



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 - 636 & 640 Drake Avenue, Staff Report No. DEV-20-040 - For Adoption
Sponsors:
Indexes:
Code sections:
Attachments: 1. Appendix A - Bylaw 2950 - Amendment to OCP Bylaw No 2922 (636 and 640 Drake Avenue), 2. Appendix B - Bylaw 2951 (CD 116) - Amendment to Zoning Bylaw No 2050 (636 and 640 Drake Avenue CD116), 3. Appendix C - Section 219 Covenant CA8211672 - as registered

Date	Ver.	Action By	Action	Result
7/6/2020	1	Council	approved	Pass

REQUEST FOR DECISION

DATE: June 30, 2020

Report No. DEV-20-040

TO: Laurie Hurst, Chief Administrative Officer

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

SUBJECT:

Rezoning Application (For Adoption) - 636 and 640 Drake Avenue

RECOMMENDATION:

1. That Council resolves that Bylaw No. 2950 attached as Appendix 'A' of Staff Report DEV-20-040, which would amend the Official Community Plan Bylaw, 2018, No. 2922 by:
- changing Schedule 'B', being the Proposed Land Use Designations Map by changing the designation of 636 Drake Avenue [PID 002-923-211; Lot 3 of Suburban Lot 41, Esquimalt District, Plan 25565] and 640 Drake Avenue [PID 002-923-157; Lot 2, Suburban Lots 50 and 41, Esquimalt District, Plan 25565], shown cross-hatched on Schedule 'A' of Amendment Bylaw No. 2950, from 'Low Density Residential' to 'Townhouse Residential'; and
 - changing Schedule 'H', being the Development Permit Areas Map by changing the designation of 636 Drake Avenue [PID 002-923-211; Lot 3 of Suburban Lot 41, Esquimalt District, Plan 25565] and 640 Drake Avenue [PID 002-923-157; Lot 2, Suburban Lots 50 and 41, Esquimalt District, Plan 25565], shown cross-hatched on Schedule 'A' of Amendment Bylaw No. 2950, from Development Permit Area No. 3 - Enhanced Design Control Residential to Development Permit Area No. 6 - Multi-Family Residential be adopted.

2. That Council, resolves that Bylaw No. 2951 attached as Appendix 'B' of Staff Report DEV-20-040, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 636 Drake Avenue [PID 002-923-211; Lot 3 of Suburban Lot 41, Esquimalt District, Plan 25565] and 640 Drake Avenue [PID 002-923-157; Lot 2, Suburban Lots 50 and 41, Esquimalt District, Plan 25565] shown cross-hatched on Schedule 'A' of Amendment Bylaw No. 2951, from RD-1 [Two Family Residential] to CD No. 116 [Comprehensive Development District No. 116], be adopted.

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

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. 2950 - Amendment to Official Community Plan Bylaw, 2018, No. 2922

Appendix B: Bylaw No. 2951 (CD 116) - Amendment to Zoning Bylaw 1992, No. 2050

Appendix C: Section 219 Covenant CA8211672 [as registered]

Purpose of the Application

The applicant is requesting a change in the Official Community Plan [OCP] - 'Proposed Land Use Designation' from 'Low Density Residential' to 'Townhouse Residential', and a change in zoning from the current Two Family Residential [RD-1] zone to a Comprehensive Development [CD] zone, to accommodate the proposed seven strata townhouse residences, to be constructed in three buildings on the subject property. A concomitant amendment is also required to Schedule H of the OCP to change the development permit area for the subject properties from "Enhanced Design Control Residential" to "Multi-family Residential".

Context:

Applicant/ Owner: Chris Travis, Dimma Pacific Properties Ltd.

Timeline:

April 17, 2018 - Rezoning and OCP amendment application received

May 31, 2018 - Neighbourhood consultation package mailed

July 11, 2018 - Design Review Committee provides a recommendation

October 16, 2018 - Advisory Planning Commission provides a recommendation

December 20, 2018 - OCP amendment consultation package mailed to agencies on Council's list

April 1, 2019 - 1st and 2nd reading of bylaws by Council

December 2, 2019 - Public hearing and Council provided the applicant with comments

March 16, 2020 - Second public hearing and 3rd reading of bylaws by Council

June 17, 2020 - Registered covenant returned to staff

ISSUES:

1. Rationale for Selected Option

The property owner has 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 636 Drake Avenue [PID 002-923-211; Lot 3 of Suburban Lot 41, Esquimalt District, Plan 25565] and 640 Drake Avenue [PID 002-923-157; Lot 2, Suburban Lots 50 and 41, Esquimalt District, Plan 25565] prior to development, as the proposed CD No.116 zone does not work unless the parcels are consolidated
- buildings to meet a minimum BC Energy Step Code Level 3
- 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 seven [7] units, as stated in Amendment Bylaw No. 2951
- one (1) visitor parking space and three (3) flexible strata parking spaces will be provided and remain as illustrated in the landscaping plan
- an electric vehicle charging station in each of the seven [7] private garages
- seven (7) one year transit passes, one (1) for each dwelling unit will be supplied to initial purchasers
- a common outdoor social area with benches, and a wood arbour
- a common screened garbage area
- a drainage field area with overflow to retain a percentage of the stormwater on site
- a visitor bicycle parking area with a bike rack, and
- a constraint on the future strata corporation that rental of the units will not be restricted.

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

Building to BC Energy Step Code Level 3 will lower the long-term greenhouse gas requirements of the buildings, over current minimum building code construction standards. Desirable family housing in a central location lessens the need for excessive commuting, and lower carbon commuting is being encouraged with electric vehicle charging stations, bicycle parking, and transit passes.

5. Communication & Engagement

Public Hearing

The Public Hearing occurred on March 16, 2020, as scheduled following appropriate notification; including mailing of notices, advertising in two consecutive editions of the Victoria News, and updating of signage on the properties. 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 last public hearing. A previous public hearing was also held December 2, 2019, following appropriate notification procedures.

Official Community Plan [OCP] Consultation

The Official Community Plan and Zoning Bylaw Amendment Concept Plan was circulated to local First Nations and other agencies for comment on December 20, 2018. No concerns were raised from these agencies.

Applicant's neighbourhood meeting submission

The applicant has indicated that they held a public meeting (open house) and met with neighbours on June 8, 2018 in order to comply with the public consultation procedures of Development Application Procedures and Fees Bylaw, 2012, No. 2791.

ALTERNATIVES:

1. That Council adopt Amendment Bylaw No. 2950 [Appendix A] and Amendment Bylaw No. 2951 [Appendix B].
2. That Council defeats Amendment Bylaw No. 2950 [Appendix A] and Amendment Bylaw No. 2951 [Appendix B].