



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Legislation Details (With Text)

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Title: Rezoning Application - 1198 Munro Street, Staff Report DEV-19-046
Sponsors:
Indexes:
Code sections:
Attachments: 1. Appendix A - Bylaw 2947 – Amend Zoning Bylaw 2050, 2. Appendix B - Section 219 Covenant

Date	Ver.	Action By	Action	Result
5/27/2019	1	Council	approved	Pass

REQUEST FOR DECISION

DATE: May 22, 2019 Report No. DEV-19-046
TO: Laurie Hurst, Chief Administrative Officer
FROM: Janany Nagulan, Planner and Bill Brown, Director of Development Services

SUBJECT:
Rezoning Application - 1198 Munro Street

RECOMMENDATION:

That Council resolves that Bylaw No. 2947 [Appendix A], which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 1198 Munro Street [PID 005-455-031, Lot 1, Section 11, Esquimalt District, Plan 44436] from RD- 3 [Two Family/Single Family Residential] to CD. No. 114 [Comprehensive District No. 114] be adopted.

RELEVANT POLICY:

Local Government Act
Official Community Plan Bylaw, 2018, No. 2922
Zoning Bylaw, 1992, No. 2050
Declaration of Climate Emergency
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

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. 2947 - Bylaw to Amend Zoning Bylaw, 1992, No. 2050

Appendix B: Registered Section 219 Covenant

Purpose of the Application

The applicant is requesting a change in zoning from the current RD-3 zone [Two Family/Single Family Residential] to Comprehensive Development District No. 114 [CD No. 114] to enable an additional house on the property. The existing house on the property will not be removed; however the existing garage will be removed to construct a new single family dwelling with a rooftop deck.

A public hearing was held on January 21, 2019. Following the public hearing Council gave the Bylaw third reading. As a condition of adoption, the applicant was required to enter into a Section 219 Covenant [Appendix B] that prohibits secondary suites in the new house and requires that the parcel not be subdivided other than to create two fee simple lots as per the zoning. The Covenant has been registered on title fulfilling the condition precedent for adoption. Council is now in a position to adopt the Bylaw.

Context

Applicants: Duane Ensing

Owners: Karen and Byron Rotgans

Property Size: Metric: 958m² Imperial: 10311.8 ft²

Existing Land Use: Single Family Dwelling

Surrounding Land Uses:

North: Single Family Residential

South: Single Family Residential

West: Single Family Residential

East: Charitable Organization Office & Park

Existing Zoning: RD-3 [Two Family/Single Family Residential]

Proposed Zoning: CD No. 114 [Comprehensive Development District No. 114]

Existing OCP Designation: Low Density 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, to ensure lands are in general compliance with the subdivision plans and architectural plans.
- The Advisory Planning Commission has recommended approval of this application.
- This proposal complies with the Official Community Plan policies and guidelines for infill housing.

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 proposal before Council would result in a denser urban environment which is generally associated with reduced greenhouse gas emissions. The livability of a development and the neighbourhood contributes to the social and economic sustainability of the community.

5. Communication & Engagement

As this is a rezoning application, notices were mailed to tenants and owners of properties located within 100 metres (328 ft.) of the subject property on January 8, 2019. Notice of the Public Hearing was placed in the January 11, 2019, and January 16, 2019 editions of the Victoria News. Three signs indicating that the property is under consideration for a change in zoning have been installed on the property since September 2018. These signs have been updated to include the date, time, and location of the Public Hearing.

The applicant held two Neighbourhood Meetings. The first was held prior to the submission of the application on August 8, 2018. The second was held on November 21, 2018 in order to comply with the public consultation procedures of Development Application Procedures and Fees Bylaw, 2018, No. 2971.

ALTERNATIVES:

1. That Council resolves that Amendment Bylaw No. 2947 [Appendix A] be adopted.
2. Council rescinds third reading and directs staff to amend Amendment Bylaw No. 2947 [Appendix A] and return the Bylaw to Council for further consideration, following a new Public Hearing.