



Staff Report to Sustainable Development Advisory Committee

DATE: Thursday, June 1, 2023

DEPARTMENT: Planning

APPLICATION NO.: Z22-0031

SUBJECT: Application to Rezone 798 Gwendolynn Drive from RR2 (Rural Residential 2) to R2 (One- and Two-Family Residential) to allow for 6 single family homes and 12 townhouses.

PURPOSE:

Lee Nilsson of OV Partners has applied on behalf of OV Holdings 2022 Inc to rezone 798 Gwendolynn Drive from RR2 (Rural Residential 2) to R2 (One- and Two-Family Residential) to allow for 6 single family homes and 12 townhouses. As part of their application, the applicant is also proposing to protect 30% of the property through a non-disturbance covenant.

BACKGROUND:

PREVIOUS APPLICATIONS

No applications have been made previously for 798 Gwendolynn Drive.

Table 1: Site Data

<i>Applicant</i>	Lee Nilsson, OV Partners Inc.	
<i>Owner</i>	OV Holdings 2022 Inc	
<i>Civic Address</i>	798 Gwendolynn Drive	
<i>Legal Description</i>	LOT 20, SECTION 69, METCHOSIN DISTRICT, PLAN 23855	
<i>Size of Property</i>	7,957 m ² or 1.97 acres	
<i>DP Areas</i>	High Fire Hazard Area, Potential Habitat and Biodiversity Area (limited), and Riparian Area (limited)	
<i>Zoning</i>	Existing: RR2 – Rural Residential 2	Proposed: R2 – One- and Two-Family Residential
<i>OCP Designation</i>	Existing: Neighbourhood	Proposed: Neighbourhood

SITE AND SURROUNDING AREA

The subject property is approximately two acres in size and located on the northeast corner of Gwendolynn Drive and Klahanie Drive. The site is predominately treed, with a large, cleared area in the centre where the existing single-family home is located. The applicant has submitted an arborist report with their application that will be discussed later in this report. The surrounding neighbourhood is made up of predominately single-family homes on lots varying in size from larger acreages to smaller, 400 m² sized lots. The Olympic View master planned community is located directly to the east and is zoned for a wide variety of housing types inclusive of single-family homes, duplexes, townhouses, apartments, and assisted living. They are also permitted a wide variety of services and commercial uses such as, but not limited to, bakery, cultural facility, group daycares, business support services, restaurants, indoor and outdoor recreation, and retail stores. Gwendolynn Drive will be extended into the Olympic View lands as part of their development, which will connect through to Latoria Rd and Veterans Memorial Parkway via their internal road network.

A new elementary school is under construction and will be located approximately 350 m away at the corner of Latoria and Klahanie. School District No 62 has been made aware of this application such that they can consider the proposed increase in density in this area as part of their long-range facility planning.

Willing Park is located approximately 900 m away from the subject property and has a walking trail, open grass field, and an enclosed off-leash area. The Olympic View development is intended to have a neighbourhood scale playground and park approximately 300 m away from the subject property.

Figure 1 – Subject Property



Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	RR2 – Rural Residential 2	Single family home
<i>East</i>	CD4 – Comprehensive Development 4 – Olympic View	Approved master planned community consisting of low to high density housing with a variety of commercial and service uses permitted. The site is early stages of development.
<i>South</i>	RR2 – Rural Residential 2	Single family home
<i>West</i>	RR2 – Rural Residential 2	Single family home

Council may wish to note that 898 and 914 Klahanie Drive, west of the site, is currently going through a rezoning process to allow for 58 townhouses. The Public Hearing for the application occurred on April 17th, 2023, and Council gave 2nd and 3rd reading to the bylaw in the same meeting.

COUNCIL POLICY

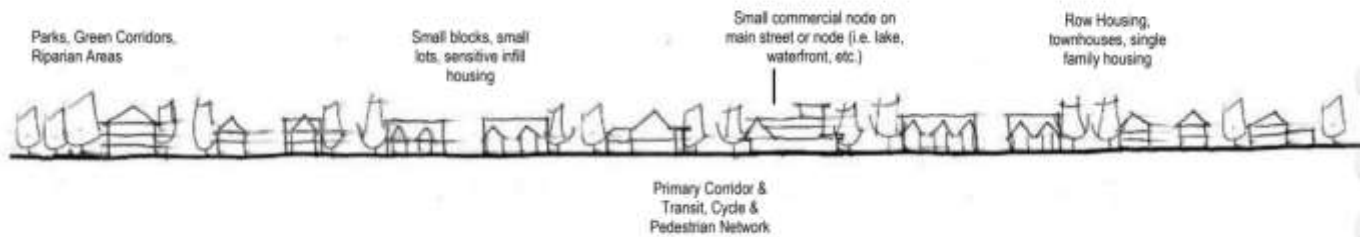
OFFICIAL COMMUNITY PLAN

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

Existing settled areas throughout the community predominantly located on the valley floor.

- *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*
- *Home-based businesses, live-work housing is encouraged*
- *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.*

A Concept for Neighbourhood Areas



The Neighbourhood OCP designation has an overall density objective of 16 units per acre. The proposal put forward by the applicant equates to approximately 9 units per acre, well within the objective. The Neighbourhood area also calls for a diversity of housing types, which is achieved through this proposal through the proposed inclusion of single-family homes with secondary suites, and townhouses.

SOUTH LANGFORD NEIGHBOURHOOD PLAN (SLNP)

The South Langford Neighbourhood Plan designates 798 Gwendolynn Drive as Large Lot Residential. This designation calls for a maximum density of 4 units per acre. As noted above, the applicant's proposal has a density of 9 units per acre which does not meet the definition of Large Lot Residential within the South Langford Neighbourhood Plan.

Council may wish to note that the South Langford Neighbourhood Plan precedes the City's Official Community Plan. At the time, the SLNP was retained within the design guidelines as a reference. Council may wish to note that zoning is required to comply with the OCP, but is not required to comply with the design guidelines (including the SLNP).

DEVELOPMENT PERMIT AREAS

The subject property is located in the High Fire Hazard Area and will require a Wildfire Hazard Assessment completed by a registered professional forester as part of the development permit application, should this rezoning be approved. The property also contains small portions of both the Potential Habitat and Biodiversity Area (pink) and Riparian Area (green), as shown below in Figure 2.

Figure 2 – Demonstration of Riparian Area (green) and Habitat and Biodiversity Area (pink)



In addition to the Wildfire Hazard Assessment, the applicant will also need to submit a report from a registered professional biologist to address the Potential Habitat and Biodiversity and Riparian Areas as part of their development permit application. Council may wish to note that the applicant's proposed non-disturbance area covers approximately half of the Habitat and Biodiversity Area. Council may also wish to note that the City's Riparian mapping accounts for all areas within 43 m of a watercourse which exceeds the Provincial requirement of 30 m.

LOW CARBON CONCRETE

In accordance with Council's Low Carbon Concrete Policy POL-0167-PLAN, Council may wish to require to the applicant to utilize ready-mix concrete that meets or exceeds the weighted average Global Warming Potential targets based on Concrete BC Baseline (average) mix data for the construction of the proposed development.

COMMENTARY:

DEVELOPMENT PROPOSAL

The applicant is seeking to rezone 798 Gwendolynn Drive to the R2 (One- and Two-Family Residential) Zone to allow for the development of six single family homes, a townhouse strata containing 12 units, and a common property non-disturbance area equal to 30% of the lot.

Figure 3 – Proposed Site Plan



The six single family homes are intentionally located at the front of the site along Gwendolynn Drive to provide continuity with the Olympic View development abutting the property to the east. This portion of the Olympic View development along the extension of Gwendolynn will be subdivided into lots containing single-family homes. The single-family lot sizes proposed as part of this application are all at least 400 m², in accordance with the R2 zone regulations, and are designed to contain 3 bedrooms and a secondary suite for flexibility. If they are to include a secondary suite, a minimum of three parking spaces must be provided on the property. The applicant's current proposal demonstrates a double wide driveway and doublewide garage which can accommodate four vehicles. These details would be confirmed in the required form and character development permit and checked again at the time of building permit. The single-family homes do not require any variances to the zone, and each provide ample backyard space with depths in excess of 5.5 m.

The townhouse site is tucked behind the single-family lots and is accessed by a strata road located between proposed single-family lots 5 and 6. The townhouse development is proposed as three blocks of 4 units each. Each unit is proposed with a single car garage and a driveway at least 5.5 m in length which allows for two cars to be parked. In addition, the site includes three visitor parking spaces. Council may wish to request that the applicant register a Section 219 Covenant securing that the garages of both the townhouses and single-family homes are not used for storage in a manner that prohibits the parking of vehicles. As the strata road is less than 90 meters, no two-point turnaround is required. The applicant has submitted a fire truck movement drawing showing how the truck can maneuver through the site.

The units are designed with three bedrooms, making them a good housing option for families. The layout of the townhouses allows for at least a 4 meters depth backyard space for each unit, which exceeds the Design Guideline suggestion of a minimum 3 meters depth. To increase the livability of the units, the applicant has included rooftop patios to each townhouse. Council may wish to note that secondary suites are not permitted within townhouses.

As townhouses aren't a permitted use on every R2 zoned lot, the applicant is requesting a text amendment to the zone to allow for a maximum of 12 townhouses specifically on 798 Gwendolynn Drive. Currently the R2 zone allows townhouses on five different properties throughout Langford. The townhouses would be subject to the regulations of the R2 zone, inclusive of setback, height, and lot coverage. Within the Density of Development section of the zone, the bylaw could limit the number of units to a maximum of 12.

The alternative to this would be split-zoning the property so the townhouse site is zoned RT1 (Residential Townhouse 1). Council may wish to note that split-zoning the site would limit their ability to set a maximum number of units. Given this, staff believe a text amendment to the R2 zone would be the best approach.

While both the single family and townhouse portions of the development will be subject to the City's Form and Character Development Permit process and must comply with the applicable Design Guidelines, the applicant intends to go a step further with their own design covenant. This is the same design covenant applied to all lots within the Olympic View development. The general design theme is inspired by mid-century modern designs in a contemporary style, and with a strong bond to the natural landscape. The applicant has submitted renderings for both of their proposed housing types seen in Figures 4 and 5. The design covenant also speaks to providing EV-charger ready infrastructure within garages and encourages Step Code 4 and Passive House designs.

Figure 4 – Single Family Rendering



Figure 5 – Townhouse Rendering



The applicant is proposing that 30% of the property be protected by a non-disturbance covenant registered on strata common property within the townhouse site. The proposed non-disturbance area flanks the north property line abutting 893 Klahanie and the western property line abutting Klahanie Drive. This creates a privacy buffer to the neighbour to the north and retains the treed corridor look of Klahanie Drive. The Parks Department has suggested that it be retained privately through the strata as it would be best left as undisturbed greenspace versus active recreation parkland. By having the strata retain it as part of their common property, they would be responsible for the associated maintenance costs instead of the City. The City has found that greenspace protected through covenants held by strata developments as common property has historically worked much better than protected greenspace on individual private lots with single family homes. The collective ownership model lends itself to better stewardship versus individual owners who may be more inclined to encroach into the non-disturbance areas with garden sheds, trampolines, etc. Council may wish to secure that 30% of the property is fenced and protected through a Section 219 Covenant.

While 30% of the property is slated to be protected through a non-disturbance covenant, removal of mature trees will still be required for the development to proceed. The applicant has submitted an arborist report, which is attached to this report for reference, assessing all trees on and off site that may be impacted in order to determine their potential for retention. The arborist assessed 211 trees and found that 133 would need to be removed, 63 could be retained, and 15 are considered “TBD” depending on the extent of the required site preparation and blasting. The arborist notes that 44 of the trees to be removed are located within the City’s road right-of-way along Gwendolynn and Klahanie. Council may wish to note that these trees will be impacted regardless of the applicant’s proposal at 798 Gwendolynn, as Council has previously required frontage improvements through the rezoning of the Olympic View lands in 2022. To improve pedestrian connection and safety, these works call for a sidewalk or minimum 3 m multi-use paved trail, boulevard, and streetlights along Gwendolynn and a multi-use gravel road edge trail behind a split rail fence along Klahanie, all of which will require tree removal.

The arborist has suggested that tree protection measures be implemented and that all excavation within the critical root zones of the trees to be retained or with “TBD” status should be done under the supervision of the arborist. Council may wish to secure this through a Section 219 Covenant.

Table 3: Proposal Data

	Permitted by RR2 (Current Zoning)	Permitted by R2 (Proposed Zoning)	Proposed by Rezoning Application
<i>Permitted Use</i>	Single-family home with suite, duplex, agriculture, golf course, equestrian facility, group daycare, cemetery, among others	Single-family home with suite, duplex, and group daycare	Single-family homes with suites and townhouses.
<i>Density (FAR and/or min. lot size)</i>	4-hectare min. lot size	400 m ² min. lot size (SFD) 600 m ² min. lot size (duplex)	400 m ² single-family lots 3,200 m ² townhouse site

<i>Height</i>	10.5 m	9 m	9 m
<i>Site Coverage</i>	N/A	50%	22.4%
<i>Front Yard Setback</i>	7.5 m	3 m or 5.5 m for a garage	SFD: 3 m or 5.5 m for garage TH: 12.5 m
<i>Interior Side Yard Setback</i>	3 m	1.5 m	SFD: 1.5 m TH: 6 m between units, 5.87 m to eastern lot line
<i>Exterior Side Yard Setback</i>	3 m or 5.5 m for garage	3 m or 5.5 m for garage	SFD: 3 m or 5.5 m for garage TH: ~23 m to western lot line
<i>Rear Yard Setback</i>	10 m	5.5 m	SFD: 5.5 m TH: 14 m
<i>Vehicle Parking Requirement</i>	2 spaces + 1 additional for a suite	2 spaces + 1 additional for a suite	SFD: 2 spaces + 1 additional for a suite TH: 2 spaces per unit, plus 3 visitor stalls

MULTI-MODAL NETWORK

As noted, the frontage improvements have already been required through the rezoning of the Olympic View lands in 2022. These works include a sidewalk or minimum 3 m multi-use paved trail, boulevard, and streetlights along Gwendolynn and a multi-use gravel road edge trail behind a split rail fence along Klahanie. Although these are already secured through a previous rezoning, Council may wish to secure them again in a covenant to ensure whichever site develops first completes the required works.

Also as noted, as the Olympic View lands develop, Gwendolynn Dr will be extended and a connection to Latoria Rd and Veterans Memorial Parkway will be created via their internal road.

While no dedicated bike lanes are existing or planned in front of the site, bikes are permitted on the multi-use trails which will provide access to the new school at Latoria and Klahanie.

As per the site plan, driveway access to the single-family homes will occur off Gwendolynn Drive, as will the access to the strata townhouse development. The Director of Engineering has noted that no Traffic Impact Assessment is required, and the property falls outside of the 800 m highway buffer that requires Ministry of Transportation and Infrastructure approval.

BC Transit bus stops are located near the development site, and provide service to Routes 48, 54, 55, 59, and 60 to the Langford Exchange and Metchosin. Most of these routes only run once per hour or two, with increased service during peak commuting hours. It's anticipated that as the population in this neighbourhood grows, transit service will improve.

INFRASTRUCTURE

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 or subdivision approval, whichever is first. As part of their application, the applicant has submitted a stormwater technical memo outlining how they plan to adequately manage stormwater on-site. This memo has been reviewed and approved by the Director of Engineering.

SEWER

There is currently no sewer main along the frontage of the property. Prior to subdivision approval or building permit, whichever is first, the sewer main must be extended and any sewer extensions or modifications within the municipal road allowance will be constructed by West Shore Environmental Services at the applicant's expense.

NEIGHBOURHOOD IMPACT

POTENTIAL NUISANCES

As has been past practice in this neighbourhood, Council may wish to require the applicant to provide a Section 219 Covenant registered on title prior to Bylaw Adoption that provides future landowners with the understanding that a variety of agricultural uses and the South Vancouver Island Rangers gun range are located within close proximity of the site, that these pre-existing uses may result in general nuisances, and that future landowners understand and accept the potential disruption to their residential occupancy of the site.

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.

NEIGHBOURHOOD CONSULTATION

The applicant notified direct neighbours of their proposal and has posted additional information on the OV Living website.

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 plans and total density of 6 single family homes and 12 townhouses.

Table 4 – Amenity Contributions per Council Policy

Amenity Item	Per unit contribution	Total (6 SFDs and 12 townhouses)
<i>General Amenity Reserve Fund</i>	\$3,660 per townhouse unit	\$43,920
	\$3960 per single family lot under 550 m ²	\$23,760
<i>Affordable Housing Reserve Fund</i>	\$610 per townhouse unit	\$7,320
	\$660 per single family lot under 550 m ²	\$3,960
TOTAL POLICY CONTRIBUTIONS		\$78,960

Table 5 - Development Cost Charges

Development Cost Charge	Per Unit Contribution	Total (6 SFDs and 12 townhouses)
<i>Roads</i>	\$3,865 per townhouse unit	\$46,380
	\$5,876 per SFD	\$35,256
<i>Storm Drainage</i>	\$1,028 per townhouse unit	\$12,336
	\$1,655 per SFD	\$9,930
<i>Park Improvement</i>	\$1,948 per townhouse unit	\$23,376

	\$3,146 per SFD	\$18,876
<i>Park Acquisition</i>	\$130 per townhouse unit	\$1,560
	\$211 per SFD	\$1,266
<i>ISIF</i>	\$331.65 per townhouse unit	\$3,979.80
	\$495 per SFD	\$2,970
Subtotal (DCC's to Langford)		\$155,929.80
<i>CRD Water</i>	\$2,557 per townhouse unit	\$30,684
	\$2,922 per SFD	\$17,532
<i>School Site Acquisition</i>	\$900 per SFD and townhouse unit	\$16,200
TOTAL DCC's (estimated)		\$220,345.80

LEGAL IMPLICATIONS:

Should Council choose to proceed with consideration of this rezoning, a Public Hearing will be scheduled in accordance with the requirements of the *Local Government Act*.

The amenity contributions specified in Table 4 above will be incorporated into a Bylaw and will be payable at the time of building permit/subdivision approval along with the current Development Cost Charges specified in the various DCC Bylaws.

Council's other conditions of approval would be registered in a Section 219 Covenant in priority of all other charges on title prior to consideration of Bylaw Adoption.

OPTIONS:

Option 1

That the Sustainable Development Advisory Committee recommend that Council:

1. Direct staff to prepare a bylaw to amend the zoning designation of 798 Gwendolynn Drive from the RR2 (Rural Residential 2) Zone to the R2 (One- and Two-Family Residential) Zone subject to the following:
 - 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. \$610 towards the Affordable Housing Reserve Fund per townhouse unit;

- ii. \$660 towards the Affordable Housing Reserve Fund per single family lot under 550 m²;
 - iii. \$3,660 towards the General Amenity Reserve Fund per townhouse unit; and
 - iv. \$3,960 towards the General Amenity Reserve Fund per single family lot under 550 m²
- b. That prior to Bylaw Adoption, the applicant registers a Section 219 covenant 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 subdivision approval or the issuance of a building permit, whichever is first:
 - 1. Full frontage improvements, inclusive of a sidewalk or minimum 3 m multi-use paved trail, boulevard, and streetlights along Gwendolynn and a multi-use gravel road edge trail behind a split rail fence along Klahanie;
 - 2. A storm water management plan;
 - 3. An erosion and sediment control plan;
 - 4. A dust mitigation plan;
 - 5. A construction parking and delivery 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. Acknowledge that the site is in proximity to agricultural uses the South Vancouver Island gun range, and that these uses may create general noise, odour, and other nuisances, and agree that the owner and all future owners assume all risk and annoyance of such nuisances;
 - iv. That a total of 30% of the lot will be fenced and retained as a natural greenspace common property area protected by a non-disturbance covenant registered prior to subdivision approval or building permit issuance, whichever is first, to the satisfaction of the Director of Planning;
 - v. That tree protection measures are implemented and excavation monitored to the satisfaction of the project arborist, as per their report dated April 25th, 2023;
 - vi. That all concrete used on-site will utilize ready-mix concrete that meets or exceeds the weighted average Global Warming Potential targets based on Concrete BC Baseline (average) mix data, and that prior to the issuance of a Building Permit the applicant shall provide a Type III Environmental Product Declaration that is 3rd party verified specifying the total Global Warming Potential value and confirming that the proposed development meets the

requirements of Low Carbon Concrete Policy POL-0167-PLAN;

- vii. That a separate covenant be registered prior to the issuance of a building permit agreeing that the garages and carports are to be used for the parking of vehicles and not the storage of items preventing the parking of vehicles therein.

AND

- 2. Direct staff to amend Section 6.22.04 of the R2 zone to limit the number of townhouses permitted at 798 Gwendolynn Drive to 12 units.

OR Option 2

THAT the Sustainable Development Advisory Committee recommend that Council take no action with respect to this application to rezone 798 Gwendolynn Drive until such time as the following items are addressed and reviewed by the Sustainable Development Advisory Committee:

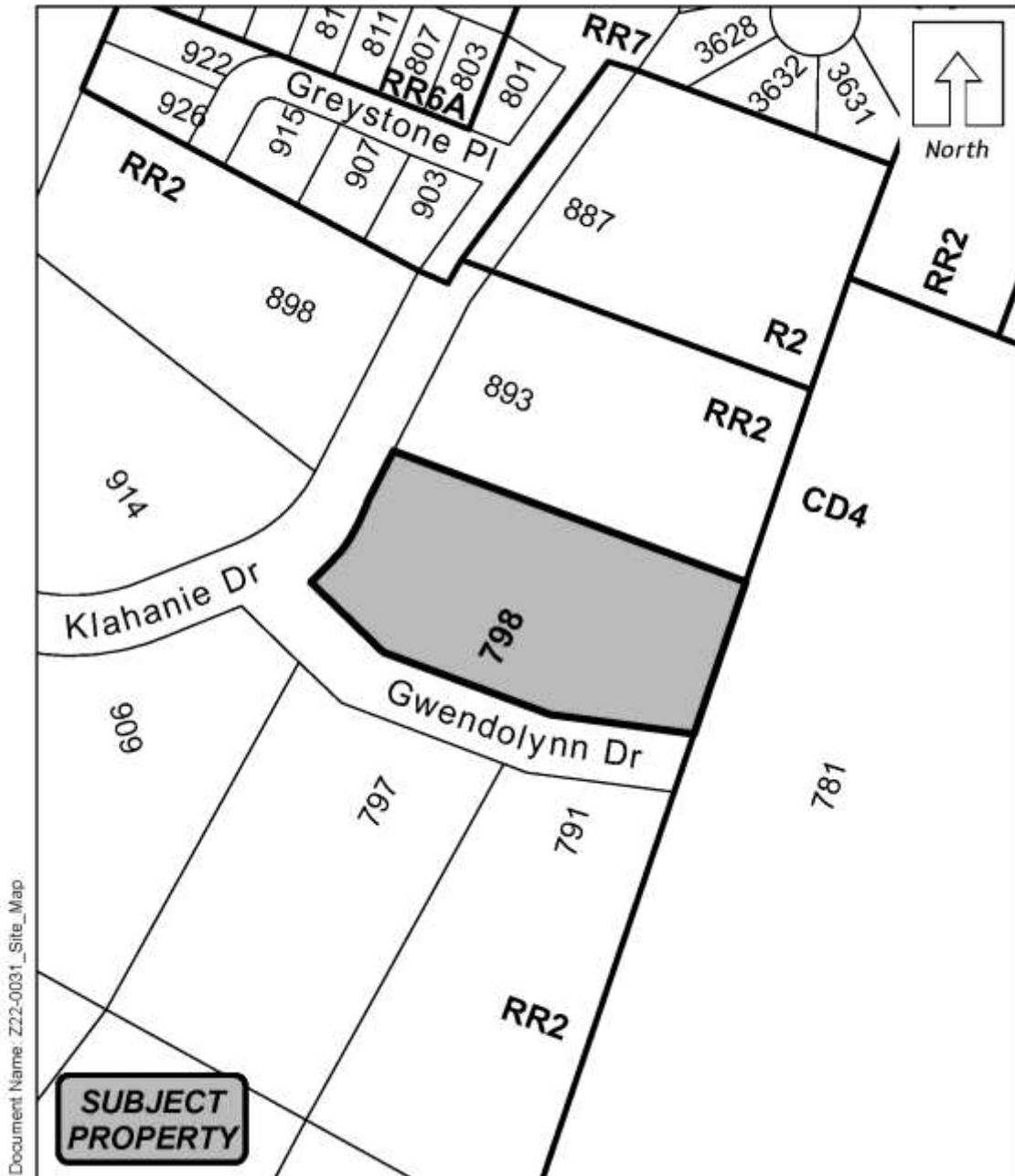
- a. _____;
- b. _____;
- c. _____;

SUBMITTED BY: Julia Buckingham, Planner II

- Concurrence:** Leah Stohmann, MCIP, RPP, Deputy Director of Planning,
- Concurrence:** Donna Petrie, Senior Manager of Business Development and Events
- Concurrence:** Yari Nielsen, Director of Parks, Recreation and Facilities
- Concurrence:** Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision
- Concurrence:** Katelyn Balzer, P.Eng., Director of Engineering and Public Works
- Concurrence:** Michael Dillabaugh, CPA, CA, Director of Finance
- Concurrence:** Marie Watmough, Deputy Director of Corporate Services
- Concurrence:** Braden Hutchins, Director of Corporate Services
- Concurrence:** Darren Kiedyk, Chief Administrative Officer

Appendix A – Site Map

**REZONING BYLAW AMENDMENT
(Z22-0031)
798 Gwendolynn Dr**



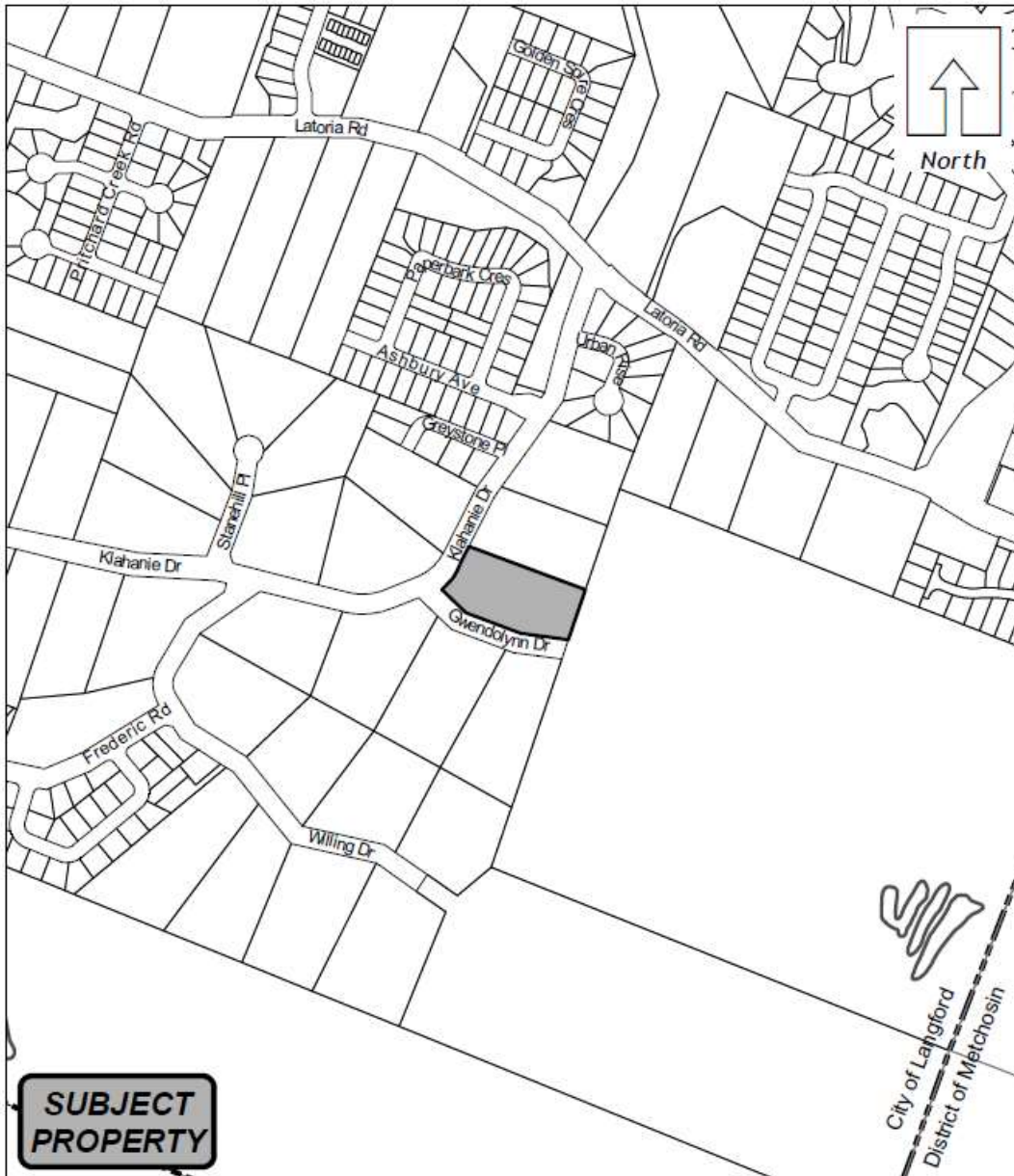
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Last Revised: 2023-03-20

Appendix B – Location Map

REZONING BYLAW AMENDMENT
(Z22-0031)
798 Gwendolynn Dr



Document Name: Z22-0031_Location_Map

Scale: N.T.S.

Last Revised: 2023-03-20