



Staff Report to the Planning, Zoning and Affordable Housing Committee

DATE: Monday, March 28, 2022

DEPARTMENT: Planning

APPLICATION NO.: Z22-0001

SUBJECT: Application to Rezone 1551 and 1559 Sawyer Road from the Rural Residential 4 (RR4) Zone to Residential Small Lot 1 (RS1) Zone to Allow for a Development of Small Lots and Townhouses

BACKGROUND

Dave Smith and Dale Douglas of McElhanney Ltd. have applied on behalf of 683177 BC Ltd. and Marlene Orchard to rezone 1551 and 1559 Sawyer Road from the Rural Residential 4 (RR4) Zone to the Residential Small Lot 1 (RS1) Zone to allow for the development of single-family lots and/or townhouses.

PREVIOUS APPLICATIONS

In 2001, the City received a subdivision application, which created the smaller lot of 1559 Sawyer Road, as well as a statutory right of way to establish access to that lot.

Table 1: Site Data

<i>Applicant</i>	McElhanney Ltd., Dave Smith and Dale Douglas	
<i>Owners</i>	683177 BC Ltd. and Marlene Orchard	
<i>Civic Addresses</i>	1551 and 1559 Sawyer Road	
<i>Legal Descriptions</i>	Parcel C (DD 138112I) of Section 4, Goldstream District, Except that Part in Plan VIP76369 Lot A, Section 4, Goldstream District, Plan VIP76369	
<i>Size of Properties</i>	6.0 hectares (14.7 acres)	
<i>DP Areas</i>	Fire Hazard, Potential Wildlife Habitat and Biodiversity	
<i>Zoning Designation</i>	Existing: Rural Residential 4 (RR4)	Proposed: Residential Small Lot 1 (RS1)
<i>OCP Designation</i>	Existing: Neighbourhood	Proposed: Neighbourhood

SITE AND SURROUNDING AREA

The property has several single-family dwellings located on it and is primarily treed. The north side of the property is cleared of trees and bushes as there is a statutory right of way for BC Hydro and Fortis Gas. To the immediate north of the property is the E&N Rail and single-family dwellings beyond that. To the south and west are CRD lands, which contain the Humpback Reservoir. To the east across Humpback Road is land that Westhills owns but has not developed yet.

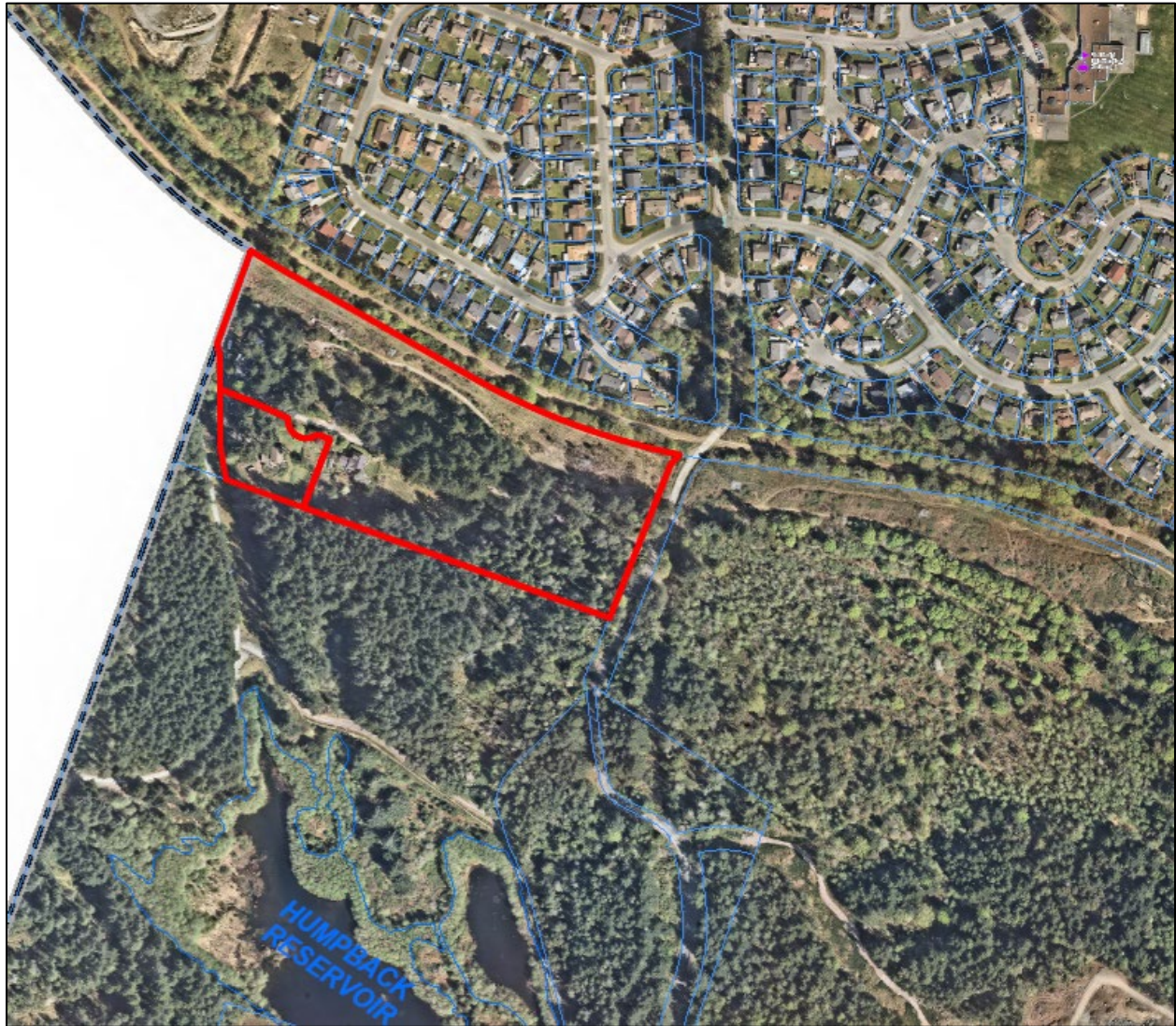
Figure 1: Current Condition of Subject Property



Table 2: Surrounding Land Uses

	<i>Zoning</i>	<i>Use</i>
<i>North</i>	One- and Two-Family Residential (R2)	Single-Family Residential
<i>East</i>	Comprehensive Development 3 (CD3)	Vacant
<i>South</i>	Park and Open Space (P4)	Park
<i>West</i>	Greenbelt 2 (GB2) (Juan de Fuca)	Park

Figure 2: Subject Properties



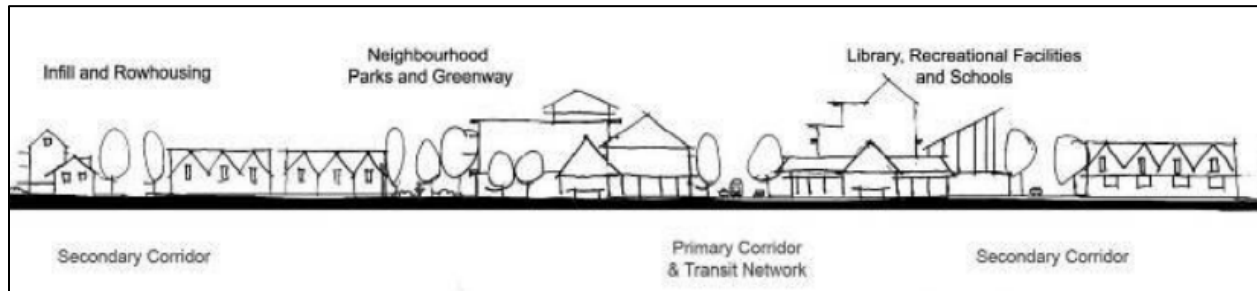
OFFICIAL COMMUNITY PLAN

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

- Predominantly residential precinct that supports a range of low and medium density housing choices including secondary suites
- This area allows for residential and mixed-use commercial intensification of streets that connect centres and/or are serviced by transit
- Schools, community facilities and other institutional uses are permitted throughout the area

- Retail serving local residents is encouraged along transportation corridors
- Parks, open spaces, and recreational facilities are integrated throughout the area
- This area allows for Neighbourhood Centres to emerge in the form of medium density mixed-use nodes at key intersections.

Figure 3: Concept for 'Neighbourhood'



DEVELOPMENT PERMIT AREAS

The subject property is located within High Fire Hazard and the Habitat and Biodiversity Development Permit Areas. A development permit that addresses these two DP Areas would be required prior to any work occurring on the property. Additionally, a development permit for Form & Character would be needed prior to issuance of any building permit to ensure the designs are consistent with the City's Design Guidelines.

DEVELOPMENT PROPOSAL

The applicant has not provided any site plans at this point. However, the developable area of the property might allow for approximately 120 small lots, or if developed entirely of townhouses there may be approximately 195 townhouse units.

It should be noted that part of the reasoning behind the request to rezone this property to Residential Small Lot 1 is the fact that the applicant is proposing to provide the City with 30% of the subject property as Park. This is anticipated to be the lands along the northern boundary line that are encumbered with the Hydro and Fortis Gas statutory right of way, which could then be used as a park with no infrastructure, such as a dog park.

The neighbouring property owner (CRD Parks) has expressed their concern about damage to their Park with the removal of trees from this development site as well as future trespassing from new residents living next to the Park. A solution to protect the CRD Park from wind-throw and root damage as well as future trespassing would be two-fold. A non-disturbance strip along the southern and western boundary lines would prevent wind-throw and root damage, while a fence would prevent trespassing. If Council

is supportive of the request from CRD, they may wish to require the applicant to register a 3.0m (9.8 ft) non-disturbance covenant along the boundaries that are shared with the CRD, and to install a (fire resistant) fence on the same boundary lines.

Table 3: Proposed Data:

	Permitted by RR4 (Current Zone)	Permitted by RS1 (Proposed Zone)
<i>Permitted Uses</i>	<ul style="list-style-type: none"> • Dwelling, one- or two-family • Group Day Care • Home Occupation 	<ul style="list-style-type: none"> • Dwelling, one-family • Townhouse
<i>Density</i>	n/a	n/a
<i>Height</i>	10.5 m (34.4 ft)	9.0 m (29.5 ft)
<i>Site Coverage</i>	30% max	50% (family dwelling) 60% (townhouse)
<i>Front Yard Setback</i>	7.5 m (24.6 ft)	3.0 m (9.8 ft)
<i>Interior Side Yard Setback</i>	3.0 m (9.8 ft)	1.5 m (4.9 ft)
<i>Exterior Side Yard Setback</i>	5.5 m (18 ft)	3.5 m (11.5 ft)
<i>Rear Yard Setback</i>	10.0 m (32.8 ft)	5.5 m (18.0 ft)
<i>Parking</i>	2 per unit + 1 per suite	2 per lot (family dwelling) 2 per unit (townhouse)

FRONTAGE IMPROVEMENTS

Sawyer Road

The applicant will be required to dedicate a 15m wide municipal road and provide full frontage improvements along Sawyer Road in accordance with Bylaw 1000, prior subdivision, or issuance of a building permit, whichever comes first. This road will likely see many improvements required as per Bylaw 1000 since this road is currently just wide enough for one-way traffic. Improvements would include a sidewalk on one side, road edge parking, streetlighting, and boulevard treatment.

Humpback Road

The applicant will be required to provide road improvements along Humpback Road to accommodate additional traffic generated from this development, prior to subdivision or issuance of a building permit, whichever come first. Council may wish to retain a 10m wide undisturbed buffer along this frontage,

with the exception of the installation of a pedestrian trail that would meander through this buffer. If Council is supportive of this buffer design, they may wish to require it be secured within a covenant on title.

TRAFFIC IMPACT ASSESSMENT

A Traffic Impact Assessment (TIA) for this development is required prior to public hearing. 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 TIA.

SEWERS

A sewer main does not currently exist within Humpback Road frontage this site. An extension of the necessary sewer main would be required prior to subdivision or issuance of a building permit. 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. Council may wish to require that sewers be available to service the site prior to issuance of any Development Permit.

WATER

A water main does exist within Humpback Road fronting this site, but it would require to be upsized in order to comply with CRD Bylaw requirements. There is also a covenant registered on title that allowed for a reduced water flow as long as every building constructed on the lands is equipped with an internal fire suppression system.

DRAINAGE AND STORMWATER MANAGEMENT

This site is located within an area where stormwater detention is required, as per Bylaw 1000. As a condition of rezoning, Council may wish to request the applicant to examine how stormwater can be managed through on-site detention and have a technical memo from a qualified engineer 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 and is based on 150 residential units at a rate of 0.61 equivalent units for simplicity's sake.

At this point, Council may wish to apply the existing contribution rate for a single-family dwelling with a secondary suite to the new lot size that allows for suites. Previously, a lot had to be 550m² before it could have a secondary suite, but now a lot may have a secondary suite if it is 400m² in size.

Table 4: Amenity Contributions per Council Policy

Amenity Item	Per Unit Contribution Rates*	Total
<i>Affordable Housing Reserve Fund</i>	\$610	\$91,500.00
<i>General Amenity Reserve Fund</i>	\$3,660	\$549,000.00

*** 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 are based on 150 residential units for simplicity's sake.

Table 5 - Development Cost Charges

Development Cost Charge	Per Unit Contribution	Total
<i>Roads</i>	\$3,985.00	\$597,750.00
<i>Park Improvement</i>	\$1,890.00	\$283,500.00
<i>Park Acquisition</i>	\$1,100.00	\$165,000.00
<i>ISIF Fees</i>	\$371.25	\$55,687.50
Subtotal (DCC's to Langford)		\$1,101,937.50
<i>CRD Water</i>	\$2,557.00	\$383,550.00
<i>School Site Acquisition</i>	\$900.00	\$135,000.00
TOTAL DCC's (estimated)		\$1,620,487.50

OPTIONS:

Option 1

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

1. Proceed with consideration of 1st reading of Bylaw No. 2059 to amend the zoning designation of the property located at 1551 and 1559 Sawyer Road from the 'Rural Residential 4 (RR4)' Zone to the 'Residential Small Lot 1 (RS1)' 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. \$1000 towards the Affordable Housing Fund; and
 - ii. \$6,000 towards the General Amenity Reserve Fund.subject to reductions in accordance with the Affordable Housing and Amenity Contribution Policy based on a 400m² lot single-family equivalency.
 - 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; and
 - ii. A Traffic Impact Assessment, to the satisfaction of the Director of Engineering;
 - 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 a minimum of 30% of the lands are dedicated to the City as Park prior to subdivision or issuance of a building permit, whichever occurs first;
 - ii. That a continuous fire resistant/non-combustible fence be provided along the southern and western sides of the existing property prior to subdivision or issuance of a building permit, whichever occurs first;
 - iii. That a 3.0m wide non-disturbance area along the southern and western sides of the existing site be protected through a separate covenant on title, prior to subdivision or issuance of a building permit, whichever occurs first;
 - iv. That the applicant retain a 10m wide treed buffer along the eastern boundary line along Humpback Road, and that a pedestrian trail be provided within this buffer, to the satisfaction of the Director of Engineering;
 - v. That no development permit be issued for this development until the site have been serviced with municipal sewer;

- vi. That the following are implemented to Bylaw 1000 standards to the satisfaction of the Director of Engineering prior to subdivision or issuance of a building permit, whichever occurs first:
1. Full frontage improvements and any recommendations stemming from the 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 recommend that Council take no action at this time with respect to this application to rezone 1551 and 1559 Sawyer Road under Bylaw 2059.

SUBMITTED BY: Robert Dykstra, MCIP, RPP Senior Planner

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
SUBJECT PROPERTY MAP

