



The Corporation of the District of Saanich

Supplemental Report

To: Mayor and Council
From: Sharon Hvozanski, Director of Planning
Date: November 5, 2020
Subject: Rezoning and Development Permit Application
File: REZ00627; DPR00740 • 300 Gorge Road West and
2900, 2902, 2904 Tillicum Road

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LEGISLATIVE DIVISION
DISTRICT OF SAANICH

BACKGROUND

October 19, 2020 Special Council Meeting

At the Special Council Meeting held on October 19, 2020, Council considered the above-noted application to rezone the property from the C-2 (General Commercial) Zone to the C-2NC (General Commercial Neighbourhood Centre) Zone to construct a new five-storey multi-family apartment with 53 residential units and 3 new commercial retail units. The application was forwarded to a Public Hearing.

At the meeting, Council made an additional resolution:

“That Council direct Staff to prepare a supplemental report on the options for the addition of a covenant to prevent the Strata Corporation from prohibiting rentals.”

While a number of market condominiums are bought by local residents with the intent of using them as a primary residence, many are also purchased either as an investment or with an eye towards future residency. Many of these units are often rented out, positively adding to the number of available rental units in the local market. Were Council not to include an item preventing rental prohibitions through legal documentation, the future Strata Corporation could conceivably include a prohibition on rentals in the Strata Bylaws, with the result that an important source of rental accommodation could be lost.

A question was raised by Council at the October 19, 2020 meeting about the legality of ensuring that unit rentals are not prohibited in a strata development. We have double checked the matter with legal counsel, and can (re)confirm that such an action is indeed legal. As Council is aware, transient accommodation is not allowed in our multiple family zones and as such, units could not be rented on a short term/high turnover basis.

Securing that units can be rented in a market condominium is standard practice, and has been incorporated into the legal documents of similar projects in the past. Rental units are a much

needed housing type. Staff therefore recommend the inclusion of this condition and have revised the recommendation accordingly.

RECOMMENDATION

1. That the application to rezone from the C-2 (General Commercial) Zone to the C-2NC (General Commercial Neighbourhood Centre) Zone be approved;
2. That Development Permit DPR00740 be approved; and
3. That Final Reading of the Zoning Amendment Bylaw and ratification of the Development Permit be withheld pending the registration of a covenant to secure the following:
 - That three parking stalls be equipped with Level 2 electric car charging stations, specifically one for visitors and two for residents;
 - That the buildings be constructed to include the installation of the necessary conduits to be solar ready for future installation of photovoltaic and/or solar hot water systems, and for future additional charging stations;
 - The number and type of residential units;
 - The provision of \$14,850 cash-in-lieu for 11 Boulevard trees (\$1350 per tree) to be planted elsewhere in the District of Saanich; and
 - An Amenity Contribution for a total of \$108,000 (\$2000 per unit) to be paid prior to the issuance of a building permit in order to be used for park improvements in Gorge Waterway Park.
4. That Final Reading of the Zoning Amendment Bylaw and ratification of the Development Permit be withheld pending the registration of a housing agreement to secure the following:
 - That the Strata Corporation be prevented from prohibiting rentals.

Prepared by:



Chuck Bell
Planner

Reviewed by:



Shari Holmes-Saltzman
Manager of Current Planning

Approved by:

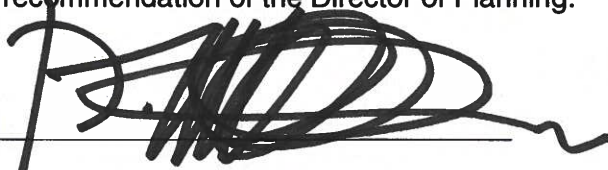


Sharon Hvozdzanski
Director of Planning

CWB/rh

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation of the Director of Planning.



Paul Thorkelson, Chief Administrative Officer