

F.1.c.b710 Caledonia Avenue and 1961 Douglas Street: Rezoning Application No. 00815 and associated Official Community Plan Amendment and Development Permit with Variances Application No. 00205 (Burnside)

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

Rezoning Application

1. That subject to receipt of a letter from the Ministry of Environment confirming that the landowner has met the requirements of Section 557(2) of the Local Government Act with respect to contaminated sites, that Council instruct staff to prepare the necessary Official Community Plan (OCP) Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 000820 for 710 Caledonia Avenue and 1961 Douglas Street, that first and second reading of the Zoning Regulation Bylaw Amendment and OCP Amendment Bylaw be considered by Council.
2. That Council provide an opportunity for consultation pursuant to section 475 of the Local Government Act, and direct the Director of Sustainable Planning and Community Development to:
 - a. mail a notice of the proposed OCP Amendment to the persons within a 200m radius of the subject property; and
 - b. post a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
3. That Council consider that no consultation is necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; or the provincial or federal governments or their agencies because the proposed OCP amendment does not affect them.
4. The applicant prepare and execute legal agreements to secure the following with the form and contents to the satisfaction of the Director of Sustainable Planning and Community Development, Director of Engineering and Public Works, and the City Solicitor prior to final adoption of the bylaws:

- a. all dwelling units in Building A would remain affordable or below-market rental for 60 years, or the life of the building, whichever is greater
- b. all dwelling units in Building A are to be owned by a non-profit or government agency for 60 years, or the life of the building, whichever is greater, to guarantee that the development will continue to provide non-market housing
- c. all dwelling units in Building C are to be rental in perpetuity
- d. future strata corporations cannot pass bylaws that would prohibit or restrict the rental of units to non-owners
- e. a minimum of 30 accessible dwelling units in Building A to be constructed in accordance with CAN/CSA-B651-95, the National Standard of Canada for barrier-free design
- f. provide civil design drawings and construct a mid-block crosswalk on Discovery Street which could include bulb outs, lighting, enhanced street furnishings and landscaping, and coordinate with the mid-block crosswalk requirements associated with the adjacent development proposal on the properties located 722 and 726 Discovery Street
- g. provide civil design drawings and construct a full signal at the intersection of Douglas Street and Discovery Street in accordance with the recommendation in the Traffic Impact Assessment prepared by Bunt & Associates dated March 30, 2022
- h. provide civil design drawings and construct a centre median at the proposed western Caledonia Avenue driveway crossing and a grade-raised bicycle lane on the north side of Caledonia Avenue
- i. restrict movements on the proposed eastern driveway crossing on Caledonia Avenue to access (northbound) vehicles only
- j. the design and relocation of the mid-block crosswalk and associated works on Caledonia Avenue
- k. the design and construction of a new BC Transit bus stop on Douglas Street to the satisfaction of the Director of Engineering and Public Work and BC Transit
- l. the design, supply and installation of the City's Downtown Public Realm Plan and Streetscape Standards (DPRP), specifically, the 'Douglas Street' District (for the Douglas Street frontage) and 'New Town' District (for the Caledonia Avenue and Discovery Street frontages), and shall include but not limited to:

- i. corner treatments at Douglas Street/Caledonia Avenue and Douglas Street/Discovery Street intersections
 - ii. benches, trash bins and bike racks
 - iii. specify medium to large canopy street trees and 5m setbacks from underground parkades or adequate soil volumes in soil cells
 - m. provide the following Transportation Demand Management measures:
 - i. two fully electric car share vehicles to be located on site in dedicated parking spaces, each equipped with Level 2 electric vehicle charging stations
 - ii. a car share membership for each dwelling unit
 - iii. a minimum of 10% of the required bicycle parking being suitable for cargo bicycles or bicycles used by persons with disabilities
 - iv. a minimum 55m² bicycle repair area and associated repair equipment
 - v. end-of-trip facilities including lockers, showers, and wash stations
 - n. secure the commitment to attenuate sewer
 - o. undergrounding the BC Hydro lines and associated infrastructure along Douglas Street, Discovery Street and Caledonia Avenue frontages and that the applicant cover the City's portion of the cost under BC Hydro's Beautification Program, minimizing impacts to existing tree and new municipal tree planting locations
 - p. provide a computerized lighting calculation, completed by a professional electrical consultant registered with the Association of Professional Engineers and Geoscientists of BC (and a person with experience using the software) in accordance with IESNA RP-8-00 roadway lighting standards, to indicate required street lighting for the Douglas Street frontage and the intersections at Discovery Street and at Caledonia Avenue
 - q. secure stormwater treatment via soil cells for road run off along Douglas Street, Discovery Street and Caledonia Avenue frontages
 - r. secure an air space parcel subdivision plan, in compliance with the Highway Access Bylaw (91-38) and ensure that the site is not occupied until the air space parcel subdivision is registered on title.
 - s. construction and maintenance of an approximately 802m² public plaza in accordance with the landscape plans dated July 22, 2022 as well as provide public access of the plaza area.
5. That Council authorize the projecting encroachments over the City Right-of-Way on 710 Caledonia Avenue and 1961

Douglas Street generally as shown on the plans submitted to the City and date stamped July 26, 2022, provided that the applicant enters into an encroachment agreement with form and contents satisfactory to the Director of Engineering and Public Works and the City Solicitor.

6. The applicant provides the following items prior to Public Hearing:
 - a. the applicant either expand the size of the proposed end-of-trip facility or add another facility to support TDM to the satisfaction of the Director of Sustainable Planning and Community Development and Director of Engineering and Public Works
 - b. a revised site plan and landscape plan that complies with the City's Downtown Public Realm Plan and Streetscape Standards (DPRP), specifically, the 'Douglas Street' District (for the Douglas Street frontage) and 'New Town' District (for the Caledonia Avenue and Discovery Street frontages), to the satisfaction of the Director of Engineering and Public Works and Director of Parks, Recreation and Facilities
 - c. an air space parcel subdivision plan in compliance with the Highway Access Bylaw (91-38) to the satisfaction of the City Solicitor
 - d. inclusion of a seating nook on the edge of the plaza area adjacent to the transit shelter on Douglas Street to ensure there is sufficient seating for transit patrons and extend concrete unit pavers into the plaza as a surface material treatment for the lower plaza area, and revise the site plan and landscape plan accordingly to the satisfaction of the Director of Sustainable Planning and Community Development and Director of Engineering and Public Works
 - e. update the Landscape Plans, Arborist Report, and Tree Management Plan to the satisfaction of the Director of Parks, Recreation and Facilities
 - f. work with staff to increase soil volumes for new municipal trees and trees in the plaza to ensure long-term viability is achieved to the satisfaction of Director of Parks, Recreation and Facilities
 - g. update site plan and landscape plan to provide further offset between the proposed trees in the plaza and the underground parkade, at minimum 5m between the underground parkade and trees in the boulevard or any other solution that might achieve the long term viability of the trees; provide clearance between the trees and proposed building projections; and provide adequate soil volumes for large to medium canopy trees
 - h. work with staff to increase soil volumes for new municipal trees and trees in the plaza to ensure long-

term viability is achieved to the satisfaction of Director of Parks, Recreation and Facilities.

Development Permit with Variance Application

1. That subject to the applicant revising the site plan and landscape plan to comply with the Tree Protection Bylaw and the City's Downtown Public Realm Plan, 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. 00820, if it is approved, consider the following motion:
 1. That Council authorize the issuance of Development Permit with Variances Application No. 00207 for 710 Caledonia Avenue and 1961 Douglas Street, in accordance with:
 - a. Plans date stamped July 26, 2022
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - increase the maximum building height of Building A from 45m to 55m
 - increase the maximum building height of Building B from 45m to 72m
 - increase the maximum building height of Building C from 45m to 65m
 - reduce the required number of residential parking spaces from 297 to 226
 - reduce the required number of visitor parking spaces from 45 to 30.
 2. That the Development Permit, if issued, lapses in two years from the date of this resolution.

CARRIED UNANIMOUSLY