



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

**DATE:** Monday, August 29, 2022

**DEPARTMENT:** Planning

**APPLICATION NO.:** Z22-0028

**SUBJECT:** Bylaw No. 2105 - Application to Rezone 771, 775, and 781 Station Avenue from R2 (One- and Two-Family Residential) to CC1 (City Centre) to Allow a Six-Storey Mixed-Use Building

## **PURPOSE**

Ben Gulbrandsen of Pacific Viking Group Properties Inc. has applied on behalf of 1334908 Station Holdings Ltd. to rezone 771, 775, and 781 Station Avenue from R2 (One- and Two-Family Residential) to CC1 (City Centre) to allow a six-storey mixed-use building with approximately 60 residential units and 850 m<sup>2</sup> of commercial space on the ground floor.

## **BACKGROUND**

### PREVIOUS APPLICATIONS

No previous planning applications.

**Table 1: Site Data**

<i>Applicant</i>	Ben Gulbrandsen, Pacific Viking Group Properties Inc.
<i>Owner</i>	1334908 Station Holdings Ltd.
<i>Civic Address</i>	771, 775, and 781 Station Avenue
<i>Legal Description</i>	LOT 4, SECTION 72, ESQUIMALT DISTRICT, PLAN 7280 LOT 5, SECTION 72, ESQUIMALT DISTRICT, PLAN 7280 LOT 6, SECTION 72, ESQUIMALT DISTRICT, PLAN 7280 EXCEPT PART IN PLANS 7494 AND 27503
<i>Size of Property</i>	2,789.7 m <sup>2</sup> (combined total)
<i>DP Areas</i>	City Centre
<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 Station Avenue and Aprell Place, near the intersection at Peatt Road. Each lot is flat and contains an existing rancher style home. There are several large trees on 775 and 781 Station Avenue. The properties are located beside an existing mixed-use development containing ground floor commercial units and residential units above. Across the street is the new Langford Cultural District with food trucks, small artist studios, and weekly events. To the east across Aprell Place is the Langford Branch of the Royal Canadian Legion. The site is also in extremely close proximity to the Langford Bus Exchange and the E&N Trail that provides a safe walking and biking route to downtown Victoria.

Council may wish to require that the applicant submit a memo prepared by a Landscape Architect prior to Public Hearing that examines the existing tree on site as well as within the frontage and provides comment on the potential for tree retention as part of the development plan.

**Figure 1: Subject Properties**



**Table 2: Surrounding Land Uses**

	<b>Zoning</b>	<b>Use</b>
<i>North</i>	MU1A (Mixed Use Residential Commercial) RM2 (Attached Housing)	Apartment, Townhomes, Langford Cultural District
<i>East</i>	C3 (District Commercial)	Royal Canadian Legion
<i>South</i>	R2 (One- and Two-Family Residential)	Single Family Dwellings
<i>West</i>	MU1 (Mixed Use Residential Commercial)	Mixed-Use Building

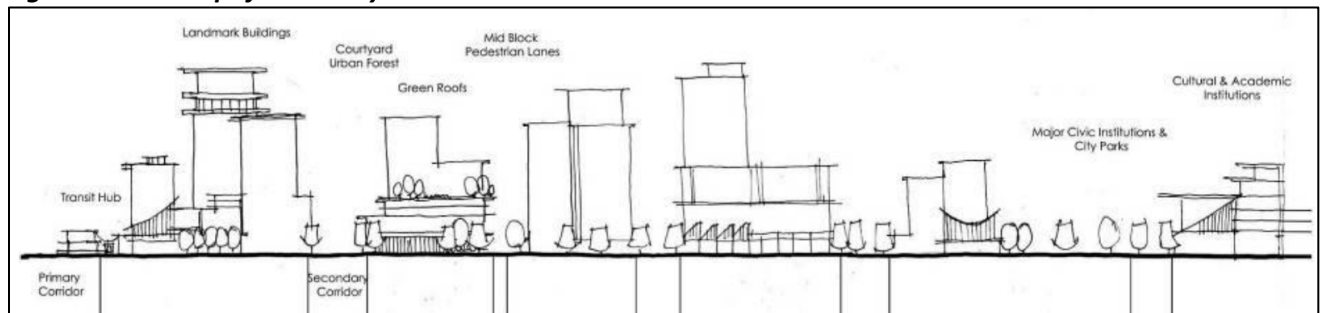
## **COMMENTS**

### 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 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 property is not located within any of the Environmental Protection or Hazardous Area Development Permit Areas. However, the property is 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 would need to be issued prior to a building permit to ensure the design is consistent with the City's Design Guidelines.

#### DESIGN GUIDELINES

The subject property is located within 'S4 South Centre' of the City Centre Neighbourhoods in the Design Guidelines, as outlined in Figure 3. For this region of the City Centre, the design intent is as follows:

*The South Centre neighbourhood hosts big box stores in the southern section and a mixture of residential densities to northeast.*

*Development shall blend the big box commercial into the residential through the incorporation of architectural features as described in the design guidelines. Medium-density development should be situated above multi-level retail and commercial space while shifting to high-density residential towards the convergence of Station Ave. and Veterans Memorial Parkway. A development emphasis should promote permeable ground surface material and the incorporation of green and open spaces.*

**Figure 3: S4 South Centre**



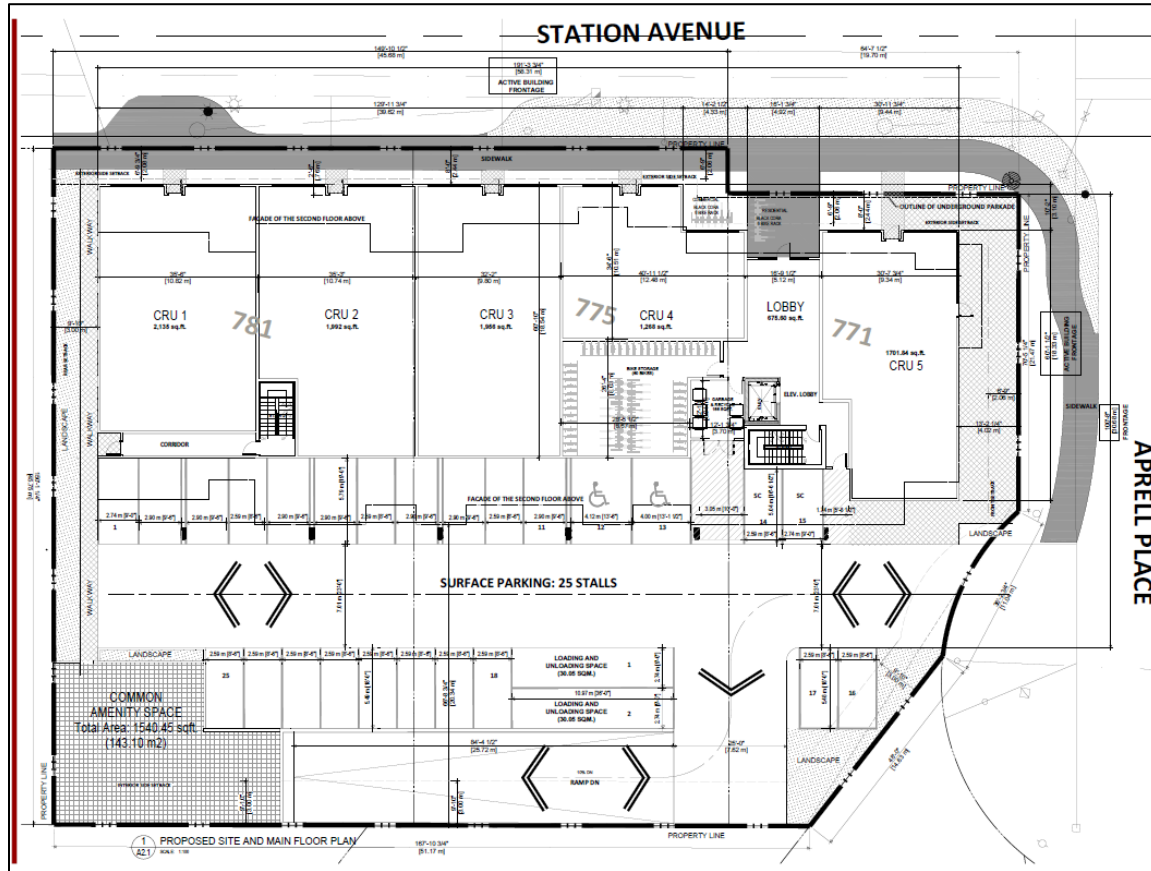
Further to these Neighborhood Guidelines, the subject properties were identified as being appropriate for consideration of the City Centre 1 (CC1) Zone on the City Centre Concept Map now forming part of the City Centre design guidelines. The CC1 Zone allows for apartments and mixed-use buildings up to 6 storeys and townhouse units. As such, this proposal is consistent with the City Centre Concept Map.

#### **COMMENTS**

##### DEVELOPMENT PROPOSAL

The applicant is proposing to construct a six-storey mixed-use building consisting of approximately 60 residential units and 850 m<sup>2</sup> of commercial space on the ground floor. These residential and commercial units would be supported by one floor of underground parking and surface parking that is located behind the building. Access to the parking area will come off Aprell Place. This proposal meets the CC1 zone requirement for a minimum of 80% active building frontage and the requirement to provide at least 5% of the lot area as common outdoor amenity space in the form of a ground floor landscaped seating area in the southwest corner of the lot. The site plan can be seen below in Figure 4.

Figure 4: Ground Floor - Site Plan



Presently, the proposal demonstrates a residential unit makeup of 25 one-bedroom units and 35 two-bedroom 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 with a section 219 covenant registered on title. As of recently, Council has been requiring this for most multi-family rezoning applications.

In accordance with Council's Attainable Home Ownership Program Policy (Policy No. POL-0166-PLAN), which went into effect on May 2, 2022, Council may wish to require the applicant to enter into a Housing Agreement securing the units prior to issuance of a building permit. The exact number of units and their unit type would be confirmed prior to the issuance of a development permit.

The applicant has provided a rendering of the proposal which can be seen below as Figure 5. Exact finishing details will be confirmed at the time of the Form and Character Development Permit, in compliance with the City's Design Guidelines. Presently, the applicant is not requesting any variances to the CC1 zone.



**Figure 5: Proposed Design**



**Table 3: Proposal Data**

	<b>Permitted by R2 (Current Zone)</b>	<b>Permitted by CC1 (Proposed Zone)</b>
<i>Density (FAR and/or min. lot size)</i>	400 m <sup>2</sup> min. lot size	5.0 FAR
<i>Height</i>	9m (30 ft)	6 storeys
<i>Site Coverage</i>	40% max	n/a
<i>Front Yard Setback</i>	3.0 m (9.8 ft), or 5.5m (18 ft) for the garage portion	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>	3.0 m (9.8 ft), or 5.5m (18 ft) for the garage portion	2.0m (6.6 ft) 1-2 storeys 4.0m (13 ft) 3+ storeys
<i>Rear Yard Setback</i>	5.5m (18 ft)	3.0 (9.8 ft)
<i>Parking Requirement</i>	2 per unit + 1 per suite	1.25 per 0-2 bedrooms 2.25 per 3 + bedrooms

The three properties associated with this development proposal would be consolidated into one parcel. To ensure these 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.

#### PARKING

As the subject properties are located within the City Centre and no units are intended to be larger than two-bedrooms, a parking ratio of 1.25 parking spaces per unit is required, where the 0.25 will be allocated to visitors. With 60 residential units, 75 parking spaces are required, of which 15 spaces will be designated for visitors. The commercial parking ratio in the City Centre is 1 space per every 35 m<sup>2</sup> of commercial gross floor area. As the applicant is proposing 850 m<sup>2</sup> of commercial gross floor area, 24 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 securing the shared use of the stalls. As the applicant intends to utilize this option, a total of 84 parking spaces are required. The proposed plans currently demonstrate 94 parking spaces, which exceeds the bylaw requirements by 10 spaces. 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. The parking requirement may also be reduced depending on how many units form part of the City's Attainable Housing Program. As such, parking requirements will be re-confirmed at the time of development permit.

To remain consistent with our 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.

As Council has now adopted Bylaw No. 2054 to establish Electric Vehicle rough-in requirements, a Covenant is no longer required as a condition of rezoning.

#### PEDESTRIAN, CYCLING AND MOTORIST NETWORK

The subject properties are located within downtown Langford and therefore are within close walking distance to many shops and services. The site is located one block away from the Langford Exchange bus terminal that provides frequent service to downtown Victoria, Sooke, and other neighbourhoods throughout Langford and the West Shore. The site is across the street from the E&N Trail which provides a safe cycling and walking route from Langford through View Royal and Esquimalt, terminating in downtown Victoria. Vehicle access to the development will be provided off Aprell Place with no access directly from Station Avenue.

#### FRONTAGE IMPROVEMENTS

While the majority of frontage improvements have already been completed along Station Avenue, the Director of Engineering has noted that a 2.2 m wide red brick sidewalk will need to be constructed along the western end of the development site. The applicant will also be responsible for improving Aprell Place to the R11 cross section which includes streetlighting and parking on the west side of the road. The Director has asked that the applicant provide a frontage drawing prior to public hearing to confirm

whether road dedication will be required. The Director of Engineering has noted that a Traffic Impact Assessment is not required.

#### 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.

#### CARBON MINERALIZED CONCRETE

In accordance with Council's Carbon Mineralization in Concrete Policy POL-0167-PLAN, which went into effect on June 1, 2022, Council may wish to require to the applicant to utilize post-industrial CO<sub>2</sub> mineralized concrete for the construction of the proposed development.

### **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 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 and Amenity Contribution Policy are summarized in Table 4 below, based the current floor plans and total density of 60 residential units and 850 m<sup>2</sup> of commercial gross floor area.

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

<b>Amenity Item</b>	<b>Per unit / area contribution</b>	<b>Total</b>
<i>General Amenity Reserve Fund</i>	\$2,850 per residential unit (1st through 4 <sup>th</sup> storeys)	@36 units = \$102,608
	\$1,425 per residential unit (5 <sup>th</sup> & 6 <sup>th</sup> storeys)	@24 units = \$34,200
	10.75 per m <sup>2</sup> of commercial gfa	@ 850 m <sup>2</sup> = \$9,137.5
	\$750 per residential unit (1st through 4 <sup>th</sup> storeys)	@36 units = \$27,000



<i>Affordable Housing Reserve Fund</i>	\$375 per residential unit (5 <sup>th</sup> and 6 <sup>th</sup> storeys)	@ 24 units = \$9,000
<b>TOTAL POLICY CONTRIBUTIONS</b>		<b>\$181,945.50</b>

**Table 5 – Development Cost Charges**

<b>Development Cost Charge</b>	<b>Per unit / area contribution</b>	<b>Total</b>
<i>Roads</i>	Residential: \$3,092.39 per unit	@ 60 units = \$185,543.40
	Commercial: \$54.12 per m <sup>2</sup> of gfa	@ 850 m <sup>2</sup> = \$46,002
<i>Park Improvement</i>	Residential: \$1,348 per unit	@ 60 units = \$80,880
	Commercial: N/A	N/A
<i>Park Acquisition</i>	Residential: \$90 per unit	@ 60 units = \$5,400
	Commercial: N/A	N/A
<i>Incremental Storage Improvement Fees</i>	Residential: \$331.65 per unit	@ 60 units = \$19,899
	Commercial: \$140 per 1000 ft <sup>2</sup> of gfa	@ 9,149.3 ft <sup>2</sup> = \$1,280.90
<b>Subtotal (DCCs paid to City of Langford)</b>		<b>\$339,005.30</b>
<i>CRD Water</i>	Residential: \$1,644 per unit	@ 60 units = \$98,640
	Commercial: \$10.74 per m <sup>2</sup> of gfa	@ 850 m <sup>2</sup> = \$9,129
<i>School Site Acquisition</i>	Residential: \$600 per unit	@ 60 units = \$36,000
	Commercial: N/A	N/A
<b>TOTAL (estimate) DCCs</b>		<b>\$482,774.30</b>

**OPTIONS:**

**Option 1**

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

1. Proceed with consideration of First Reading of Bylaw No. 2105 to amend the zoning designation of the properties located at 771, 775, and 781 Station Avenue from One- and Two-Family Residential (R2) to City Centre (CC1) 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;

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

b. That the applicant provides the following, **prior to Public Hearing:**

- i. A technical memo from an engineer that verifies storm water can be adequately managed on-site for the proposed development to the satisfaction of the Director of Engineering;
- ii. A frontage drawing to confirm if road dedication is required to complete all required frontage improvements
- iii. A memo prepared by a Landscape Architect that examines existing trees on site and in the frontage and provides comment on the potential for tree retention as part of the development plan, to the satisfaction of the Director of Planning;

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 inclusive of finishing the sidewalk, boulevards, and completing Aprell Place to the R11 cross section standards;
  - 2. A storm water management plan; and
  - 3. A construction parking management plan.
- ii. That the properties be consolidated prior to issuance of a Development Permit for Form and Character;
- 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 a separate covenant be registered prior to issuance of a building permit for the proposed development that ensures residential 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;

- v. That all concrete used on-site will be produced using post-industrial CO<sub>2</sub> mineralization technology, or equivalent which offers concrete with lower embodied CO<sub>2</sub> than all other competing bids, and that prior to the issuance of a Building Permit the applicant shall provide a product-specific Type III Environmental Product Declaration that is 3<sup>rd</sup> party verified specifying the total embodied carbon content of concrete;
- vi. That, prior to the issuance of a Building Permit, the developer enters into a Housing Agreement that requires a minimum 5% of units constructed be directed to and in accordance with the Attainable Home Ownership Program (POL-0166-PLAN) and that the developer identify the Attainable units on the plans submitted for the required Development Permit application.

#### **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. 2105.

#### **SUBMITTED BY: Julia Buckingham, Planner II**

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

**Concurrence:** Donna Petrie, Senior Manager of Business Development and Events

**Concurrence:** Will Ying-udomrat, Manager of Legislative Services

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

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

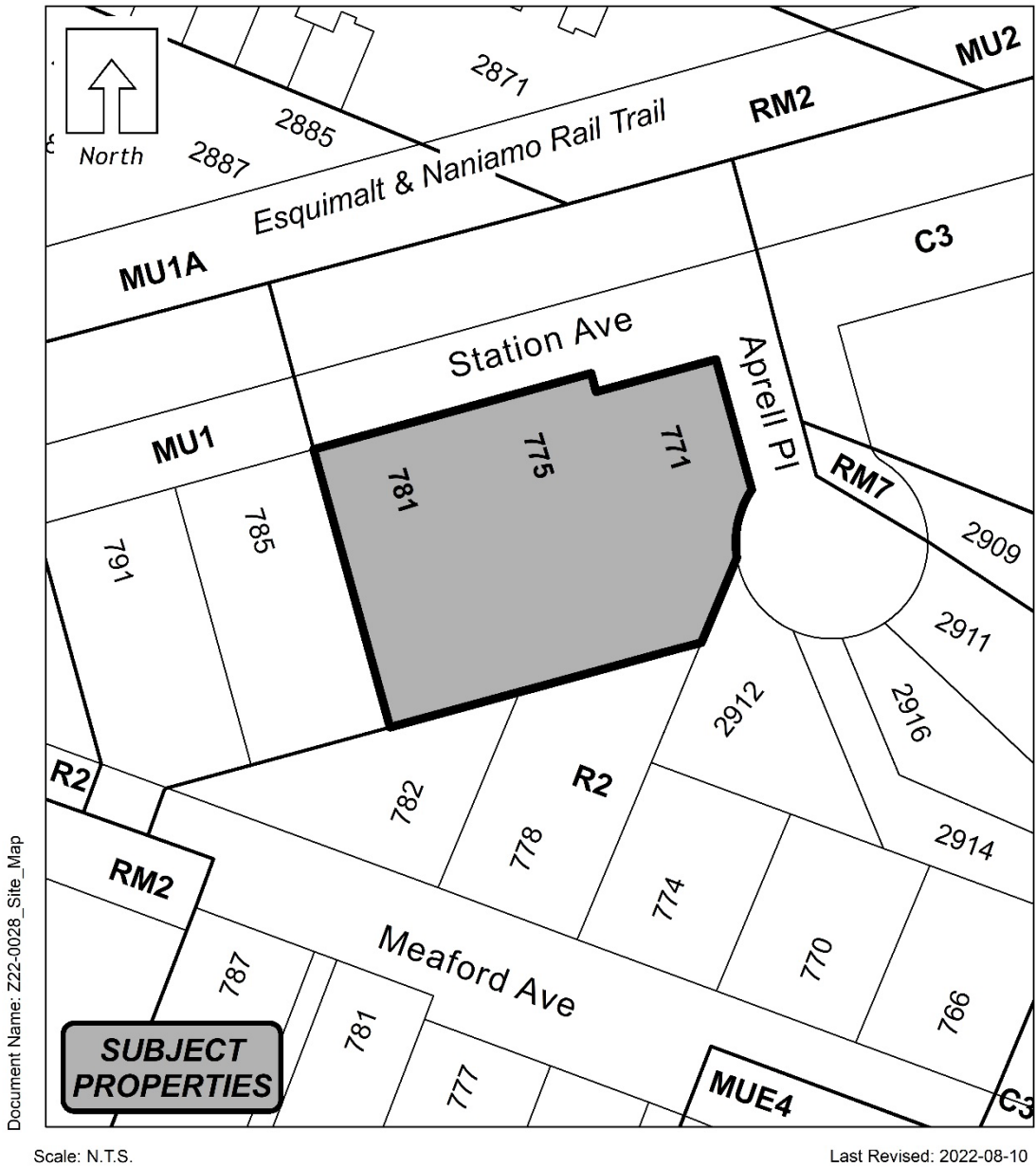
**Concurrence:** Michael Dillabaugh, CPA, CA, Director of Finance

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

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

Appendix A – Site Map

**REZONING BYLAW AMENDMENT**  
**( Z22-0028 )**  
**771, 775 & 781 Station Ave**



Appendix B – Location Map

**REZONING BYLAW AMENDMENT  
( Z22-0028 )  
771, 775 & 781 Station Ave**

