



Staff Report to the Planning, Zoning and Affordable Housing Committee

DATE: Monday, January 17, 2022

DEPARTMENT: Planning

APPLICATION NO.: Z21-0042

SUBJECT: Application to Rezone 902 Walfred Road from Rural Residential 5 (RR5) to Residential Small Lot 1 (RS1) to accommodate an 13-lot bare land strata subdivision.

PURPOSE

Rachael Sansom of Grayland Consulting Ltd. has applied on behalf of Bev and Sherri Befus to rezone 902 Walfred Road from Rural Residential 5 (RR5) to Residential Small Lot 1 (RS1) to accommodate a 13 lot bare land strata subdivision.

BACKGROUND

PREVIOUS APPLICATIONS

DP20-0048 – In October 2020 the property owners applied and obtained a Development Permit to allow for ditch realignment and remediation work within the Habitat and Biodiversity and Interface Fire Hazard development permit areas.

Table 1: Site Data

<i>Applicant</i>	Rachael Sansom, Grayland Consulting Ltd.
<i>Owner</i>	Bev and Sherri Befus
<i>Civic Address</i>	902 Walfred Road
<i>Legal Description</i>	Lot 1 Section 78 Esquimalt District Plan 22056, PID: 003-297-411
<i>Size of Property</i>	9,234 m ² (2.26 acres)
<i>DP Areas</i>	Potential Habitat and Biodiversity and Interface Fire Hazard
<i>Zoning Designation</i>	Rural Residential 5 (RR5)
<i>OCP Designation</i>	Hillside or Shoreline

SITE AND SURROUNDING AREA

The subject property is located on the north side of Walfred Road, directly adjacent to the City of Colwood border. The site is heavily treed and the property slopes towards Walfred Road.

The surrounding properties are all primarily large lots zoned for rural residential use, and with similar topography and environmental conditions. It is noted that to the west, near Jacklin Road, there are various new small lot subdivisions that have been completed in the past several years. To the south-east, the property located at 894 Walfred Road was rezoned to RS4 (now R2) to allow a 15-lot subdivision. Construction works are underway on this site and sewer will be extended down Walfred Road, past the subject property, as part of the subdivision requirements. Further to the south-east, the property at 890 Walfred is currently under consideration of rezoning to the R2 Zone to allow an 8-lot subdivision.

Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	RR5 and City of Colwood	Rural Residential, heavily treed
<i>East</i>	RR1, R2 and City of Colwood	Rural Residential and One- and Two-Residential
<i>South</i>	RR1 and RR5	Rural Residential
<i>West</i>	RR5	Rural Residential

COMMENTS

OFFICIAL COMMUNITY PLAN

The subject property is designated as *Hillside or Shoreline* within the Official Community Plan Bylaw No. 1200 as described below:

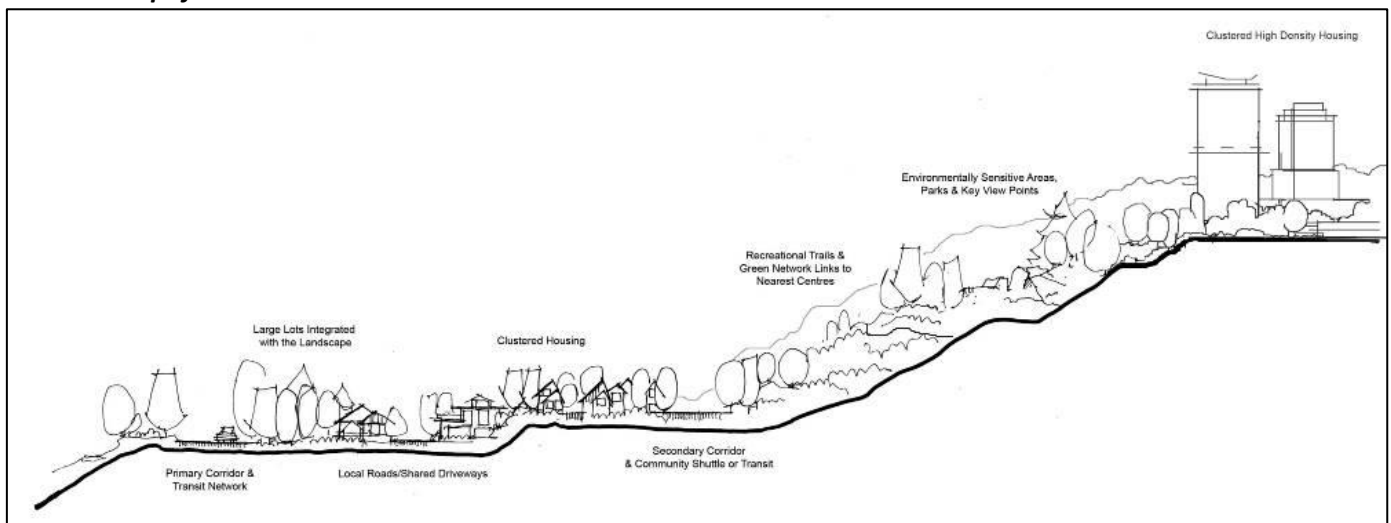
Hillside or Shoreline

Predominantly existing low intensity settled areas throughout community with a high percentage of open space and undeveloped areas located on a hillside or near the shoreline.

- Predominantly residential precinct that supports a range of clustered low, medium and high density housing choices including secondary suites. Higher building forms, such as point towers, will be permitted on hillsides to maximize open space provided some conditions are satisfied (see policies for this area)
- Schools, community facilities and other institutional uses are permitted throughout the area
- Home-based businesses, live-work housing is encouraged; Home-based accommodations (e.g. Bed & Breakfasts) are permitted.

- Parks, open spaces and green corridors (creeks, wildlife corridors, trails, etc.) are integrated throughout the area. Large playfields are discouraged due to grading requirements. Site and topographic responsive pocket parks, enhanced viewpoints, graded hiking and walking trails, children's play areas, including 'tot lots' and outdoor exercise areas are strongly encouraged on hillside areas.
- This area allows for *Neighbourhood Centres* to emerge in the form of high and medium density clustered mixed-use nodes
- Transit stops are located where appropriate

A Concept for Hillside or Shoreline Areas



DEVELOPMENT PERMIT AREAS

The subject property is located within the *Potential Habitat and Biodiversity* and *Extreme Interface Fire Hazard* Development Permit Areas. Reports prepared by registered professionals and a Development Permit will be required prior to the alteration of the land. The applicant has submitted a high-level overview of the habitat and biodiversity areas on site to confirm there are no immediate concerns about the proposed lot layout. A more detailed report will be required at the time of Development Permit. Additionally, Council designates any lots less than 550 m² in area as small lots and therefore the proposed development would also require a Form and Character Development Permit pursuant to the *Intensive Residential* design guidelines.

DEVELOPMENT PROPOSAL

The applicant is proposing to rezone the subject property to RS1 (Residential Small Lot 1) to allow for a 13-lot bare land strata subdivision. The existing dwelling will remain. The size of the lots range between 217 m² and 1163 m², seven out of the thirteen lots would be eligible for a secondary suite as they exceed 400 m². Each lot is required to have at least two parking spaces for the primary dwelling, and a third space is required for any lot that contains a secondary suite.

It is noted for reference that the average lot size, when considering the parent parcel size less the area of the strata road, is just over 600 m². This is a lower density than the R2 Zone, but since some of the lots have lot areas and lot widths less than the R2 Zone, the applicant has requested the RS1 Zone.

As the applicant is intending to create 13 new lots, they will be required to create 7 on-street parking spaces as per Bylaw No. 1000 requirements. They have provided eight stalls and have demonstrated on their site plan where they intend for these spaces to be located.

The applicant has also provided a significant amount of undisturbed greenspace totaling 2,853 m² or 31% of the site area. The proposed green space shall be registered as strata common property. Council may wish to require that the applicant register a non-disturbance covenant over these lands to ensure this greenspace is retained as proposed.

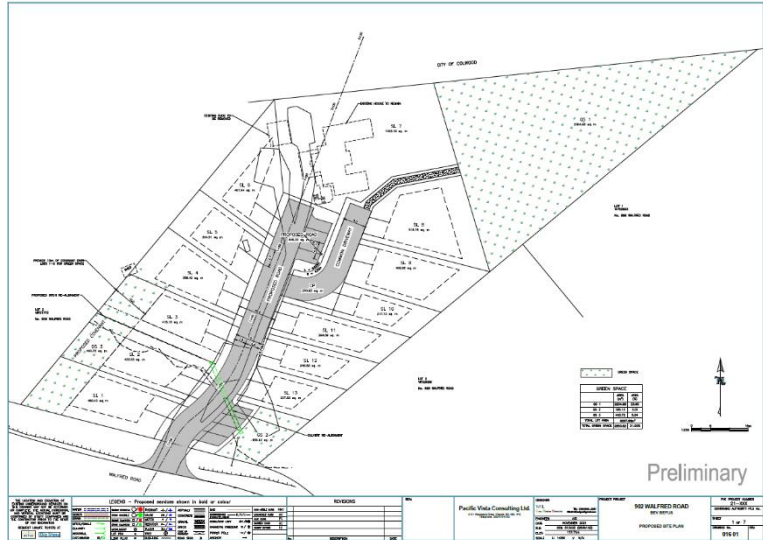


Table 3: Proposal Data

	Permitted by RR5 (Current Zoning)	Permitted by RS1 (Proposed Zone)
<i>Minimum Lot Size</i>	4,046.86 m ² (1 acre)	200 m ²
<i>Minimum Lot Width</i>	n/a	9 m
<i>Maximum Height</i>	10.5 m (34.4 ft)	9 m (29.5 ft.)
<i>Maximum Site Coverage</i>	n/a	50%
<i>Front Yard Setback</i>	7.5 m (24.6 ft)	3 m (9.8 ft), and 5.5 m (18f ft) for garage portion
<i>Interior Side Yard Setback</i>	3 m (9.8 ft)	1.5 m (4.9 ft)
<i>Exterior Side Yard Setback</i>	5.5 m (18 ft)	3.5 m (9.8 ft), and 5.5 m (18f ft) for garage portion
<i>Rear Yard Setback</i>	10 m (32.8 ft)	5.5 m (18 ft)
<i>Parking Requirement</i>	2 spaces per dwelling and 1 space for a secondary suite (if permitted)	2 spaces per dwelling and 1 space for a secondary suite (if permitted)

PARKS AND BOULEVARD

The Parks Department has indicated that vegetation within the road allowance on Walfred Road should be retained. If any vegetation is required to be removed, the applicant is required to replant the area and provide a temporary irrigation system from a private irrigation system, to be secured by way of a Section 219 Covenant.

The Parks Department has not requested that any park land be provided with this development. As such, in accordance with Section 510 of the *Local Government Act*, 5% cash-in-lieu of park land of the assessed value, following rezoning, would be required as a condition of subdivision approval.

INFRASTRUCTURE

Full frontage improvements in accordance with Bylaw No. 1000 and to the satisfaction of the Director of Engineering will be required as a condition of subdivision approval. Of note, the Engineering Department has indicated that the proposal will be required to provide streetlights, cash-in-lieu for a multi-use path and no on-street parking on Walfred Road.

STORMWATER MANAGEMENT

The applicant will be required to provide a stormwater management plan to the satisfaction of the Director of Engineering prior to subdivision approval or the issuance of a building permit, whichever is first. Council may wish to require a stormwater technical memo prepared by the project engineer prior to Public Hearing to verify that storm water can be adequately managed on-site for the proposed development.

FINANCIAL CONTRIBUTIONS

COUNCIL'S AFFORDABLE HOUSING, PARK AND AMENITY CONTRIBUTION POLICY

Rezoning the subject property may increase the assessed value of the property, and this may increase municipal revenue. As the applicant will be responsible for frontage improvements and connection to the municipal sewer system, the direct capital costs to the municipality associated with this development will be negligible. A summary of the Amenity Contributions and Development Cost Charges that the developer will be expected to pay is outlined below in Tables 4 and 5.

Table 4 – Amenity Contributions per Council Policy

Amenity Item	Per unit contribution	Total (13 lots)
<i>Affordable Housing Reserve Fund</i>	\$660 (Small Lot)	\$7,920 (12 lots)
	\$1,000 (Single Family – 550+ m ² lot)	\$1,000 (1 lot)
<i>General Amenity Reserve Fund</i>	\$3,960 (Small Lot)	\$47,520 (12 lots)
	\$6,000 (Single Family – 550+ m ²)	\$6,000 (1 lot)
TOTAL POLICY CONTRIBUTIONS		\$62,440

Table 5 – Development Cost Charges

Development Cost Charge	Per unit contribution	Total (12 lots)
<i>Roads</i>	\$3,865 (Small Lot)	\$34,785 (9 lots)
	\$5,876 (300+ m2 lot)	\$23,504 (4 lots)
<i>Storm Drainage</i>	\$1,166 (Small Lot)	\$10,494 (9 lots)
	\$1,878 (300+ m2 lot)	\$7,512 (4 lots)
<i>Park Improvement</i>	\$1,890	\$24,570
<i>Park Acquisition</i>	\$1,100	\$14,300
<i>Incremental Storage Improvement Fees</i>	\$371.25 (Small Lot)	\$2,227.50 (6 lots)
	\$495 (400+ m2 lot)	\$3,465 (7 lots)
<i>Integrated Survey Area</i>	\$50	\$650
Subtotal (DCCs paid to City of Langford)		\$121,507.50
<i>CRD Water</i>	\$2,922	\$37,986
<i>School Site Acquisition</i>	\$1,000	\$13,000
TOTAL (estimate) DCCs		\$172,493.50

OPTIONS:

Option 1

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

1. Proceed with consideration of Bylaw No. 2030 to amend the zoning designation of 902 Walfred Road from the RR5 (Rural Residential 5) Zone to the RS1 (Residential Small Lot 1) Zone subject to the following terms and conditions:
 - a. That the applicant provides, as a bonus for increased density, the following contributions per lot **prior to subdivision approval**:
 - i. \$600 (Small Lot) towards the Affordable Housing Fund;
 - ii. \$1,000 (Single Family – 550 m² or more) towards the Affordable Housing Fund;
 - iii. \$3,960 (Small Lot) towards the General Amenity Fund; and
 - iv. \$6,000 (Single Family – 550 m² or more) towards the General Amenity Fund.
 - b. That, **prior to Public Hearing**, the applicant provides a technical memo from an engineer that verifies stormwater can be adequately managed on-site for the proposed developments, to the satisfaction of the Director of Engineer;
 - c. That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees:
 - i. That the following will be provided and implemented to Bylaw No. 1000 standards to the satisfaction of the Director of Engineering prior to subdivision approval or the issuance of a building permit, whichever is first:
 1. Full frontage improvements; and
 2. A storm water management plan;
 - ii. That a Construction Parking and Traffic Management Plan be provided to the satisfaction of the Director of Engineering prior to any alteration of the land;
 - iii. That vegetation within the road allowance on Walfred Road should be retained. If any vegetation is removed, the applicant is required to replant the area and provide a temporary irrigation system from a private irrigation system to the satisfaction of the Manager of Parks
 - iv. That a non-disturbance covenant be registered over 31% of the land to be protected as open space on strata common property prior to subdivision approval, to the satisfaction of the Approving Officer;

OR Option 2

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

Take no action at this time with respect to Bylaw No. 2030.

SUBMITTED BY: Matt Notley, Planner I

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

Concurrence: Donna Petrie, Manager of Business Development and Events

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

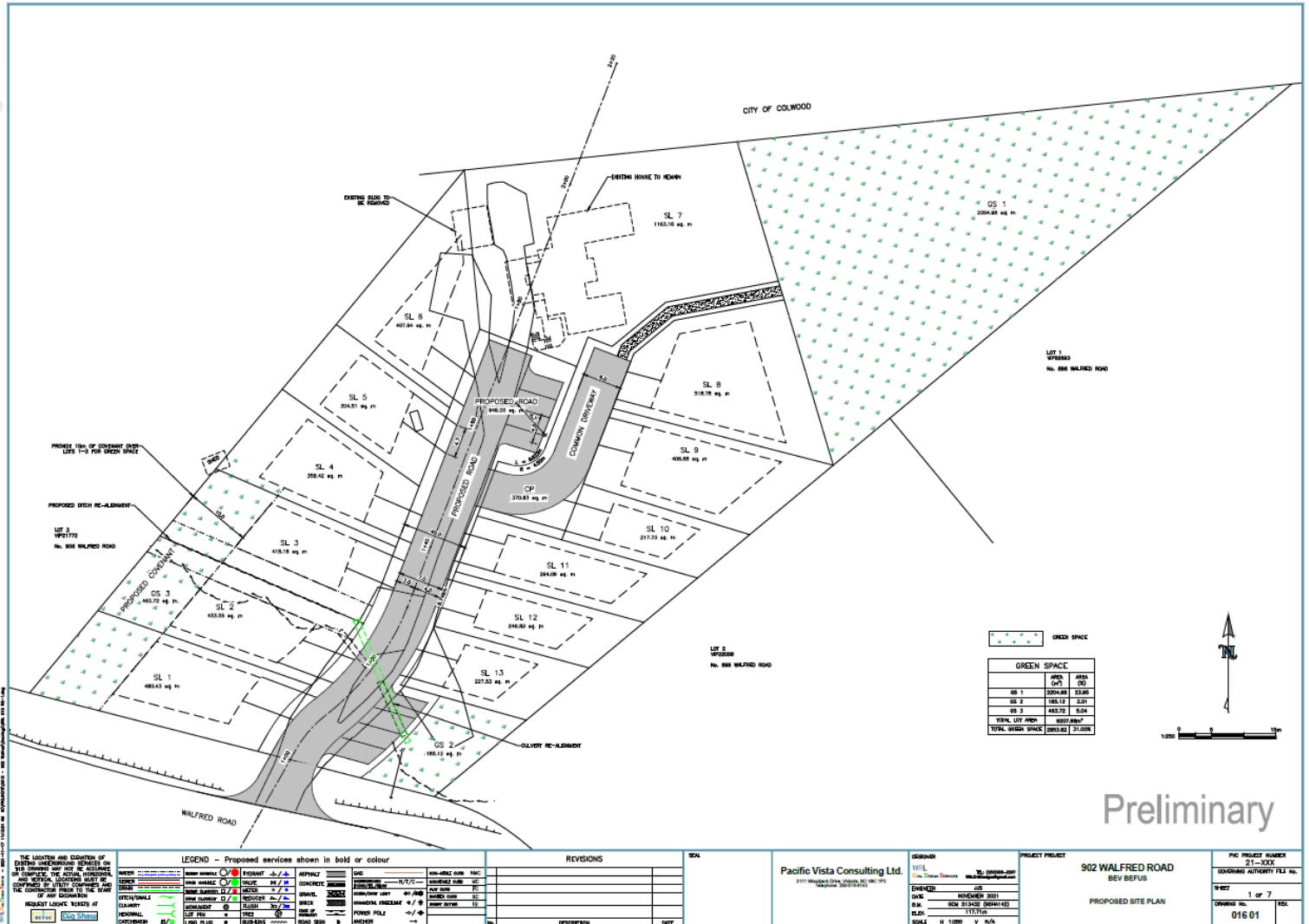
Concurrence: Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works

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

Concurrence: Marie Watmough, Acting Director of Corporate Services

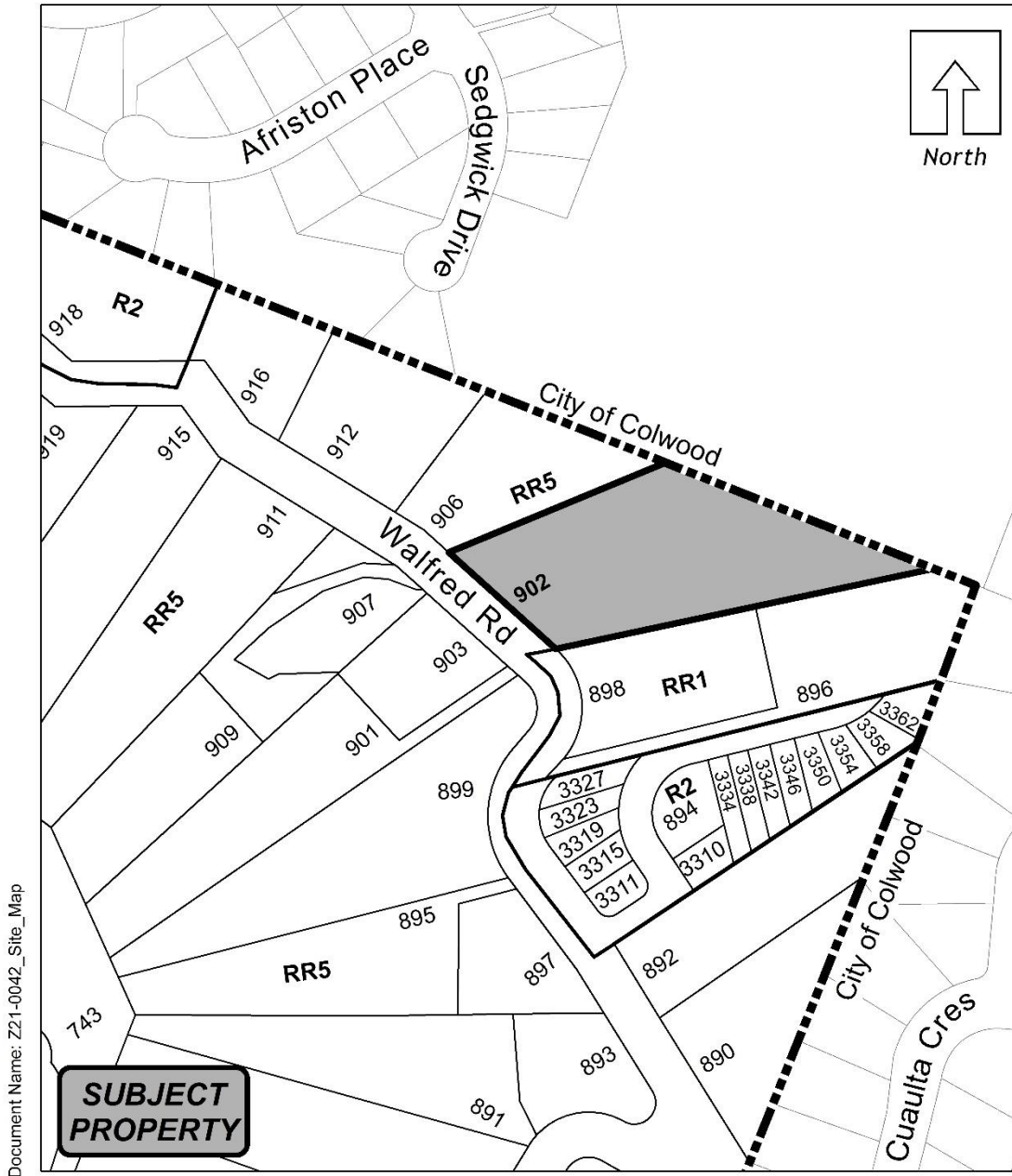
Concurrence: Darren Kiedyk, Chief Administrative Officer

Appendix A – Proposed Site Plan



Appendix B – Site Map

**REZONING BYLAW AMENDMENT
(Z21-0042)
902 Walfred Rd**



Scale: N.T.S.

Last Revised: 12/1/2021

Appendix C – Location Map

**REZONING BYLAW AMENDMENT
(Z21-0042)
902 Walfred Rd**

