



## **Committee of the Whole Report**

### **For the Meeting of December 14, 2017**

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**To:** Committee of the Whole **Date:** November 30, 2017  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Update Report - Rezoning Application No. 00591 for 1122 Collinson Street

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### **RECOMMENDATION**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00591 for 1122 Collinson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set subject to the preparation and execution of a Housing Agreement Bylaw to secure the six dwelling units as rental for 10 years to the satisfaction of the Director of Sustainable Planning and Community Development.

### **EXECUTIVE SUMMARY**

On October 5, 2017, Council passed a motion requesting that the applicant reconsider their proposal to offer Heritage Designation of the house and provide a Housing Agreement securing the six units as rental housing for five years. The applicant has responded in the attached letter dated November 27, 2017 stating that they do not wish to Heritage Designate the property; however, they would like to offer the ten year rental Housing Agreement instead of a five year agreement. The applicant has also provided information on an approach to tenant relocation.

The proposal is to rezone the property from the R1-B Zone, Single Family Dwelling District, to a site specific zone in order to permit six self-contained units in a house conversion. The current use is an eight unit house conversion (one self-contained suite and seven light housekeeping units); the proposed use is six self-contained units. Although, heritage designation or registration would more clearly identify the heritage value of the property, a new zone would be drafted in a manner that would tie the proposed six-unit configuration to the existing building, thereby offering a degree of protection.

### **BACKGROUND**

At the October 5, 2017 Committee of the Whole meeting, Council made the following motion (report and Council motion attached):

*"That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00591 for 1122 Collinson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by council and a Public Hearing date be set subject to*

*preparation and execution of a Housing Agreement Bylaw to secure the six dwelling units as rental housing for 5 years on the condition of heritage designation of the building to the satisfaction of the Director of Sustainable Planning and Community Development, and to direct staff to negotiate a tenant relocation plan for residents."*

## **ISSUES & ANALYSIS**

The October 5, 2017 motion has been addressed in three parts by the applicant, in a letter dated November 27, 2017.

### Heritage Designation

The applicant does not wish to Heritage Designate the existing house and have indicated in their letter that the interior would be preserved and the exterior would remain as it exists now. The House Conversion Regulations pertaining to this building do not permit exterior changes to the front facade or addition of floor space through additions or enclosure. Additionally, the new zone would be drafted so that the six-unit configuration would be tied to a building of a certain age, precluding the ability to demolish the existing structure and obtain the same entitlement in a new structure. These regulations would help to preserve the character of the house as it exists.

### Housing Agreement

The motion from Council indicated a five year Housing Agreement on the condition of Heritage Designation. The applicant does not wish to Heritage Designate the building and instead proposes a ten year Housing Agreement. Staff's request for a Housing Agreement ensuring rental for a minimum of twenty years or in perpetuity was declined by the applicant as previously indicated.

After the ten year Housing Agreement expires, the owner could apply to convert the rental units to strata; however, the *Official Community Plan (OCP)* states that any conversion of four or more units to strata will not be supported when the vacancy rate provided by Canada Mortgage and Housing Corporation for Greater Victoria is at 4% or lower, and would require Council approval.

### Tenant Relocation Plan

Current Policy related to Tenant Relocation Plans does not exist for a rental to rental conversion through renovation. The applicant has provided information regarding working with tenants on an individual basis to transition them through private relationships held with housing providers. This is further detailed in the Letter to Mayor and Council dated November 27, 2017.

## **CONCLUSION**

The applicant has responded to Council's motion, and proposes a ten year housing agreement without Heritage Designation. Additionally, the applicant has provided information about working with tenants to transition them to other housing. Staff recommend that this application be advanced for consideration at a Public Hearing.



## ALTERNATE MOTION

That Council decline Rezoning Application No. 00591 for the property located at 1122 Collinson Street.

Respectfully submitted,



Chelsea Medd, Planner  
Sustainable Planning and Community  
Development Department



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date:

Dec 7, 2017

### List of Attachments:

- Attachment A - Committee of Whole Report dated October 5, 2017
- Attachment B - Committee of Whole Meeting Minutes dated October 5, 2017
- Attachment C - Letter to Mayor and Council dated November 27, 2017