# E.1 <u>Bylaw for 623/625 Avalon Road: Rezoning Application No. 00744 and Development Permit with Variances Application No. 00223</u>

Moved By Councillor Dell Seconded By Councillor Thompson

That the following bylaw be given **first and second readings**: 1. Zoning Regulation Bylaw Amendment Bylaw (No. 1319) No. 23-086

**CARRIED UNANIMOUSLY** 





# **Council Report**For the Meeting of October 19, 2023

To: Council Date: October 10, 2023

From: C. Kingsley, City Clerk

**Subject:** 623/625 Avalon Road: Rezoning Application No. 00744 and Development Permit

with Variances Application No. 00223

#### RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw Amendment Bylaw (No. 1319) No. 23-086

#### **BACKGROUND**

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 23-086.

The issue came before Council on July 13, 2023 where the following resolution was approved:

## 623/625 Avalon Road: Rezoning Application No. 00744 and Development Permit with Variances Application No. 00223 (James Bay)

### 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 June 15, 2023 for 623/625 Avalon Road.
- 2. That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set.
- 3. 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.
- 4. 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.

### <u>Development Permit with Variance Application</u>

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. 00744, if it is approved, consider the following motion:

- 1. "That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorizes the issuance of Development Permit with Variance No. 00223 for 623/625 Avalon Road, in accordance with plans submitted to the Planning department and date stamped by Planning on January 11, 2023, subject to:
  - a. Proposed development meeting all City zoning bylaw requirements, Schedule M
    Garden Suites, except for the following variances:
    - i. increase the rear yard site coverage from 25% to 28.10%.
  - b. Secure the provision of three car share memberships including credits for each membership with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor.
  - c. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution."

Respectfully submitted,

Curt Kingsley City Clerk

Report accepted and recommended by the City Manager

#### **List of Attachments:**

• Bylaw No. 23-086

### NO. 23-086

### A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw to rezone land known as 623 and 625 Avalon Road from the R-2 Zone, Two Family Dwelling District to the R2-65 Zone, Two Family Dwelling with Accessory Dwelling Unit District.

The Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

- 1 This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1319)".
- The land known as 623 and 625 Avalon Road, legally described as PID: 009-283-978 Lot 5, Beckley Farm, Victoria City, Plan 185 and shown hatched on the attached map, is removed from the R-2 Zone, Two Family Dwelling District, and placed in the R2-65 Zone, Two Family Dwelling with Accessory Dwelling Unit District.

READ A FIRST TIME the	day of	2023
READ A SECOND TIME the	day of	2023
Public hearing held on the	day of	2023
READ A THIRD TIME the	day of	2023
ADOPTED on the	day of	2023

CITY CLERK

**MAYOR** 







