



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall
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Legislation Details (With Text)

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Title: Rezoning Application - 638 & 640 Constance Avenue and 637 Nelson Street, Staff Report DEV-19-073

Sponsors:

Indexes:

Code sections:

Attachments: 1. Appendix A - Zoning Bylaw, 1992, No. 2050, Amendent Bylaw No. 2927, 2. Appendix B - Section 219 Covenant CA7558587, Priority Agreement CA7558588 [as registered]

Date	Ver.	Action By	Action	Result
8/19/2019	1	Council	approved	Pass

REQUEST FOR DECISION

DATE: July 23, 2019

Report No. DEV-19-073

TO: Laurie Hurst, Chief Administrative Officer

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

SUBJECT:

Rezoning Application - 638 & 640 Constance Avenue and 637 Nelson Street

RECOMMENDATION:

That Council resolves that Amendment Bylaw No. 2927, as attached to Staff Report DEV-19-073 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 638 Constance Avenue [PID 000-546-437, Lot B (DD 237133I), of Lots 79 and 89, Suburban Lot 44, Esquimalt District, Plan 2854], 640 Constance Avenue [PID 000-380-911, Amended Lot 88 (DD 208422I), of Suburban Lot 44, Esquimalt District, Plan 2854], and 637 Nelson Street [PID 006-386-466, Lot D (DD 367731-I), Suburban Lot 44, Esquimalt District, Plan 2854], all shown cross hatched on Schedule 'A' of Bylaw No. 2927, from RM-1 [Multiple Family Residential] to CD No. 110 [Comprehensive Development District No. 110], be adopted.

RELEVANT POLICY:

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
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. 2927

Appendix B: Section 219 Covenant CA7558587, Priority Agreement CA7558588 [as registered]

Purpose of the Application

The applicant is requesting a change in zoning from the current RM-1 [Multiple Family Residential] zone to a Comprehensive Development District zone. This change is required to accommodate the proposed 6 storey, 71 unit, purpose-built rental, multiple family residential building including a 61 space parking garage.

Amendment Bylaw No. 2927 was given First Reading on August 20, 2018 and Second Reading on November 26, 2018. The Public Hearing was held on May 6, 2019 and the Bylaw was given Third Reading.

Since May 6, 2019, the applicant has reduced the number of required visitor parking spaces from 7 spaces to 2 spaces. The purpose is to increase the number of parking spaces for residents. Furthermore, the rent for the residential dwelling unit will include a parking space with the exception of bachelor units and affordable units as part of the Housing Agreement that accompanies Housing Agreement Bylaw, 2019, No. 2954.

Amendment Bylaw No. 2927 was amended and read anew at third reading on June 10, 2019.

The conditions at Third Reading were as follows:

- Lot consolidation of 638 Constance Avenue [PID 000-546-437, Lot B (DD 237133I), of Lots 79 and 89, Suburban Lot 44, Esquimalt District, Plan 2854], 640 Constance Avenue [PID 000-380-911, Amended Lot 88 (DD 208422I), of Suburban Lot 44, Esquimalt District, Plan 2854], and 637 Nelson Street [PID 006-386-466, Lot D (DD 367731-I), Suburban Lot 44, Esquimalt District, Plan 2854] prior to development as the proposed CD No.110 Zone does not work unless the parcels are consolidated
- The building be constructed to include six 3-bedroom dwelling units
- Two visitor parking spaces
- \$500 per unit car shares from Modo car share services
- Provision of a car share vehicle through Modo
- 15 parking stalls to have Level 2 (240V, AC plug with a dedicated 40 amp circuit) electric vehicle charging stations
- Provision of 12 months of BC Transit bus passes for the Victoria Regional Transit System to all the residents
- Play structure on the usable open space
- Water main upgrade along Constance Avenue (or Nelson Street) in order to provide the sufficient fire flow demand
- That the parcel is not to be subdivided (to prevent stratification)

Staff confirms the final registered Covenant CA7558587 adequately implements all of these conditions.

Chronology

Zoning Bylaw, 1992, No. 2050, Amendment Bylaw 2927:

August 20, 2018 - 1st Reading

November 26, 2018 - 2nd Reading

May 6, 2019 - Public Hearing and 3rd Reading

June 10, 2019 - Rescind 3rd Reading, read anew at 3rd Reading

Housing Agreement Bylaw, 2019, No. 2954:

February 4, 2019 - 1st Reading

March 4, 2019 - 2nd and 3rd Reading

April 15, 2019 - Rescind 3rd Reading, amend and read anew at 2nd Reading, and 3rd Reading

June 10, 2019 - Rescind 3rd Reading, amend and read anew at 2nd Reading, and 3rd Reading

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 High Density Residential developments. This proposed development is an appropriate location for increased density as it is in close proximity to the CFB Esquimalt, one of the major employers in the Township. This proposed development will also increase the number of rental units to the Township's housing supply. Moreover, both the Design Review Committee and the 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

This Request for Decision has no organizational implications.

3. Financial Implications

This Request for Decision has no financial implications.

4. Sustainability & Environmental Implications

Further to Staff Report DEV-19-052, 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. That Council resolves that Amendment Bylaw No. 2927 be adopted.

2. That Council defeat Amendment Bylaw No. 2927.