



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 – 937 Colville Road, Staff Report No. DEV-20-011
Sponsors:
Indexes:
Code sections:
Attachments: 1. Appendix A - Bylaw 2975 - Zoning Bylaw Amendment (937 Colville Road) CD 126 (Dec 2), 2. Appendix B - Registered Covenant CA7991352

Date	Ver.	Action By	Action	Result
2/24/2020	1	Council	approved	Pass

REQUEST FOR DECISION

DATE: February 18, 2020 Report No. DEV-20-011

TO: Laurie Hurst, Chief Administrative Officer

FROM: Karen Hay, Planner and Bill Brown, Director of Development Services

SUBJECT:

Rezoning Application - 937 Colville Road

RECOMMENDATION:

That Council adopt Bylaw No. 2975, attached as Appendix 'A' of Staff Report DEV-20-011, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 937 Colville Road [PID 003-679-144, Lot 4, Block 1, Section 10, Esquimalt District, Plan 6277], shown cross-hatched on Schedule "A" of Bylaw No. 2975 from Single Family Residential [RS-1] to Comprehensive Development District No. 126 [CD. No.126.

RELEVANT POLICY:

Declaration of Climate Emergency
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
Green Building and Development - Green Building Checklist

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. 2975 - Amendment to Zoning Bylaw 1992, No. 2050, CD 126

Appendix B: Section 219 Covenant CA7991352, [as registered]

Purpose of the Application

The applicant is requesting a change in zoning from the current zone of Single Family Residential [RS-1], to create a new Comprehensive Development District [CD No.126] to accommodate six new strata townhouse residences, to be constructed in one building on the subject property. Should the rezoning be approved, the form and character of the buildings and landscaping would be controlled by a development permit that would be considered by Council at a future date.

Context

Applicant: Ryan Jabs, Lapis Homes Ltd.

Owners: Lapis Homes Ltd. (Ryan Jabs) and 1156835 B.C. Ltd., Inc. No.BC1156835 (Jesse Cook)

Timeline

October 16, 2018 - Application Received

February 13, 2019 - Design Review Committee

May 21, 2019 - Advisory Planning Commission

August 19, 2019 - 1st and 2nd reading of bylaw by Council

December 2, 2019 - Public hearing and third reading of bylaw

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:

- 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 six [6] units, as stated in Bylaw No. 2975
- Six [6] car-share memberships (attached to each unit in perpetuity)
- One (1) visitor parking space (2.9 m x 5.5 m) and four small car spaces (2.4 metres x 4.5 metres)
- Conduit for electric vehicle charging at each of the five [5] parking spaces
- A Landscaped Open Area in the rear yard that may be developed with a rain garden [if feasible]
- Two [2] electric bicycles for strata usage, with a one time \$500.00 maintenance account, and two electric outlets for charging in the bike storage room

- An outdoor bicycle parking area with a bike rack, and
- A constraint on the future strata corporation that the rental of the units will not be restricted
- Build the proposed building to Step 3 of the BC Energy Step Code

The proposal would provide additional housing in the community, consistent with Official Community Plan policies.

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 completed the Esquimalt Green Building Checklist. The owners have committed to providing car share memberships for each strata unit, two [2] electric bicycles for strata member usage, and build to BC Energy Step Code Level 3.

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 19, 2019. Notice of the Public Hearing was placed in the November 22, 2019 and November 27, 2019 editions of the Victoria News. Signage was updated with the Public Hearing date.

The Public Hearing occurred on December 2, 2019 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.

Applicant's neighbourhood meeting submission

The applicant held a neighbourhood meeting (open house) on February 7, 2019 in order to comply with the public consultation procedures of Development Application Procedures and Fees Bylaw, 2012, No. 2791.

ALTERNATIVES:

1. That Council adopts Amendment Bylaw No. 2975 [Appendix A].
2. That Council defeats Amendment Bylaw No. 2975 [Appendix A].