as a community amenity provision should a new proposal come forward seeking density above 1:1 floor space ratio.

#### Housing Agreement

A Housing Agreement to ensure a future strata cannot restrict the rental of dwelling units, with the exception of the two one-bedroom dwelling units secured with the CRD, has been executed by the applicant.

#### Transportation Demand Management

A Section 219 Covenant securing the following Transportation Demand Management measures has been registered on title:

- one car share membership per dwelling unit
- one hundred dollars in car share usage credits per membership
- 20 long term bicycle parking stalls in addition to the requirements under Schedule C of the Zoning Regulation Bylaw
- a bicycle maintenance area
- 22 BC Transit Eco passes.

The value of the bus passes is generally equivalent to the commitment to provide a \$22,500 bus pass subsidy to the future residents and would be provided instead of the original commitment specified in the original Council motion.

## **OTHER UPDATES**

### **Zoning Variances**

Variances related to setbacks and parking are proposed as part of this application. This approach is recommended to ensure that reduced siting and parking requirements are not entrenched in a new custom zone and that any future alternative development proposals would need to apply to Council to achieve these, or different variances. While there are no changes to the plans that were presented to Council at the Committee of the Whole meeting of November 12, 2020, the recommended motion for Development Permit Application with Variances No. 00140 has been updated to include front, rear and east side yard variances (shown in bold) and the notification and hearing would address these accordingly.

## **CONCLUSIONS**

The applicant has fulfilled the conditions set by Council. 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,

Alec Johnston  
Senior Planner  
Development Services Division

Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

**Report accepted and recommended by the City Manager.**

### **List of Attachments**

- Attachment A: Plans date stamped June 29, 2020
- Attachment B: November 12, 2020 Committee of the Whole meeting staff report
- Attachment C: November 12, 2020 Committee of the Whole meeting minutes
- Attachment D: November 19, 2020 Council motion
- Attachment E: Capital Regional District Housing Agreement.