



Staff Report to the Planning, Zoning and Affordable Housing Committee

DATE: Monday, November 8, 2021

DEPARTMENT: Planning

APPLICATION NO.: Z21-0011

SUBJECT: Application to Rezone 791 and 795 Revilo Place and 2931 Phipps Road from the One- and Two-Family Residential (R2) Zone to the City Centre 1 (CC1) Zone to Allow for the Development of a 6-Storey Mixed-Use Building

PURPOSE

Dan Robbins has applied on behalf of Ramar Langford Holdings Ltd. to rezone 791 and 795 Revilo Place and 2931 Phipps Road from the One- and Two-Family Residential (R2) Zone to the City Centre 1 (CC1) Zone to allow for the development of a 6-storey residential building. The building would consist of 109 residential units.

PREVIOUS APPLICATIONS

The City has not received any previous planning applications with respect to the subject properties.

Table 1: Site Data

<i>Applicant</i>	Dan Robbins	
<i>Owner</i>	Ramar Langford Holdings Ltd.	
<i>Civic Addresses</i>	791 Revilo Place, 795 Revilo Place, and 2931 Phipps Road	
<i>Legal Descriptions</i>	Lot 6, Section 73, Esquimalt District, Plan 19804 Lot B, Section 73, Esquimalt District, Plan 18886 Lot 3, Section 73, Esquimalt District, Plan 18591	
<i>Size of Properties</i>	2,845m ² (0.7 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 three existing properties each contain a single-family dwelling, and each have a smattering of larger coniferous trees throughout their respective properties. To the north and east are properties that contain residential units including one- and two-family dwellings as well as townhouse dwellings. To the south is Lowe’s Home Improvement and to the west is Walmart.

Figure 1 – Current Conditions of Subject Properties



Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	Mixed-Use Residential Commercial (MU1) Apartment (RM3) One- and Two-Family Residential (R2)	Residential Residential Residential
<i>East</i>	One- and Two-Family Residential (R2)	Residential
<i>South</i>	District Commercial (C3)	Commercial
<i>West</i>	District Commercial (C3)	Commercial

Figure 2 - Subject Properties



COUNCIL POLICY

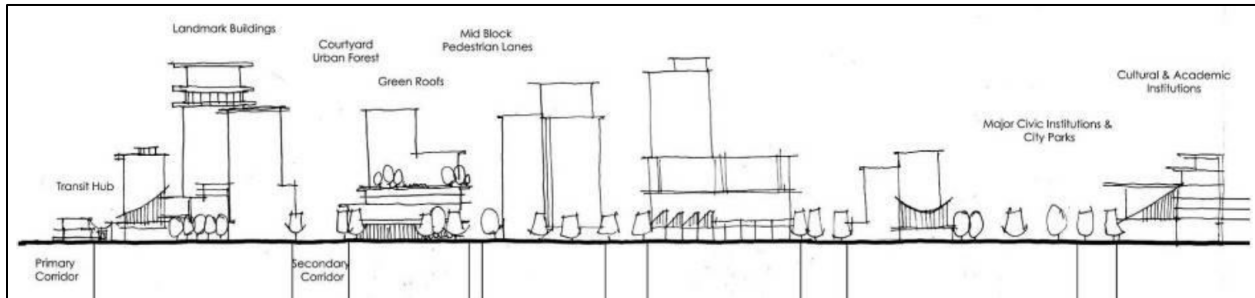
OFFICIAL COMMUNITY PLAN

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 3: 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 Development Permit is required prior to issuance of a building permit to ensure the design is consistent with the City’s Design Guidelines.

DESIGN GUIDELINES

The subject properties are located within ‘S4 South Centre’ of the City Centre Neighbourhoods in the Design Guidelines as outlined in Figure 4. For this region of the City Centre, the design intent is as follows:

The South Centre neighbourhood adjoins big box stores in the south and contains a mixture of residential densities throughout.

Development shall blend the big box commercial into the residential through the incorporation of architectural features as described in the design guidelines.

Medium-density residential development should be incorporated and situated above multi-level retail and commercial space along major roads while shifting to high-density towards the convergence of Station Avenue and Veterans Memorial Parkway.

Figure 4: S4 South Centre



A development emphasis should promote permeable ground surface material and the incorporation of green and open spaces.

Further to these Neighborhood Guidelines, the subject properties with frontage along Phipps were identified as being appropriate for consideration of the City Centre 1 (CC1) Zone on the City Centre Concept Map recently added to the City Centre design guidelines. While the subject property fronting Revilo was identified as being appropriate for consideration of the lower density City Centre 2 (CC2) Zone, the supporting policies added concurrently with this Map anticipate that Council may wish to deviate from the Concept Map under various circumstances, one of those being a land assembly between multiple designations identified on the Concept Map. This development falls within this land assembly category, and as such the developer is proposing to extend the CC1 zone to all subject properties.

DEVELOPMENT PROPOSAL

As noted, the applicant is proposing to rezone the subject properties to CC1 (City Centre 1) in order to construct a 6-storey residential building that contains 109 units. Schedule A provides a rendering of what the building is intended to look like from a perspective at the corner of Phipps and Revilo. There would be a single point for vehicle access along Revilo Place, which would be located on the east side of the site as far from Phipps Road as possible.

The three properties associated with this development proposal would be consolidated into one parcel, but not at this moment. To ensure the properties are consolidated as presented with this rezoning application, Council may wish to require lot consolidation to occur prior to issuance of a Development Permit for Form and Character.

The proposed development would provide the required onsite parking both underground and at grade. The at grade parking would primarily be located behind ground floor units that would have patios and direct pedestrian access to the fronting road. Due to the units on the ground floor level that front either Phipps Road or Revilo Place, the building would comply with the 80% active frontage requirement. Schedule B provides an illustration of the proposed ground floor level of the site.

On top of the parkade in the southeast corner, the design of the building has included a common amenity space for the residents of the building. This area is approximately 400m² in size, which exceeds the requirement to provide common outdoor amenity space of at least 100m² or 5% of the total site area. This amenity space is intended to be used as a passive recreational space. An illustration of this area is provided in Figure 5.

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 developers to strata title the buildings prior to occupancy so that individual units may be offered for sale if market conditions change at some later date. Taking this step does not impede the use of the building as a rental if the

Figure 5 – Outdoor Amenity Space



applicant wishes to 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/owners 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

	Permitted by R2 (Current Zone)	Permitted by CC1 (Proposed Zone)
<i>Permitted Uses</i>	<ul style="list-style-type: none"> • One or Two-Family Dwelling • Group Day Care • Home Occupation 	<ul style="list-style-type: none"> • Apartment • Office • Restaurant • Retail Store

<i>Density</i>	n/a	5.0 FAR
<i>Height</i>	9m (30 ft)	6-storeys
<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 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 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 + 1 per suite	1.25 per 0-2 bedrooms 2.25 per 3 + bedrooms

FRONTAGE IMPROVEMENTS

Phipps Road

Frontage improvements along Peatt Road are primarily complete, but there may be a need to remove the existing driveway and possibly install a left turning lane. Additionally, the applicant has requested to not dedicate any land for the municipal right-of-way, but instead provide a 2.0m wide statutory right-of-way (SRW) over their frontage on Phipps. This SRW is anticipated to be used for the new location of the brick sidewalk, which would be over top of their underground parkade. This would allow for boulevard trees and irrigation to be installed between the sidewalk and curb, which would have proper depth for the roots of the boulevard trees to grow.

Revilo Place

The applicant will be required to provide full frontage improvements along Revilo Place in accordance with Bylaw 1000, prior to issuance of a building permit. Improvements are anticipated to include boulevard landscaping with irrigation, street lighting, and a sidewalk.

Any additional requirements needed to the regional road network due to this development would be determined by the Director of Engineer and based upon the Traffic Impact Assessment.

TRAFFIC IMPACT ASSESSMENT

A Traffic Impact Assessment (TIA) for this development has been submitted and approved. The TIA does state minimal recommendations, which amount to providing sidewalks and is covered as part of the normal frontage requirements.

SEWERS

Sewer mains do exist within Phipps Road and Revilo Place fronting this site, and connections from the building to a 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. Stormwater mains do not exist within either frontage. 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

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 4 and 5 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 4 below, which is based on 109 residential units.

Table 4 – Amenity Contributions per Council Policy

Amenity Item	Per Unit Contribution Rates*	Total
<i>Affordable Housing Reserve Fund</i>	\$750.00	\$203,250.00
<i>General Amenity Reserve Fund</i>	\$2,850.00	\$772,350.00

*** 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 4th storey.**

DEVELOPMENT COST CHARGES

The Development Cost Charges that would apply to this development are summarized in Table 5 below and based on 109 residential units.

Table 5 – Development Cost Charges

Development Cost Charge	Per Unit Contribution	Total
<i>Roads</i>	\$3,092.39	\$337,070.51
<i>Park Improvement</i>	\$1,890.00	\$206,010.00
<i>Park Acquisition</i>	\$1,100.00	\$119,900.00
<i>ISIF Fees</i>	\$331.65	\$36,149.85
Subtotal (DCC's to Langford)		\$699,130.36
<i>CRD Water</i>	\$1,644.00	\$179,196.00
<i>School Site Acquisition</i>	\$600.00	\$65,400.00
TOTAL DCC's (estimated)		\$943,726.36

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 791 and 795 Revilo Place and 2931 Phipps Road from the One- and Two-Family Residential (R2) Zone to the City Centre 1 (CC1) 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 in accordance with the Affordable Housing and Amenity Contribution Policy depending on use and height.
 - b) That the applicant provides, **prior to Public Hearing**, the following to the satisfaction of the Director of Engineering:
 - i. A technical memo from a qualified engineer that verifies stormwater can be adequately managed on-site for the proposed development.

- c) 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 three 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 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;
 - iv. 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
 - v. 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, including mitigating options from the approved Traffic Impact Assessment;
 2. A storm water management plan; and
 3. A construction parking management plan.

OR Option 2

THAT the Planning, Zoning and Affordable Housing Committee Take no action at this time with respect to this application to rezone 791 and 795 Revilo Place and 2931 Phipps Road.

SUBMITTED BY: Robert Dykstra, MCIP, RPP Senior Planner

Concurrence: Leah Stohmann, MCIP, RPP, Deputy Director of Planning and Subdivision

Concurrence: Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

Concurrence: Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works

Concurrence: Michael Dillabaugh, CPA, CA, Director of Finance

Concurrence: Marie Watmough, Acting Director of Corporate Services

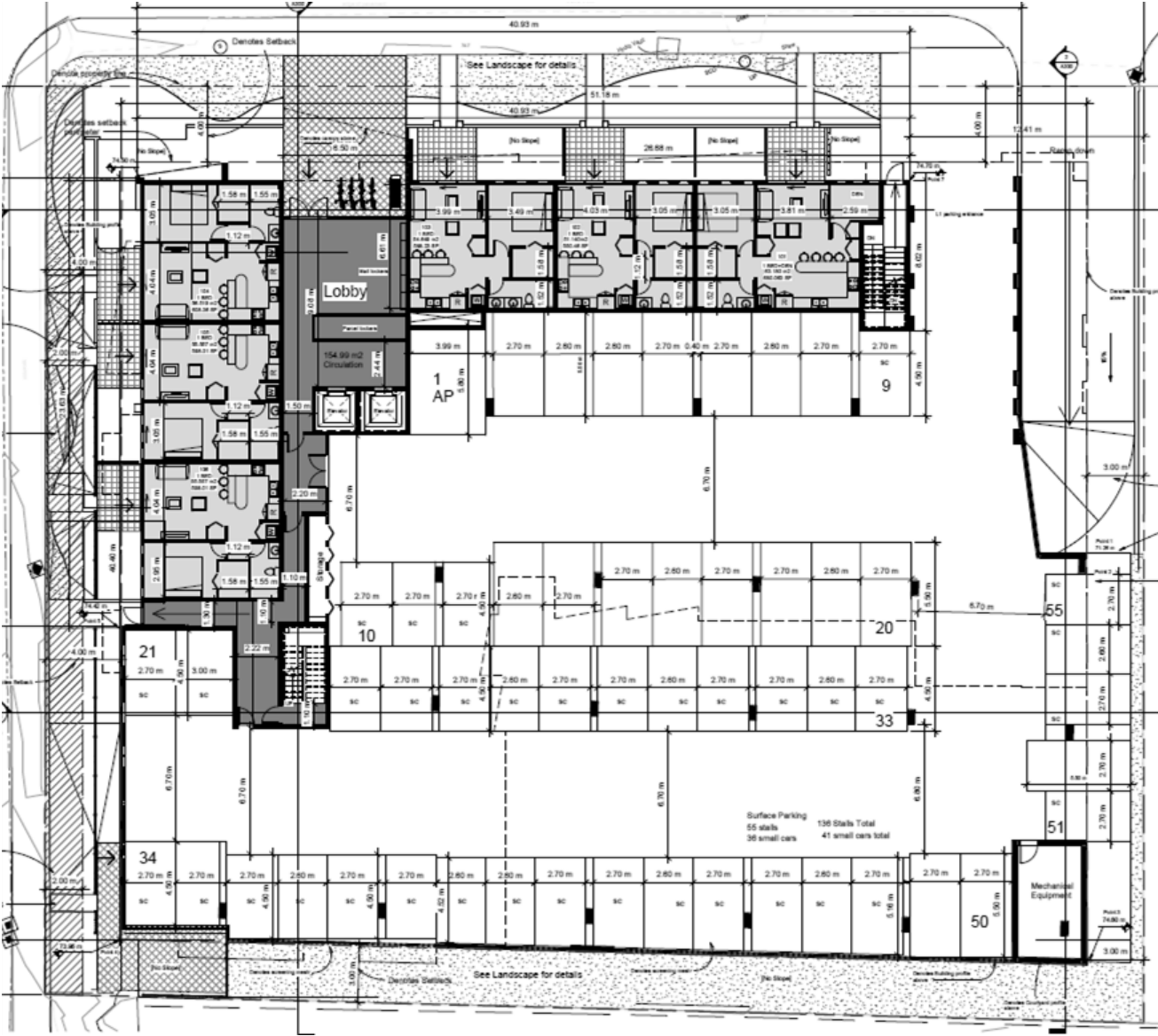
Concurrence: Darren Kiedyk, Chief Administrative Officer

Appendix A
RENDERING



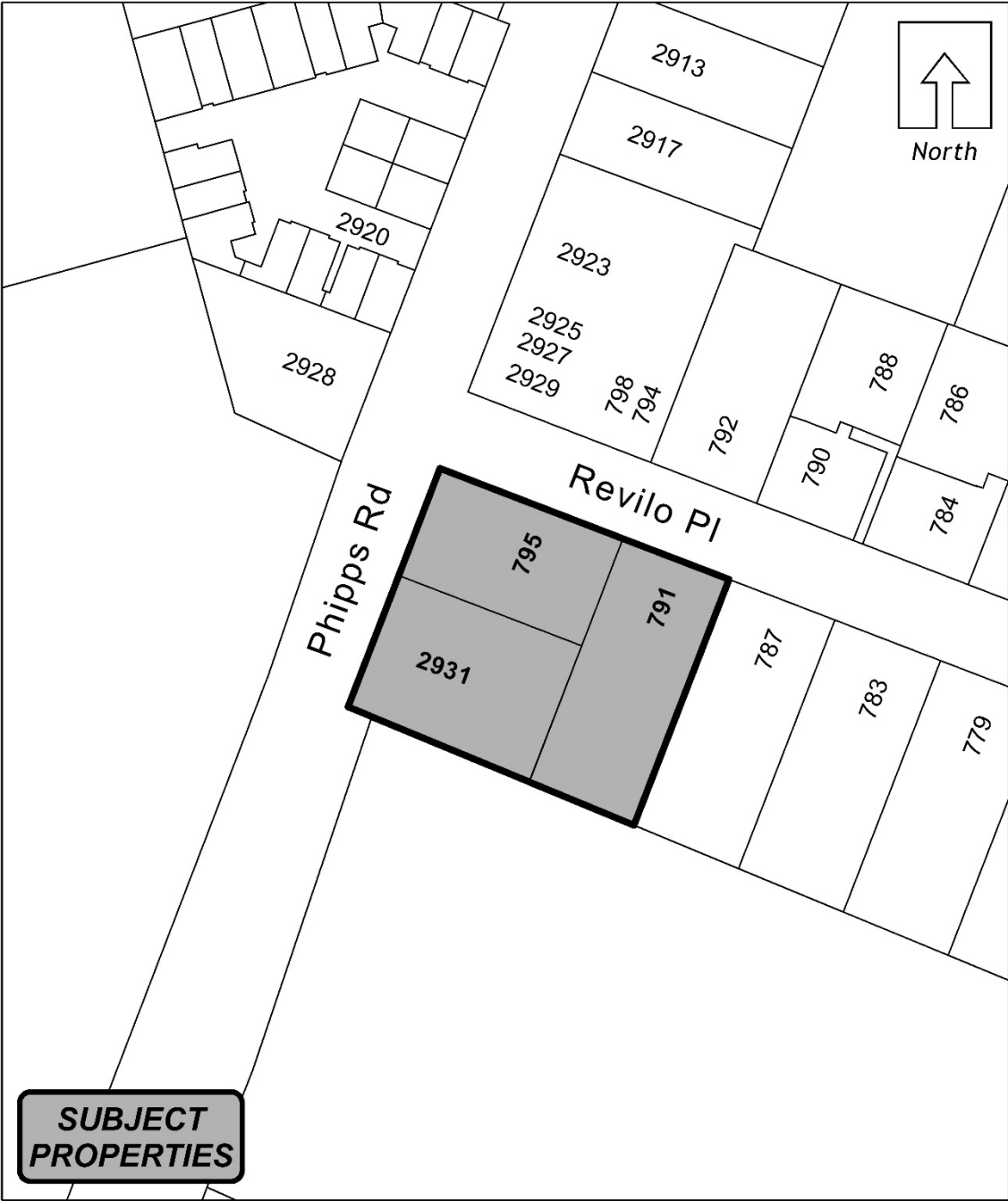
Appendix B
SITE PLAN

Revilo Place



Appendix C
SUBJECT PROPERTY MAP

REZONING BYLAW AMENDMENT
(Z21-0011)
791, 795 Revilo Pl & 2931 Phipps Rd



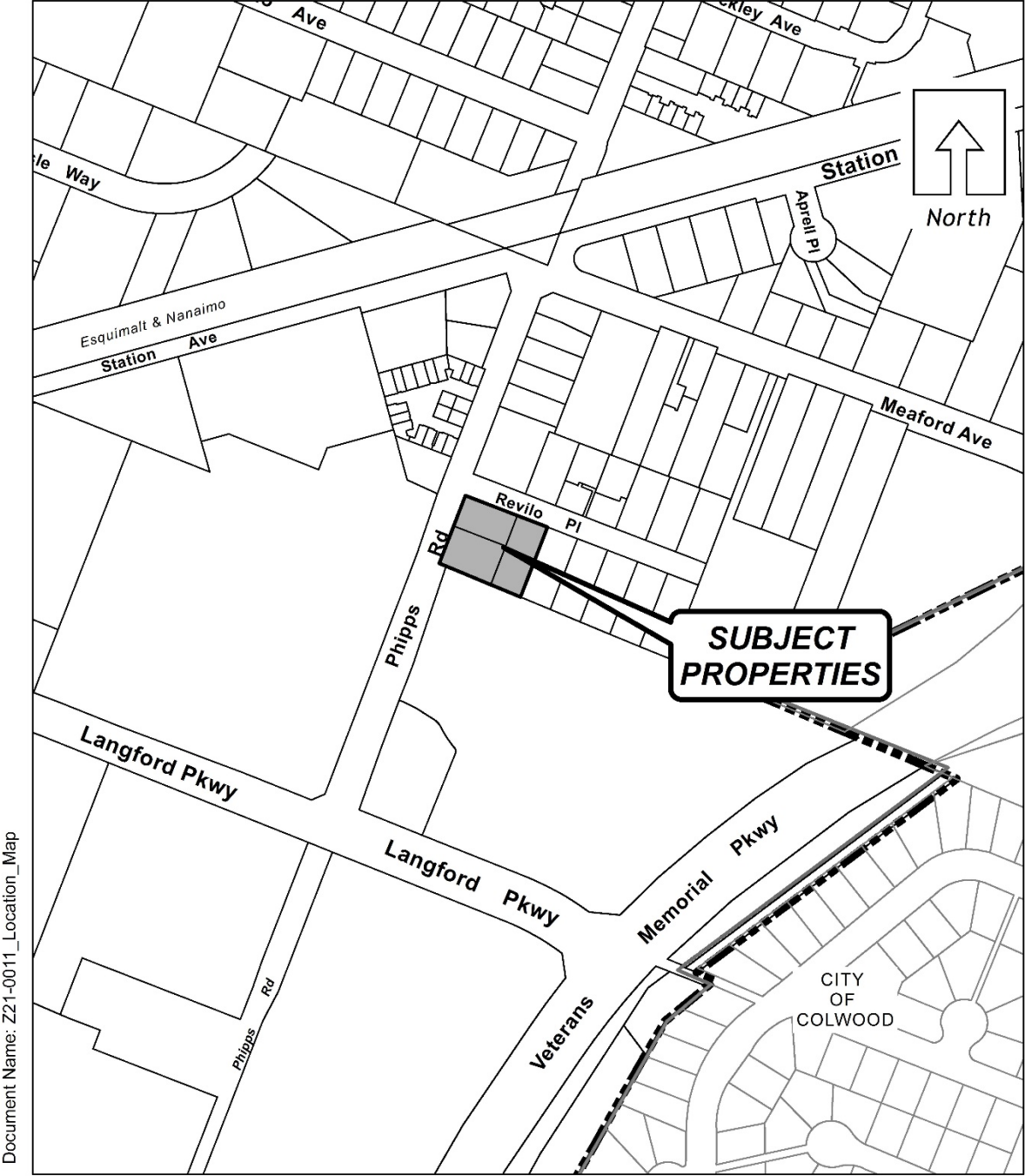
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Last Revised: 5/4/2021

Appendix D
LOCATION MAP

REZONING BYLAW AMENDMENT
(Z21-0011)
791, 795 Revilo Pl & 2931 Phipps Rd



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Last Revised: 5/4/2021