



# City of Langford

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## Staff Report to Planning, Zoning and Affordable Housing Committee

**Date:** August 9, 2021

**Department:** Planning

**Application No.:** Z21-0017

**Subject:** Application to Rezone 962, 966, 970, 974, and 978 Bray Avenue from the One- and Two-Family Residential (R2) Zone to the City Centre (CC1) Zone to Allow for Two 6-Storey Residential Buildings

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### **PURPOSE**

Woodsmere Holding Corp. has applied on behalf of the property owners to rezone 962-978 Bray Avenue from the *One- and Two-Family Residential (R2)* zone to the *City Centre (CC1)* zone in order to construct two multi-family buildings that would contain approximately 158 residential units and 1 commercial unit.

### **BACKGROUND**

#### **PREVIOUS APPLICATIONS**

The City has not received any previous planning applications on the subject properties.

**Table 1: Site Data**

|                           |   |
|---------------------------|---|
| <i>Applicant</i>          | Woodsmere Holdings Corp.  |
| <i>Owners</i>             | Erik Carveth and Ryan Carveth<br>Frances Calderwood<br>Leonard Carlson and Pamela Carlson<br>Teodors Blosmanis and Deborah Blosmanis<br>Shelly Reed |
| <i>Civic Addresses</i>    | 962, 966, 970, 974, and 978 Bray Avenue   |
| <i>Legal Descriptions</i> | Lots 5-9, Section 79, Esquimalt District, Plan 10124  |
| <i>Size of Properties</i> | 4,820m <sup>2</sup> (1.2 acres)   |
| <i>DP Areas</i>           | City Centre   |

|                           |  |                               |
|---------------------------|--|-------------------------------|
| <i>Zoning Designation</i> | Existing: One- and Two-Family Residential (R2) | Proposed: City Centre 1 (CC1) |
| <i>OCP Designation</i>    | Existing: City Centre                          | Proposed: City Centre         |

#### **SITE AND SURROUNDING AREA**

The existing properties each contain a single-family dwelling, and all properties are flat in nature. There are a few trees and large bushes throughout, but these properties, as well as surrounding properties have minimal tree coverage overall. To the east, south, and west are similar style properties and uses that include some two-family dwellings. To the north is Centennial Park, which contains baseball diamonds, tennis courts, and a playground.

**Table 2: Surrounding Land Uses**

|              | <b>Zoning</b>                        | <b>Use</b>                |
|--------------|--------------------------------------|---------------------------|
| <i>North</i> | P2 (Community Institutional)         | Recreational              |
| <i>East</i>  | R2 (One- and Two-Family Residential) | Two-Family Residential    |
| <i>South</i> | R2 (One- and Two-Family Residential) | Single-Family Residential |
| <i>West</i>  | R2 (One- and Two-Family Residential) | Two-Family Residential    |

**Figure 1 - Subject Properties**



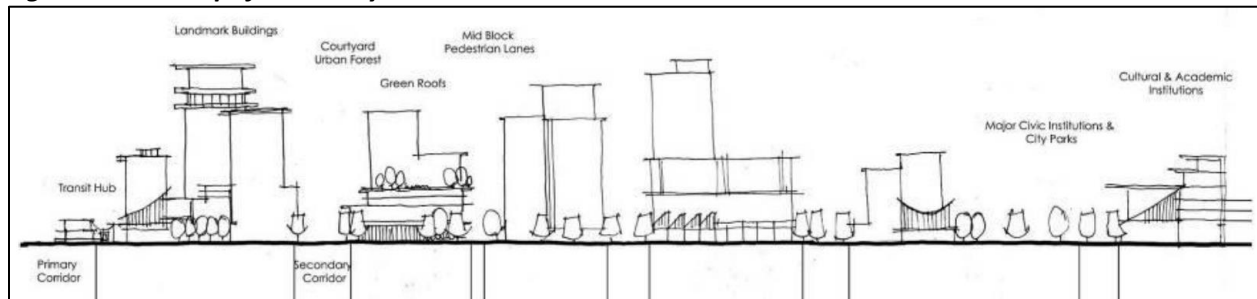
## **COUNCIL POLICY**

### **OFFICIAL COMMUNITY PLAN**

The Official Community Plan (OCP) Bylaw No. 1200 designates the subject property as 'City Centre', which is defined by the following text:

- A major regional growth centre that support a wide range of high density housing, including affordable and rental housing
- A major employment area for institutional, office, commercial, light industrial uses
- Major civic uses and public buildings are key landmarks
- A major place of community gathering and celebration
- A wide range of public squares, parks and open spaces are integrated throughout
- The City's major entertainment and/or cultural precinct
- Inter-city and/or inter-regional transit hub connect residents

**Figure 1: A Concept for the City Centre**



### **DEVELOPMENT PERMIT AREAS**

The subject properties are not located within any of the Environmental Protection or Hazardous Area Development Permit Areas. However, these properties are located within the City Centre Development Permit Area and since the proposal is for a multi-family development, a Development Permit for Form and Character will be required. This DP would need to be issued prior to a building permit to ensure the design is consistent with the City's Design Guidelines.

### **DESIGN GUIDELINES**

The subject properties are located within 'S1 Centennial Park' of the City Centre Neighbourhoods in the Design Guidelines as outlined in Figure 2. For this region of the City Centre, the design intent is as follows:

*Surrounding a large green space, the Centennial Park neighbourhood boasts late century single family dwellings located on cul-de-sac roads.*

*This neighbourhood is very suitable for mixed-use development, shared streets and enlarged walkways as well as high-density apartment buildings near Goldstream Ave.*

**Figure 2: S1 Centennial Park**



*Other opportunities for development in this neighbourhood include townhouses and medium density apartments to replace the single-family dwellings on cul-de-sacs and shared streets.*

*Emphasis within the Centennial Park neighbourhood shall be placed on a family focus and being able to move through the housing continuum by addressing various housing types.*

It is further noted for Council's information that the subject properties are designated as being appropriate for consideration of the CC1 Zone, as proposed, within the City Centre Concept map proposed to be added to the City Centre design guidelines via Bylaw No. 1919.

## **COMMENTS**

### **DEVELOPMENT PROPOSAL**

The applicant is proposing is to rezone the subject properties to CC1 (City Centre) in order to construct two multi-family buildings, both of which would be 6-storeys in height. Together, these buildings would contain approximately 158 residential units as well as 1 commercial unit, which is intended to be associated with the Woodsmere electric carshare program. Illustrations of the overall proposal has been attached as Appendix A and B.

The five existing properties would be consolidated into one lot and there would be a single point of entry and exit located in between the two proposed buildings. This entryway would provide direct access to surface parking and the ramp to the underground parkade, which would encompass the majority of the lot. Council may wish to require the lot consolidation to occur prior to issuance of a Development Permit for Form and Character.

The ground level residential units along Bray Avenue and the commercial unit would all have individual pedestrian access to the fronting sidewalk, thereby complying with the 80% active frontage requirement. Each building would have their own roof top outdoor amenity space for the residents of the respective building. We would typically see a single amenity space provided, but given there would be two separate buildings, it is more reasonable to design the amenity space such that each building has their own common open space for the residents of that building.

The proposed development would be located next to a well-used Park, one that generates a noise from a variety of uses that would take place at a variety of times. This could cause some discomfort for individuals living in this building and by extension, there could potentially be complaints to the City regarding the noise. Due to the potential conflict, Council may wish to require a covenant be registered on title that informs individuals that there will be noise generated from the variety of Park uses that will take place at a variety of times.

With respect to type of units, Langford has seen a concentration of rental apartments among multi-family residential developments. In an effort to provide options for future home ownership and ensure flexibility of housing types for all residents, Council may wish to require that developers strata title multi-family residential buildings at the time of construction so that individual units may be offered for sale if market conditions change at some later date. Taking this step at the time of construction does not impede the use of the building as a rental, but ensures that a building is appropriately constructed and will not require

potentially costly upgrades if strata title conversion is sought in the future. Council may wish to have the applicant register a building strata plan as a condition of rezoning prior to issuance of an occupancy permit and have this provision secured within a section 219 covenant registered on title.

To remain consistent with other multi-family developments that have recently been rezoned, Council may wish to require the onsite parking stalls be secured to each unit in accordance with the Zoning Bylaw parking requirements to ensure separate rent is not charged for a parking space. This would prevent future tenants from declining to pay separately for a parking stall and choosing to park on the surrounding streets instead.

Additionally, Council may wish to require the onsite parking spaces to be equipped with infrastructure so that electric charging stations can be installed at a future date without the need of an expensive retrofit to the building. Given the future development of electric vehicles, this may be viewed as a proactive step that would allow residents of the building a wider choice of vehicles in the future.

**Table 3: Proposal Data**

|                                   | <b>Permitted by R2<br/>(Current Zone)</b>   | <b>Permitted by CC1<br/>(Proposed Zone)</b>  |
|-----------------------------------|---|--|
| <i>Permitted Uses</i>             | <ul style="list-style-type: none"> <li>• One or Two-Family Dwelling</li> <li>• Group Day Care</li> <li>• Home Occupation</li> </ul> | <ul style="list-style-type: none"> <li>• Apartment</li> <li>• Hotel</li> <li>• Office</li> <li>• Retail Store</li> </ul> |
| <i>Density</i>                    | n/a   | 5.0 FAR  |
| <i>Height</i>                     | 9m (30 ft)  | n/a  |
| <i>Site Coverage</i>              | 35% max   | n/a  |
| <i>Front Yard Setback</i>         | 6.0 m (20 ft)   | 2.0m (6.6 ft) 1-2 storeys<br>4.0m (13 ft) 3+ storeys   |
| <i>Interior Side Yard Setback</i> | 1.5m (5.0 ft)   | 3.0 (9.8 ft)   |
| <i>Exterior Side Yard Setback</i> | 4.5m (15 ft)  | 2.0m (6.6 ft) 1-2 storeys<br>4.0m (13 ft) 3+ storeys   |
| <i>Rear Yard Setback</i>          | 6.0m (20 ft)  | 3.0 (9.8 ft)   |
| <i>Parking</i>                    | 2 per unit +<br>1 per suite   | 1.25 per 0-2 bedrooms<br>2.25 per 3 + bedrooms   |
| <i>Landscape Strip</i>            | n/a   | <b>1.5m (5.0 ft) *</b>   |

\* variance requested

#### REQUESTED VARIANCE

The applicant has proposed to reduce the onsite landscape strip between the surface parking and rear lot line (Centennial Park) from the required 3.0m (9.8 ft) to 1.5m (5 ft). This is being proposed in order to comply with the parking stall depths, drive aisle widths, and front yard setbacks without reducing the unit

sizes. This request was perceived as being the least obtrusive since the Park already has vegetation planting along the property line and a reduction in the onsite landscape strip would, for the most part, not be visible from the Park.

**Table 4: Variance Request**

|                        | Required     | Proposed    |
|------------------------|--------------|-------------|
| Onsite Landscape Strip | 3.0m (10 ft) | 1.5m (5 ft) |

If Council has no objection to the requested variance, they may wish to authorize the Director of Planning to issue the above noted variance within the Development Permit for Form and Character and require additional landscaping in the subject area with emphasis on height. Conversely, if Council does not support this variance, they may wish to direct the applicant to redesign the project to comply with the landscape requirements.

#### **FRONTAGE IMPROVEMENTS**

##### Bray Avenue

The applicant will be required to provide full frontage improvements in accordance with Bylaw 1000, prior to issuance of a building permit. Improvements would include parking scallops, a bike lane, a separated sidewalk, boulevard landscaping with irrigation, and street lighting. The improvements would be to the satisfaction of the Director of Engineering. In order to determine if a turning lane would be needed with this development, Council may wish to require a Traffic Impact Assessment be provided prior to public hearing.

#### **SEWERS**

A sewer main does exist within Bray Avenue fronting this site and connections from the buildings to this main would be required. Any improvements, extensions, or modifications needed to the sewer main within the municipal road right-of-way will be completed by West Shore Environmental Services at the applicant's expense.

#### **DRAINAGE AND STORMWATER MANAGEMENT**

This site is located within an area where stormwater infiltration is required as per Bylaw 1000, and stormwater mains do not exist within Bray Avenue. As a condition of rezoning, Council may wish to request the applicant to examine how stormwater can be managed on-site through infiltration and have a technical memo from a qualified engineer be provided in this regard to the satisfaction of the Director of Engineering prior to public hearing. A full stormwater management plan will be required prior to issuance of a Building Permit.

## **FINANCIAL CONTRIBUTIONS**

### **FINANCIAL IMPLICATIONS**

Rezoning the subject properties to permit higher density of development will increase the assessed value of lands and eventually will increase municipal revenue due to the number of units created. As the developer is required to complete all frontage improvements, the direct capital costs to the City associated with this development will be negligible. A summary of Amenity Contributions and Development Cost Charges that the developer will be expected to pay, is outlined in Tables 5 and 6 below.

### **COUNCIL'S AMENITY CONTRIBUTION POLICY**

The amenity contributions that apply as per Council's current Affordable Housing, Park and Amenity Contribution Policy are summarized in Table 5 below, which is based on 158 units and 55m<sup>2</sup> of commercial space.

**Table 5 – Amenity Contributions per Council Policy**

| <b>Amenity Item</b>                    | <b>Contribution Rates</b>               | <b>Total</b> |
|--|---|--------------|
| <i>Affordable Housing Reserve Fund</i> | \$750 per unit (residential)            | \$118,500    |
| <i>General Amenity Reserve Fund</i>    | \$2,850 per unit (residential)          | \$450,300    |
|  | \$10.75 per m <sup>2</sup> (commercial) | \$591.25     |

**Note: The applicant will be charged for new units created at the time of building permit issuance, and is entitled to a 50% or 75% reduction depending on the use and height, for units above the 4<sup>th</sup> storey.**

**Table 6 – Development Cost Charges**

| <b>Development Cost Charge</b>     | <b>Per Unit Contribution</b>            | <b>Total</b>          |
|------------------------------------|---|-----------------------|
| <i>Roads</i>                       | \$3,188 per unit (residential)          | \$503,704             |
|                                    | \$55.78 per m <sup>2</sup> (commercial) | \$3,067.90            |
| <i>Park Improvement</i>            | \$1,890 per unit (residential)          | \$298,620.00          |
| <i>Park Acquisition</i>            | \$1,100 per unit (residential)          | \$173,800.00          |
| <i>ISIF Fees</i>                   | \$331.65 per unit (residential)         | \$52,400.70           |
|                                    | \$140/1,000ft <sup>2</sup> (commercial) | \$82.88               |
| <b>Subtotal (DCCs to Langford)</b> |   | <b>\$1,031,675.48</b> |
| <i>CRD Water</i>                   | \$1,644 per unit (residential)          | \$259,752.00          |
|                                    | \$10.74 per m <sup>2</sup> (commercial) | \$590.70              |
| <i>School Site Acquisition</i>     | \$600 per unit (residential)            | \$94,800.00           |
| <b>TOTAL DCCs</b>                  |   | <b>\$1,386,818.18</b> |



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## **OPTIONS**

### **Option 1**

That the Planning, Zoning and Affordable Housing Committee recommend that Council:

1. Direct staff to prepare a bylaw to amend the zoning designation of the properties located at 962, 966, 970, 974, and 978 Bray Avenue from the R2 (One- and Two-Family Residential) zone to the CC1 (City Centre) zone subject to the following terms and conditions:
  - a) That the applicant provides, **as a bonus for increased density**, the following contributions per residential unit, prior to issuance of a building permit:
    - i. \$750 towards the Affordable Housing Fund; and
    - ii. \$2,850 towards the General Amenity Reserve Fund.subject to reductions depending on the use and height in accordance with the Affordable Housing and Amenity Contribution Policy.
  - b) That the applicant provides, **as a bonus for increased density**, the following contributions per square metre of commercial space, prior to issuance of a building permit:
    - i. \$10.75 towards the General Amenity Reserve Fund.
  - c) That the applicant provides, **prior to Public Hearing**, the following:
    - i. Detailed 3D renderings of the proposed development that clearly illustrates the proposal; and
    - ii. A technical memo from a qualified engineer that verifies stormwater can be adequately managed on-site for the proposed developments, to the satisfaction of the Director of Engineering;
    - iii. A Traffic Impact Assessment from a qualified engineer be provided regarding the proposed development, to the satisfaction of the Director of Engineering.
  - d) That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
    - i. That all five subject properties be consolidated together prior to issuance of a Development Permit for Form and Character;
    - ii. That a separate covenant be registered prior to issuance of a building permit for the proposed residential building(s) that ensures parking is allocated to each unit and visitors as required by the zoning bylaw and is not provided in exchange for compensation separate from that of a residential unit;
    - iii. That a separate covenant be registered that informs individuals about the potential noise that will be generated from the neighbouring Park at various times;
    - iv. That no occupancy permit be issued for the proposed building until a strata plan for the building has been registered, to the satisfaction of the Approving Officer;



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- v. That 100% of residential parking spaces, excluding visitor parking spaces, shall feature an energized outlet capable of providing Level 2 charging or higher to the parking space, and that
    - 1. Energized outlets shall be labelled for the use of electric vehicle charging;
    - 2. Where an electric vehicle energy management system is implemented (load sharing), a qualified professional may specify a minimum performance standard to ensure a sufficient rate of electric vehicle charging; and
    - 3. The owner/tenant is required to keep the Electric Vehicle Servicing Equipment (EVSE) in operation and the Strata Council/landlord may not prevent an owner, occupant, or tenant from installing the EV charging equipment
  - vi. That the following are implemented to Bylaw 1000 standards to the satisfaction of the Director of Engineering prior to issuance of a building permit:
    - 1. Frontage improvements;
    - 2. A storm water management plan; and
    - 3. A construction parking management plan.

**AND**

- 2. Authorize the Director of Planning to issue the following variance in the Form and Character Development Permit for 962, 966, 970, 974, and 978 Bray Avenue:
  - a) That Section 6.57.07(3) be varied to reduce the minimum landscape strip between surface parking and the rear lot line from the required 3.0m (9.8 ft) to 1.5m (5 ft), subject to an increased level of landscaping in the subject area with emphasizes on height. That Section 6.57.07(3) be varied to reduce the minimum landscape strip between surface parking and the rear lot line from the required 3.0m (9.8 ft) to 1.5m (5 ft), subject to an increased level of landscaping in the subject area with emphasis on height.

**OR Option 2**

- 1. Take no action at this time with respect to this application to rezone 962-978 Bray Avenue.

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|               |   |
|---------------|---|
| Submitted by: | Robert Dykstra, MCIP, RPP Senior Planner - Approved                 |
| Concurrence:  | Adriana Proton, Manager of Legislative Services - Approved          |
| Concurrence:  | Chris Aubrey, Fire Chief - Approved                                 |
| Concurrence:  | Yari Nielsen, Manager of Parks and Recreation - Approved            |
| Concurrence:  | Michelle Mahovich, P.Eng, P.Geo, Director of Engineering - Approved |
| Concurrence:  | Leah Stohmann, MCIP, RPP, Deputy Director of Planning - Approved    |
| Concurrence:  | Audrey Kryklywyj, Acting/Director of Finance - Approved             |
| Concurrence:  | Marie Watmough, Acting Director of Corporate Services - Approved    |
| Concurrence:  | Braden Hutchins, Acting Chief Administrative Officer - Approved     |

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## Appendix A

### SITE PLAN



**Appendix B**  
Elevation Renderings



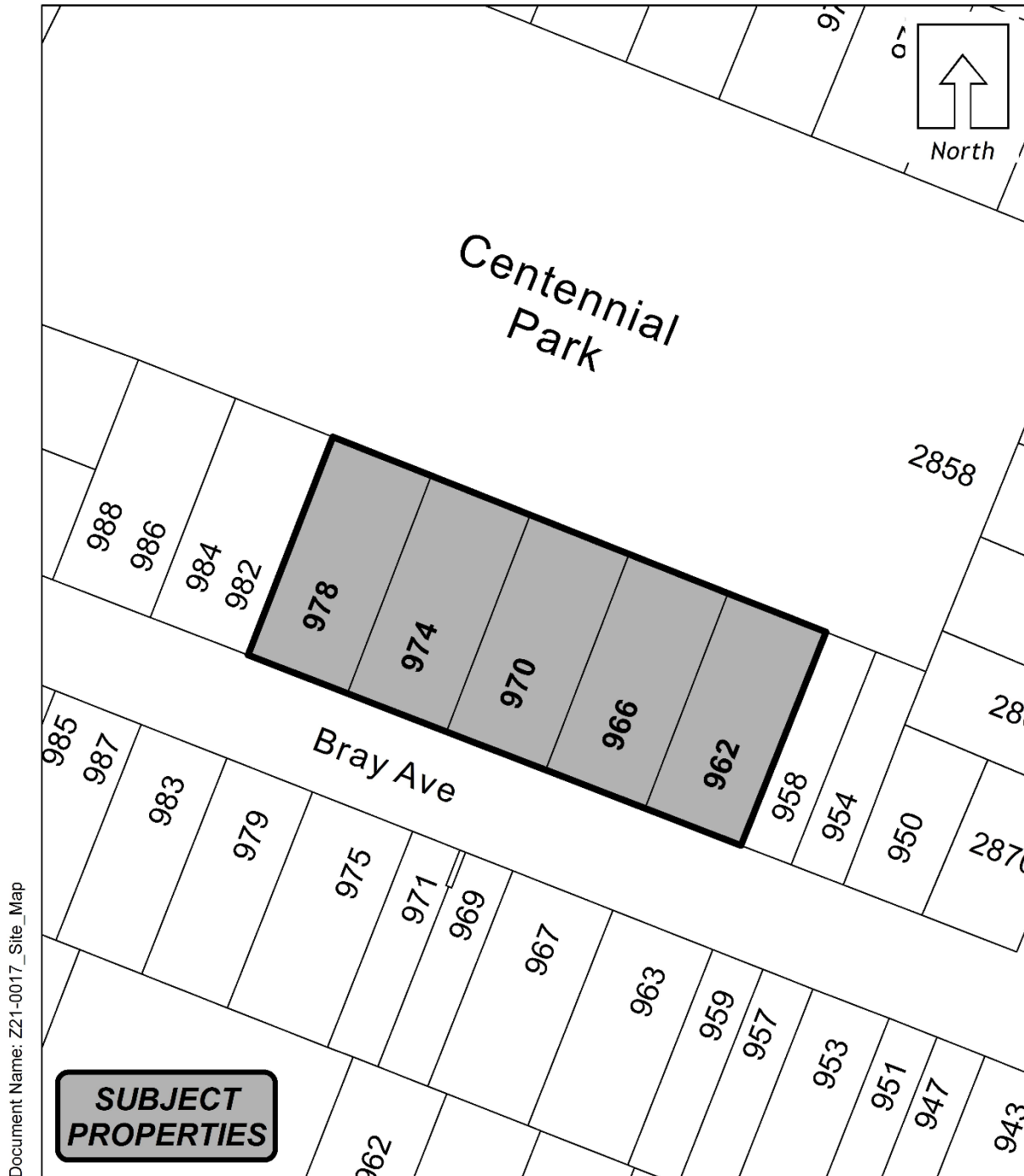
**Appendix C**

**SUBJECT PROPERTIES MAP**

**REZONING BYLAW AMENDMENT**

**( Z21-0017 )**

**962, 966, 970, 974 & 978 Bray Ave**



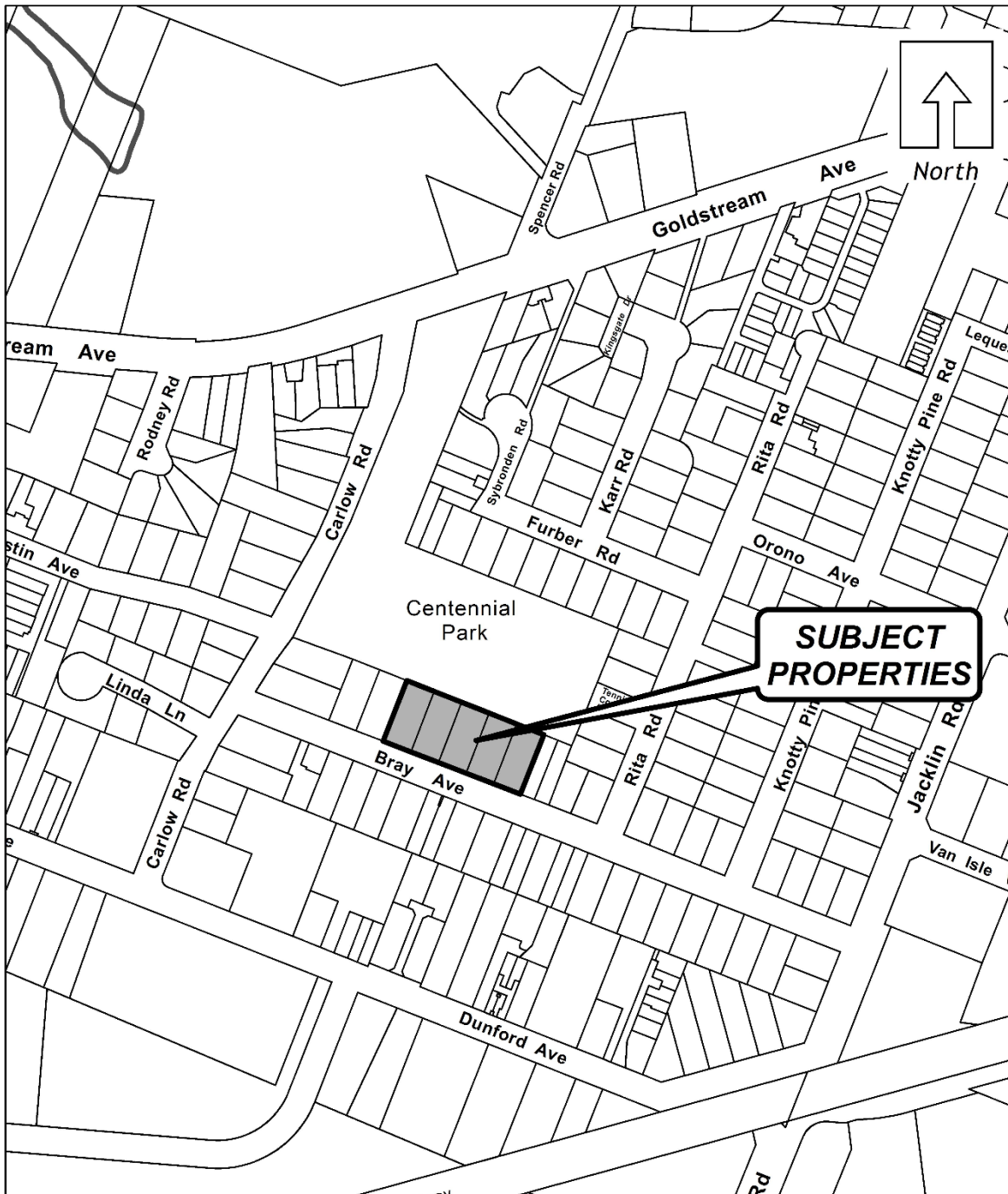
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Last Revised: 4/27/2021

**Appendix D**  
**LOCATION MAP**

**REZONING BYLAW AMENDMENT**  
**( Z21-0017 )**  
**962, 966, 970, 974 & 978 Bray Ave**



Document Name: Z21-0017\_Location\_Map

Scale: N.T.S.

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