



Staff Report to the Planning, Zoning and Affordable Housing Committee

DATE: Monday, March 28, 2022

DEPARTMENT: Planning

APPLICATION NO.: Z21-0051

SUBJECT: Application to Rezone 2869, 2875, 2885 Leigh Road and 1080 Dunford Avenue From R2 (One- and Two-Family Residential) to CC1 (City Centre) to Allow for a Six-Storey Mixed Use Apartment Building

PURPOSE

Rachael Sansom has applied on behalf of Sheldrake Construction Ltd and Phyllis & Donald Griffiths to rezone 2869, 2875, 2885 Leigh Road and 1080 Dunford Avenue from R2 (One- and Two-Family Residential) to CC1 (City Centre) to allow for a six-storey mixed use apartment building with approximately 78 residential units and 870 m² of commercial space.

BACKGROUND

PREVIOUS APPLICATIONS

There are no previous planning applications associated with the subject properties.

Table 1: Site Data

<i>Applicant</i>	Rachael Sansom
<i>Owner</i>	Sheldrake Construction Ltd (2869, 2875, and 2885 Leigh Rd) Phyllis & Donald Griffiths (1080 Dunford Ave)
<i>Civic Address</i>	2869, 2875, 2885 Leigh Road and 1080 Dunford Avenue
<i>Legal Descriptions</i>	LOT A, SECTION 79, ESQUIMALT DISTRICT, PLAN 30606 LOT 2, 3 and 4, SECTION 79, ESQUIMALT DISTRICT, PLAN 17880
<i>Size of Property</i>	3,536.4 m ² (combined total)
<i>DP Areas</i>	Multi-Family, Commercial, and City Centre Development Permit Areas
<i>Zoning Designation</i>	R2 (One- and Two-Family Residential)
<i>OCP Designation</i>	City Centre

SITE AND SURROUNDING AREA

The subject properties are located on the corner of Dunford and Leigh Road, at the edge of Langford's City Centre. The surrounding area is made up of a mix of single family dwellings, duplexes, and industrial land. The site is also in close proximity to Langford Lake. The subject properties are predominately flat and each contain a single family dwelling.

Figure 1: Subject Properties**Table 2: Surrounding Land Uses**

	Zoning	Use
<i>North</i>	R2 (One- and Two-Family Residential)	Single Family Dwellings
<i>East</i>	R2 (One- and Two-Family Residential)	Single Family Dwellings and Duplexes
<i>South</i>	R2 (One- and Two-Family Residential) M1 (Light Industrial)	Single Family Dwellings and Duplexes Light Industrial Uses
<i>West</i>	RL1 (Residential Lakeshore)	Single Family Dwellings

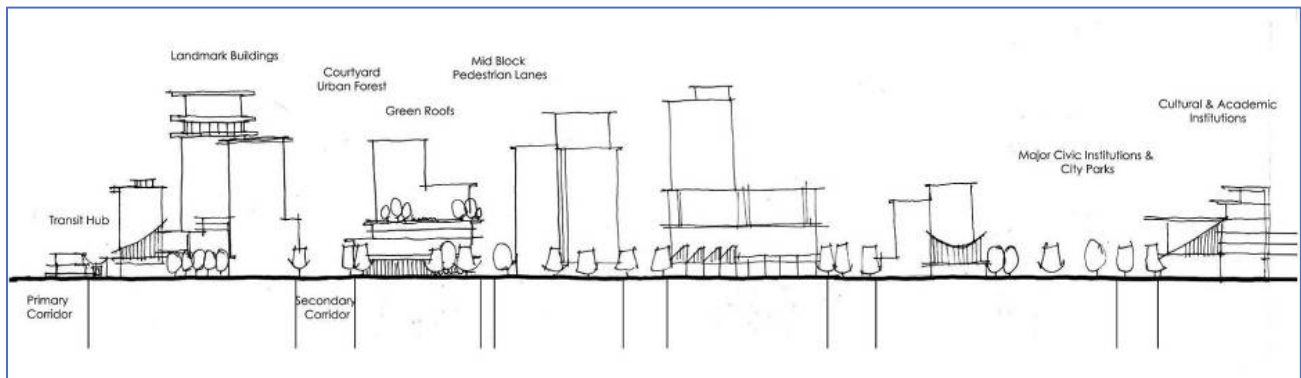
COMMENTS

OFFICIAL COMMUNITY PLAN

The Official Community Plan (OCP) Bylaw No. 1200 designated the subject properties as “City Centre”, which is defined by the following text:

- A major regional growth centre that supports 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 2 - A Concept for the City Centre



DEVELOPMENT PERMIT AREAS

The subject properties are not located within any environmental or hazardous development permit areas. However, a form and character development permit would be required prior to the issuance of a building permit to review overall compliance with the City Centre and Multi-Family design guidelines as well as zoning bylaw requirements.

DESIGN GUIDELINES

The subject properties are located within the Centennial Park (S1) neighbourhood of the City Centre Design Guidelines as outlined below. For this region of the City Center, 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 Avenue. 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

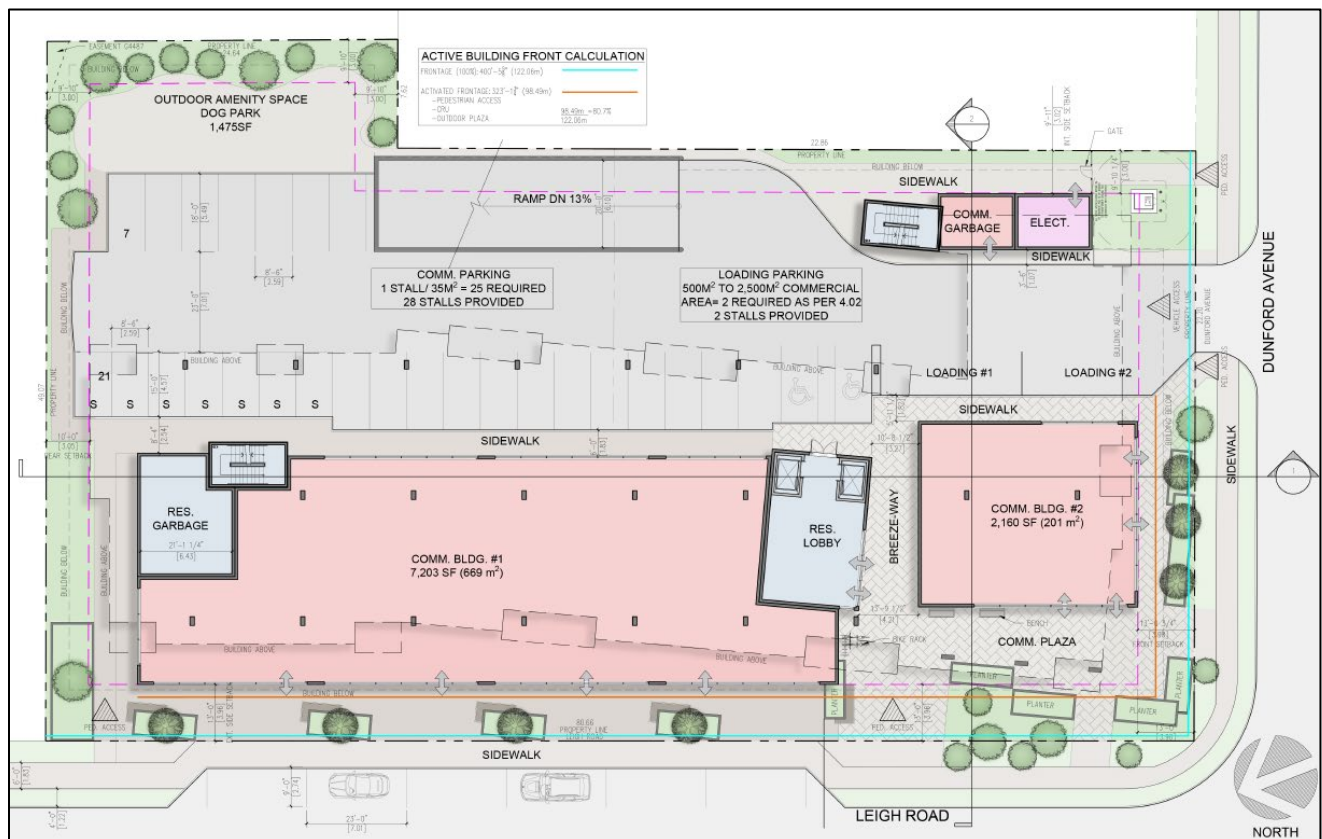
within the Centennial Park neighbourhood shall be placed on a family focus and being able to move through the housing continuum by addressing various housing types.

COMMENTS

DEVELOPMENT PROPOSAL

The applicant has applied to rezone 2869, 2875, 2885 Leigh Road and 1080 Dunford Avenue from R2 (One- and Two-Family Residential) to CC1 (City Centre) to allow for a six-storey mixed use apartment building with approximately 78 residential units and 870 m² of commercial space. These residential and commercial units are supported by one floor of underground parking and surface parking that is hidden behind the building. The building features ground floor commercial space that is separated by a breezeway and will be connected above by the residential units on the 2nd to 6th floors as shown below in Figure 3 and 4.

Figure 3: Site Plan – Ground Floor



The proposal meets the CC1 zoning requirement for a minimum of 80% active building frontage and is exceeding the minimum requirement for 5% common outdoor amenity space by including a shared patio on the 6th floor attached to an indoor amenity space, and a ground floor green space that can be used by residents with pets. This is in addition to a small commercial plaza space at the corner of Leigh and Dunford. The applicant is not requesting any variances to the CC1 zone.

The applicant has provided renderings for their proposal as shown below in Figure 4. As shown, the ground floor parking will not be visible from the street – an objective of the City’s Design Guidelines. Access to the underground and surface parking will be off Dunford Ave, with the driveway running underneath the 2nd floor residential units.

Figure 4: Project Rendering



Presently, the proposal demonstrates a residential unit makeup of 30 one-bedroom units and 48 two-bedroom or two-bedroom with den units. 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. As of recently, Council has been requiring this for most multi-family rezoning applications.

As the subject properties are located within the City Centre and no units are intended to be larger than two-bedrooms, a parking rate of 1.25 parking spaces per unit is required, where the 0.25 will be allocated to visitors. With 78 residential units, 98 parking spaces are required, of which 20 spaces will be designated for visitors. The commercial parking rate in the City Centre is 1 space per every 35 m² of commercial gross floor area. As the applicant is proposing 870 m² of commercial gross floor area, 25 commercial parking

spaces are required. Presently, the Zoning Bylaw allows for visitor parking spaces in mixed-use buildings to count towards the commercial parking spaces, provided that a covenant in favour of the City is registered on title. As the applicant intends to utilize this option, a total of 103 parking spaces are required. The proposed plans currently demonstrate 110 parking spaces, which exceeds the bylaw requirements. If the applicant chooses to change their unit make-up at a later date to include 3-bedroom units, a rate of 2.25 parking spaces per unit will apply to units of that size or larger. Parking requirements will be re-confirmed at the time of development permit.

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 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.

For vehicle options in the future, Council may wish to remain consistent in requiring 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 years to come.

Table 3: Proposal Data

	Permitted by R2 (Current Zoning)	Proposed by CC1 (Proposed Zoning)
<i>Density (FAR and/or min. lot size)</i>	400 m ² min. lot size	5.0 FAR
<i>Height</i>	9 m	6 storeys
<i>Site Coverage</i>	50%	n/a
<i>Front Yard Setback</i>	5.5 m	2 m (6.6 ft) for 1 st storey 4 m (13 ft) for 3+ storeys
<i>Interior Side Yard Setback</i>	1.5 m	3.0m (9.8 ft)
<i>Exterior Side Yard Setback</i>	3 m	2 m (6.6 ft) for 1 st storey 4 m (13 ft) for 3+ storeys
<i>Rear Yard Setback</i>	5.5 m	3.0m (9.8 ft)
<i>Parking Requirement</i>	2 spaces per dwelling, plus 1 additional space for a suite	1.25 spaces per residential unit (0.25 of which is for visitors)

FRONTAGE IMPROVEMENTS

Full frontage improvements to Bylaw No. 1000 standards will be required along both Leigh Road and Dunford Avenue. The following specific improvements are anticipated:

Dunford Avenue – A dedicated left turn and dedicated right turn lane to be required at the intersection with Leigh Road. The construction of sidewalk, continuation of the buffered bike lane, boulevard, tree planting, and streetlights.

Leigh Road - Construction of sidewalk, boulevard, tree planting, and streetlights. A frontage drawing must prove out that no land dedication is required for the full build out of four driving lanes on Leigh Road up to Dunford Avenue. The Director of Engineering has asked that this be demonstrated prior to Public Hearing.

The Parks Department has also noted that they wish to retain the large trees located in the City boulevard. As such, the applicant will be required to install tree protection fencing to the satisfaction of the Parks Manager prior to any site works.

DRAINAGE AND STORMWATER

As a condition of rezoning, Council may wish to request the applicant to examine how storm water 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.

CONSTRUCTION PARKING AND TRAFFIC MANAGEMENT PLAN

Council may wish to require a Construction Parking and Traffic Management Plan as a condition of rezoning and require that it be provided to the satisfaction of the Director of Engineering prior to any land alteration. This should be secured within a covenant, prior to Bylaw Adoption.

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 and commercial spaces created. As the developer is responsible 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, based the current floor plans and total density of 78 residential units and 870 m² (9,364.6 ft²) of commercial floor area.

Table 4 – Amenity Contributions per Council Policy

Amenity Item	Per unit / area contribution	Total
<i>General Amenity Reserve Fund</i>	\$2,850 per residential unit (1st through 4 th storeys)	@48 units = \$136,800
	\$1,425 per residential unit (5 th & 6 th storeys)	@30 units = \$42,750
	10.75 per m ² of commercial gfa	@870 m ² = \$9,352.50
<i>Affordable Housing Reserve Fund</i>	\$750 per residential unit (1st through 4 th storeys)	@48 units = \$36,000
	\$375 per residential unit (5 th and 6 th storeys)	@30 units = \$11,250
TOTAL POLICY CONTRIBUTIONS		\$236,152.50

Table 5 – Development Cost Charges

Development Cost Charge	Per unit / area contribution	Total
<i>Roads</i>	Residential: \$3,092.39 per unit	@ 78 units = \$241,206.42
	Commercial: \$54.12 per m ² of gfa	@870 m ² = \$47,084.40
<i>Park Improvement</i>	Residential: \$1,890 per unit	@ 78 units = \$147,420
	Commercial: N/A	N/A
<i>Park Acquisition</i>	Residential: \$1,100 per unit	@ 78 units = \$85,800
	Commercial: N/A	N/A
<i>Incremental Storage Improvement Fees</i>	Residential: \$331.65 per unit	@ 78 units = \$25,868.70
	Commercial: \$140 per 1000 ft ² of gfa	@9,364.6 ft ² = \$1,311.04
Subtotal (DCCs paid to City of Langford)		\$548,690.56
<i>CRD Water</i>	Residential: \$1,644 per unit	@ 78 units = \$128,232
	Commercial: \$10.74 per m ² of gfa	@870 m ² = \$9,343.80
<i>School Site Acquisition</i>	Residential: \$600 per unit	@ 78 units = \$46,800
	Commercial: N/A	N/A
TOTAL (estimate) DCCs		\$733,066.36

OPTIONS:

Option 1

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

1. Consider proceeding with First Reading of Bylaw No. 2063 to amend the zoning designation of 2869, 2875, 2885 Leigh Road and 1080 Dunford Avenue from R2 (One- and Two-Family Residential) to CC1 (City Centre) 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 the issuance of a building permit:
 - i. \$750 towards the Affordable Housing Reserve Fund; and
 - ii. \$2,850 towards the General Amenity Reserve Fund; and

Subject to reductions depending on the use and height in accordance with the Affordable Housing and Amenity Contribution Policy.

- iii. \$10.75 per m² of commercial gross floor area.
- b. That the applicant provides, **prior to Public Hearing**, the following to the satisfaction of the Director of Engineering:
 - i. A technical memo from an engineer that verifies storm water can be adequately managed on-site for the proposed developments; and
 - ii. A frontage drawing to confirm if road dedication is required to complete all required frontage improvements
- c. That the applicant registers, **prior to Bylaw Adoption**, a road dedication plan, if required, 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 the following will be provided and implemented to Bylaw No. 1000 standards to the satisfaction of the Director of Engineering prior to the issuance of a building permit:
 1. Full frontage improvements;
 2. A storm water management plan; and
 3. A construction parking management plan.
 - ii. That the developer will connect and be responsible for any upgrades required to the services and utilities required for the development;

- iii. That the developer will install tree protection fencing around City boulevard trees to the satisfaction of the Parks Manager, prior to any land alteration;
- iv. That the building be strata titled into individual residential units prior to the issuance of an occupancy permit, to the satisfaction of the Approving Officer;
- v. That the developer consolidate the parcels in accordance with the CC1 zone regulations, prior to the issuance of a development permit;
- vi. 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; and
- vii. 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
 - 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 is required to keep the Electric Vehicle Servicing Equipment (EVSE) in operation and the Strata Council may not prevent an owner, occupant, or tenant from installing the EV charging equipment.

OR Option 2

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

- 1. Take no action at this time with respect to Bylaw No. 2063

SUBMITTED BY: Julia Buckingham, Planner II

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

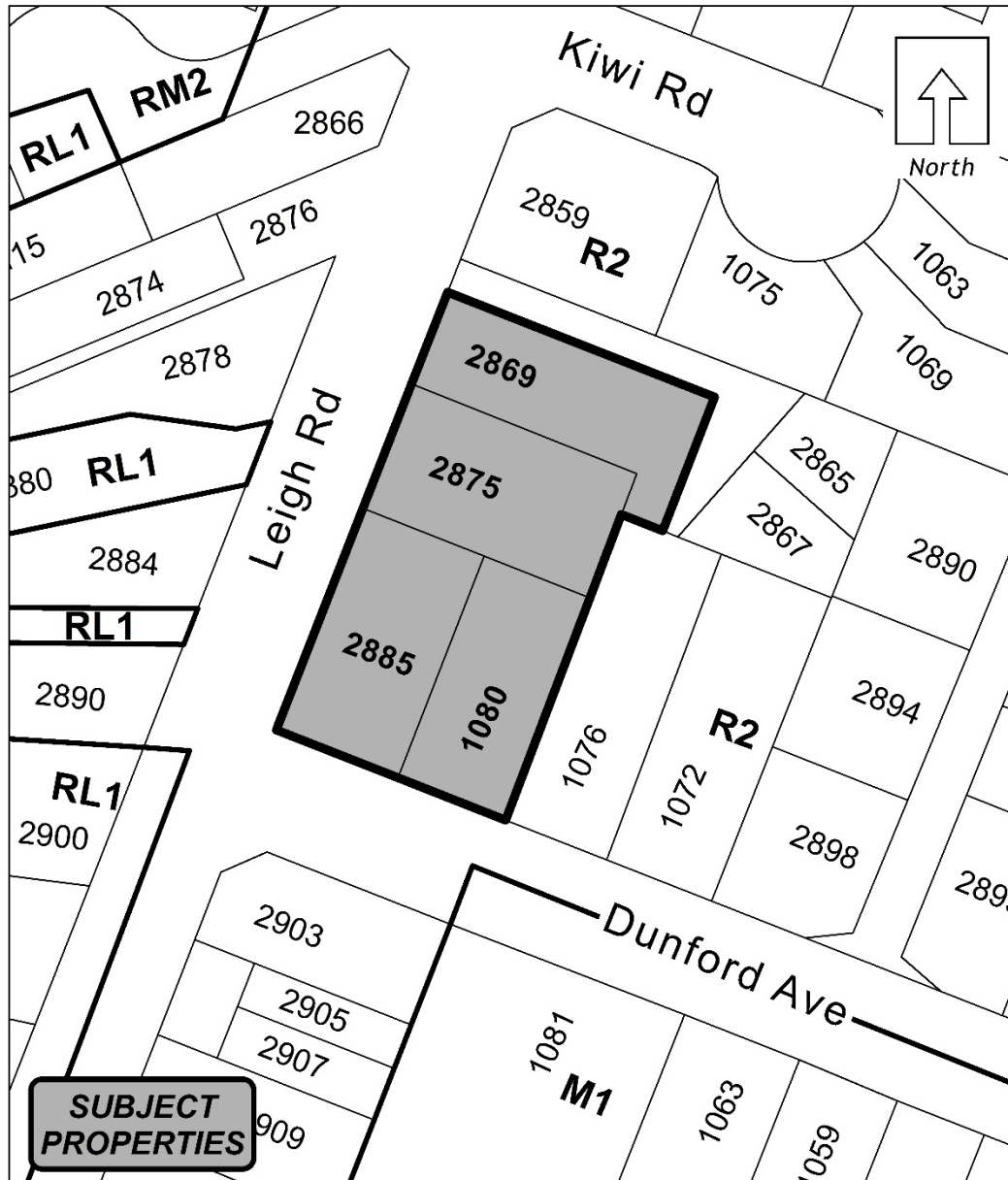
Concurrence: Darren Kiedyk, Chief Administrative Officer

Appendix A – Site Map

REZONING BYLAW AMENDMENT

(Z21-0051)

2869, 2875, 2885 Leigh Rd & 1080 Dunford Ave



Document Name: Z21-0051_Site_Map

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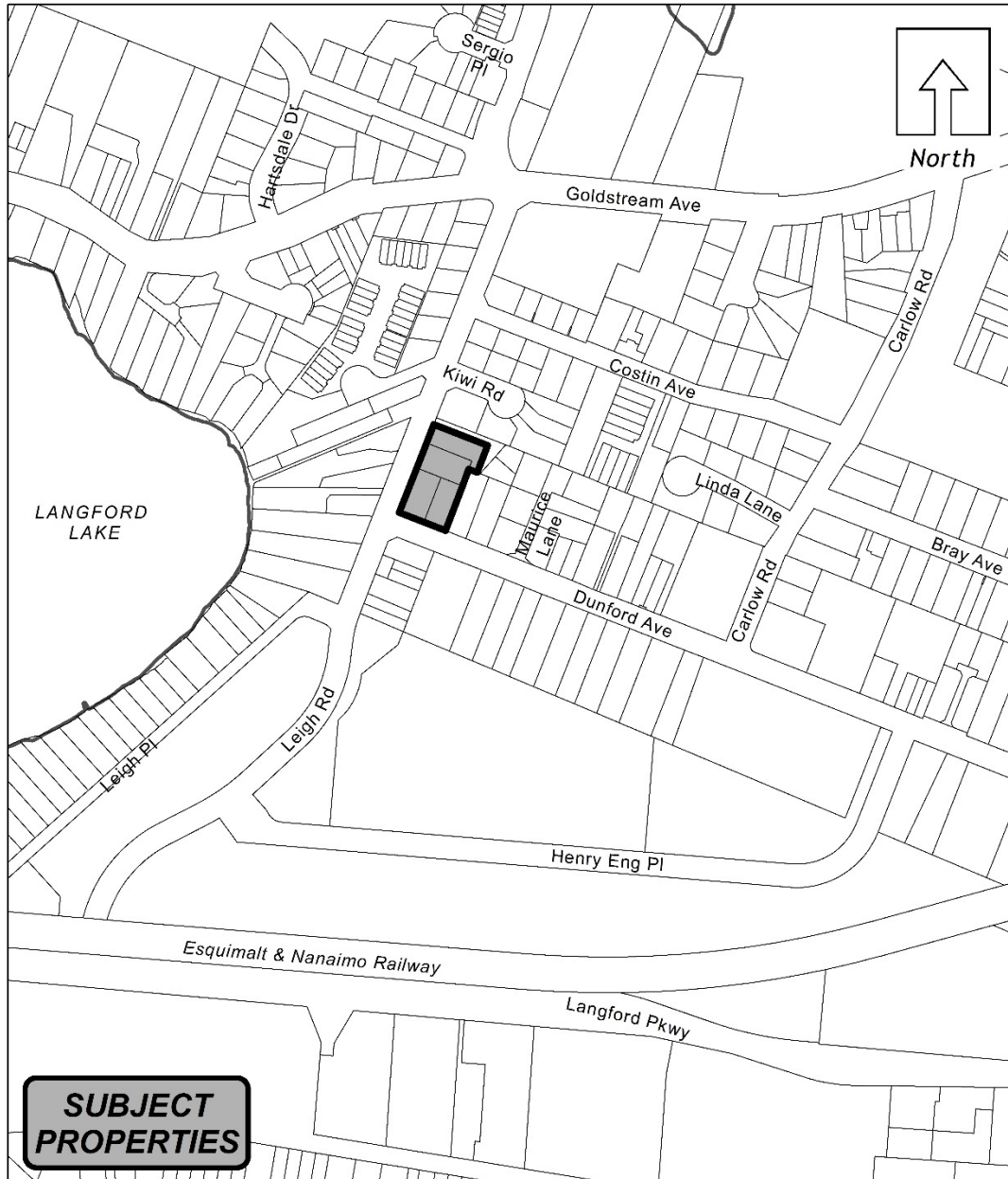
Last Revised: 1/28/2022

Appendix B – Location Map

REZONING BYLAW AMENDMENT

(Z21-0051)

2869, 2875, 2885 Leigh Rd & 1080 Dunford Ave



Document Name: Z21-0051_Location_Map

Scale: N.T.S.

Last Revised: 1/28/2022