



## Committee of the Whole Report For the Meeting of December 7, 2023

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**To:** Committee of the Whole **Date:** November 24, 2023

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

**Subject:** **Rezoning Application No. 00821, associated Official Community Plan Amendment, and Development Permit with Variances Application No. 00204 for 1733, 1735 and 1737 Fairfield Road**  
**Rezoning Application No.00845 and associated Official Community Plan and Heritage Designation Amendments for 1964 Fairfield Road and 507 Foul Bay Road**

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### RECOMMENDATION

#### OCP Amendments with Rezoning

1. That Council consider who is affected by the proposed changes to the *Official Community Plan* (OCP) and determine that those within a 200m radius of the subject properties will be affected.
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 Amendments to the persons within a 200m radius of the subject property
  - 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 Amendments do not affect them.
4. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaws in accordance with Section 475 of the *Local Government Act* and the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. REZ00821 for 1733, 1735 and 1737 Fairfield Road and proposed zoning changes outlined in Rezoning Application No. 00845 for 1964 Fairfield Road and 507 Foul Bay Road, 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:

- a. the following revisions to the plans for 1733, 1735 and 1737 Fairfield Road to the satisfaction of the Director of Sustainable Planning and Community Development:
    - i. add an additional two-bedroom unit and convert a one-bedroom unit to a two-bedroom unit, as outlined in the applicant's letter, dated September 12, 2023
    - ii. improve the transition to lower density buildings (northeast building elevation)
    - iii. increase outdoor amenity space, which may include providing parking underground, reducing parking or adding a rooftop amenity area.
  - b. the following revisions to the plans for 1733, 1735 and 1737 Fairfield Road, to the satisfaction of the Director of Engineering and Public Works:
    - i. increase permeable paved area to improve onsite stormwater management
    - ii. to provide 50% of required long term bicycle parking stalls as standard ground mounted stalls.
  - c. plan revision for 1733, 1735 and 1737 Fairfield Road to accommodate more replacement trees required under the *Tree Protection Bylaw*, to the satisfaction of the Director of Parks, Recreation and Facilities.
5. That subject to approval in principle at the Public Hearing, the applicant prepare and execute the following legal agreements, with form satisfactory to the City Solicitor prior to adoption of the bylaws:
- a. provision of a 0.86m wide statutory right-of-way for 1733, 1735 and 1737 Fairfield Road, with terms to the satisfaction of the Director of Engineering and Public Works
  - b. provision of no less than nine two-bedroom units, six two-bedroom units with a den and one three-bedroom unit for 1733, 1735 and 1737 Fairfield Road, to the satisfaction of the Director of Sustainable Planning and Community Development
  - c. securing continued public access to the property at 1964 Fairfield Road, consistent with existing public access hours and locations and permitting temporary closures for private events, to the satisfaction of the Director of Sustainable Planning and Community Development
  - d. provision of transportation demand management measures for 1733, 1735 and 1737 Fairfield Road, to the satisfaction of the Director of Engineering and Public Works, including:
    - i. car share memberships and usage credits for all residential units;
    - ii. on-street electric car share vehicle;
    - iii. on-street (Beechwood Avenue), level 2, dual head electrical charger, and all associated infrastructure and connections;
    - iv. bicycle parking to accommodate oversized bicycles (10% of required long-term spaces);
    - v. bicycle parking with access to an electrical outlet (50% of required long-term spaces) and
    - vi. bicycle repair and maintenance station.
6. 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 Variances Application (1733, 1735 and 1737 Fairfield Road)**

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. 00821 and Rezoning Application No. 00845, if they are 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. 00204 for 1733, 1735 and 1737 Fairfield Road, in accordance with plans submitted to the Planning department and date stamped by Planning on August 22, 2023, subject to:
  - a. the proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. reducing the minimum front yard setback (Beechwood Avenue) from 4.00m to 2.70m and increasing stairs projection from 1.80m to 2.73m;
    - ii. reducing the minimum rear yard setback from 10.00m to 2.60m;
    - iii. reducing the minimum side yard setback (Fairfield Road) from 4.00m to 2.30m;
    - iv. reducing the minimum side yard setback (southeast) from 6.00m to 0.50m;
    - v. increasing the maximum site coverage from 40% to 65%;
    - vi. decreasing the open site space from 50% to 23%;
    - vii. reducing vehicle parking from 40 spaces to 23 spaces;
    - viii. permitting long-term bicycle parking to be provided in a stacked format.
  - b. The property being consolidated into one lot.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

## **Heritage Designation Amendment Application (1964 Fairfield Road and 507 Foul Bay Road)**

That Council instruct the Director of Sustainable Planning and Community Development to:

1. prepare a heritage designation bylaw to amend Heritage Designation (1964 Fairfield Road) Bylaw (No. 530) No. 05-75 to add the property at 507 Foul Bay Road, that first and second reading of the bylaw be considered by Council and that a joint public hearing date be set with Rezoning Application No. 00821 and Rezoning Application No. 00845;
2. add the Statement of Significance for 1964 Fairfield Road and 507 Foul Bay Road, attached as Attachment G to this report, recognizing the building exterior and natural landscape elements as the historic features of the property, to the above noted heritage designation bylaw.

## **LEGISLATIVE AUTHORITY**

This report discusses concurrent rezoning applications involving two nearby properties.

The first is a Rezoning Application (No. 00821), associated Official Community Plan Amendment and a Development Permit with Variances Application for 1733, 1735 and 1737 Fairfield Road.

Relevant Rezoning considerations for this property relate to:

- change of use to allow multiple dwellings
- new regulations pertaining to maximum floor space ratio and maximum floor area.

The relevant Development Permit with Variances considerations relate to:

- consistency with design guidelines
- impact of variances pertaining to setbacks, site coverage, open space and parking.

The second is a Rezoning Application (No. 00845), Heritage Designation Amendment and associated Official Community Plan Amendment for 1964 Fairfield Road and 507 Foul Bay Road.

Relevant Rezoning considerations for this property relate to:

- removal of existing permitted residential uses and addition of garden, restaurant, and gift shop as permitted uses
- new regulations pertaining to maximum floor space ratio, maximum floor area, and vehicle parking.

### **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 *Official Community Plan, 2012* (OCP). 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.

In accordance with Section 611 of the *Local Government Act*, Council may designate real property, in whole or in part, as protected property. A heritage designation bylaw may apply to more than one property and may apply to landscape features identified in the bylaw.

### **EXECUTIVE SUMMARY**

The purpose of this report is to present Council with information, analysis and recommendations for two concurrent proposals:

- a Rezoning, OCP Amendment and Development Permit with Variances application for 1733, 1735 and 1737 Fairfield Road, to rezone from the R1-G Zone, Gonzales Single Family Dwelling District to a new site-specific zone to permit a multiple dwelling at this location.
- a Rezoning, OCP Amendment and Heritage Designation Amendment application for 1964 Fairfield Road and 507 Foul Bay Road, to rezone from the RK-11 Zone, Fairfield Townhouse District (1964 Fairfield Road) and the R1-G Zone, Gonzales Single Family Dwelling District (507 Foul Bay Road) to a new site-specific zone to limit permitted uses and reduce the density to the existing density and uses, which include a garden, restaurant, and gift shop.

The proposal for 1964 Fairfield Road and 507 Foul Bay Road has been submitted to support the increase in density for the proposed development at 1733, 1735 and 1737 Fairfield Road as the development exceeds the density envisioned for Traditional Residential Urban Place Designation.

The Development Permit with Variances application for 1733, 1735 and 1737 Fairfield Road pertains to the proposed form, character, exterior design, finishes and landscaping, as well as variances related to setbacks, site coverage, open space and parking for a four-storey building containing 31 dwelling units.

The following points were considered in assessing the concurrent rezoning applications:

- The four-storey multiple dwelling proposed for 1733, 1735 and 1737 Fairfield Road, with a density of 1.77:1 floor space ratio (FSR), requires rezoning to a site-specific zone and an amendment to the *Official Community Plan* (OCP) to increase the density and height envisioned for a Traditional Residential property and allow for a multiple dwelling use.
- The creation of 31 new dwelling units proposed for 1733, 1735 and 1737 Fairfield Road includes two studio, 12 one-bedroom, nine two-bedroom, six two-bedroom with den, and two three-bedroom units, which advances housing objectives to provide a diversity of housing, including family-oriented housing.
- The proposed 0.86m statutory right-of-way (SRW) along Fairfield Road would provide space for a two-metre sidewalk and a planted buffer of small canopy trees between pedestrians and vehicles, which supports the OCP's transportation and placemaking policies.
- The proposal for 1733, 1735 and 1737 Fairfield Road is inconsistent with specific policies in the *Gonzales Neighbourhood Community Plan* (2002) to retain the single-family character and preserve landscape features on public and private properties.
- A rezoning and associated OCP amendment is also proposed for 1964 Fairfield Road and 507 Foul Bay Road to rezone the site to permit only the existing uses and to redesignate from the Traditional Residential Urban Place Designation to the Public Facilities, Institutions, Parks and Open Space Urban Place Designation – this will better align the property's designation with the actual use of the properties.
- The proposal for 1964 Fairfield Road and 507 Foul Bay Road advances OCP objectives to maintain the heritage and cultural value of individual properties, conserve natural and built heritage including the urban forest.
- The application to expand heritage designation to include the maintenance and support area for Abkhazi Garden (located at 507 Foul Bay Road) and the commitment to secure continued public access to Abkhazi Garden will provide heritage protection to the entire site and provide certainty that public access will remain in perpetuity.
- The proposal for 1964 Fairfield Road and 507 Foul Bay Road is consistent with the *Gonzales Neighbourhood Community Plan*, which emphasizes preservation and enhancement of heritage as well as natural landscape features on both private and public properties.

The following points were considered in assessing the Development Permit with Variances for 1733, 1735 and 1737 Fairfield Road:

- The proposed form and character of the development is largely consistent with design guidelines applicable to Development Permit Area (DPA) 16, General Form and Character; however, revisions are recommended as follows:
  - provide a transition in height on the northeast building elevation
  - reduce space allocated to vehicle parking or provide underground

- increase amenity space, such as a landscaped rooftop amenity.
- The proposed site planning is consistent with specific *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development*; however, the combination of a reduced 2.6m northeast setback and four-storey height should provide a transition in its form and massing to the abutting neighbour at 1745 Fairfield Road.
- The proposed 65% lot coverage and 23% open space would benefit from a plan revision to either incorporate outdoor amenity space or reduce proposed parking, or a combination of both.
- Requested variances to front and flanking street setbacks are considered supportable to allow building siting that will create a sense of enclosure and to maximize rear and interior side yard setbacks.
- The requested variance to reduce the side yard setback (southeast) is supportable to incorporate the parking entrance into the building envelope, which reduces the visibility of vehicle parking from the public realm.
- Requested reductions to the rear yard setback, site coverage and open space are not supported as proposed but would be considered supportable with revisions as described above.
- The variances to reduce vehicle parking from 40 spaces to 23 spaces and permitting long-term bicycle parking to be provided in a stacked format are considered supportable based on the provision of a comprehensive package of transportation demand management (TDM) measures.

## BACKGROUND

### Description of Proposals

#### 1733, 1735 and 1737 Fairfield Road

This proposal for 1733, 1735 and 1737 Fairfield Road is to rezone from the R1-G Zone, Gonzales Single Family Dwelling District to a new site-specific zone to permit construction of a four-storey multiple dwelling containing 31 units. The proposal includes demolition of three existing single-family dwellings and consolidation of the three lots. An OCP amendment is required to permit a four-storey multiple dwelling with a density of 1.77:1 FSR on a site within the Traditional Residential Urban Place Designation.

The following differences from the standard URMD Zone, Urban Residential Multiple Dwelling District are being proposed and would be accommodated in the new zone:

- reduce maximum FSR from 2:1 to 1.77:1
- reduce minimum lot area from 1840m<sup>2</sup> to 1740m<sup>2</sup>.

The associated Development Permit with Variances (DPV) Application is for a four-storey building containing a total of 31 dwelling units, with a 23-space surface parking area.

Specific details include:

- six ground-oriented, two-level units accessed from Fairfield Road, main entry to 25 single-level units on Beechwood Avenue
- unit mix consisting of two studio units, 12 one-bedroom units, nine two-bedroom units, six two-bedroom units with dens, and two three-bedroom units
- partially covered surface parking (23 spaces including visitor and accessible).

Exterior materials include:

- light brick (first three levels)
- light blue metal panel (levels three and four)
- wood grain finish and perforated metal (ground level main entry on Beechwood)
- metal picket balconies.

Landscape elements include:

- 23% of lot area as open space
- 25 units with private balconies, six ground-oriented units with ground level patio space
- permeable parking for a portion of the parking area
- 26 trees identified – 16 on-site, seven off-site and three within Beechwood boulevard
- nine trees retained – the seven offsite private trees and two within Beechwood boulevard
- 17 trees removed- seven bylaw protected trees, 10 non-protected
- 18 new trees proposed on-site and eight boulevard trees (seven on Fairfield, one on Beechwood).

The proposed variances from the standard URMD Zone as well as parking regulations in Schedule C are related to:

- reducing the minimum front yard setback (Beechwood Avenue) from 4.00m to 2.70m and increasing the stair projection from 1.80m to 2.73m
- reducing the minimum rear yard setback from 10.00m to 2.60m
- reducing the minimum side yard setback (Fairfield Road) from 4.00m to 2.30m
- reducing the minimum side yard setback (southeast) from 6.00m to 0.50m
- increasing the maximum site coverage from 40% to 65%
- decreasing the open site space from 50% to 23%
- reducing vehicle parking from 40 spaces to 23 spaces
- permitting long-term bicycle parking to be provided in a stacked format.

#### 1964 Fairfield Road and 507 Foul Bay Road

The concurrent proposal for 1964 Fairfield Road and 507 Foul Bay Road is to rezone the subject properties from the RK-11 Zone, Fairfield Townhouse District (1964 Fairfield Road) and the R1-G Zone, Gonzales Single Family Dwelling District (507 Foul Bay Road) to a new site-specific zone to limit permitted uses and density to allow only for the existing garden, restaurant, and gift shop. In addition, an OCP amendment is proposed to redesignate from the Traditional Residential Urban Place Designation to the Public Facilities, Institutions, Parks and Open Space Urban Place Designation. There is also a proposed amendment to the heritage designation bylaw to add the adjacent property 507 Foul Bay Road, which contains the greenhouse, and the garden's support and maintenance spaces, and to revise the Statement of Significance.

For the property at 1964 Fairfield Road, the following differences from the current RK-11 Zone are being proposed and would be accommodated in the new zone:

- remove existing permitted uses (single-family dwellings with secondary or garden suites, two-family dwellings, attached dwellings, hospitals, nursing homes and home occupations) except public buildings and accessory buildings, and add garden, restaurant, and gift shop as new permitted uses
- reduce maximum FSR from 0.55:1 to 0.04

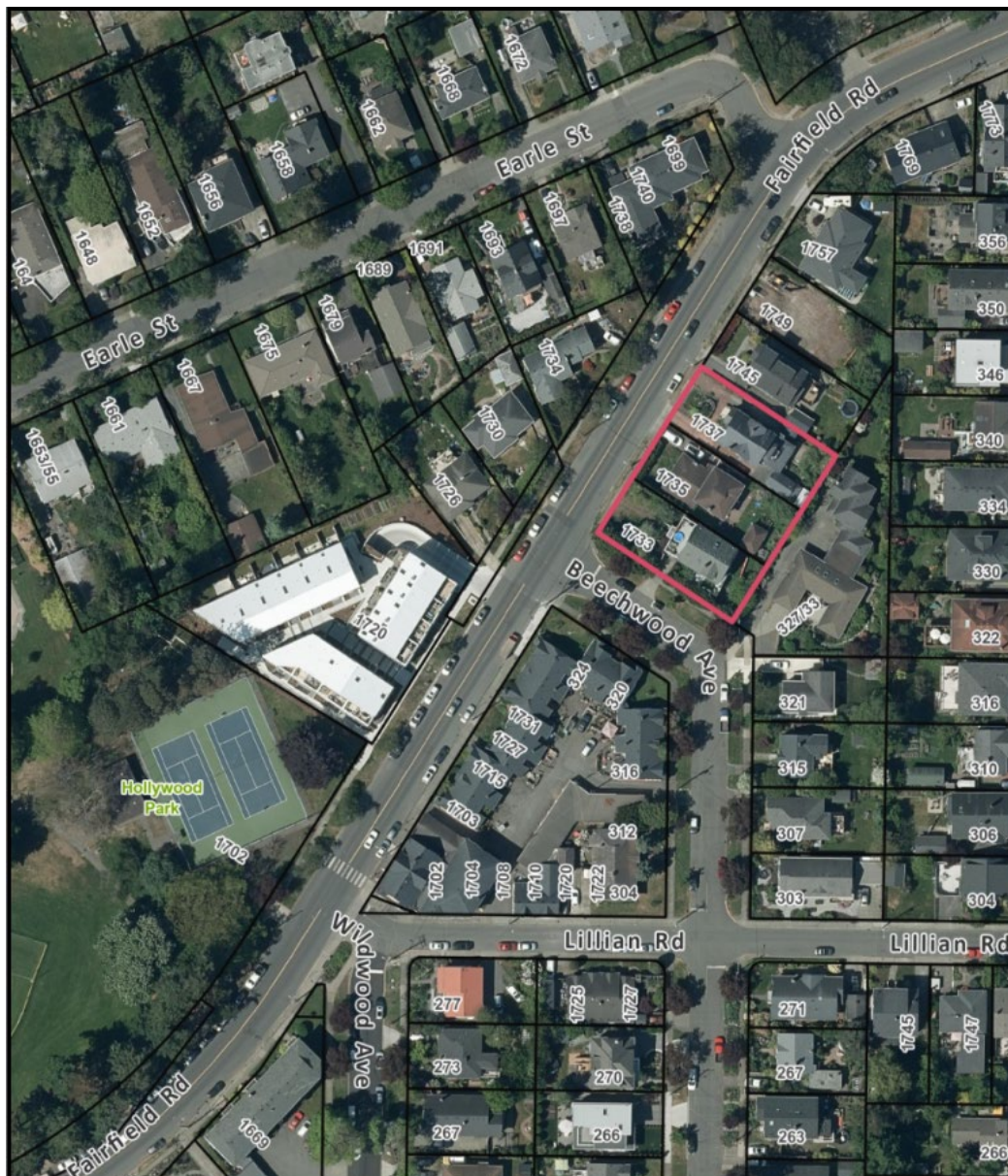


- add new regulations pertaining to parking.
- For the property at 507 Foul Bay Road, the following differences from the current R1-G Zone, Fairfield Townhouse District, are being proposed and would be accommodated in the new zone:
- remove existing permitted uses (single-family dwellings with secondary or garden suites and house conversions) except accessory buildings.

### Land Use Context

#### 1733, 1735 and 1737 Fairfield Road

The area, as shown in Figure 1, is characterized by a mix of mostly single-family dwellings as well as older attached dwellings, duplex dwellings, and a recently constructed stacked townhouse development containing 20 dwelling units and density of 0.85:1 FSR. In addition, there are small scale commercial properties and Hollywood Park to the southwest.



**Figure 1: Aerial map showing 1733, 1735 and 1737 Fairfield Road**



1964 Fairfield Road and 507 Foul Bay Road

The area, as shown in Figure 2, is characterized by single-family dwellings some of which are located on similarly large panhandle lots. A five-unit heritage house conversion abuts the property to the north, which is currently proposed for development that would add a 12-unit multiple dwelling development while retaining the heritage building. In addition, Margaret Jenkins Elementary is located to the west of the subject property. Heritage registered and heritage designated properties exist in the surrounding area.



**Figure 2: Aerial map showing 1964 Fairfield Road and 507 Foul Bay Road**

## Existing Site Development and Development Potential

### 1733, 1735 and 1737 Fairfield Road

The site is comprised of three legal lots and is developed with three single-family dwellings. Under the current R1-G Zone, Gonzales Single Family Dwelling District, the three lots could each be developed with a single-family dwelling with either a secondary suite or garden suite, for a total of six dwelling units. In addition, the three lots could potentially be developed under *Missing Middle Regulations* as a combination of corner townhouses and houseplexes with up to 24 dwelling units depending on unit sizes and site design.

### 1964 Fairfield Road and 507 Foul Bay Road

This site is presently used as a garden with an accessory restaurant and gift shop. The property at 507 Foul Bay Road is limited to use as the maintenance and support area.

Under the current RK-11 Zone, Fairfield Townhouse District, the property at 1964 Fairfield Road permits single-family dwellings with secondary or garden suites, two-family dwellings, attached dwellings, public buildings, hospitals, nursing homes and home occupations. However, the property is heritage designated; therefore, development potential would be limited as the designation protects the existing buildings and the building siting, as well as various site features and views from the existing building.

### Data Tables

The following data table compares the proposal for 1733, 1735 and 1737 Fairfield Road with the R1-G Zone, Gonzales Single Family District and the standard URMD Zone, Urban Residential Multiple Dwelling District. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Proposal	Existing R1-G Zone	Zone Standard (URMD Zone)	OCP
Site area (m2) (min.)	<b>1741.93*</b>	460.00	1840.00	-
Lot width (m) (min.)	38.10	15.00	n/a	-
Combined floor area (m <sup>2</sup> ) (max.)	<b>3082.22*</b>	300.00	n/a	-
Floor space ratio (ratio) (max.)	<b>1.77:1*</b>	0.50:1	2.00:1	Approximately 1.10:1
Height (m) (max.)	<b>13.39*</b>	7.60	18.50	-
Storeys (max.)	<b>4.00*</b>	2.00/1.50 with Basement	6.00	Approximately 3.00
Roof deck	Yes	Not permitted	n/a	-
Setbacks (m) – minimum				-

Zoning Criteria	Proposal	Existing R1-G Zone	Zone Standard (URMD Zone)	OCP
Front yard (Beechwood)	<b>2.72*</b>	7.50	4.00	-
Projections – porch (max.)	1.026	1.60	1.80	-
Projections – stairs less than 1.7m in height (max.)	<b>2.73*</b>	2.50	1.80	-
Rear (NE)	<b>2.61*</b>	13.72 (30% of lot depth)	10.00	-
Side (Fairfield)	<b>2.32*</b>	5.72 (15% of lot width)	“6.00 – interior lot line 4.0 – flanking street”	-
Side (SE)	<b>0.50*</b>	5.72 (15% of lot width)	“6.00 – interior lot line 4.0 – flanking street”	-
Combined side yards	<b>2.82*</b>	5.40	n/a	-
Site coverage (%) (max.)	<b>65.00*</b>	30.00	40.00	-
Open site space – lot (%) (min.)	<b>23.00*</b>	50.00	50.00	
Parking	<b>21 – Units*</b> <b>2 – Visitor*</b>  <b>23 Total*</b> (2 Van accessible)	37 – Units 3 – Visitor  40 Total	37 – Units 3 – Visitor  40 Total	-
Bicycle – Long Term	54.00	38.00	38.00	-
Bicycle – Short Term	6.00	6.00 (rack)	6.00 (rack)	-
Driveway/parking slope (%)	6.00	8.00	8.00	-

The following data table compares the concurrent proposal for 1964 Fairfield Road and 507 Foul Bay Road with the R1-G Zone (existing zoning for 507 Foul Bay Road), and the RK-11 Zone, Fairfield Townhouse District (existing zoning for 1964 Fairfield Road). An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Proposal	Zone Standard (R1-G)	Zone Standard (RK-11)
Lot area (m <sup>2</sup> ) (min.)	5664.60 - 1964 Fairfield Road 793.10 - Foul Bay Road 6,457.70 - Total Site	460	Greater of 555 or 470 per dwelling unit
Use	<b>Garden, Restaurant, and Gift Shop*</b>	Single Family Dwelling	Single-, Two-family, Attached Dwellings
Lot width (m) (min.)	51.24 - Fairfield Road 41.08 - Foul Bay Road	15	18
Total Floor Area	176.79 - Fairfield Road	n/a	n/a
Floor space ratio (max.)	0.03 - Fairfield Road 0.00 - Foul Bay Road	0.5:1	0.55
Storeys (max.)	1	2/1.5 w/ Basement	2.6
Setbacks (m)			
Front	41.81	7.50	6.00
Rear	50.19	9.10 or 30% of lot depth	7.50 - living room 2.50 blank wall/ 4.00 habitable rooms/
Side	10.42	1.50 or 15% of lot width	7.50 living room 2.5 blank wall/ 4.0 habitable rooms/ 7.5 living room
Parking (min.)	<b>0*</b> (Existing)	Schedule C 6	Schedule C 6
Short term bicycle parking – minimum	14	Schedule C 1	Schedule C 1
Accessory Building Location	<b>Side Yard *</b> Rear Yard	Schedule F Rear Yard	Schedule F Rear Yard

## Sustainable Mobility

### 1733, 1735 and 1737 Fairfield Road

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

- car share memberships and usage credits for all residential units
- on-street electric car share vehicle
- level 2 dual-head on street electric vehicle charger and all associated infrastructure and

connections

- bicycle parking to accommodate oversized bicycles (10% of required long-term spaces)
- bicycle parking with access to an electrical outlet (50% of required long-term spaces)
- bicycle repair and maintenance station.

The application is showing more long-term bicycle parking than is required in the bylaw; however, it should be noted that additional information is required from the applicant to confirm long-term bicycle parking spaces meet minimum dimensions required for long-term bicycle parking. It is possible that the long-term bicycle will need to be marginally reduced to meet the minimum required dimensions.

#### 1964 Fairfield Road and 507 Foul Bay Road

This application proposes new short-term bike parking beyond bylaw requirements, which support multi-modal transportation objectives.

### **Public Realm**

#### 1733, 1735 and 1737 Fairfield Road

The following public realm improvements are proposed in association with this application:

- standard frontage works, including a curb extension at the Beechwood Avenue intersection with Fairfield Road, including pedestrian ramps and tactile domes, to narrow crossing distance and improve pedestrian accessibility and safety
- provision of a level two dual head electric vehicle charging station on Beechwood Avenue, including all necessary electrical connections, for the by the proposed car share vehicle, and for general public use.

The charging station would be secured with a Section 219 covenant, registered on the property's title, prior to Council giving final consideration of the proposed Zoning Regulation Bylaw Amendment.

#### 1964 Fairfield Road and 507 Foul Bay Road

No public realm improvements beyond City standard requirements are proposed in the application for 1964 Fairfield Road and 507 Foul Bay Road.

### **Community Consultation**

#### 1733, 1735 and 1737 Fairfield Road

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, prior to submission of the application, it was posted on the Development Tracker along with an invitation to complete a comment form on March 11, 2022. Mailed notification was sent to owners and occupiers of property within 200m 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.

The applicant participated in an initial meeting with the CALUC on March 28, 2022. Additional meetings were held on March 27, 2023 and October 23, 2023 to share changes to the application

that increased the density and unit count of the proposal. Summaries of the three meetings along with the comment forms are attached to this report.

The associated application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

### 1964 Fairfield Road and 507 Foul Bay Road

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, prior to submission of the application, it was posted on the Development Tracker along with an invitation to complete a comment form on March 10, 2023. Mailed notification was sent to owners and occupiers of property within 200m 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.

The applicant participated in a meeting with the CALUC on March 27, 2023, which was a combined meeting that included revisions to the proposal at 1733, 1735 and 1737 Fairfield Road. An additional meeting was held on October 23, 2023, to share changes to the concurrent application at 1733, 1735 and 1737 Fairfield Road that increased the density and unit count of that proposal. Summaries of the two meetings along with the comment forms are attached to this report.

## **ANALYSIS**

### **Official Community Plan (OCP) Amendment Applications**

An amendment to the *Official Community Plan (OCP)* is required for the proposal at 1733, 1735 and 1737 Fairfield Road to increase the density and height envisioned for a Traditional Residential property and allow for a multiple dwelling use. The additional proposed OCP amendment pertaining to 1964 Fairfield Road and 507 Foul Bay Road is to redesignate the subject properties from the Traditional Residential Urban Place Designation to the Public Facilities, Institutions, Parks and Open Space Urban Place Designation.

The two proposed amendments to the OCP have been submitted to permit construction of a four-storey multiple dwelling containing 31 units at 1733, 1735 and 1737 Fairfield Road while reducing permitted density and permitted uses to that which exists currently for 1964 Fairfield Road and 507 Foul Bay Road. Staff recommend that the proposals, when considered as a whole, are supportable if revisions are made to the proposal for 1733, 1735 and 1737 Fairfield Road to address concerns with the massing and height in the northeast elevation as well as a lack of usable amenity space. The rationale for considering the proposals supportable based on OCP policy is outlined in detail below. The rationale for the recommended revisions is contained in the analysis of the Development Permit with Variances Application to follow.

The proposed development for 1733, 1735 and 1737 Fairfield Road is to construct a four-storey multiple dwelling with a density of 1.77:1 FSR. The development would exceed the envisioned density and height of up to approximately 1.1:1 FSR and three-storeys for Traditional Residential areas, and the multiple dwelling use is not a ground-oriented building form as defined in the OCP because less than half the total number of units have direct access to the outdoors. Further, an OCP strategic direction for Gonzales is to maintain and enhance neighbourhood character including the heritage character, encouraging a ground-oriented Traditional Residential area.



However, the OCP emphasizes that designations are intended as general guidance and there are a range of uses, densities and built forms that may be approved depending on the existing and envisioned context of the site, block, and neighbourhood.

The proposal is located along Fairfield Road between two Small Urban Villages, namely Fairfield Plaza and Fairfield at Irving. The OCP strategic directions for Gonzales also include encouraging opportunities for enhancement of the small urban villages on Fairfield Road. In this application, the addition of 31 units will contribute to enhancement of these urban villages, each being approximately 300m to the west and east of the site, respectively. Further, Fairfield Road is identified as a secondary arterial west of Foul Bay Road, a cumulative frequent service transit route and a greenway, which supports consideration of increased density.

The OCP supports encouraging heritage conservation through incentives and allowances such as financial incentives, bonus density provision and variances. Also, where a proposal is achieving heritage conservation objectives, development can depart from the OCP's envisioned uses and densities. Although the site proposed for redevelopment will not protect heritage features at 1733, 1735 and 1737 Fairfield Road, the concurrent proposal for 1964 Fairfield Road and 507 Foul Bay Road will strengthen the level of heritage protection for another site within the neighbourhood through the proposed rezoning, OCP amendment and heritage designation amendment.

The OCP also envisions Community Amenity Contributions (CACs) where possible as part of new development proposals and the Inclusionary Housing and Community Amenity Policy sets out expectations for CACs. The applicant for 1733, 1735 and 1737 Fairfield Road has not provided CACs in the form of inclusionary housing units or cash contributions to be directed to City reserve funds; however, the applicant has proposed an alternative for Council's consideration, which is described in more detail below.

The proposed amendment to redesignate the subject properties for 1964 Fairfield Road and 507 Foul Bay Road is supportable because the amendment will align the land use designation to the existing use, proposed site-specific zoning and long-term vision for this unique heritage asset. In addition, the amendment and associated rezoning and heritage designation amendment proposals will advance OCP objectives to conserve the heritage value of a prominent cultural landscape in the neighbourhood.

### OCP Consultation

The *Local Government Act* (LGA) Section 475 requires a Council to provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected by an amendment to the OCP. Consistent with Section 475 of the LGA, Council must further consider whether consultation should be early and ongoing. This statutory obligation is in addition to the Public Hearing requirements. In this instance, if Council moves the application forward, staff recommend for Council's consideration that notifying owners and occupiers of land located within 200 metres of the subject site along with posting a notice on the City's website will provide adequate opportunities for consultation with those affected.

Through the Community Association Land Use Committee (CALUC) Community Meeting process all owners and occupiers within a 200m radius of the site were notified and invited to participate in a Community Meeting; therefore, the consultation proposed at this stage in the process is recommended as adequate and consultation with specific authorities, under Section 475 of the LGA, is not recommended as necessary.

Should Council support the OCP amendment, Council is required to consider consultation with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board and the provincial government and its agencies. However, further consultation is not recommended as necessary for this amendment to the Urban Place Designation as this matter can be considered under policies in the OCP.

Council is also required to consider OCP Amendments in relation to the City's *Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and the *Capital District Solid Waste Management Plan*. This proposal will have no impact on any of these plans.

## **Rezoning Application**

### Official Community Plan

#### *1733, 1735 and 1737 Fairfield Road*

The *Official Community Plan, 2012* (OCP) Traditional Residential Urban Place Designation supports a range of ground-oriented residential uses. The OCP envisions densities of approximately 1.1:1 FSR for Traditional Residential properties, with building heights up to approximately three-storeys. As noted, the proposal for 1733, 1735 and 1737 Fairfield Road is not consistent with the envisioned use, density or height for this designation, which necessitates an OCP amendment. The proposal does advance OCP objectives, including improvements to the public realm and providing a diversity of housing.

#### *1964 Fairfield Road and 507 Foul Bay Road*

The OCP seeks to maintain and enhance neighbourhood character of Gonzales, including the heritage value and the cultural landscape of individual properties such as Abkhazi Garden. The OCP also supports maintaining community assets that contribute to ecological functions, attract investment and support economic activity, including natural and built heritage and green infrastructure. Additionally, the OCP prioritizes conservation of the green space that supports a healthy urban forest. The rezoning will provide another layer of protection to ensure the continuation of the current use on the subject properties.

### Gonzales Neighbourhood Community Plan

#### *1733, 1735 and 1737 Fairfield Road*

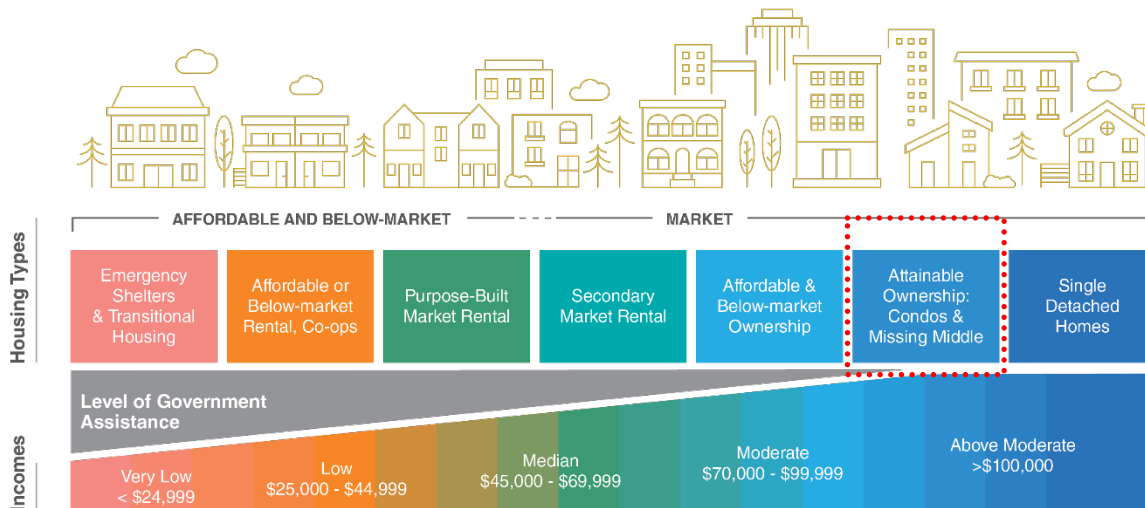
The proposal is inconsistent with the *Gonzales Neighbourhood Community Plan, (2002)*, which encourages maintaining existing zoning and the detached dwelling character of the neighbourhood. However, the plan also envisions a range of housing options to meet the needs of people with different needs and incomes, which the proposal advances through a mix of units in a multiple dwelling housing form. The plan emphasizes preservation and enhancement of the natural landscape on private and public properties as well as boulevards. Removal of all existing trees and shrubs onsite is proposed; however, the landscape plan proposes 18 new trees, including seven new boulevard trees on the Fairfield Road frontage with adequate soil volumes.

## 1964 Fairfield Road and 507 Foul Bay

The concurrent proposal is generally consistent with the *Gonzales Neighbourhood Community Plan (2002)*, which emphasizes preservation and enhancement of the heritage assets and of the natural landscape on both private and public properties.

### Housing

The application for 1733, 1735 and 1737 Fairfield Road, if approved, would add 31 new residential strata 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 3. Housing Continuum**

### *Housing Mix*

At present there is no policy that provides targets regarding housing mix and unit type is not regulated or secured. 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 for 1733, 1735 and 1737 Fairfield Road proposes two studio, twelve one-bedroom, nine two-bedroom, six two-bedroom with den and two three-bedroom units. The applicant has agreed to secure a mix of two-bedroom, two-bedroom and a den and three-bedroom units through a legal agreement; however, flexibility is requested by the applicant to allow one of the three-bedroom units to be converted to a two-bedroom with a den, which is reflected in the recommendation.

### *Existing Tenants*

The proposal for 1733, 1735 and 1737 Fairfield Road is to demolish three existing buildings which would result in a loss of seven existing residential rental units. Consistent with the Tenant Assistance Policy, the applicant has provided a Tenant Assistance Plan, which is attached to this report.

### *Statutory Right of Way*

The applicant for 1733, 1735 and 1737 Fairfield Road is proposing to provide a 0.86m wide statutory right-of-way along Fairfield Road to help achieve a 2m sidewalk and small canopy trees with adequate soil volumes that will act as a planted buffer between pedestrians and motor vehicles.

## **Inclusionary Housing and Community Amenity Policy**

The Inclusionary Housing and Community Amenity Policy outlines the expectations for providing CACs and helps steer the rezoning process for new residential developments. While the policy does not request CACs for properties designated as Traditional Residential, the required increase in density and associated OCP amendment for 1733, 1735 and 1737 Fairfield Road classifies the proposal as an atypical application where a contribution is justified, and an economic analysis was requested. The policy accommodates alternatives to the provision of inclusionary housing units or cash contributions defined in the policy, with any appropriate alternative to be based on identified community needs and demonstrating a value equivalent to 75% of the value of the increased bonus density.

The applicant for 1733, 1735 and 1737 Fairfield Road has not provided CACs in the form of inclusionary housing units or cash contributions to the City's reserve funds; rather, as outlined in the applicant letters, the applicant has entered into an agreement with The Land Conservancy (TLC), the owner of 1964 Fairfield Road and 507 Foul Bay Road, which is intended to strengthen protection of Abkhazi Garden from future redevelopment.

The concurrent OCP amendment, rezoning and heritage designation amendment of 1964 Fairfield Road and 507 Foul Bay Road is proposed as an alternative to providing inclusionary housing units or cash contributions. The following measures would be secured through legal agreements and bylaws, as applicable:

- rezone the sites at 1964 Fairfield Road and 507 Foul Bay Road to remove existing residential permitted uses and limit zoning to permit only the existing uses
- amend the OCP designation to reflect the existing use
- expand heritage designation to encompass the entire site
- secure continued public access to Abkhazi Garden in perpetuity.

In addition, the applicant is proposing a monetary donation to TLC in the amount of \$350,000; however, the donation will not be secured as part of either rezoning application.

The applicant provided an independent economic analysis to demonstrate that the amount of the donation is consistent with the Inclusionary Housing and Community Amenity Policy's recommended method for determining a cash contribution, which is to provide 75% of the estimated increase in land value from what would be anticipated under existing zoning.

## **Development Permit with Variances Application**

### Official Community Plan Design Guidelines

The OCP identifies the properties at 1733, 1735 and 1737 Fairfield Road as within Development Permit Area (DPA) 16, General Form and Character. The objectives of this DPA are to integrate new developments to compliment and enhance the established place character through architecture, landscape and urban design. Other objectives include providing sensitive transitions to adjacent properties with built form of three storeys or lower, and to achieve human-scaled design, quality of open spaces and accessibility. The applicable guidelines include the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* (2012, revised 2019), *Guidelines for Fences, Gates and Shutters* (2010), and the *Advisory Design Guidelines for Buildings, Signs and Awnings* (1981).

#### *Site Design*

The *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* includes objectives to ensure design of multiple dwelling development provides a transition in form and massing to lower density building forms. The southeast elevation of the proposed development for 1733, 1735 and 1737 Fairfield Road effectively provides transition in form and massing; however, the northeast setback of 2.6m, combined with the proposed four-storey building height, would benefit from revisions to improve the transition to the northeast neighbour (1745 Fairfield Road).

The guidelines prioritize open space as part of site design, which should be usable, attractive, and well-integrated, and should preserve existing vegetation where possible. The proposed open space area does not meet the minimum required in the standard URMD Zone, largely due to the proposed surface parking. When combined with 65% lot coverage, the surface parking does not preserve existing established landscaping or provide adequate space for replacement trees. The recommendation includes a condition that parking be reduced, located underground and/or a landscaped amenity space be provided to better align with the guidelines. In addition, a two-space reduction in vehicle parking is recommended at a minimum to provide additional space to provide required replacement trees as required in the *Tree Protection Bylaw No. 21-035*.

Parking should be located underground or at the rear of the property to minimize the impact on streetscape and maximize ground level space for landscaping. Where it is unavoidable to locate driveways in building frontages, consideration should be given to the incorporation of these elements into the building. Also, the location and design of service functions, such as parking and hydro infrastructure, should not be prominent from the street. The proposed parking is effectively concealed from the public realm through innovative building design; however, hydro infrastructure is visible from Beechwood Avenue.

The guidelines encourage vertical disruptions along pedestrian routes be avoided and vehicle and pedestrian conflicts be minimized through site design. The proposal adequately achieves this accessibility objective by providing a ramp to the main entrance to allow access without stairs or other vertical disruptions.

The guidelines also encourage the use of high quality, permeable paving materials in parking and pedestrian areas in order to improve on-site stormwater management. This is particularly important where a development occupies more than 40% of the site and includes less than 50% open space, which are minimum requirements in the standard URMD Zone. The proposal occupies 65% of the site area and provides 23% open space, with less than half being landscaped area; therefore, the use of permeable pavement should be a priority. While the proposal does include permeable paving material for a portion of the parking area, it is recommended that this be increased to cover the entire parking area, or at a minimum, the portions of the parking area that is uncovered.

The applicant for 1733, 1735 and 1737 Fairfield Road provided a supplementary letter, dated September 12, 2023, which outlines that they intend to revise the proposal from what is shown in the attached plans, which would add an additional dwelling unit and convert a one-bedroom unit to a two-bedroom unit, which would result in the removal of the only common amenity space provided in the development. Similar to above-noted concerns related to provision surface parking, a reduced rear yard setback and provision of open space, it is recommended that the applicant consider a landscaped rooftop amenity area to provide additional usable outdoor space.

## *Building Design*

The design guidelines encourage that overall building design be sensitive and innovative in response to context. In addition, multiple dwellings directly abutting lower density buildings should provide a height transition. The contemporary design for the dwelling at 1733, 1735 and 1737 Fairfield Road compliments the variety of architectural styles along Fairfield Road and massing is sensitive to surrounding lower density development, apart from the northeast elevation where a transition in form and massing to the abutting single-family dwelling is recommended.

The proposed building contributes to both streetscapes and adds interest to the streetscape through variations in building height, roofline and massing. The street level design, with individual entrances facing Fairfield Road and a prominent shared entryway fronting Beechwood Avenue, encourages interaction with the street and public sidewalk, consistent with the design guidelines.

Porches and other design features are encouraged to make transitions from the public to the private realm, which is achieved along Fairfield Road with landscaping to define the transition to private open space. Also, the exterior building materials are high quality and durable, with use of light brick on lower levels.

It should be noted that the applicant is proposing additional revisions that will add a two-bedroom unit (from 30 units to 31 units), convert a one-bedroom unit to a two-bedroom unit, result in the loss of the common amenity space, and will marginally reduce the step back of the third storey in the southeast elevation. Given the proposed additional revision will result in a loss of the only shared amenity space in the building, it is recommended that a landscaped rooftop amenity be added through revisions to be submitted.

### Variances (1733, 1735 and 1737 Fairfield Road)

Although a site-specific zone is sought, variances are recommended for the 1733, 1735 and 1737 Fairfield Road application (instead of inclusion in the new zone) where the proposal is not consistent with the standard URMD Zone, Urban Residential Multiple Dwelling District, and the Off-Street Parking Regulations (Schedule C) of the *Zoning Regulation Bylaw*. This ensures that if this proposal is not built, any potential future redevelopment would require Council's consideration and approval for these specific aspects.

### *Setbacks*

Variances are required for all building setbacks. A reduction to the minimum front yard setback is required from 4m to 2.70m as well as an increase in stairs projection from 1.80m to 2.73m. In addition, a reduction to the minimum flanking street setback (Fairfield Road) from 4.00m to 2.30m is proposed. These variances are considered supportable as each result from the design objectives to site the building to frame fronting public streets, create a sense of enclosure and maximize rear and interior side yard setbacks to ensure a buffer with abutting properties.

A variance to reduce the minimum side yard setback (southeast) from 6m to 0.50m is also requested, which is a result of the incorporation of driveway access into the building in order to conceal the surface parking area from the public realm. This variance is considered supportable because the portion of the building within the required setbacks effectively minimizes the visual impact of the parking area and the reduced setback is limited to the portion of the building near Beechwood Avenue.

The proposal requires a reduction to the minimum rear yard setback (northeast) from 10m to



2.60m, which is not considered supportable because the 10m rear yard requirement is intended to ensure usable open space and, when combined with surface parking, the reduction of all building setbacks results in limited open space to provide a buffer to abutting properties. Additionally, when combined with the four-storey building height, the reduced rear yard setback may impact neighbouring properties. The variance would be considered supportable with revision to the building massing to soften the height transition and provision of amenity space above the ground floor, specifically a shared rooftop amenity that is possible with a flat roof design.

### *Site Coverage and Open Space*

There are required variances from the standard URMD Zone to increase the maximum site coverage from 40% to 65% and decrease open site space from 50% to 23%. Similar to the concern with reductions to all setbacks, limited open space is proposed for buffers and amenity area. This variance would also be considered supportable with the revisions outlined above.

### *Parking*

A variance is required to reduce vehicle parking from 40 spaces to 23 spaces. The applicant has submitted a parking study, and the variance is considered supportable based on the comprehensive TDM package that is expected to offset the parking shortfall. Also, a further two-space reduction in vehicle parking is recommended to provide additional space to provide required replacement trees, as noted above. It should be noted that the applicant has indicated that they are not amenable to reducing the number of parking spaces beyond the current proposal of 23 spaces, as this will impact the marketability of the project. Staff maintain that this is advised, and a condition has been included in the recommendation. The requested variance to permit long-term bicycle parking provided in a stacked format is considered supportable as the applicant has provided details showing that the stacked bike storage will still accommodate larger bicycles, with a lift assist mechanism to ensure ease of use.

The TDM package is to include:

- car share memberships and usage credits for all residential units
- electric car share vehicle and dual head electric vehicle charging station on Beechwood Road
- bicycle parking to accommodate oversized bicycles (10% of required long-term spaces)
- bicycle parking with access to an electrical outlet (50% of required long-term spaces)
- bicycle repair and maintenance station.

### **Accessibility**

The proposed walkways surrounding the building and to the building entrances are designed to be accessible, with a ramp required to the main entrance and an elevator that will provide access to units.

### **Advisory Design Panel Review**

The application for 1733, 1735 and 1737 Fairfield Road was reviewed by the Advisory Design Panel on October 26, 2022. At that meeting, the following motion was passed:

*“That Development Permit with Variance(s) Application No. 000204 for 1733-1737 Fairfield Road be approved with the following changes:*

*Consideration to simplifying the roof form to be more sympathetic to the neighbouring context.*

*MINORITY REPORT: Those that voted against believe the building is not consistent with the density, height and use envisioned for traditional areas in the OCP.*

*Carried 4:2”*

In response, the applicant has revised the roofline, specifically removing the mansard roof to better reflect the neighbourhood context, incorporated a step-back of the upper floors along Fairfield Road, and extended the proposed use of brick to emphasize the ground-oriented brick base of the building. In addition, at the time of submitting these revisions in response to staff and panel concerns, the applicant revised the building to create smaller units and increase the unit count from 19 to 30 units, which resulted in a marginal increase in total floor space.

### **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. The application for 1733, 1735 and 1737 Fairfield Road was received after July 1, 2021, so *Tree Protection Bylaw No. 21-035* applies. The application at 1964 Fairfield Road and 507 Foul Bay has no associated tree impacts.

A total of 20 trees and six hedges have been inventoried. Of these, ten trees and six hedges are located on the subject lot, and six trees and one of the hedges are bylaw protected. There are three existing municipal trees on the Beechwood Avenue frontage. Six bylaw protected trees and one bylaw protected hedge will require removal as they are in the building area or immediately adjacent to an area where excavation will occur. One small municipal tree would be removed for service installation. All off-site trees and two municipal trees can be retained following the mitigation measures outlined in the arborist report.

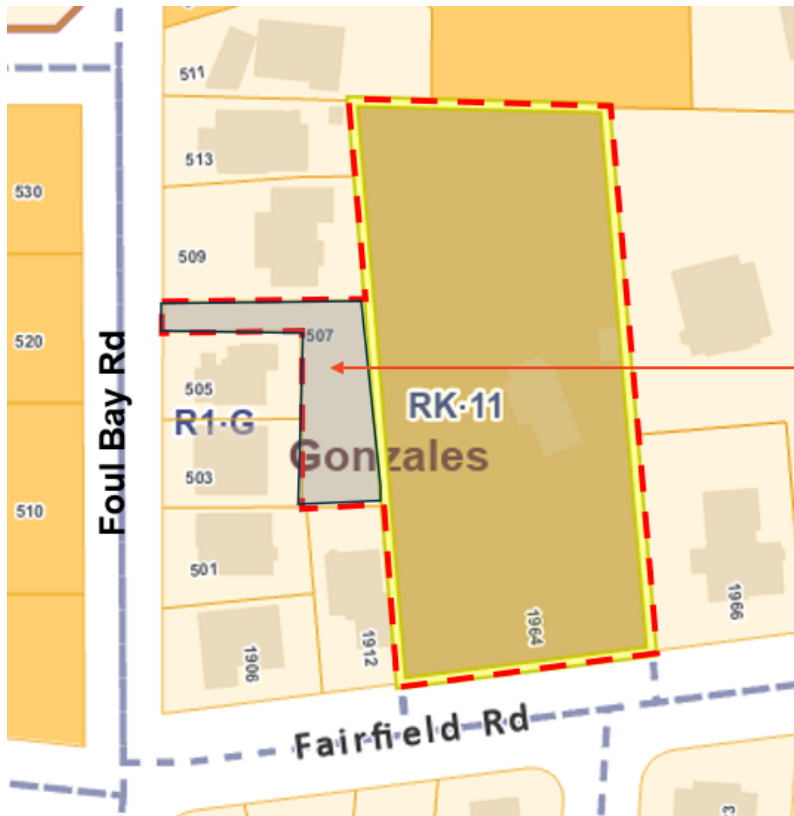
The applicant is proposing to plant 18 new trees on the subject lot, five of which will be replacement trees planted towards requirements under the Bylaw. Under the current proposal, the applicant would be required to pay \$10,000 for cash-in-lieu towards the City’s Tree Reserve Fund (\$2,000 X five replacement trees not planted). Seven new municipal trees are proposed on the Fairfield Road frontage with adequate soil volumes. Currently there are no municipal trees on the Fairfield Road frontage. One municipal tree is proposed on the Beechwood Avenue frontage.

### **Heritage Designation Amendment Application (507 Foul Bay Road)**

The purpose of this portion of the report is to provide information and analysis regarding the proposed amendment to the existing heritage designation bylaw for 1964 Fairfield Road. This amendment would include the addition of the adjacent property 507 Foul Bay Road, which contains the greenhouse, and the garden’s support and maintenance spaces.

#### Description of Historic Place

The historic place comprises a designed domestic evolving garden, garden buildings, and an early example of a modern bungalow, set around and upon a rocky knoll, in Victoria’s Gonzales neighbourhood. The house was designed for Peggy and Nicholas Abkhazi, by Victoria-based Modernist architect John Wade, in 1946-47. For a complete description of the heritage value and character-defining elements, see attached Statement of Significance.



Add Garden Support Area / Lot 507 to Designation Bylaw No. 23-007

### Relevant History

The original application was reviewed by the Heritage Advisory Panel at its April 12, 2005 meeting, and a motion was made to recommend that Council consider approving the heritage designation of the existing house, summer house, garden shed and garden, known as Abkhazi Garden at 1964 Fairfield, as a municipal heritage site, including the birch paneling and oak flooring on the interior of the main house.

More recently, the Statement of Significance has been updated to include additional character-defining elements, make specific corrections, and add the abutting property at 507 Foul Bay, which acts as an important maintenance and support area for the gardens, including propagation activities. As noted in the Statement of Significance, the garden is valued for its rare plant

conservation and the development of new hybrids, therefore the area identified as 507 Foul Bay Road, even though it is a working back-of-house space, is integral to the functioning of the gardens, its evolving nature, and ongoing maintenance. Therefore, it is considered important to ensure the whole of the gardens is acknowledged as significant through heritage designation.

## **CONCLUSIONS**

The proposed four-storey multiple dwelling with a density of 1.77:1 FSR is not consistent with the use, density and height envisioned for Traditional Residential properties in the OCP.

However, the proposed development would advance housing objectives by providing 31 new dwelling units, including some family-oriented housing. Further, the concurrent rezoning and OCP amendment includes proposed measures to strengthen heritage protection of Abkhazi Garden and secure continued public access.

While the form and character of the development is largely consistent with the design guidelines, revisions are recommended to improve the height transition from the neighbouring home and the northeast building elevation. Also, a revision to provide parking underground, a further reduction in parking or a common rooftop amenity is recommended to offset the space allocated to surface parking and resulting reduced open space. The application is recommended to proceed to a public hearing, subject to the conditions outlined in the recommendation.

## **ALTERNATE MOTIONS**

### Alternate Option 1 - Decline

That Council decline Application No. 00821 and associated Official Community Plan Amendment for the property located at 1733, 1735 and 1737 Fairfield Road as well as Rezoning Application No.00845 associated Official Community Plan and Heritage Designation Amendments for 1964 Fairfield Road and 507 Foul Bay Road.

Respectfully submitted,

Patrick Carroll  
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: Subject Maps
- Attachment B: Plans for 1733, 1735 and 1737 Fairfield Road date stamped August 22, 2023
- Attachment C: Letter from applicant to Mayor and Council dated August 21, 2023 (REZ00821)
- Attachment D: Applicant Letter re: Design Changes dated September 12, 2023
- Attachment E: Letter from applicant to Mayor and Council dated November 23, 2023 (REZ00845)
- Attachment F: ADP Minutes from the meeting held October 26, 2022
- Attachment G: Statement of Significance for 1964 Fairfield Road and 507 Foul Bay Road

- Attachment H: Tenant Assistance Plan
- Attachment I: Community Amenity Contribution Analysis dated June 25, 2023
- Attachment J: Parking Variance Report dated January 18, 2023
- Attachment K: Community Association Land Use Committee Reports dated March 28, 2022, March 27, 2023 and October 23, 2023
- Attachment L: Pre-Application Consultation Comments from Online Feedback Forms
- Attachment M: Correspondence (Letters received from residents)