



Staff Report to the Planning, Zoning and Affordable Housing Committee

DATE: Monday, July 11, 2022

DEPARTMENT: Planning

APPLICATION NO.: Z22-0002

SUBJECT: Bylaw No. 2094 – Application to rezone 936 Jenkins Avenue from Residential Small Lot 1 (RS1) to Residential Townhouse (RT1) to allow for the construction of approximately 9 townhouses.

PURPOSE

Joel Lioudakis has applied on behalf of Colin Scagliati of Scagliati Homes Ltd. to rezone 936 Jenkins Avenue from Residential Small Lot 1 (RS1) to Residential Townhouse (RT1) to allow for the construction of approximately 9 townhouses.

BACKGROUND

PREVIOUS APPLICATIONS

Z19-0017: In January 2020, Council adopted Bylaw No. 1882 to rezone 936 Jenkins Avenue and a portion of 919 Rex Road from One- and Two-Family Residential (R2) to Residential Small Lot 3 (RS3) to allow for a small lot subdivision of four single family homes.

Table 1: Site Data

| | | |
|---------------------------|--|---------------------------------------|
| <i>Applicant</i> | Joel Lioudakis | |
| <i>Owner</i> | Colin Scagliati, Scagliati Homes Ltd. | |
| <i>Civic Address</i> | 936 Jenkins Avenue | |
| <i>Legal Description</i> | Lot 1, Section 80, Esquimalt District, Plan EPP102402 PID: 031-188-044 | |
| <i>Size of Property</i> | 1,241 m ² (0.31 acres) | |
| <i>DP Areas</i> | N/A | |
| <i>Zoning Designation</i> | Current: Residential Small Lot 1 (RS1) | Proposed: Residential Townhouse (RT1) |
| <i>OCP Designation</i> | Neighbourhood | |

SITE AND SURROUNDING AREA

The subject property is occupied by one single-family dwelling with access off Jenkins Ave. The surrounding area is comprised of predominately low and medium density housing, including a mix of single-family and multi-family developments. A 15-unit townhouse development is located directly west of the property. The property is relatively flat with one mature tree located at the north end of the site. A pedestrian trail linking Jacklin Road to Starlight Stadium is located approximately 30 m north of the site.

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 – Orthophoto Map

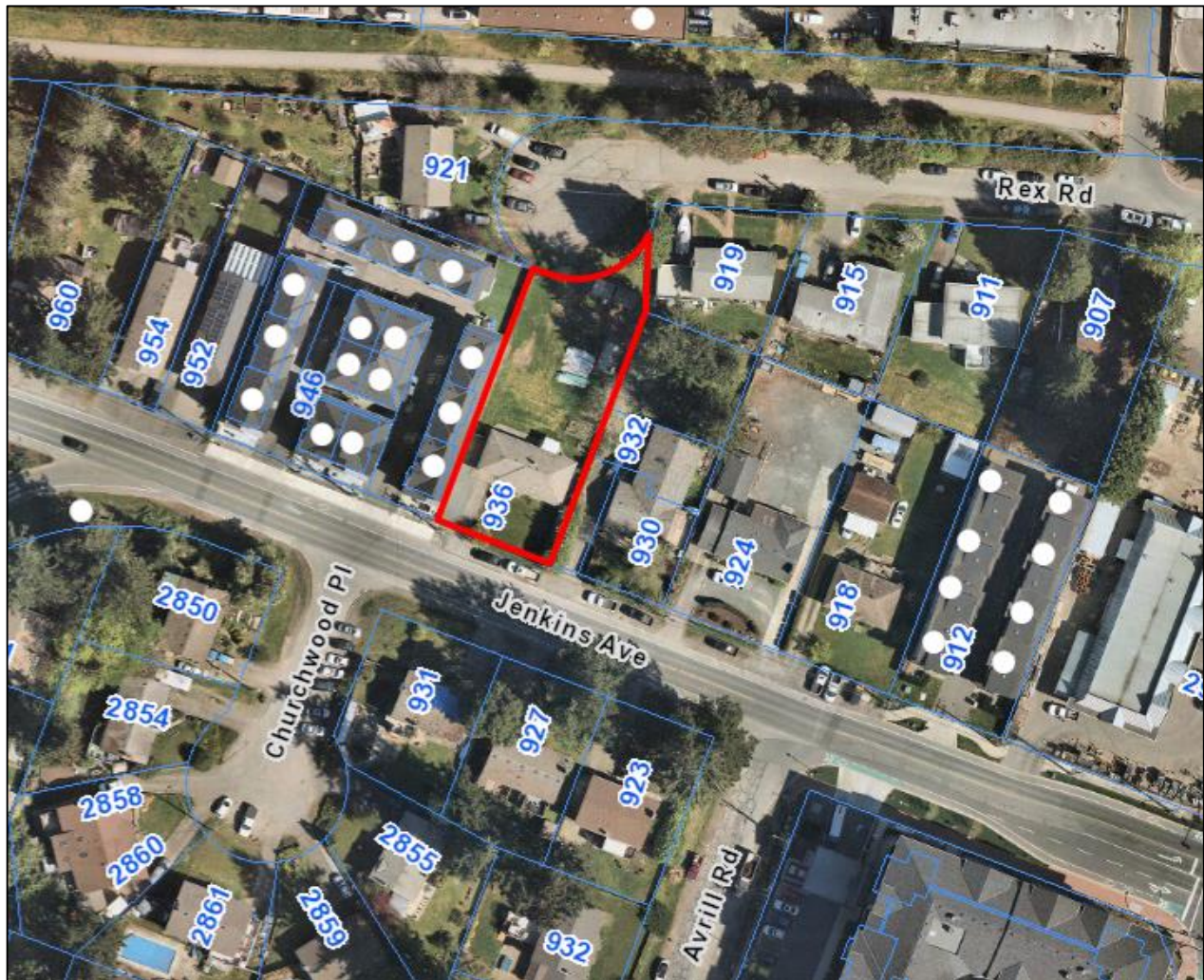


Table 2: Surrounding Land Uses

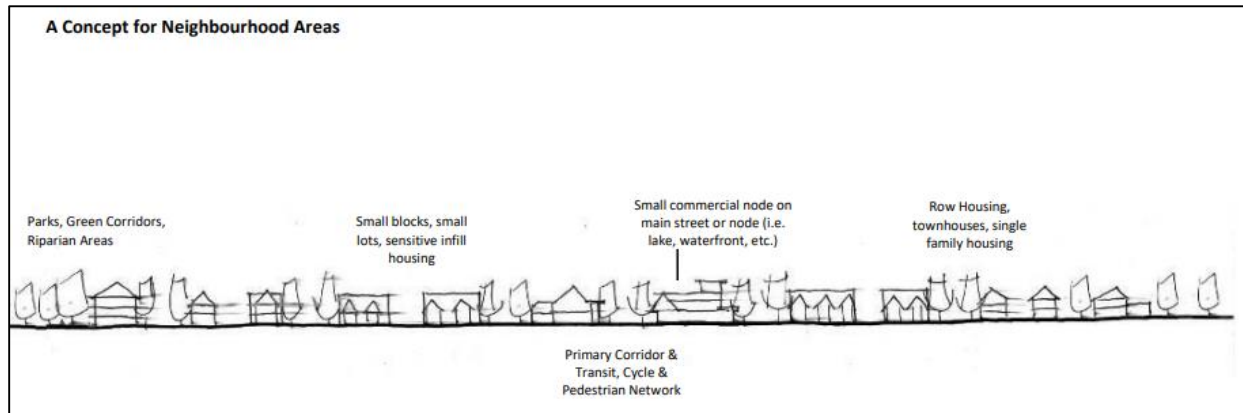
| | Zoning | Use |
|--------------|---|---|
| <i>North</i> | CD2 and R2 | Commercial and Residential |
| <i>East</i> | One- and Two-Family Residential (R2), Medium Density Apartment A (RM7A) | One and Two Family Residential, Townhouse |
| <i>South</i> | One- and Two-Family Residential (R2) | Single-Family Residential |
| <i>West</i> | Attached Housing (RM2A) | Townhouse |

COMMENTS

OFFICIAL COMMUNITY PLAN

The subject property is designated as *Neighbourhood* within the Official Community Plan Bylaw No. 1200 as described below:

- 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 serviced by transit
- Schools, community facilities and other institutional uses are permitted throughout the area
- Retail servicing local residents is encouraged along transportation corridors
- Home-based businesses, love-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
- Transit stops are located where appropriate



DEVELOPMENT PERMIT AREAS

The subject property is not located within any Hazardous or Environmental Development Permit Areas; however, a Development Permit for Form and Character will be required to address the layout and character of the townhouses pursuant to the Multi-Family Design Guidelines.

DEVELOPMENT PROPOSAL

The applicant is proposing to rezone the subject property to RT1 (Residential Townhouse) to allow for approximately 9 townhouses within three separate townhouse blocks. The existing dwelling would be demolished. The proposal generally meets the guidelines for multi-family residential development; however, a more thorough review of the design and layout of the units will be completed during the Form and Character Development Permit process, and additional changes may be required.

Access to the site will be off Rex Road, with townhouse units facing Jenkins Avenue, providing a "walk up" presence. Resident parking will be provided in accordance with Section 4.01 of Zoning Bylaw No. 300 with two enclosed stalls for each unit. The applicant has proposed the necessary amount of visitor parking located at the front of the property (off Rex Rd).

Additionally, the applicant is proposing to vary the rear lot line setback to Rex Rd from 5.5 m to 3 m. If Council has no objection to the requested variance, they may wish to authorize the Director of Planning to issue the noted variance within the Development Permit. Conversely, if they do not support this variance, they may wish to direct the applicant to redesign the project to comply with current setbacks.

To remain consistent with townhouse developments that have recently been rezoned, Council may wish to require that garages are to be used for the parking of vehicles and not the storage of items that would prevent utilizing the space for parking purposes. This requirement can be secured through a Section 219 Covenant prior to bylaw adoption.

Table 1: Proposal Data

| | Permitted by RS1 (Current Zone) | Permitted by RT1 (Proposed Zone) |
|-----------------------------------|---|--|
| <i>Density (min. lot size)</i> | 200 m ² (2,153 ft ²) | 100 m ² (1,076.4 ft ²) |
| <i>Height</i> | 9 m (29.5 ft) | 3 storeys |
| <i>Site Coverage</i> | 50% | 60% |
| <i>Front Yard Setback</i> | 3.0 m (9.8 ft), or 6 m (19.6 ft) for the garage portion | 3.0 m (9.8 ft), or 5.5m (18 ft) for the garage portion |
| <i>Interior Side Yard Setback</i> | 1.5 m (4.9 ft) | 1.2 m (3.9 ft) |
| <i>Exterior Side Yard Setback</i> | 3.5 m (11.5 ft), or 6 m (19.6 ft) for the garage portion | 3.5 m (11.5 ft), or 5.5m (18 ft) for the garage portion |
| <i>Rear Yard Setback</i> | 5.5 m (18 ft) | 5.5 m (18 ft) * |
| <i>Parking Requirement</i> | 2 per dwelling unit + 1 per suite (if permitted) | 2 per dwelling unit plus 2-5 visitor spaces depending on number of units |

***Variance to 3.0m (9.8ft) Requested.**

INFRASTRUCTURE

Full frontage improvements are required in accordance with Bylaw No. 1000 and to the satisfaction of the Director of Engineering prior to the issuance of a building permit. Of note, the Engineering Department has indicated that the proposal will be required to provide a sidewalk on Jenkins Avenue, as well as scallop parking, boulevard landscaping, and streetlights (if required, based on existing policy).

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. Council may wish to require a stormwater technical memo prepared by the project engineer prior to Public Hearing to verify that storm water can be adequately managed on-site for the proposed development.

CONSTRUCTION PARKING MANAGEMENT PLAN

Council may wish to require a Construction Parking Management Plan as a condition of rezoning and require that it be provided to the satisfaction of the Director of Engineering prior to issuance of a Building Permit. 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 CO₂ mineralized concrete for the construction of the proposed development.

FINANCIAL CONTRIBUTIONS

COUNCIL'S AFFORDABLE HOUSING AND AMENITY CONTRIBUTION POLICY

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

| Amenity Item | Per unit contribution | Total (Approx. 9 units) |
|--|------------------------------|------------------------------------|
| <i>Affordable Housing Reserve Fund</i> | \$610 per unit | \$5,490 |
| <i>General Amenity Reserve Fund</i> | \$3,660 per unit | \$32,940 |
| TOTAL POLICY CONTRIBUTIONS | | \$38,430 |

Table 5 – Development Cost Charges

| Development Cost Charge | Per unit contribution | Total (Approx. 9 units) |
|---|------------------------------|------------------------------------|
| <i>Roads</i> | \$3,865 | \$34,785 |
| <i>Park Improvement</i> | \$1,948 | \$17,532 |
| <i>Park Acquisition</i> | \$130 | \$1,170 |
| <i>ISIF Fees</i> | \$371.25 | \$3,341.25 |
| Subtotal (DCCs paid to City of Langford) | | \$56,828.25 |
| <i>CRD Water</i> | \$1,644 | \$14,796 |
| <i>School Site Acquisition</i> | \$800 | \$7,200 |
| TOTAL (estimate) DCCs | | \$78,824.25 |

OPTIONS:

Option 1

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

1. Proceed with consideration of first reading of Bylaw No. 2094 to amend the zoning designation of 936 Jenkins Avenue from RS1 (Residential Small Lot 1) Zone to the RT1 (Residential Townhouse) Zone subject to the following terms and conditions:
 - a. That the applicant provides, as a bonus for increased density, the following contributions per unit **prior to the issuance of a building permit**:
 - i. \$610 towards the Affordable Housing Reserve Fund; and
 - ii. \$3,660 towards the General Amenity Reserve Fund.
 - b. That the applicant provides the following, **prior to Public Hearing**:
 - i. A technical memo from an engineer that verifies stormwater can be adequately managed on-site for the proposed developments, to the satisfaction of the Director of Engineering;
 - ii. 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 provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on that title, that agrees:
 - 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; and
 2. A storm water management plan.
 - ii. That a Construction Parking and Traffic Management Plan be provided to the satisfaction of the Director of Engineering prior to any alteration of the land.
 - iii. That a separate covenant be registered for the proposed development that the garage is to be used for the parking of vehicles and not the storage of items preventing the parking of vehicles therein.
 - iv. That all concrete used on-site will be produced using post-industrial CO₂ mineralization technology, or equivalent which offers concrete with lower embodied

CO₂ 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 3rd party verified specifying the total embodied carbon content of concrete.

- d. Authorize the Director of Planning and Subdivision to issue the following variance in the Form and Character Development Permit for 936 Jenkins Avenue:
 - i. That Section 6.28.07(1)(d) of Zoning Bylaw No. 300 be varied to reduce the rear lot line setback of a building or structure from the required 5.5 m to 3.0 m.

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. 2094.

SUBMITTED BY: Matt Notley, Planner I

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

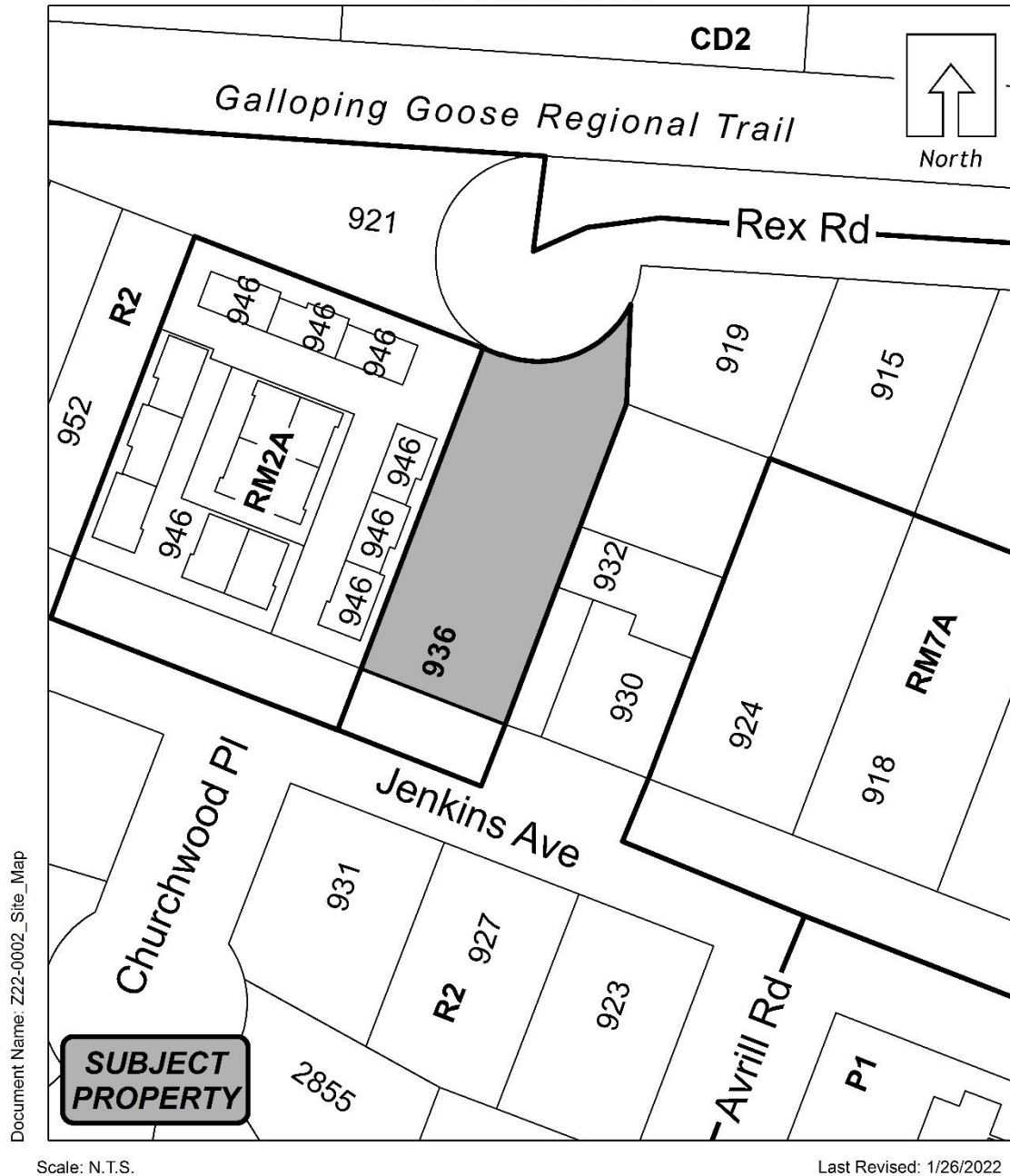
Concurrence: Audrey Kryklywyj-Shortreid, Deputy Director of Finance

Concurrence: Marie Watmough, Acting Director of Corporate Services

Concurrence: Darren Kiedyk, Chief Administrative Officer

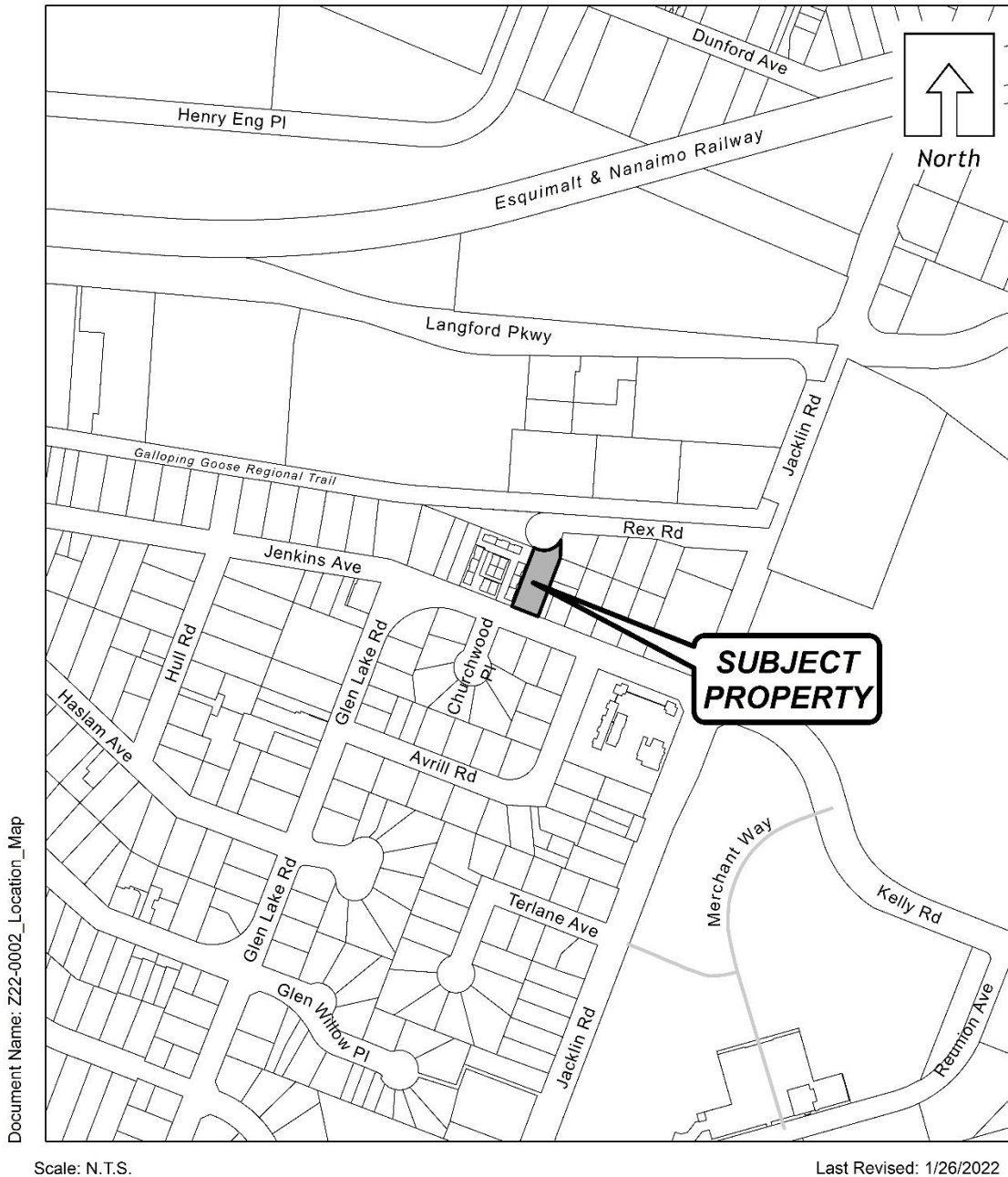
Appendix A – Site Map

**REZONING BYLAW AMENDMENT
(Z22-0002)
936 Jenkins Ave**

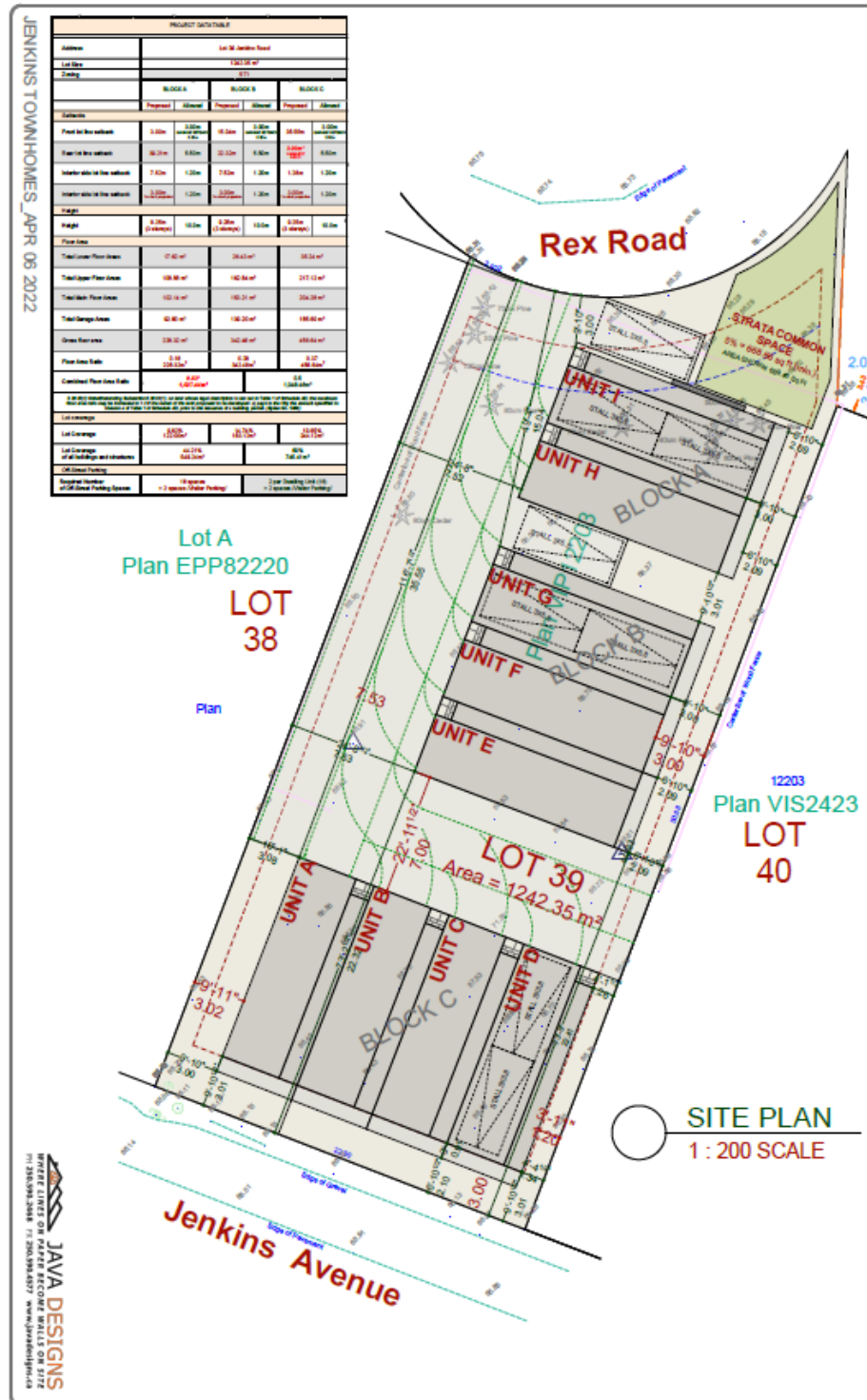


Appendix B – Location Map

**REZONING BYLAW AMENDMENT
(Z22-0002)
936 Jenkins Ave**



Appendix C – Site Plan



Appendix D – Elevations

