



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

**DATE:** Monday, March 28, 2022

**DEPARTMENT:** Planning

**APPLICATION NO.:** Z21-0052

**SUBJECT:** Application to Rezone 2615 Sooke Road from One- and Two-Family Residential (R2) to Community Town Centre Pedestrian 9 (C9) to allow approximately 115 units and two commercial units along Sooke Road

## **PURPOSE:**

Rachael Sansom of Grayland Consulting Ltd. has applied on behalf of 1080581 BC Ltd. to rezone 2615 Sooke Road from One- and Two-Family Residential (R2) to Community Town Centre Pedestrian 9 (C9) to allow for the construction of an apartment building with approximately 115-units and two ground level commercial units that face Sooke Road.

## **BACKGROUND:**

### **PREVIOUS APPLICATIONS**

Z10-0004 – An application to rezone the subject property from R1 to MU1A to allow a multi-family residential development was received in 2010. The application was reviewed by the Planning, Zoning and Affordable Housing Committee and Council but closed due to inactivity prior to Public Hearing.

TUP19-0008 – Similarly, an application for a Temporary Use Permit was received in 2019 but was withdrawn prior to review by the Committee or Council.

**Table 1: Site Data**

<i>Applicant</i>	Rachael Sansom, Grayland Consulting Ltd.
<i>Owner</i>	1080581 BC Ltd.
<i>Civic Address</i>	2615 Sooke Road
<i>Legal Description</i>	Lot A, Section 83, Esquimalt District, Plan VIP56369
<i>Size of Property</i>	3,043 m <sup>2</sup> (0.75 acres)

<i>DP Areas</i>	Sooke Road Commercial Revitalization Development Permit Area	
<i>Zoning Designation</i>	Existing: One- and Two-Family Residential (R2)	Proposed: Community Town Centre Pedestrian 9 (C9)
<i>OCP Designation</i>	Existing: Neighbourhood Centre	Proposed: Neighbourhood Centre

#### SITE AND SURROUNDING AREA

The subject property is treed along Sooke Rd and the rear portion of the site, with an existing house and detached garage located on the north side of the property near Sooke Road. The properties immediately surrounding the site contain a range of uses including: single-family homes, multi-family buildings, multi-use buildings, as well as a group day care, church and office building. This general area of Sooke Road has experienced redevelopment to multi-family residential and mixed-use buildings, similar to this proposal, in recent years.

Figure 1: Subject Property



**Table 2: Surrounding Land Uses**

	<b>Zoning</b>	<b>Use</b>
<i>North</i>	R2 (One- and Two-Family Residential) C3 (District Commercial) P2 (Community Institutional)	Single-Family Residential Office Church
<i>East</i>	R2 (One- and Two-Family Residential) CD7 (Comprehensive Development – Sooke/Jacklin)	Single-Family Residential Mixed-Use/Multi-Family Residential
<i>South</i>	R2 (One- and Two-Family Residential) CD7 (Comprehensive Development – Sooke/Jacklin)	Single-Family Residential Multi-Family Residential
<i>West</i>	R2 (One- and Two-Family Residential)	Single-Family Residential Group Day Care

## **COUNCIL POLICY**

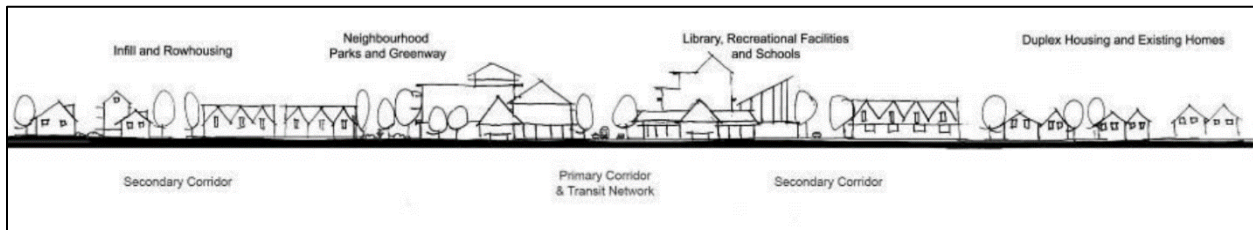
### **OFFICIAL COMMUNITY PLAN**

The Official Community Plan (OCP) Bylaw No. 1200 designates the subject property as ‘Neighbourhood Centre’ and “Neighbourhood”, which is defined by the following text:

#### Neighbourhood Centre

- Predominantly residential precinct that supports a range of medium and high density housing, including affordable and rental housing
- Schools, community facilities and other institutional uses also define neighbourhood centres when supported by housing and services in close proximity
- A range of parks and open spaces are integrated throughout centres
- Transit stops are located at centres where appropriate
- Small scale local-serving retail node defines the predominant commercial uses.

**Figure 2: A Concept for Neighbourhood Centre**



#### DEVELOPMENT PERMIT AREAS

The subject property is located within the Sooke Road Commercial Revitalization Development Permit Area. This designation is considered similar to the City Centre designation for which the OCP states, *‘the form and character of development in these areas is of particular importance to the City’s image. The City has particular objectives to encourage revitalization of older commercial premises to ensure that new development incorporates pedestrian-oriented site planning, articulated and attractive building design, site amenities, and high-quality public and private realm landscaping’*. This DP Area also anticipates creating opportunities for a comprehensive mix of pedestrian-oriented commercial and multi-family uses, particularly along Sooke Rd.

Additionally, Council designates any multi-family development as requiring a Form and Character Development Permit pursuant to the Multi-Family Residential Development Permit Area Guidelines. As such, the design will be further assessed in relation to both of these Development Permit Area Guidelines as part of the Development Permit process, prior to alteration of any land.

#### COMMENTS

##### DEVELOPMENT PROPOSAL

The proposal is to rezone the subject property to C9 (Community Town Centre Pedestrian 9), which would allow for the construction of an apartment building with approximately 115 units, as illustrated in Appendix A. To remain consistent with the OCP and design guidelines as noted above, two commercial units are being proposed at the ground level facing Sooke Road. Four parking stalls would be allocated for these units, which would double as visitor parking for the apartment building as permitted by the zoning bylaw. Access to the site would be right in-right out movements from Sooke Rd, which is subject to the approval and requirements of the Ministry of Transportation and Infrastructure.

Additionally, the applicant has proposed that Covenant EG47572 be discharged. The covenant was registered on title on March 17<sup>th</sup>, 1993 to ensure that the necessary road dedicated can be provided in the future. As the Ministry of Transportation and Infrastructure is required to sign any bylaw to rezone the subject property and the applicant has proposed to provide road dedication prior to Bylaw Adoption, Council may wish to allow 1080581 BC Ltd. to prepare for registration all documentation to allow for the discharge of Covenant EG47572.

**Table 1: Proposal Data**

	Permitted by R2 (Current Zone)	Permitted by C9 (Proposed Zone)
Density (min. lot size)	n/a	6.0 FAR
Height	9 m (29.5 ft)	n/a
Site Coverage	40%	90%
Front Yard Setback	3.0 m (9.8 ft), or 5.5m (18 ft) for the garage portion	2.0 m (6.5 ft)

<i>Interior Side Yard Setback</i>	1.5 m (4.9 ft)	2.0 m (6.5 ft)
<i>Exterior Side Yard Setback</i>	3.0 m (9.8 ft), or 5.5m (18 ft) for the garage portion	2.0 m (6.5 ft)
<i>Rear Yard Setback</i>	5.5 m (18 ft)	2.0 m (6.5 ft)
<i>Parking Requirement</i>	2 per dwelling unit + 1 per suite	<b>Per Bylaw:</b> <b>2.75 per 0-2 bedrooms*</b> <b>3.75 per 3+ bedrooms*</b>  <b>Proposed</b> <b>1.25 per 0-2 bedrooms*</b> <b>2.25 per 3+ bedrooms*</b>

**\*Variance Required**

#### **VARIANCE**

Given that this area is intended to be similar to the City Centre, the applicant has requested to vary the onsite parking requirement to be similar to that of the City Centre. This parking ratio would be consistent with the parking standard applied to the recent rezoning of the lands across the road (the Glen Lake Inn and surrounding lands) and 2627 Sooke Rd which were also rezoned to C9. At that time, Council considered the City Centre parking ratio to be appropriate as that site is intended to contain a mix of both multi-family and commercial uses and, in accordance with the OCP, this portion of Sooke Road is intended to be a pedestrian-oriented corridor similar to Goldstream Avenue. As the applicant of the subject application has included a pedestrian oriented commercial unit along Sooke Road to facilitate that pedestrian interaction, and redevelopment of this site will further the revitalization objectives for this Sooke Road corridor, Council may view this variance as appropriate.

There are bus stops along this stretch of Sooke Road and the Galloping Goose is nearby, both of which facilitate pedestrian interaction. While to date, this area has tended to see professional offices, personal service establishments and similar uses, the range of business will improve as additional commercial space is developed. Furthermore, a wide variety of businesses that can help residents meet their daily needs, such as retail, restaurants and grocery stores, are located within a 5-10 minute walk at Belmont Market.

If Council has no objection to the requested variance, they may wish to authorize the Director of Planning to issue it within the Form and Character Development Permit that is required for this site. As Council has authorized this variance on several occasions in recent years, if they feel that the City Centre parking ratio is an appropriate standard for the Sooke Road Revitalization DP Area, they may wish to direct staff to amend the Zoning Bylaw accordingly.

Conversely, if they do not support this variance, they may wish to direct the applicant to redesign the project to comply with current parking requirements.

#### INFRASTRUCTURE

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.

Council may furthermore 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.

#### FRONTAGE IMPROVEMENTS

Sooke Road at this location is owned and maintained by the Ministry of Highways and Infrastructure (MOTI). Council may wish for the applicant to provide a road cross section showing all required frontage improvements prior to Public Hearing. This road cross section shall accommodate the ultimate laning configuration of Sooke Rd and include frontage improvements to the Sooke Road Corridor Concept Plan, which include, but are not limited to, separated sidewalks, street lights, boulevard trees, plantings and irrigation.

The applicant has anticipated that a 6m wide portion of land along Sooke Road will be dedicated as road in order to accommodate the required frontage improvements; however, the exact amount of road dedication along Sooke Road will be determined as part of the road cross section design approval noted above. Council may wish to require that the road dedication plan be registered prior to bylaw adoption.

#### SEWER

A sewer main exists within Sooke Road fronting this site. The developer will be required to connect the new development to the main in Sooke Road, through approved civil engineering drawings. Any sewer works within dedicated road right of ways will be constructed by Wester Shore Environmental Services at the applicant's expense.

#### STORMWATER MANAGEMENT

The applicant will be required to provide a stormwater management plan to the satisfaction of the Director of Engineering prior to the issuance of a building permit. 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 IMPLICATIONS:**

### FINANCIAL IMPLICATIONS

Rezoning the subject properties to permit higher densities will increase the assessed value of the land and eventually increase municipal revenue due to the number of units created. As the developer is responsible to complete all frontage improvements, servicing connections and upgrades necessary to service the site, 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.

**Table 4: Amenity Contributions per Council Policy**

<b>Amenity Item</b>	<b>Contribution Rates</b>	<b>Total (Approx.)</b>
<i>General Amenity Reserve Fund</i>	\$2,074 per unit (residential) 1 <sup>st</sup> – 4 <sup>th</sup> floors	\$143,106
	\$1,037 per unit (residential) 5 <sup>th</sup> – 6 <sup>th</sup> floors	\$47,702
<i>Affordable Housing Reserve Fund</i>	\$610 per unit (residential) 1 <sup>st</sup> – 4 <sup>th</sup> floors	\$42,090
	\$305 per unit (residential) 5 <sup>th</sup> – 6 <sup>th</sup> floors	\$14,030
<b>TOTAL POLICY CONTRIBUTIONS</b>		<b>\$246,928</b>

**Table 5: Estimated Development Cost Charges**

<b>Development Cost Charge</b>	<b>Per Unit Contribution</b>	<b>Total (Approx.)</b>
<i>Roads</i>	\$3,092.39 (residential)	\$355,624.85
	\$54.12 per m <sup>2</sup> (commercial)	\$7,154.66
<i>Storm Drainage</i>	\$606 (residential)	\$69,690
	\$5.20 per m <sup>2</sup> (commercial)	\$687.44
<i>Park Improvement</i>	\$1,890 (residential)	\$217,350
<i>Park Acquisition</i>	\$1,100 (residential)	\$126,500
<i>Incremental Storage Improvement Fees</i>	\$331.65 (residential)	\$38,139.75
	\$140 per 1000 ft <sup>2</sup> (commercial)	\$199.22
<b>Subtotal (DCCs paid to City of Langford)</b>		<b>\$815,345.92</b>

<i>CRD Water</i>	\$1,644 (residential)	\$189,060
	\$10.74 m <sup>2</sup> (commercial)	\$1,419.82
<i>School Site Acquisition</i>	\$600 (residential)	\$69,000
<b>TOTAL DCC's (estimated)</b>		<b>\$1,074,825.74</b>

**OPTIONS:**

**Option 1**

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

1. Proceed with consideration of Bylaw No. 2045 to amend the zoning designation of the property at 2615 Sooke Road from One- and Two-Family Residential (R2) to Community Town Centre Pedestrian 9 (C9) subject to the following terms and conditions:
  - a. That the applicant provides, as a bonus for increased density, the following contributions per unit, **prior to the issuance of a building permit**:
    - i. \$2,074 towards the General Amenity Reserve Fund; and
    - ii. \$610 towards the Affordable Housing 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, **prior to Public Hearing**, the following to the satisfaction of the Director of Engineering:
    - i. A technical memo from an engineer that verifies stormwater can be adequately managed on-site for the proposed development; and
    - ii. A road cross section showing all required frontage improvements and associated road dedication;
  - c. That the applicant provides, **prior to Public Hearing**, a Traffic Impact Assessment to the satisfaction of the Ministry of Transportation and Infrastructure, if required.
  - 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. A storm water management plan; and
    - 2. A construction parking management plan.
  - ii. That all frontage improvements along Sooke Road are provided as per the Sooke Road Corridor Concept Plan and Bylaw No. 1000, to the satisfaction of the Director of Engineering and the Ministry of Transportation and Infrastructure, prior to issuance of a building permit;
  - iii. That a separate covenant be registered prior to issuance of a building permit for the proposed residential building 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;
  - iv. That no occupancy permit be issued for the proposed building unit a strata plan for the building has been registered, to the satisfaction of the Approving Officer;
  - v. That 100% of residential parking spaces, excluding visitor parking spaces, shall feature an energized outlet capable of providing Level 2 charging or high to the parking space, and that:
    - 1. Energized outlets shall be labelled for the use of electric vehicle charging;
    - 2. Where an electric vehicle 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.
  - e. That the applicant registers, **prior to Bylaw Adoption**, a road dedication plan to the satisfaction of the Director of Engineering and Ministry of Transportation and Infrastructure;
2. Authorize the Director of Planning to issue the following variance in the Form and Character Development Permit for 2615 Sooke Road:
- i. That Table 1 of Section 4.01.01 be varied to reduce the minimum parking requirement from the required 2.75 spaces per dwelling unit with two bedrooms or less and 3.75 spaces per dwelling unit with more than two bedrooms to 1.25 spaces per dwelling unit with two bedrooms or less and 2.75 spaces per dwelling unit with more than two bedrooms.
3. Direct staff to prepare a bylaw to amend Table 1 of Section 4.01.01 to add Apartments in the Sooke Road Revitalization DP Area to the Apartment in the City Centre and Mixed-Use Employment Centre

parking ratio;

4. Allow 1080581 BC Ltd. to prepare for registration all documentation to allow for the discharge of Covenant EG47572 from the title of the subject property, and authorize the Mayor and Corporate Officer to sign such documentation as required.

**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. 2045.

**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

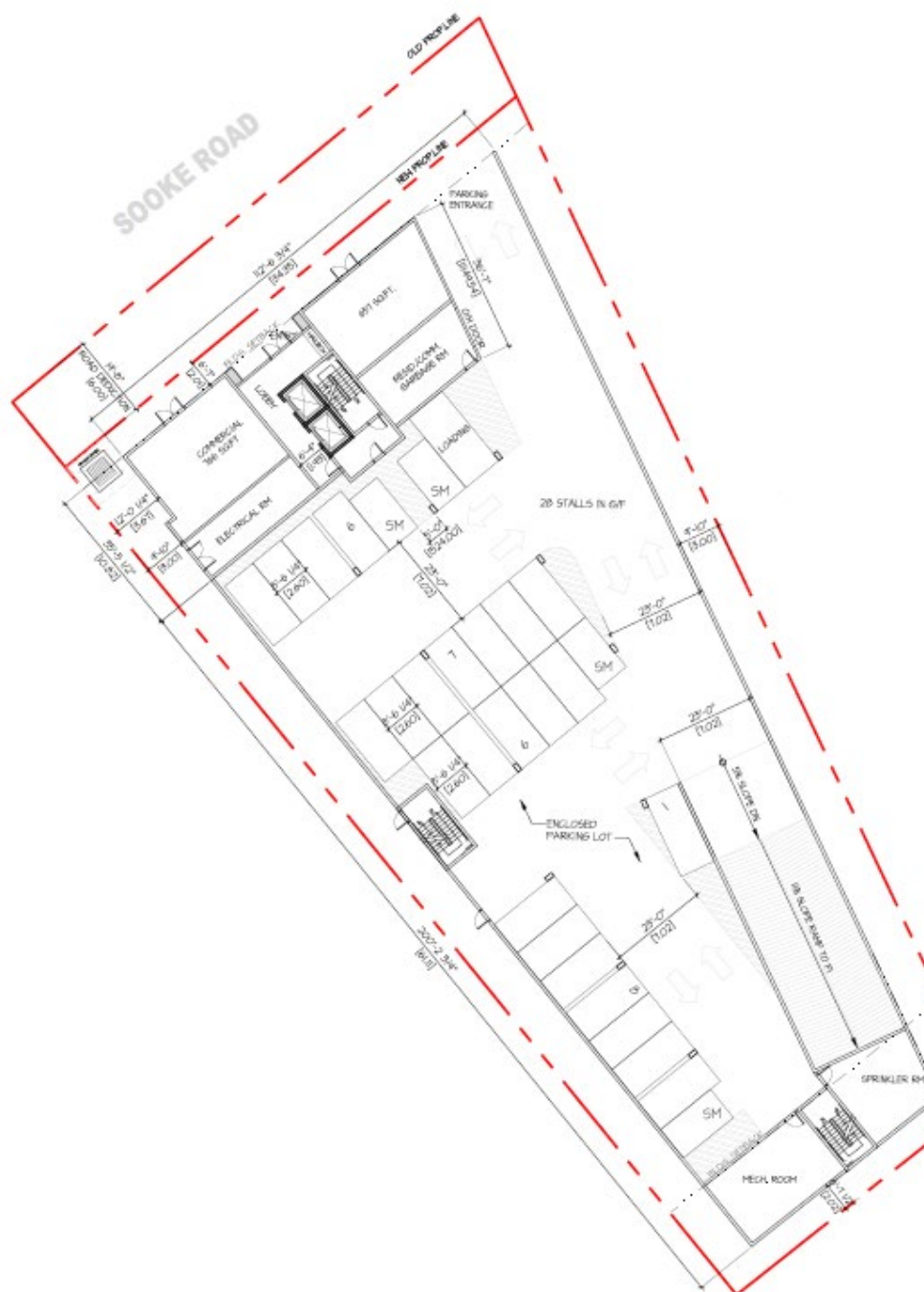
**Concurrence:** Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works

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

**Concurrence:** Marie Watmough, Acting Director of Corporate Services

**Concurrence:** Darren Kiedyk, Chief Administrative Officer

## Appendix A – Site Plan

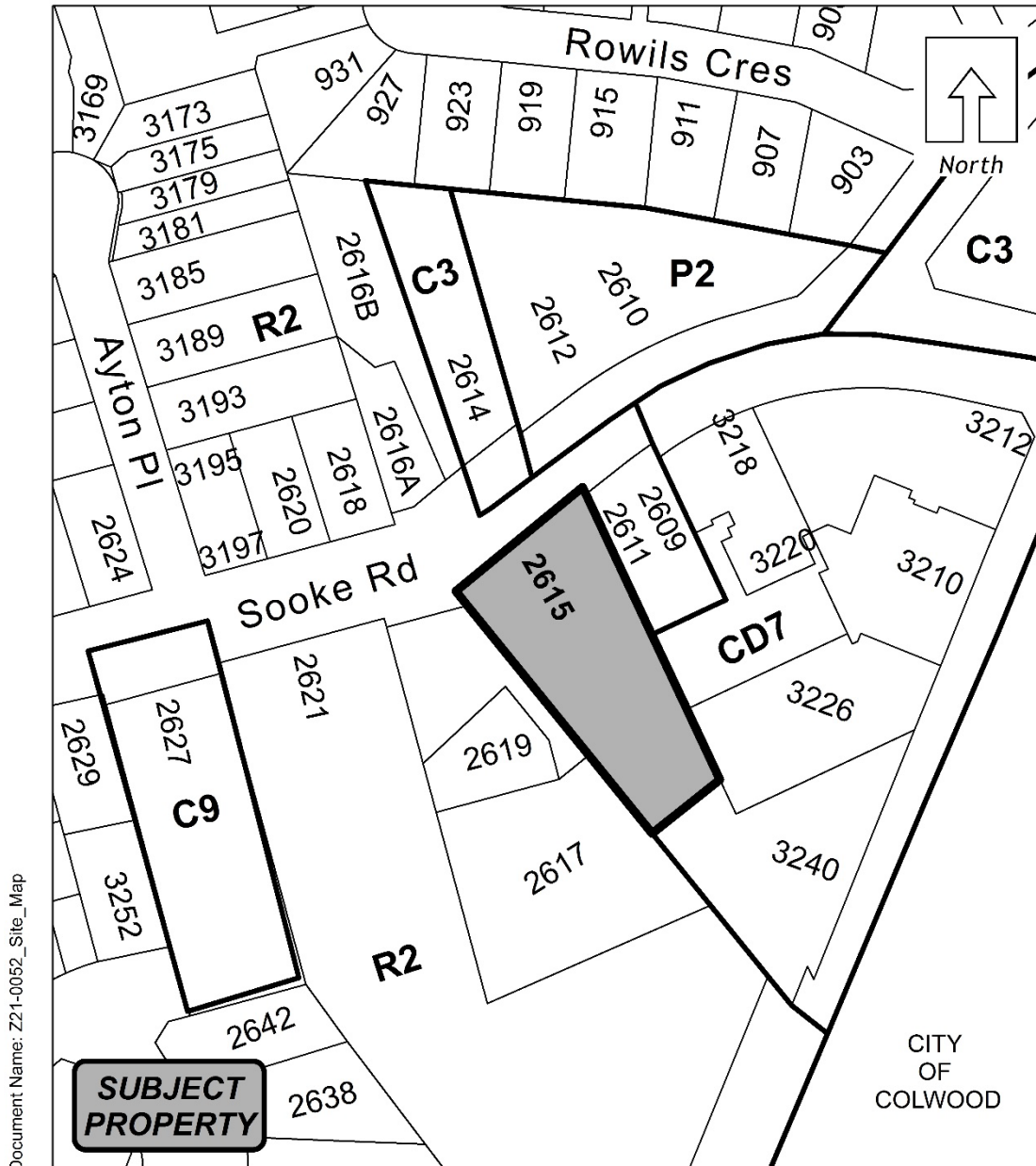


**Appendix B – Rendering**



**Appendix C – Subject Property Map**

**REZONING BYLAW AMENDMENT  
( Z21-0052 )  
2615 Sooke Rd**



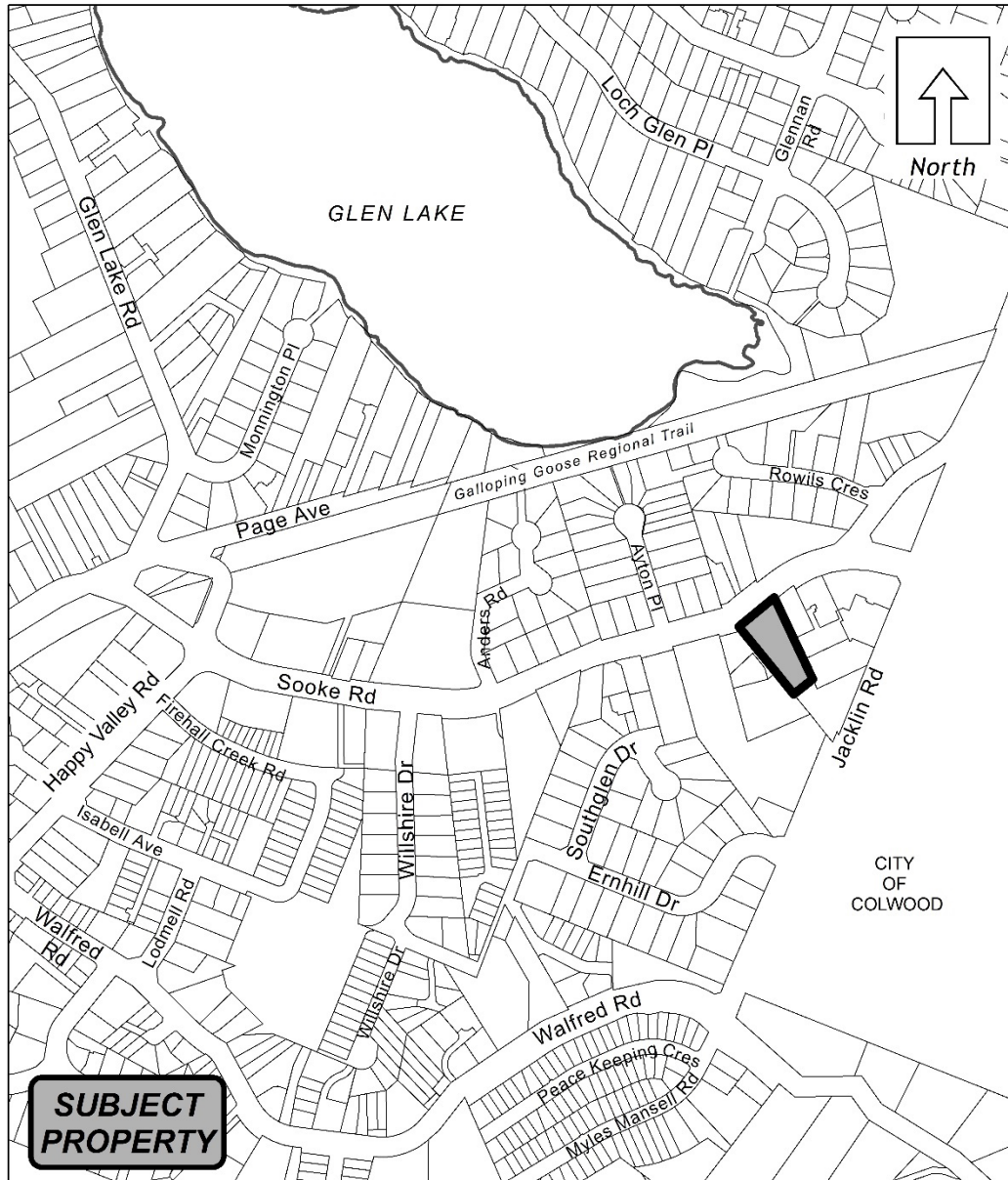
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Last Revised: 1/27/2022



**Appendix D – Location Map**

**REZONING BYLAW AMENDMENT  
( Z21-0052 )  
2615 Sooke Rd**



Document Name: Z21-0052\_Location\_Map

Scale: N.T.S.

Last Revised: 1/27/2022