



Council Report

For the Meeting of September 5, 2024

To: Council **Date:** August 22, 2024

From: Karen Hoese, Director, Planning and Development

Subject: Update on Rezoning Application No. 00851 and Development Permit with Variances Application No. 00234 for 1055 Alston Street

RECOMMENDATION

Rezoning Application

1. That the following bylaw be given first, second and third readings:
 - a. Zoning Regulation Bylaw, Amendment Bylaw (No. 1345), No. 24-061
2. That following the third reading of the zoning amendment bylaw, the applicant prepare and execute 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 a 1.0m wide statutory right of way for a portion along Alston Street to accommodate a sidewalk and two boulevard trees to City standards.
 - b. Provision of transportation demand management measures including:
 - i. two electric car share vehicles with a security of \$55,000 per vehicle
 - ii. two car share vehicle parking stalls equipped with Level 2 electric vehicle charging stations
 - iii. public access to the shared vehicle parking stalls
 - iv. a minimum of 56 car share memberships and credits
 - v. enhanced bicycle facilities including 50% of long-term bicycle spaces to have access to an electrical outlet, 22 long-term bicycle parking stalls to be oversized for cargo bicycles, and a bicycle maintenance station
 - vi. two EcoPasses for a minimum of five years for the industrial space.
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.

Development Permit with Variances Application

That Council, after giving notice, 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. 00234 for 1055 Alston Street, in accordance with plans submitted to the Planning department and date stamped by Planning on **August 6, 2024**, subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the residential vehicle parking from 55 stalls to 17 stalls
 - ii. reduce the visitor vehicle parking from six stalls to two stalls
 - iii. reduce the industrial vehicle parking from eight stalls to **two** stalls
 - iv. reduce the visitor van accessible stall from one stall to zero stalls
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

BACKGROUND

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application and Development Permit with Variances Application for the property located at 1055 Alston Street. The proposal is to rezone from the M2-S Zone, Songhees Light Industrial District, to a new zone to construct a mixed-use building with one industrial unit and approximately 56 residential units. There is a concurrent Development Permit with Variances Application pertaining to the proposed form, character, exterior design, finishes and landscaping and variances related to vehicle parking.

At the May 23, 2024, Committee of the Whole Meeting, this application was forwarded to bylaw readings with the condition that the proposal be presented to the Advisory Design Panel (ADP). On June 26, 2024, ADP passed the following motion regarding the application:

That the Advisory Design Panel recommend to Council that Development Permit with Variances Application No. 00234 for 1055 Alston Street be approved with the following changes:

- *Improve the street relationship between the Tyee industrial use space and the adjacent residential building, potentially by including more landscape treatment such as trees and raingardens and relocating surface parking.*

Following the ADP meeting, the applicant revised the proposal to remove two surface vehicle parking stalls directly adjacent to the Tyee Road frontage, which further increases the variance to reduce the industrial vehicle parking from eight stalls to two stalls (bolded in the recommendation) but adds soft landscaping including two new trees. This addresses the ADP motion and has the added benefit of removing two variances previously considered by Council regarding a lack of landscape screening to the surface parking lot on Tyee Road.

CONCLUSIONS

It is recommended that Council give introductory readings to Zoning Regulation Bylaw No. 24-061, with adoption being withheld until the required legal agreements have been registered.

Respectfully submitted,

Mike Angrove
Senior Planner – Development Agreements
Development Services

Karen Hoese, Director
Planning and Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Council Resolution of May 23, 2024
- Attachment B: Zoning Regulation Bylaw No. 24-061
- Attachment C: Revised Plans Date Stamped August 6, 2024