



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall
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Esquimalt, B.C. V9A 3P1

Legislation Details (With Text)

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Title: Rezoning Application - 833 and 835 Dunsmuir Road, Staff Report DEV-19-018

Sponsors:

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Attachments: 1. Appendix A: Bylaw 2924, Zoning Bylaw, 1992, No. 2050 Amendment, 2. Appendix B - Section 219 Covenant CA7318639, Priority Agreement CA7318641, 3. Appendix C - Section 219 Covenant CA7318642, Priority Agreement CA7318644

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

REQUEST FOR DECISION

DATE: February 19, 2019 Report No. DEV-19-018

TO: Laurie Hurst, Chief Administrative Officer

FROM: Alex Tang, Planner and Bill Brown, Director of Development Services

SUBJECT:
Rezoning Application - 833 and 835 Dunsmuir Road

RECOMMENDATION:

That Council resolves that Amendment Bylaw No. 2924, attached to Staff Report DEV-19-018 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 833 Dunsmuir Road [PID 005-388-899, Lot 3, Section 11, Esquimalt District, Plan 9757] and 835 Dunsmuir Road [PID 005-388-881, Lot 2, Section 11, Esquimalt District, Plan 9757], both shown cross hatched on Schedule 'A' of Amendment Bylaw No. 2924, from RD-3 [Single Family/Two Family Residential] to CD No. 108 [Comprehensive Development District No. 108], be given adoption.

RELEVANT POLICY:

- Official Community Plan Bylaw, 2018, No. 2922
- Zoning Bylaw, 1992, No 2050
- Parking Bylaw, 1992, No. 2011
- Development Application Procedures and Fees Bylaw, 2012, No. 2791
- Advisory Planning Commission Bylaw, 2012, No. 2792
- Subdivision and Development Control Bylaw, 1997, No. 2175
- Green Building Checklist

STRATEGIC RELEVANCE:

This Request for Decision does not directly relate to a specific strategic objective.

BACKGROUND:

Appendix A: Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2924

Appendix B: Section 219 Covenant CA7318639, Priority Agreement CA7318641 [as registered]

Appendix C: Section 219 Covenant CA7318642, Priority Agreement CA7318644 [as registered]

Purpose of the Application

Further to Staff Report DEV-18-067, the applicant is requesting a change in zoning from the current mix of RD-3 [Single Family/Two Family Residential] zone and RM-4 [Multiple Family Residential] to a Comprehensive Development District No. 108 [CD No. 108]. This change is required to accommodate the proposed 5 storey, 32 unit, multiple family residential building including a 35 space parking garage.

Amendment Bylaw No. 2924 was given First and Second Readings on August 20, 2018 with a Public Hearing held and Third Reading given on September 17, 2018.

The applicant has voluntarily registered a Section 219 Covenant against the title of 833 Dunsmuir Road and 835 Dunsmuir Road in favour of the Township of Esquimalt in priority to all financial encumbrances. The Section 219 Covenant received final registration on January 28, 2019.

The conditions at Third Reading were as follows:

- Lot consolidation of 833 Dunsmuir Road and 835 Dunsmuir Road prior to development as the proposed CD No.108 Zone does not work unless the parcels are consolidated
- The building to be constructed to include two 3-bedroom dwelling units
- Three visitor parking spaces will be provided and remain as illustrated in the parking plan, attached as Appendix C to Staff Report DEV-18-067
- \$500 per unit car shares from MODO car share services
- All of the parking stalls wired for Level 2 (240V, AC plug with a dedicated 40 amp circuit) electric vehicle charging stations
- Provision of one-year BC Transit bus passes for the Victoria Regional Transit System to all the residents
- No restriction on rentals to ensure that all the strata units in this building can be used as long-term residential rentals

Staff confirms that the final registered Covenants CA7318639 and CA7318642 adequately implements all of these conditions.

ISSUES:

1. Rationale for Selected Option

This application is consistent with the Land Use Designation of the subject property and the policy direction contained within the Official Community Plan for Medium Density Residential developments. This proposed development is a suitable fit as it corresponds well in mass with adjacent buildings. It will also provide increased residential density in a location with close proximity to Esquimalt Road. Moreover, both the Design Review Committee and Advisory Planning Commission recommended approval of this application. The Section 219 Covenant has

now been signed and registered against the property title.

2. Organizational Implications

Further to Staff Report DEV-18-067, this Request for Decision has no organizational implications.

3. Financial Implications

Further to Staff Report DEV-18-067, this Request for Decision has no financial implications.

4. Sustainability & Environmental Implications

Further to Staff Report DEV-18-067, the applicant has completed the Esquimalt Green Building Checklist, detailing green features that will be considered for inclusion in the development should it be approved.

5. Communication & Engagement

In accordance with post public hearing considerations, no further communications or engagements have been provided to Council.

ALTERNATIVES:

1. Council resolves that Amendment Bylaw No. 2924 be given adoption.

2. Council defeats Amendment Bylaw No. 2924.