



## Council Report

For the Meeting of April 25, 2024

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**To:** Council **Date:** April 16, 2024  
**From:** C. Kingsley, City Clerk  
**Subject:** Bylaw for 480 and 492 Esquimalt Road: Rezoning Application No. 00794 and Development Permit with Variances Application No. 00183

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### RECOMMENDATION

That the following bylaw be given first, second, and third readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1326) No. 24-012

### BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 24-012.

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

**480 and 492 Esquimalt Road: Update Report on Rezoning Application No. 00794 and Development Permit with Variances Application No. 00183 (Victoria West)**

**Rezoning and Official Community Plan Amendment Application No. 00794**

*That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00794 for 480 and 492 Esquimalt Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:*

1. *That the Zoning Regulation Bylaw Amendment limit the form of tenure to residential rental tenure within the entire zone.*
2. *Preparation of legal agreements executed by the applicant to secure the following with the form and contents to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor:*
  - i. *Secure a minimum of 29 two-bedroom units and five three-bedroom units.*
  - ii. *Secure a Statutory Right of Way over the courtyard for public use.*
3. *Preparation of legal agreements executed by the applicant to secure the following with the form and contents to the satisfaction of the Director of Engineering and Public Works and the City Solicitor:*

- i. *Secure the provision of car share memberships and usage credits for all residential units, two car share vehicles, two dedicated car share vehicle stalls and public access to these stalls, a minimum of 20 long term bicycle stalls above the minimum requirements of Schedule C of the Zoning Regulation Bylaw, 10% of which are cargo bicycle stalls, a bicycle wash and repair station, electrical outlets for 50% of the bicycle parking stalls, enrollment in the BC Transit EcoPass program for five years for each of the commercial units and 10% of the residential units, and end of trip facilities for the commercial tenants.*
- ii. *Secure a sidewalk to City standards on Russell Street north of the development site connecting to Dundas Street.*
- iii. *Secure a Statutory Right-of-Way of between 0.95m and 1.75m along the Esquimalt Road frontage to accommodate a sidewalk and boulevard to City standard widths.*
- iv. *Secure a Statutory Right-of-Way of 1.63m along the Russell Street frontage.*
- v. *Secure a Statutory Right-of-way of no greater than 4.0m by 4.0m along Esquimalt Road for the purpose of water meter vault.*
- vi. *Release of the existing triangular-shaped Statutory Right-of-Way at 492 Esquimalt Road, numbered 175468-G.*
- 4. *Revised Arborist Report and Landscape Plans to the satisfaction of the Director of Parks, Recreation and Facilities to address outstanding Parks comments provided June 13, 2023.*

*Development Permit with Variances Application No. 00183*

*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. 00794 if it is approved, consider the following motion:*

- 1. *That Council authorize the issuance of Development Permit with Variances Application No. 00183 for 480 and 492 Esquimalt Road, in accordance with:*
  - a. *Plans date stamped June 6, 2023.*
  - b. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
    - i. *increase the height from six storeys to seven storeys to accommodate the rooftop amenity access and mechanical room*
    - ii. *decrease the rear yard setback from 3.0m to 0.12m;*
    - iii. *decrease the residential vehicle parking from 95 stalls to 25 stalls;*
    - iv. *decrease the visitor vehicle parking from 10 stalls to 4 stalls;*
    - v. *decrease the commercial vehicle parking from 11 stalls to 5 stalls;*
    - vi. *permit long-term bicycle parking to be in a stacked format.*

2. *That the Development Permit, if issued, lapses in 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. 24-012