



Committee of the Whole Report

For the Meeting of July 13, 2023

To: Committee of the Whole

Date: June 29, 2023

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

Subject: **Rezoning Application No. REZ00827 and Development Permit with Variances Application No. DPV00212 for 1039 & 1043 Meares Street**

RECOMMENDATION

Rezoning Application

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated May 10, 2023 for 1039 & 1043 Meares Street, such bylaw to include density bonus provisions related to a \$118,000.00 with 70% going towards Downtown Core Area Public Realm Improvement Fund and 30% going towards Victoria Housing Reserve Fund.
2. That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set once the following conditions are met:
 - a. Plan revisions to ensure two off-street visitor parking stalls, meeting any required accessibility standards to the satisfaction of the Director of Engineering and Public Works.
 - b. Plan revisions, to the satisfaction of the Director of Engineering and Public Works, to ensure design and installation of an on-street dual head charger (one reserved for car share and one for the general public).
 - c. Confirmation that existing BC Hydro infrastructure would not negatively impact the ability to replant new trees within the City boulevard, to the satisfaction of the Director of Parks, Recreation and Facilities.
 - d. Plan revisions, to the satisfaction of the Director of Engineering and Public Works, to ensure that the civil and architecture plans are consistent with the landscape plan.
3. That subject to approval in principle at the Public Hearing, the applicant prepares and executes the following legal agreements, with contents satisfactory to the Director of

Engineering and Public Works and form satisfactory to the City Solicitor prior to adoption of the bylaw:

- a. Provision of transportation demand management measures including:
 - i. Eco passes with a 3-year term for each unit that is not assigned a parking stall.
 - ii. Enhanced at grade bicycle parking, including a 37% increase in the number of stalls over the bylaw minimum, a bicycle maintenance area, a 110v plug for each stall, and the provision of 8 cargo bike parking stalls as illustrated on the plans.
 - iii. One car share vehicle.
 - iv. Car share memberships for each unit.
 - v. Design and installation of an on-street dual head charger (one reserved for car share vehicle and one for the general public).
 - vi. Provision of one EV charging station for each on-site parking stall.
4. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.
5. That the above recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.

Development Permit with Variance Application

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. 00827, if it is approved, consider the following motion:

“1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00212 for 1039 & 1043 Meares Street, generally in accordance with plans submitted to the Planning department and date stamped by Planning on May 1, 2023, subject to:

- a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. decrease the minimum floor area per unit from 33m² to 29.50m²;
 - ii. decrease the front setback from 13.50m to 1.95m;
 - iii. decrease the south side (rear) setback from 11.35m to 3.215m;
 - iv. decrease the east side setback from 11.35m to 1.805m;
 - v. decrease the west side setback from 11.35m to 0.81m (canopy) and to 5.09m (building face);
 - vi. increase the site coverage from 20% to 74.10%;
 - vii. decrease the open site space from 30% to 12.90%;
 - viii. decrease the number of total vehicle parking stalls from 47 to 22;
 - ix. decrease the number of visitor parking stalls from 5 to 2;
 - x. decrease the number of commercial parking stalls from 1 to 0;
 - xi. decrease the landscape between parking and property line from 1m to 0.12m;
 - xii. allow for double-stacked long-term bicycle racks.

2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution”.

LEGISLATIVE AUTHORITY

This report discusses a Rezoning Application and a concurrent Development Permit with Variances Application. Relevant rezoning considerations include the proposal to increase the maximum allowable density from 1.20 to 2.49 Floor Space Ratio (FSR) and to allow for a live-work unit in a multiple dwelling unit. The relevant Development Permit with Variance considerations relate to the application’s consistency with design guidelines and the impact of variances.

Enabling Legislation

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the Zoning Regulation Bylaw but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a Zoning Regulation Bylaw provided the permit does not vary the use or density of land from that specified in the Zoning Regulation Bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application and Development Permit with Variance Application for the property located at 1039 & 1043 Meares Street. The proposal is to consolidate two lots and construct a six-storey residential building and a roof deck. The building would have a total of 49 strata dwelling units and one live-work unit.

The rezoning application is to rezone from the R3-1 Zone, Multiple Dwelling District, to a new site-specific zone in order to increase the maximum allowable density from 1.20 to 2.49 floor space ratio (FSR) and allow for a live-work unit on the ground floor as a permitted use. There is a concurrent Development Permit with Variances Application associated with this application.

The following points were considered in assessing the Rezoning Application:

- The subject property is designated Core Residential in the *Official Community Plan* (OCP, 2012), which supports diverse housing types including low, mid and high-rise, multi-unit residential and mixed-use buildings. The proposed use and density are consistent with this policy and meet objectives regarding unit typologies, built form and character
- The proposal is generally consistent with the *Fairfield Neighbourhood Plan* (2019) with regard to the height and density envisioned in the Northwest Area Fort Street Corridor
- The application is subject to the *Inclusionary Housing and Community Amenity Contribution* policy. A third-party independent Economic Land Lift Analysis concluded that consistent with the Inclusionary Housing and Community Amenity Contribution Policy that a contribution of \$118,000.00 should be provided, which the applicant has agreed to. Consistent with the policy, the funds would be split with 70% (\$82,600) going towards Downtown Core Area Public Realm Improvement Fund and 30% (\$35,400) going towards Victoria Housing Reserve Fund.

The following points were considered in assessing the Development Permit with Variances Application:

- The proposal is consistent with the Design Guidelines for Development Permit Area 16: General Form and Character, with regard to providing human-scaled architecture that addresses the street, locating parking hidden from the public realm and utilizing high-quality, durable exterior materials
- The variances for setbacks, height, site coverage, open site space, parking and unit floor area are supportable as they offer a contextual response to the existing site conditions and adjacent buildings
- The proposed transportation demand management (TDM) measures will help offset the reduction in parking spaces and support sustainable and affordable mobility alternatives to private vehicle ownership.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone two lots from the R3-1 Zone, Multiple Dwelling District, to a new site-specific zone, in order to increase the maximum allowable density from 1.20 to 2.49 floor space ratio (FSR) and allow for a live-work unit on the ground floor as a permitted use.

The proposal is to construct a six-storey residential building with a roof deck. The building would have 49 dwelling units of which twenty-four are one-bedroom units, nine are studio units and

sixteen are two-bedroom units. A live-work unit with 33.6m² of commercial space and 44.8m² of residential space is proposed on the ground floor.

The following differences from the R3-1 Zone, are being proposed and would be accommodated in the new site-specific zone:

- increased density from 1.20 FSR to 2.49 FSR
- increased height from 18.50 to 22.6m
- allow live-work unit as permitted use on the ground floor.

The proposal includes the following design components:

- massing in a north-south orientation
- a rooftop amenity patio and community garden for residents
- alternating rhythm of balconies
- south-facing units on level two have walk-out patios with landscaped screening for privacy
- private balconies or decks for all residential units.

Exterior building materials include:

- high-quality finishes, including cementitious finishes, metal cladding, clear glass, and full height glazing on the ground floor facing the street
- custom patterned balconies that relate to the expressive cladding of Mosaic building across Meares Street
- architectural concrete for the building base.

Landscape materials include:

- three new boulevard trees along Meares Street
- fifteen new trees to be located on site with five along Meares Street, two on the second-floor patio at the west, three on the roof top and five on the south side
- shrubs in planters on the roof deck
- landscape concrete wall (1.1m high) with custom pattern on the north side facing Meares Street.

It is recommended that a site-specific zone, be drafted should Council choose to advance the application. However, in a number of instances, variances are recommended (instead of inclusion in the new zone), to ensure that if this proposal is not built, that Council review and consideration would be required again, should a different proposal be advanced in the future.

The proposed variances are to:

- decrease the minimum floor area per unit from 33m² to 29.50m²
- decrease the front setback from 13.50m to 1.95m
- decrease the south side (rear) setback from 11.35m to 3.215m
- decrease the east side setback from 11.35m to 1.805m
- decrease the west side setback from 11.35m to 0.81m (canopy) and to 5.09m (building face)
- increase the site coverage from 20% to 74.10%
- decrease the open site space from 30% to 12.90%

- decrease the number of total vehicle parking stalls from 47 to 22
- decrease the number of visitor parking stalls from 5 to 2
- decrease the number of commercial parking stalls from 1 to 0
- decrease the landscape between parking and property line from 1m to 0.12m
- to allow for double stacked long-term bicycle racks.

Land Use Context

The area is characterized by mixed-use and residential uses.

Immediately adjacent land uses include:

North - six storey mixed-use building (the Mosiac)

South - four-storey residential building (1040 Rockland Avenue)

East - six-storey residential building (1053 Meares Street – BC Supportive Housing)

West - four-storey residential building (1025 Meares Street)



Existing Site Development and Development Potential

The subject properties are currently used for surface parking.

Under the current R3-1 Zone, Multiple Dwelling District, each property could be developed as a single-family dwelling, two-family dwelling, college fraternity, public building, church, hospital, school, rest-home, or multiple dwelling.

Data Table

The following data table compares the proposal with the existing R3-1 Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone. Relevant policy from the *Official Community Plan (OCP)* and the *Fairfield Neighbourhood Plan* are also included.

Zoning Criteria	Proposal	R3-1 Zone, Multiple Dwelling District	OCP & Fairfield Neighbourhood Plan
Site area (m ²) – minimum	1352	920	-
Use	Multiple Dwelling with Live/Work Unit*	Residential	-
Unit floor area (m ²) – minimum	29.50*	33.00	-
Average Grade	20.27	-	-
Density (Floor Space Ratio) – maximum	2.49*	1.20	1.5:1 to 3:1
Total floor area (m ²) – maximum	3363.45	-	-
Lot width (m) – minimum	36.68	-	-
Height (m) – maximum	22.59*	18.50	20
Storeys – maximum	7	-	6
Site coverage (%) – maximum	74.10*	20.00	-
Open site space (%) – minimum	12.90*	30.00	-
Landscape between parking and property line - maximum	0.12*	1.00	-
Setbacks (m) – minimum			
Front (street boundary)	1.95*	13.50	

Zoning Criteria	Proposal	R3-1 Zone, Multiple Dwelling District	OCP & Fairfield Neighbourhood Plan
Rear (south)	3.215*	11.35 (1/2 building height)	-
Side (east)	1.805*	11.35 (1/2 building height)	
Side (west)	0.81* - canopy 5.09* - main face of building	11.35 (1/2 building height)	
Eave projection (maximum)	0.30	0.75	
Parking – minimum	22*	47	-
Visitor parking included in the overall parking – minimum	2*	5	
Commercial parking included in the overall parking – minimum	0*	1	
Bicycle parking stalls – minimum			-
Long Term	82	60	
Short Term	8	6	
Long term bike racks	Double Stacked*	Single Stack	

Accessibility

Accessibility measures beyond those contained in the British Columbia Building Code, are not

proposed.

Mobility

The application proposes the following features which support multi-modal transportation:

- Transit Eco Passes with a three-year term for each unit that is not assigned a parking stall
- enhanced at grade bicycle parking including a 37% increase in the number of stalls over the bylaw minimum, a bicycle maintenance area, a 110v plug for each stall, and the provision of 8 cargo bike parking stalls
- a car share vehicle along with the design and installation of an on-street dual head charger (one reserved for car share, one for the general public)
- car share memberships for each unit
- \$100 in driving credits towards car share for each unit.

Sustainability

The following sustainability measures are proposed:

- meeting BC Energy Step Codes
- high efficiency LED lighting throughout common areas and units
- stormwater management plan implemented during construction
- over 90% Construction Waste Diversion Plan implemented during construction
- high efficiency common domestic hot water boiler system.

Public Realm

No public realm improvements beyond City standard requirements are proposed in association with this application.

Community consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications, the applicant consulted the Fairfield Gonzales CALUC at a Community Meeting held on June 27, 2022.

The proposal was also posted on the Development Tracker along with an invitation to complete a comment form within the 30-day comment period. The mailed notification was sent to owners and occupiers of property within 100m of the subject property advising that a consultation process was taking place and that information could be obtained and feedback provided through the Development Tracker. A sign was also posted on site, to notify those passing by of this consultative phase.

A summary of the meeting as well as the comment forms are attached to this report. All six

responses indicate some level of concern with themes being related to height, construction noise, loss of green space, heat build-up and loss of parking in the neighbourhood.

Updated plans were referred to the CALUC on April 5, 2023. If further communication from the CALUC is received it will be advanced to Council at a subsequent date.

ANALYSIS

Rezoning Application

Official Community Plan (OCP)

The OCP Urban Place Designation for the subject property is Core Residential, which supports diverse housing types, including low, mid and high-rise, multi-unit residential, commercial and mixed-used buildings. The proposal is for a multi-unit residential building and introduces a ground-oriented live/work unit which increases the visible activity around the building and strengthens semi-commercial uses that characterize this block of Meares.

The OCP envisions a total floor space ratio (FSR) ranging from 1.5:1 up to approximately 3:1 with heights of six storeys for the areas south of Meares Street and east of Vancouver Street for new development. The proposal is for six storeys with a roof deck at a density of 2.49 FSR and is therefore consistent within the envisioned policy.

The OCP also notes that within each designation there will be a range of built forms and that decisions about the appropriate form and scale of a building will be based on an evaluation of the context in addition to consistency with OCP policies, other relevant City policies and local area plans.

In terms of place character, the OCP envisions off-street parking located underground or at the rear of buildings. The proposal has clustered parking at the rear, accessible through a common driveway from Meares Street and all bicycle stalls are provided towards the front of the building. This approach reduces the amount of hardscape dedicated to vehicle circulation and provides additional at-grade green spaces in the rear yards. This type of site planning is considered consistent with the OCP.

The proposal also advances other objectives of the OCP. The construction of forty-nine new housing units supports the broad objectives of Section 13: Housing and Homelessness, which encourages a diversity of housing types within neighbourhoods while increasing the overall supply. The extensive Transportation Demand Management measure of providing bicycle parking in excess of the zoning requirement, would encourage residents to utilize alternate modes of transportation which achieves some of the goals and objectives in Section 7: Transportation and Mobility.

Downtown Core Area Plan

The site is located within the Residential Mixed-Use District (RMD) within DCAP and therefore these overarching policies are applicable. The objectives for the RMD include encouraging multi-unit residential development appropriate to the context and function of each neighbourhood, along

with other land uses, public amenities and services that help to develop complete communities and ensuring that new residential development includes active street-level businesses, where appropriate, to increase pedestrian activity within the public realm. Overall, the proposal is generally consistent with the DCAP.

Fairfield Neighbourhood Plan

The Fairfield Neighbourhood Plan (2019) identifies the site as Core Residential, consistent with the OCP. As per the Fairfield Neighbourhood Plan, the subject site is within the Northwest Area and Fort Street Corridor which is valued for its proximity to downtown, jobs and amenities.

The plan envisions new development up to six-storeys and densities ranging from 1.5:1 to 3:1 FSR in this location. Specific form and character objectives for new multi-unit residential development in the Northwest Area and Fort Street corridor include:

- supporting the provision of publicly oriented active uses on the ground floor as a means to encourage pedestrian activity and vitality along the street
- encouraging ground floor facades to have smaller storefront modules with frequent entries and generous transparent glazing
- ensuring buildings are sited and oriented to provide sufficient building separation to maintain privacy
- providing a sensitive transition in scale to adjacent developments
- incorporating building elements and designs that complement the surrounding area
- encouraging design to demarcate and define the building base, body and top
- ensuring that new development integrates attractive landscaping and building features that create attractive walking environments
- ensuring that building entrances are clearly identifiable with direct connections from the street
- ensuring that building driveways and parking access are designed and located to minimize interruption of frontage and the pedestrian environment along public sidewalks
- incorporating units of varying sizes to appeal to a diversity of occupants.

The proposed building is considered generally consistent with these policies.

Housing

The proposal consists of forty-nine residential market strata units and one live-work unit. The application, if approved, would add fifty new residential units, which would increase the overall supply of housing in the area and contribute to the targets set out in the Victoria Housing Strategy.

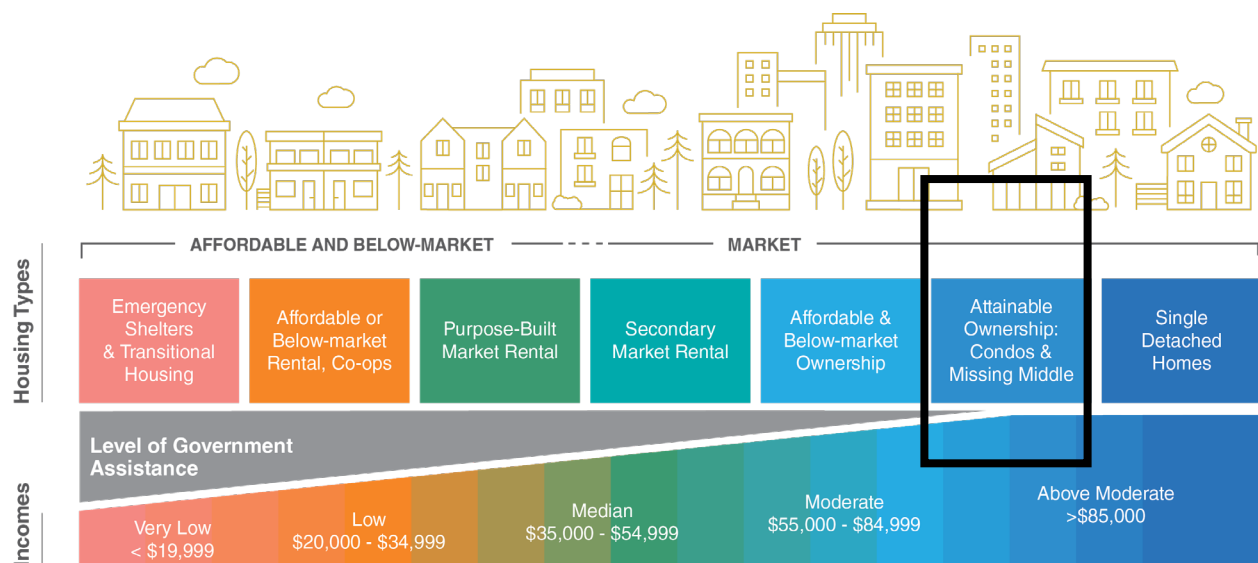


Figure 1. Housing Continuum

Affordability Targets

The proposed residential market strata units would be considered more attainable home ownership compared to a new single-family dwelling.

Housing Mix

At present there is no policy that provides targets regarding housing mix and unit type is not mandated by the City. However, the OCP identifies a mix of units as an objective and identifies the need for a diverse range of housing units including family housing. As submitted, this application proposes a live-work unit, twenty-four one-bedroom units, nine studio units and sixteen two-bedroom units ranging in size from 29.5m² to 78.7m².

Security of Tenure

The proposal is for fifty new market strata units. New Provincial legislation prohibits the ability of strata councils to prevent the rental of units.

Existing Tenants

There are no existing tenants on the subject properties.

Inclusionary Housing and Community Amenity Contribution Policy

The application is subject to the *Inclusionary Housing and Community Amenity Contribution Policy*, 2023 (IHCACP). Under this policy, rezoning applications for sites designated as Core Residential, are eligible for either a fixed rate amenity contribution or an amount determined through an economic analysis of the proposal, to obtain additional density as per the range

indicated in the *Fairfield Neighborhood Plan*. An Economic Land Lift Analysis concluded that there was a land lift of \$157,400.00, 75% of which would be a Community Amenity Contribution of \$118,000.00 which the applicant has offered to provide. Consistent with the policy, the funds will be split with 70% (\$82,600) going towards Downtown Core Area Public Realm Improvement Fund and 30% (\$35,400) going towards Victoria Housing Reserve Fund.

Development Permit with Variance Application

Official Community Plan: Design Guidelines

The OCP identifies the site within Development Permit Area (DPA) 16: General Form and Character, therefore, the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* (2012), *Advisory Design Guidelines for Buildings, Signs and Awnings* (2006) and *Guidelines for Fences, Gates and Shutters* (2010) are applicable. The proposal is consistent with these guidelines in the following ways:

- the main entrance is legible
- materials used on the principal façade are continued around building corners visible from the public realm
- blank side walls feature ridged patterns to provide visual interest
- the building's alternating rhythm of balconies, variation in materials, texture and colour provide articulation and breaks down massing
- custom patterned balconies that relate to the expressive cladding of Mosaic building across Meares Street add interest to the streetscape
- the parkade entrance gate is recessed from the building face which ensures that this element is not the dominant feature of the building facade whilst also maintaining transparency allowing the passing public to view into the space.

Regulatory Considerations related to Variances

Variances are recommended for areas where the proposal is not consistent with the Fairfield Neighbourhood Plan and the Off-Street Parking Regulations (Schedule C) of the Zoning Regulation Bylaw. This ensures that if this proposal is not built, any future development would require Council's consideration.

Setbacks

- Front Setback (Meares Street) – proposed to be reduced from 13.50m to 1.95m measured to the balconies on the upper floors, at its narrowest width. Given that the buildings to the east and north also fronting Meares street have similar setbacks, the proposed setback is consistent with the street context. Also, due to the restricted lot size, there are limited opportunities to move the building back further on the lot
- Rear Setback (south) – proposed to be reduced from 11.35m to 3.2m measured to the roof deck above surface parking. Four existing trees are located on this side of the

property. Additionally, to fill in the visual gap between existing trees, four trees are proposed on level two and one tree is proposed on the ground floor which will help mitigate privacy impacts

- Side Setback (east) – proposed to be reduced from 11.35m to 1.80m to the building face. The neighbouring building on this side, has only one column of windows that would face the proposed building. The applicant has submitted window overlay drawings which do not depict overlap of windows or direct line of sight
- Side Setback (west) – proposed to be reduced from 11.35m to 0.81m (canopy on level 2) and 5.09m (building face). The applicant has submitted window overlay drawings which do not depict overlap of windows or direct line of sight. Additionally, two trees are to be planted on the canopy of level 2 which will mitigate overlook concerns levels two and three of the proposed building. However, it is worth noting that the existing neighbouring building on this side is a four-storey building.

Landscape

The landscape between the parking area and the property line is proposed to be reduced from 1m to 0.12m. Because the proposal includes a fence between the parking and the neighbouring property and because landscaping is maximized in other areas of the site, this variance is considered supportable.

Unit Floor Area

Four out of fifty units have a floor area of approximately 29.50 m². These figures are less than the minimum floor area of 33 m² required per attached dwelling unit. However, at 29.5 m² and given the unit configuration, these units would still be liveable therefore it is recommended that this variance is supportable.

Site Coverage and Open Site Space

Given the relatively small site size, variances are required to increase the maximum site coverage from 20% to 74.1% and decrease the open site space from 30% to 12.90%. The proposal incorporates extensive landscaping on the ground floor, landscaped patios on level 2 and a rooftop community garden which help mitigate some of the impacts.

Parking

The applicant is seeking a parking reduction from 47 down to 22 stalls. Staff are supportive of a reduction in vehicle parking stalls when offset by a comprehensive Transportation Demand Management (TDM) program. To help offset the parking shortfall, the applicant has offered a number of Transport Demand Management (TDM) measures including:

- Transit Eco Passes with a three-year term for each unit that is not assigned a parking stall
- enhanced at grade bicycle parking including a 37% increase in the number of stalls over the bylaw minimum, a bicycle maintenance area, a 110v plug for each stall, and the provision of 8 cargo bike parking stalls
- a car share vehicle along with the design and installation of an on-street dual head charger (one reserved for car share, one for the general public)
- a car membership for each unit

- \$100 in driving credits towards car share for each unit.

When car share vehicles are provided as a TDM measure, the City tries to secure an associated off-street stall for the vehicle. This is regardless of whether an on street car share space is possible and supported. This ensures equitable outcomes as curb space is not always available and future street maintenance or redesign may require temporary or permanent relocation of the vehicle. The off-street parking stall is typically assigned as a visitor stall until (and if) needed for the car share vehicle.

The applicant has indicated that, because of building security concerns and challenges with preventing unwanted visitors an on-site car share stall cannot be accommodated. Accommodating car share spaces on-street in response to private development is feasible, but also adds complexity and risk to the existing and future management of curb space. Regardless of this risk, the proposed carshare vehicle and charging station, in combination with the enhanced bike parking facilities and bicycle lane and pedestrian crossing improvements is considered a sufficient TDM program to offset the parking stall reduction.

In addition, the property is located in a walkable area with frequent transit and the All Ages and Abilities (AAA) bike lanes along Fort Street. The site is located within 250m of Vancouver Bike Greenway, Fort Street Bike Lanes and Vancouver Bike Connector to Pandora and Wharf Street Bike Infrastructure. Given the comprehensive TDM programs being proposed staff recommend that Council support this variance.

The applicant is also proposing to provide EV charging stations for all units. This goes above and beyond the Bylaw requirement of EV ready outlets.

The applicant is proposing a stacked bicycle parking system. Stacked bicycle parking systems can provide space saving opportunities but require a variance as they are not currently accommodated in the City's bicycle parking regulations. The applicant has provided a specification for the stacked bicycle parking to ensure sufficient height clearance and an accessible lift assist mechanism is provided.

Advisory Design Panel Review

The proposal was presented to the Advisory Design Panel (ADP) at a meeting on September 28, 2022. The minutes are attached to this report. The ADP motion recommended that the Rezoning and Development Permit with Variances Application be approved as presented.

Tree Preservation Bylaw and Urban Forest Master Plan

The goals of the *Urban Forest Master Plan* include protecting, enhancing, and expanding Victoria's urban forest and optimizing community benefits from the urban forest in all neighbourhoods. This application was received after July 1, 2021, so Tree Protection Bylaw No. 21-035 applies.

A total of 13 trees have been inventoried. Of these, three are located on the subject lot, two of which are bylaw protected. Four bylaw protected trees and three non-bylaw protected trees are

located off-site. There are three existing municipal trees on the Meares Street frontage. Two bylaw protected trees No.110 (35/35 cm diameter multiple-stemmed red maple) and No.112 (41 cm diameter red maple). Removal of the trees is required for construction of the building. Municipal tree M-101 (54 cm diameter Yoshino cherry), will require removal to accommodate the new driveway and Municipal Tree M-103 (44 cm diameter cherry) will require removal to accommodate a new Pad Mounted Transformer.

All off-site bylaw protected trees will be retained following the mitigation measures outlined in the arborist report.

The applicant is proposing to plant 13 new trees on the subject lot. This includes two trees to replace bylaw trees removed, and five additional replacement trees are required to meet the tree minimum in accordance with the Bylaw. Two municipal trees are proposed on the Meares street frontage.

Tree Impact Summary Table

Tree Status	Total # of Trees	To be REMOVED	To be PLANTED	NET CHANGE
On-site trees, bylaw protected	2	2	13	+11
On-site trees, not bylaw protected	1	1	0	-1
Municipal trees	3	2	2	0
Neighbouring trees, bylaw protected	4	0	0	0
Neighbouring trees, not bylaw protected	3	0	0	0
Total	13	5	15	+10

CONCLUSIONS

The proposal is generally consistent with the density, use, and housing policies envisioned in the Fairfield Neighbourhood Plan and advances a number of goals and objectives in the OCP, such as increasing the housing supply, diversifying the range of housing types and encouraging alternative modes of transportation. The proposal is also consistent with Development Permit Area (DPA) 16: General Form and Character.

Therefore, it is recommended that Council consider supporting this application.

ALTERNATE MOTIONS

Option 1 – Decline

That Council decline Rezoning Application No. REZ00827 and Development Permit with Variances Application No. DPV00212 for the property located at 1039 & 1043 Meares Street.

Respectfully submitted,

Manasvini Thiagarajan
Planner
Development Services Division

Karen Hoesel, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Subject Map
- Attachment B: Plans date stamped May 1, 2023
- Attachment C: Letter from applicant to Mayor and Council dated March 16, 2023
- Attachment D: Transportation Demand Management Studies dated March 16, 2023
- Attachment E: Community Association Land Use Committee Comments dated July 25, 2022
- Attachment F: Advisory Design Panel Minutes dated September 28, 2022
- Attachment G: Tree Management Report dated March 16, 2023
- Attachment H: Sewage Impact Assessment dated March 16, 2023
- Attachment I: Land Lift Analysis dated December 30, 2022
- Attachment J: Double Stacker Studies dated March 16, 2023
- Attachment K: Correspondence from BC Housing
- Attachment L: Pre-Application Consultation Comments from Online Feedback Form