



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

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**DATE:** Monday, July 11, 2022

**DEPARTMENT:** Planning

**APPLICATION NO.:** Z22-0024

**SUBJECT:** Bylaw No. 2096 - Application to amend the RCBM2 Zone to allow a townhouse development consisting of approximately 29 units at 2089 Champions Way

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## PURPOSE

Devon Skinner has applied on behalf of 1289877 BC Ltd to amend the text of the RCBM2 Zone with respect to the property located at 2089 Champions Way in order to facilitate a townhouse development containing approximately 29 units.

## BACKGROUND

### PREVIOUS APPLICATIONS

The subject property was within the scope of the original rezoning application that created the CD6 (Comprehensive Development 6 -Bear Mountain) Zone, which was approved in 2002 (Z-01-10). Since that time, it has been affected by subsequent text and/or map amendment rezoning applications (Z-03-16, Z-05-14, Z-06-13, Z-07-08) that modified the CD6 zoning regulations and Schedule "O" map (which defines the different "areas" of the CD6 Zone).

DP06-0042 – A form and character development permit was issued to allow a 23-storey, 201-unit apartment building. However, this building was not constructed and the DP is now expired.

After the ownership of the resort and majority of the remaining development lands changed hands, a large-scale rezoning application (Z16-0002/OCP16-0001) was received and later approved by Council in August 2016. This application resulted in the creation of the CD6A Zone, which applied to the majority of the future development lands within the Bear Mountain area, including the subject property. As part of this application, the subject property was reallocated from being within Area 1 of the Zone, which applies to the golf course lands and village core, to Area 2, which is one of the Areas geared more towards

neighbourhood areas. At this point, and for the first time since the original rezoning of the Bear Mountain lands, a more restricted range of residential, institutional, and recreational permitted uses was applied to the property, compared to the more expansive list of permitted uses including various commercial and resort uses, that may be developed in Area 1. In addition, this shift to Area 2 established a height restriction of 6 storeys for any building other than a one-family or two-family dwelling, a 3-unit apartment (i.e. triplex) or townhouse, as opposed to the unrestricted height available in Area 1.

As part of a text amendment (Z18-0010) that allocated the total density permitted within the Zone to different development parcels, the subject property was identified as being part of Area E1 along with several other development parcels in the Bear Mountain village. Area E1 allows for a combined total of 500 residential units on the identified properties.

The CD6 and CD6A Zones were later rebranded to the Resort Community of Bear Mountain 1 and 2 (RCBM1 and RCBM2) Zones in 2018 (Z18-0019).

**Table 1: Site Data**

<i>Applicant</i>	Devon Skinner of 1289877 BC Ltd
<i>Owner</i>	1289877 BC Ltd
<i>Civic Address</i>	2089 Champions Way
<i>Legal Description</i>	LOT A SECTION 82 HIGHLAND DISTRICT PLAN VIP81958 EXCEPT PART IN PLAN EPP42751
<i>Size of Property</i>	0.624 ha (1.54 ac)
<i>DP Areas</i>	Interface Fire Hazard, Potential Habitat and Biodiversity
<i>Zoning Designation</i>	RCBM2 (Resort Community of Bear Mountain 2)
<i>OCP Designation</i>	Village Centre

#### SITE AND SURROUNDING AREA

The subject property is located at the south-east corner of the intersection of Bear Mountain Parkway with Champions Way. It gains elevation from Bear Mountain Parkway towards the east property line adjoining the golf course and to the south property line adjoining an existing single-family home.

The subject property was partially cleared in the early 2000s as part of the development of the golf course. The lot was created in 2006, and as noted, was originally intended to be developed as a 23-storey apartment. The surrounding properties include the golf course and the Champions Way/Champions Crt subdivisions which were created in 2014-2015 and built out with single-family homes and duplexes in the subsequent years.

**Figure 1: Subject Properties**



**Table 2: Surrounding Land Uses**

	<b>Zoning</b>	<b>Use</b>
<i>North</i>	RCBM1 and RCBM2	Single family dwellings, golf course, future development parcels
<i>East</i>	RCBM2	Golf course
<i>South</i>	RCBM1 and RCBM2	Single family dwellings, golf course
<i>West</i>	RCBM1	Single family dwellings, duplexes

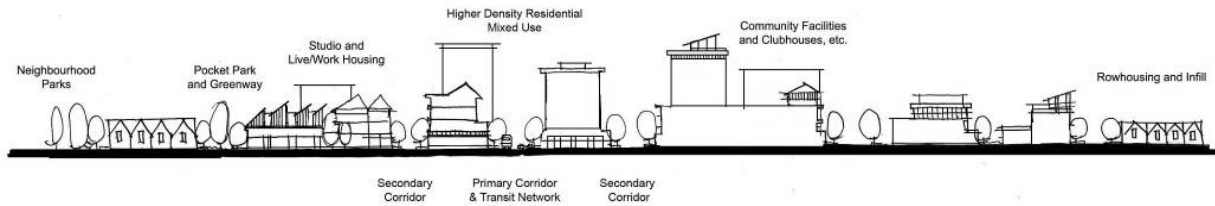
#### OFFICIAL COMMUNITY PLAN

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

- A predominantly residential precinct that supports a wide range of high and moderate density housing, including affordable and rental housing
- A key location in the city for shopping, services, amenities, and any other function that supports local residents daily needs
- Parks and open spaces and recreational facilities are integrated throughout

- Major educational, health and child care facilities serve the needs of residents in the city
- Inter-city and/or inter-regional transit hub connect residents

**Figure 2 - A Concept for a Village Centre**



#### DEVELOPMENT PERMIT AREAS

A Form and Character Development Permit will be required prior to the issuance of a Building Permit, and must address the Multi-Family, Bear Mountain and Interface Fire Hazard DP guidelines.

#### COMMENTS

##### DEVELOPMENT PROPOSAL

The current property owner purchased the lot in 2021 and has been reviewing their options to develop the site in accordance with the multi-family uses permitted in Area 2 of the RCBM2 Zone since this time, which include apartments and townhouses. After some consideration, they wish to pursue the townhouse option instead of the apartment option; however, they have requested an amendment to the RCBM2 Zone and a few variances in order to make the townhouse development viable, which are described later in this report.

The proposed design concept is somewhat unique. It incorporates townhouse units with individual pedestrian entrances and garages from a common driveway at grade as would be seen in a typical townhouse development; however, there is a platform at the second storey level which all units have walk-out access to and which entirely covers the ground level drive aisle and visitor parking area. The applicant intends to design this platform as an amenity area with substantial common amenity features including landscaping, seating/gathering areas, and potentially a children's play area. This will be finalized as part of the DP process. There will also be a "grand staircase" entrance up to this platform level from Champions Way as well as staircase access to the ground level at other points. In addition to this common amenity area, all units incorporate a rooftop deck. The plan illustrating the site layout and second floor amenity platform are illustrated in Figure 3 below.

**Figure 3 – Site Layout and Second Floor Amenity Platform**



### Maximum Density of Townhouse Development

It is noted for context that the RCBM2 Zone is structured to manage residential density in two separate ways, as follows:

- Section 6.95A.04(6) of the Zone allocates the total permitted residential density into 12 separate Areas as defined by the Schedule O-3 map. A maximum of 500 dwelling units are permitted in Area E1, which applies to the subject property as well as to several other properties along Bear Mountain Parkway and Country Club Way in the village core area.
- Sections 6.95A.03(3) and (4) of the Zone specify the maximum density permitted on individual lots for townhouse and apartment uses. Townhouse density is regulated through a “units per lot area” calculation while apartment density is regulated through a floor area ratio calculation.

The RCBM2 Zone specifies that the maximum density of townhouse development on an individual lot can't exceed 1 unit per 285 m<sup>2</sup> of lot area. Based on the size of the subject property, a maximum of 22 units could be developed pursuant to this requirement. In preparing plans while exploring the townhouse option for this site, the project architect developed a layout that includes 29 townhouse units. As this does exceed the maximum density of townhouse development permitted on an individual lot in the Zone, a text amendment is required.

For context, the other design option explored for the site was an apartment building containing 150 units, with 2 levels of parkade and 6 residential storeys above. This proposal, while not currently being pursued, is compliant with the maximum permitted height and floor area ratio of the Zone. The maximum 6-storey height for an apartment in this Area of the Zone excludes any wholly non-residential storey utilized for parking.

Due to this, Council may feel that this moderate proposed increase to townhouse density is appropriate, and is a good fit for this part of Bear Mountain. Should Council support this request, the density increase for this site will clearly not facilitate or require an increase to the overall permitted density for Area E1 as identified on Schedule O-3 and will therefore not affect the overall density anticipated for the Bear Mountain community as a whole. As such, a traffic impact assessment is not required.

Each townhouse unit contains a garage that can accommodate two parking spaces. 7 additional parking spaces have been allocated for use by visitors to the site, which exceeds the requirement of 5 spaces.

The proposed townhouse rendering is included as Figure 4 below, and the alternate apartment design option rendering is included as Figure 5 below.

**Figure 4 – Proposed Townhouse Design**



**Figure 5 – Alternate Apartment Design (Note: provided for context only)**



#### Maximum Permitted Height

The RCBM2 Zone also sets out the maximum permitted height for a townhouse building as being 9m from the average finished grade around the perimeter of the building to the highest point of a flat roof or mean level of a sloping roof. While the proposed development largely complies with this maximum height, the structure associated with a staircase access to a rooftop deck on Building 6 (in the middle of the site) does exceed the 9m height by 0.5m, for a total height of 9.5m. As such, a variance to increase the height of this building has been requested.

#### Maneuvering Aisle Width

The site has been designed with two one-way driveways accessing Champions Way (one-way in and one-way out), and a largely one-way drive aisle throughout the site connecting the garages and visitor parking to these access points. Two small portions of the drive aisle could have occasional two-way traffic. As these drive aisles also act as maneuvering aisles for the garages and visitor parking area, a 6.7m width applies as per the Zoning Bylaw. While the central drive aisle which provides maneuvering access to garages on either side exceeds this requirement, the two side drive aisles are slightly less, at 5.8m (19ft). The applicant has agreed to provide a maneuvering template prior to Council's consideration of issuance of this variance.

#### Setbacks

The subject property is a corner lot, with road frontages along Champions Way and Bear Mountain Parkway. As per the Zoning Bylaw, the front lot line is defined as the shortest lot line adjoining a road, the exterior side lot line as the longer lot line adjoining a road, the rear lot line as the lot line opposite the front lot line and interior side lot line as adjoining another lot. As such, Bear Mountain Parkway is the front, Champions Way is the exterior side, the south-westerly lot line adjoining a residential lot is the rear and the golf course is the interior side.

As the access to the site has been provided from Champions Way, the layout has been designed to treat Champions Way as the front, Bear Mountain Parkway as the exterior side, the golf course as the rear, and the residential lot as the interior side. This, combined with the tapered shape of the lot, has led to three variance requests.

Firstly, a reduction to the setback to the lot line adjoining Champions Way has been requested, which would result in a setback that ranges from a minimum of 3.1m where there is a "utility cut-out" to a maximum of 11m where the site widens towards the intersection of Bear Mountain Parkway and Champions Way. A larger than required setback has been provided to the lot line adjoining Bear Mountain Parkway.

Secondly, the proposed design essentially switches the setback requirements for the rear and interior side lot lines, as the rear of the proposed layout faces the golf course and the interior side of the layout faces the adjoining residential lot. A 6m setback has still been provided to the adjoining residential lot, which is much greater than is typically provided along both the side and rear of townhouse developments in other multi-family zones.

Lastly, the townhouse buildings are setback 10m from the lot line adjoining the golf course; however, the second storey platform encroaches into the minimum setback. The design is such that the surface of the platform is at grade where it terminates approximately 1.2m from the rear lot line and would have the appearance of a ground level patio from that perspective, which are permitted within required setbacks. However, the land falls away on the west side of the platform structure, such that it becomes above grade.

The Director of Planning can issue these setback variances within the required DP in accordance with the delegated authority specified within the applicable Design Guidelines. These will be further assessed in accordance with those guidelines during the DP process.

**Table 3: Proposal Data**

	Permitted by RCBM2 Zone	Proposed by Application
<i>Density (FAR and/or min. lot size)</i>	<ul style="list-style-type: none"> <li>1 townhouse unit per 285 m<sup>2</sup> of lot area</li> <li>500 dwelling units in Area E1 of Schedule O3</li> </ul>	<ul style="list-style-type: none"> <li><b>1 townhouse unit per 214 m<sup>2</sup> of lot area*</b></li> <li>29 dwelling units</li> </ul>
<i>Height</i>	9m	<b>9.5m*</b>
<i>Front Yard Setback</i>	6m	6.9m
<i>Interior Side Yard Setback</i>	6m	10m for principal building, and <b>1.2 for the partially above-ground amenity area projection*</b>
<i>Exterior Side Yard Setback</i>	7.5m	<b>3.1m*</b> - 11.07m
<i>Rear Yard Setback</i>	10m	<b>6m*</b>
<i>Maneuvering Aisle Width</i>	6.7m	<b>5.8m*</b>
<i>Parking Requirement</i>	2 spaces per unit plus 5 visitor parking spaces	2 spaces per unit plus 7 visitor parking spaces

**\*Variance or text amendment required**

The applicant is required to complete any required frontage improvements, provide and implement a stormwater management plan, and otherwise service the site as per the Bear Mountain Master Development Agreement registered on title of the property and in accordance with the requirements of Bylaw No. 1000.

## **FINANCIAL CONTRIBUTIONS**

Rezoning the subject property may increase the assessed value of the property, and this may increase municipal revenue. As the applicant will be responsible for frontage improvements and connection to the municipal sewer system, the direct capital costs to the municipality associated with this development will be negligible. A summary of the Amenity Contributions and Development Cost Charges that the developer will be expected to pay is outlined below in Tables 4 and 5.

*Table 4 – Amenity Contributions per Council Policy*

<b>Amenity Item</b>	<b>Per unit contribution</b>	<b>Total (29 units)</b>
<i>General Amenity Reserve Fund</i>	\$1,525	\$44,225

*Table 5 – Development Cost Charges*

<b>Development Cost Charge</b>	<b>Per unit contribution</b>	<b>Total (29 units)</b>
<i>Roads</i>	n/a (exempt due to being within the Leigh Rd LSA)	
<i>Storm Drainage</i>	n/a	
<i>Park Improvement</i>	1,948	\$56,492
<i>Park Acquisition</i>	\$130	\$3,770
<i>Incremental Storage Improvement Fees</i>	\$331.65	\$9,617.85
Subtotal (DCCs paid to City of Langford)		
<i>CRD Water</i>	\$2,557	\$74,153
<i>School Site Acquisition</i>	\$900	\$26,100
TOTAL (estimate) DCCs		\$1701,132.85

## **OPTIONS:**

### **Option 1**

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

1. Proceed with consideration of first reading of Bylaw No. 2096 to amend the text of the RCBM2 Zone as follows:
  - a. By increasing the maximum townhouse density on an individual lot from 1 unit per 285 m<sup>2</sup> to 1 unit per 214 m<sup>2</sup>;

2. Direct staff to provide notice that Council will consider issuing a Development Variance Permit for the property at 2089 Champions Way with the following variances:
  - a. That Section 6.95A.05(1) of Zoning Bylaw No. 300 be varied to increase the maximum permitted height of Building 6 as shown on the plan attached to this report as Appendix A from 9.0m to 9.5m;
  - b. That Section 4.01.02 be varied to reduce the width of a maneuvering aisle in a multi-family residential building from 6.7m to 5.8m, subject to the provision of a maneuvering template for the affected areas prior to issuance of the DVP to the satisfaction of the Director of Planning;

**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. 2096.

**SUBMITTED BY:** 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:** Audrey Kryklywyj-Shortreid, Deputy Director of Finance

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

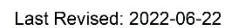
**Concurrence:** Darren Kiedyk, Chief Administrative Officer

Appendix A – Site Plan



Appendix B – Subject Property Map

**2089 Champions Way**



## Appendix C – Location Map

**REZONING BYLAW AMENDMENT**  
**( Z22-0024 )**  
**2089 Champions Way**

