



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall
1229 Esquimalt Road
Esquimalt, B.C. V9A 3P1

Legislation Details (With Text)

File #: 19-080 **Version:** 1 **Name:**
Type: Staff Report **Status:** Passed
File created: 2/14/2019 **In control:** Council
On agenda: 2/25/2019 **Final action:** 2/25/2019
Title: Rezoning Application - 939 Colville Road and 825 Lampson Street, Staff Report DEV-19-016
Sponsors:
Indexes:
Code sections:
Attachments: 1. Appendix A - Bylaw 2942 - 939 Colville Road - CD112

Date	Ver.	Action By	Action	Result
2/25/2019	1	Council	adopted	Pass

REQUEST FOR DECISION

DATE: February 19, 2019 Report No. DEV-19-016
TO: Laurie Hurst, Chief Administrative Officer
FROM: Karen Hay, Planner and Bill Brown, Director of Development Services

SUBJECT:
Rezoning Application - 939 Colville Road and 825 Lampson Street

RECOMMENDATION:

That Council resolves that Bylaw No. 2942 attached as Appendix 'A' of Staff Report DEV-19-016, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 939 Colville Road [PID 005-752-655; Lot 1, Block 1, Section 10, Esquimalt District, Plan 6277] shown cross-hatched on Schedule 'A' of Bylaw No. 2942 from Single Family Bed and Breakfast [RS-4] to Comprehensive Development District No. 112 [CD. No. 112]; and by changing the zoning designation of 825 Lampson Street [PID 000-017-817; Lot 2, Block 1, Section 10, Esquimalt District, Plan 6277] shown cross-hatched on Schedule 'A' of Bylaw No. 2942 from Comprehensive Development District No. 90 [CD No. 90] to Comprehensive Development District No. 112 [CD. No. 112] be given adoption.

RELEVANT POLICY:

Local Government Act
Official Community Plan Bylaw, 2018, No. 2922
Zoning Bylaw, 1992, No. 2050
Parking Bylaw, 1992, No. 2011
Development Application Procedures and Fees Bylaw, No. 2791, 2012
Advisory Planning Commission Bylaw, 2012, No. 2792

Subdivision and Development Control Bylaw, 1997, No. 2175

STRATEGIC RELEVANCE:

This Request for Decision supports the following specific strategic objective:

- Support community growth, housing and development consistent with our Official Community Plan.

BACKGROUND:

Appendix A: Bylaw No. 2942 - Bylaw to Amend Zoning Bylaw, 1992, No. 2050

Purpose of the Application

The applicant is requesting a change in zoning from the current zones of Single Family Bed and Breakfast [RS-4] and Comprehensive Development District No. 90 [CD-90], to create a new Comprehensive Development District [CD-112] to accommodate ten (10) new strata townhouse residences, to be constructed in four (4) buildings, on the two subject properties. The existing two houses would be demolished, the properties consolidated, and the ten new dwelling units would be constructed.

This site is located within Development Permit Area No. 6 - "Multi-Family Residential". Should the rezoning bylaw be adopted, the applicant would need to obtain a Development Permit respecting the character of the development, including landscaping, form, exterior design and finish of the proposed residential building in the future. The site is also subject to Development Permit Areas: No. 1 "Natural Environment"; No. 7 "Energy Conservation and Greenhouse Gas Reduction"; and No. 8 "Water Conservation".

Context

Applicant: Ryan Jabs, Lapis Homes Ltd.

Owner: Ryan Jabs

Property Size:	939 Colville Rd.:	[Lot 1]:	Metric: 974 m ²	Imperial: 10484 ft ²
	825 Lampson St.:	[Lot 2]:	Metric: 1023 m ²	Imperial: 11011 ft ²
		Total:	Metric: 1997 m ²	Imperial: 21495 ft ²

Existing Zoning:

939 Colville Rd.: Single Family Bed and Breakfast Residential [RS-4]

825 Lampson St.: Comprehensive Development District [CD-90] [never built]

Existing Land Use:

939 Colville Rd.: Single Family Dwelling with Bed & Breakfast

825 Lampson St.: Single Family Dwelling

Surrounding Land Uses:

North: Two Family Residential [RD-3]

South: Townhouse Residential [RM-2]

West: Two Family Residential [RD-1]

East: Single Family Residential [RS-1 and CD-32]

Proposed Zoning: Comprehensive Development District No. 112 [CD No. 112]

Present OCP Designation:

939 Colville Rd.: Townhouse Residential

825 Lampson St.: Low Density Residential

Proposed OCP Designation: Townhouse Residential [no change required]

ISSUES:

1. Rationale for Selected Option

The property owners have voluntarily executed and registered a Section 219 covenant on the property, acknowledging that the amenities and the restrictions are in the public interest; and thereby providing that the lands shall not be subdivided, built upon or used (as appropriate to the requirement, as drafted by the Township's solicitor at the applicant's expense) in the absence of all of the following:

- Lot consolidation of 939 Colville Road and 825 Lampson Street prior to development, as the proposed CD No.112 Zone does not work unless the parcels are consolidated
- The existing buildings will only be used for their current uses prior to demolition
- The number of dwelling units in the new development will remain at no more than ten [10] units, as stated in Bylaw No. 2942
- Five (5) visitor parking spaces will be provided and remain as illustrated in the landscaping plan
- One (1) parking space will be provided for the parking of a car share vehicle
- One (1) car share vehicle will be provided
- Ten (10) car share cooperative memberships (one for each dwelling unit) to be owned by the strata and made available for residents of this development
- Conduit for future electric vehicle charging in each of the ten private garages and at the car share vehicle space
- A swale (rain garden) for stormwater management and enhanced habitat
- A bicycle parking area with a bike rack, and
- A constraint on the future strata corporation that the rental of units will not be restricted

The development would add 'missing middle' family oriented housing to Esquimalt, while encouraging owners and residents to choose alternative, lower carbon transportation solutions. The DRC and the APC have both recommended approval of the project.

2. Organizational Implications

This Request for Decision has no organizational implications.

3. Financial Implications

This Request for Decision has no financial implications.

4. Sustainability & Environmental Implications

The applicant has proposed providing a car share vehicle, dedicated parking space and memberships to future owners; plans to plant more trees on the site than currently exist, and has committed to managing a portion of the stormwater on site.

5. Communication & Engagement

Public Notification

As this is a rezoning application, notices were mailed to tenants and owners of properties located within 100 metres (328 feet) of the subject property on November 9, 2018. Notice of the Public Hearing was placed in the November 16, 2018 and November 21, 2018 editions of the Victoria News.

The Public Hearing occurred on November 26, 2018 as scheduled. Consistent with the requirements of the Local Government Act, Council has been provided with no further communications from the public for this application since the public hearing.

ALTERNATIVES:

1. That Council resolves that Amendment Bylaw No. 2942 [Appendix A] be given adoption.
2. Council rescind third reading and direct staff to amend Amendment Bylaw No. 2942 and return to Council for further consideration, following a new Public Hearing.