



Staff Report to Sustainable Development Advisory Committee

DATE: Tuesday, November 12, 2024

DEPARTMENT: Planning

APPLICATION NO.: DVP24-0007

SUBJECT: Application for a Development Variance Permit to reduce the required amount of off-street parking and to reduce the front lot line setback for a six-storey apartment building at 837 Hockley Avenue

EXECUTIVE SUMMARY:

Jason Maximick of Verity Construction Ltd has applied on behalf of 1326656 BC Ltd. for a Development Variance Permit to reduce the required amount of off-street parking for a 120-unit, six-storey apartment building at 837 Hockley Avenue from the required 150 parking stalls to 120 parking stalls. Additionally, the applicant is seeking a setback variance to the front lot line to reduce the requirement from 2 m to 1.06 m to accommodate a more prominent entrance design.

BACKGROUND:

PREVIOUS APPLICATIONS

Z21-0023 – The subject property was rezoned in 2022 from R2 (One- and Two-Family Residential) to CC1 (City Centre) in conjunction with 833 Hockley Avenue to allow for two six-storey apartment buildings, one per lot.

Table 1: Site Data

<i>Applicant</i>	Jason Maximick, Verity Construction	
<i>Owner</i>	1326656 BC Ltd.	
<i>Civic Address</i>	837 Hockley Avenue	
<i>Legal Description</i>	LOT A SECTION 5 ESQUIMALT DISTRICT PLAN EPP121108	
<i>Size of Property</i>	3,611 m ²	
<i>DP Areas</i>	Downtown Development Permit Area	
<i>Zoning</i>	Existing: CC1 (City Centre)	Proposed: CC1 (City Centre)
<i>OCP Designation</i>	Existing: City Centre	Proposed: City Centre

SITE AND SURROUNDING AREA

The subject property is located within Langford’s City Centre, on Hockley Avenue, off the west side of Peatt Road. The surrounding area has seen considerable development in recent years, with multiple apartments and mixed-use buildings being constructed to the north, east, and south. To the west lies the Woodland Mobile Home Park. A roundabout at the intersection of Peatt and Hockley is currently being constructed and is intended to be completed in December of 2024.

Figure 1: Subject Property



Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	RH1 (Mobile Home Park) MU1A (Mixed-Use Residential Commercial A)	Mobile Home Park Apartments
<i>East</i>	R2 (One- and Two-Family Residential) MU2 (Mixed-Use Residential Commercial 2)	Single Family Dwellings Apartments Mixed-Use Buildings
<i>South</i>	R2 (One- and Two-Family Residential) CC1 (City Centre) MU2 (Mixed-Use Residential Commercial 2)	Single Family Dwellings Apartments
<i>West</i>	RH1 (Mobile Home Park)	Mobile Home Park

COMMENTARY:

DEVELOPMENT PROPOSAL

Jason Maximick of Verity Construction Ltd has applied on behalf of 1326656 BC Ltd. for a Development Variance Permit to reduce the required amount of off-street parking for a 120-unit, six-storey apartment building at 837 Hockley Avenue from the required 150 parking stalls to 120 parking stalls. Additionally, the applicant is seeking a setback variance to the front lot line to reduce the requirement from 2 m to 1.06 m. Importantly, 837 Hockley Avenue falls within the City's Transit Oriented Area, as determined by the Province.

Parking - Transit Oriented Areas

In December 2023, the Province of British Columbia made amendments to the *Local Government Act* to enable transit-supportive densities adjacent to specified transit stations. These areas are referred to as Transit-Oriented Areas (TOAs) in the new legislation, and are intended to be areas of higher density, mixed-use development in the proximity of transit stations to promote mode shift and the creation of complete communities.

Through this legislation, the Provincial Government designated a list of transit stations, including the Langford Bus Exchange on Station Avenue, along with minimum prescribed densities and heights within certain distances of the station. Local governments were required to designate all TOAs by bylaw and amend their Zoning Bylaw to eliminate minimum residential off-street parking requirements for these TOAs on or before June 30, 2024. Council complied with this regulation by adopting the required bylaw amendments on June 17th, 2024.

The Province has identified the City's TOA as the area within a 400-metre radius (approximately a 5-minute walk) of a specified coordinate within the Langford Bus Exchange on Station Avenue, which 837 Hockley Avenue falls within. As noted above, the legislation prohibits local governments from requiring off-street residential parking spaces within the TOA, except for accessible parking. While the local government may not require it, the developer may choose to construct parking if they wish.

It is important to note that this legislation does not apply retroactively to projects already rezoned before December 7th, 2023. As 837 Hockley Avenue was rezoned in 2022, the new legislation and lack of parking requirement does not automatically apply to them. That said, if the owners were to successfully pursue rezoning for this property again, they could propose only the minimum required accessible parking stalls. Given this, Council may wish to accept the applicant's proposal to construct 120 parking stalls instead of the required 150 parking stalls.

As the building is intended to contain 120 units, the applicant is proposing that 113 residential units be assigned a parking stall, and 7 parking stalls remain reserved for visitor use. The applicant intends to rent 7 of the studio apartment units without parking. The proposal includes 4 accessible parking stalls which meets the City's bylaw requirements.

The applicant is also proposing to provide at least 26 oversized bike stalls that could accommodate cargo bikes and e-bike charging, as well as a bike wash and repair station.

Council may also wish to note that the previous rezoning secured that the parking will not be provided in exchange for compensation separate from that of a residential unit. As such, it is not necessary to further secure that as a condition of this variance.

Given this, Council may wish to accept the applicant's proposal and issue a parking variance as discussed above.

Setback Variance Request

The applicant is also requesting a variance to the front lot line setback for the 1st and 2nd storey from the required 2 m to 1.06 m to accommodate a more prominent front entrance and fascia design. Above this feature, the building is setback 4 m which complies with the CC1 zoning requirements for upper storeys.

The applicant has provided a rendering of the entrance to better demonstrate their request, seen below as Figure 2.

Figure 2: Proposed rendering – protruding feature bubbled



As staff were concerned that the setback variance to 1.06m may negatively impact the canopy of the street trees, the applicant provided a memo from their landscape architect who suggests using Crimson Pointe Plum trees and confirms that they have no concerns about the health and viability of future street trees should the setback variance be granted.

The Engineering and Parks Departments are suggesting that the owner be responsible for the maintenance of the boulevard, inclusive of street trees, which Council may wish to secure through a Section 219 Covenant.

Given that the setback variance is for a design element to give the entryway more prominence and not for the primary building face, Council may wish to grant the variance to the front lot line setback to 1.06 m.

Table 3: Relevant Proposal Data

	Required by Zoning Bylaw	Proposed by DVP Application
<i>Front Yard Setback, floors 1 -2</i>	2.0 m	1.06 m
<i>Resident Parking</i>	120	113
<i>Visitor Parking</i>	30	7
<i>Bicycle Parking</i>	120	120 + 6 visitor. Includes 26 cargo/e-bike stalls.

OPTIONS:

Option 1

THAT the Sustainable Development Advisory Committee recommend that Council:

1. Direct staff to provide notice that Council will consider issuing a Development Variance Permit for 837 Hockley Avenue:
 - a. That Section 4.01.01 of Zoning Bylaw No. 300 be varied to reduce the off-street parking from the required 150 spaces to 120 spaces, subject to the following conditions:
 - i. That a minimum of 26 oversized bicycle stalls are provided that allow cargo and e-bike parking; and
 - ii. A bike wash and repair station is installed.
 - b. That Section 6.57.07(1)(a) of Zoning Bylaw No. 300 be varied to reduce the front lot line setback from the required 2.0 m to 1.06 m for the first two floors of the building, subject to the following conditions:
 - i. That the owner, prior to the issuance of a Building Permit, registers a Section 219 covenant in priority of all other charges on title, that agrees to the following:
 1. That the landscaping from the rear of the sidewalk, inclusive of the trees on the boulevard, be maintained by the property owner, to the satisfaction of the Director of Parks, Recreation, and Facilities.

OR Option 2

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

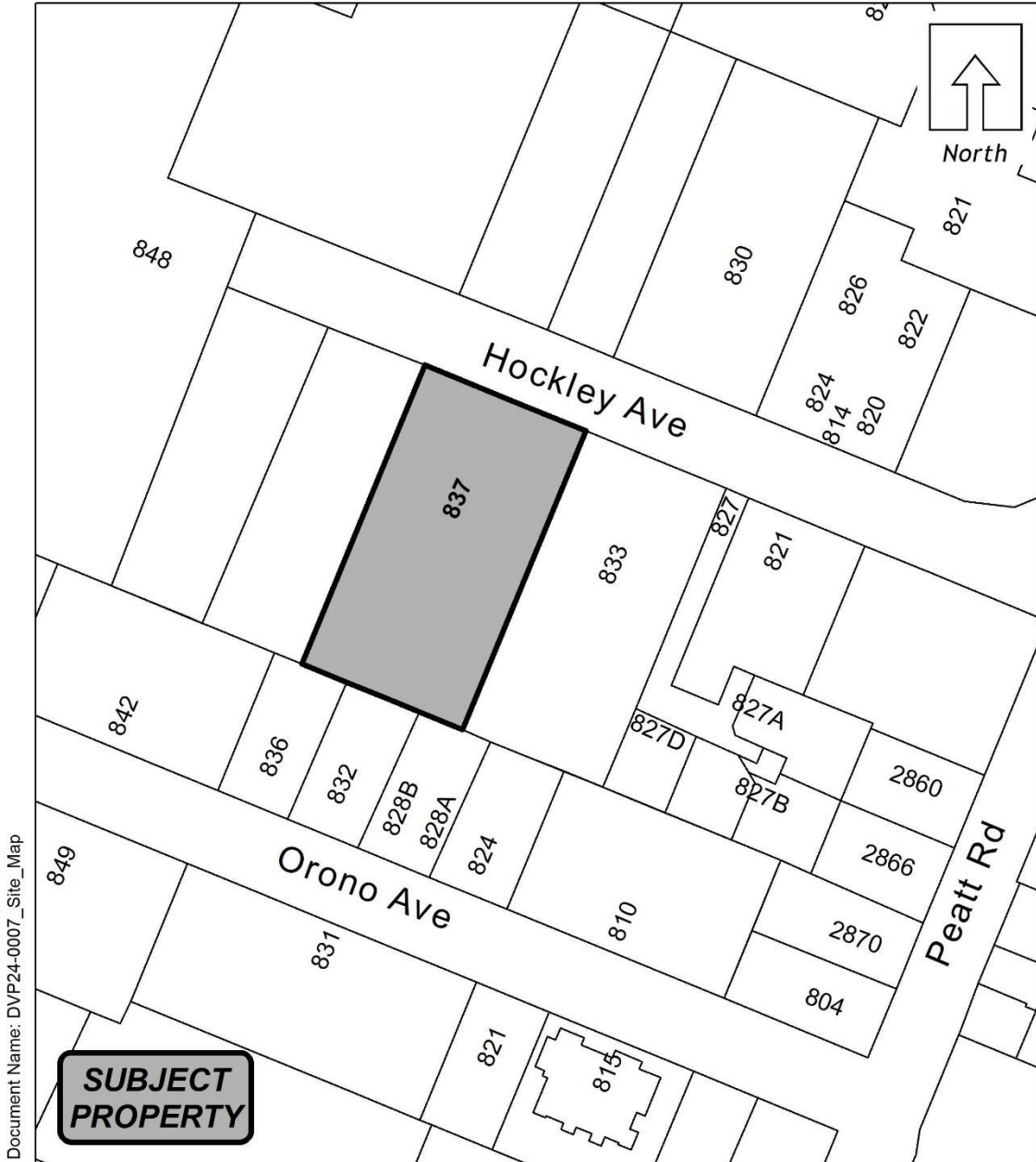
- a. _____;
- b. _____; AND
- c. _____.

SUBMITTED BY: Julia Buckingham, Planner II

- Concurrence:** Matthew Baldwin, RPP, MCIP, Director of Development Services
- Concurrence:** Leah Stohmann, RPP, MCIP, Director of Community Planning and Climate Change
- Concurrence:** Melisa Miles, Manager of Legislative Services
- Concurrence:** Donna Petrie, Senior Manager of Communications & Economic Development
- Concurrence:** Yari Nielsen, Director of Parks, Recreation and Facilities
- Concurrence:** Katelyn Balzer, P.Eng., Director of Engineering and Public Works
- Concurrence:** Michael Dillabaugh, CPA, CA, Director of Finance
- Concurrence:** Marie Watmough, Director of Legislative & Protective Services
- Concurrence:** Braden Hutchins, Deputy Chief Administrative Officer
- Concurrence:** Darren Kiedyk, Chief Administrative Officer

Appendix A – Site Map

**DEVELOPMENT VARIANCE PERMIT
(DVP24-0007)
837 Hockley Ave**



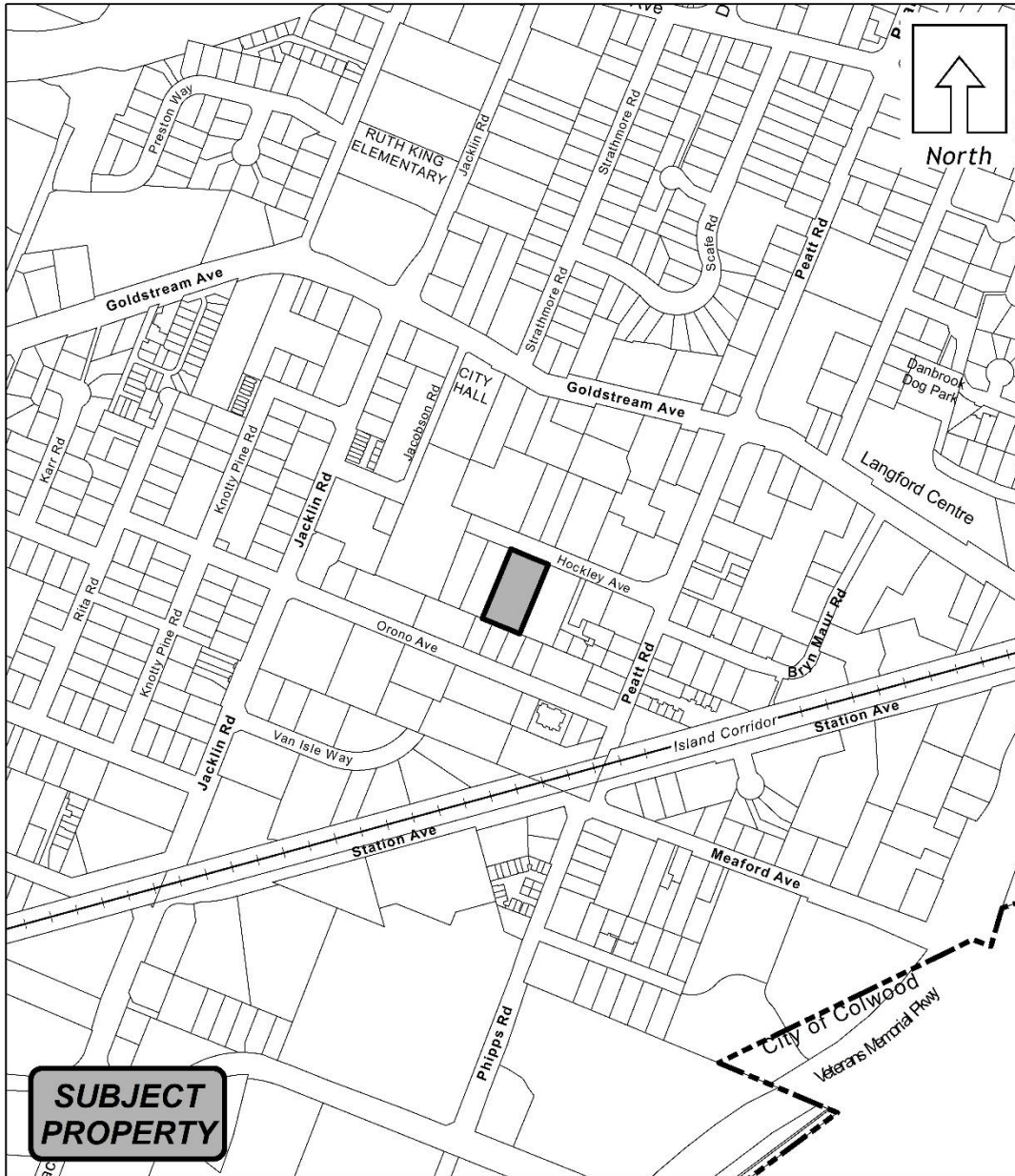
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Last Revised: 2024-09-19

Appendix B – Location Map

**DEVELOPMENT VARIANCE PERMIT
(DVP24-0007)
837 Hockley Ave**



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Scale: N.T.S.

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