



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

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

**DEPARTMENT:** Planning

**APPLICATION NO.:** Z22-0003

**SUBJECT:** Application to rezone 2941 Irwin Road from Neighbourhood Institutional (P1A) zone to the Residential Townhouse 1 (RT1) zone to allow for the development of approximately 14 townhouses.

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## **PURPOSE:**

Jake Snowden of 1184743 BC Ltd. has applied on behalf of Leah MacKenzie of Bishop of Victoria, Corporate Sole to rezone 2941 Irwin Road from the Neighbourhood Institutional (P1A) zone to the Residential Townhouse 1 (RT1) zone to allow for the development of approximately 14 townhouses.

## **BACKGROUND:**

### PREVIOUS APPLICATIONS

Z08-0024 – In 2009, the subject property was rezoned from the Greenbelt 1 (GB1) to Neighbourhood Institutional (P1A) to allow for the development of a church rectory, private school and playfield, and assisted living apartment buildings.

SUB22-0002 – The subject site is part of a “hooked” lot split into two portions by Irwin Rd. The applicant has applied to adjust the boundaries of the subject property and a property adjoining the southern portion of the subject property such that there will be one legal lot on the south side of Irwin Rd, and a separate legal lot on the north side of Irwin Rd. The subject of this rezoning application is the lot on the north side of Irwin Rd and the lot on the south side will be developed under the current P1A Zone with a church and related uses. As this boundary adjustment has not yet occurred, the subject property still legally is comprised of the northern portion, addressed as 2941 Irwin Rd, and the southern portion, addressed as 2940 Irwin Rd.

**Table 1: Site Data**

<i>Applicant</i>	Jake Snowden, 1184743 BC Ltd.	
<i>Owner</i>	Bishop of Victoria, Corporate Sole	
<i>Civic Address</i>	2940 & 2941 Irwin Road	
<i>Legal Description</i>	Lot B, Section 26, Goldstream District, Plan 38777, PID No. 000-985-309	
<i>Size of Property</i>	25,225 m <sup>2</sup> (6.23 acres) total (of which the subject site is 3390 m <sup>2</sup> )	
<i>DP Areas</i>	Interface Fire Hazard, Potential Habitat and Biodiversity and, Riparian	
<i>Zoning Designation</i>	Current: Neighbourhood Institutional (P1A)	Proposed: Residential Townhouse 1 (RT1)
<i>OCP Designation</i>	Hillside or Shoreline	

#### SITE AND SURROUNDING AREA

The subject site addressed as 2941 Irwin Road gains elevation fairly evenly from the Road to the rear of the property at an estimated 17% grade. The property currently contains accessory buildings and a number of existing trees. The surrounding area consists of undeveloped and rural lands, the Westhills Development, and Regional Parks and Trails.

**Table 2: Surrounding Land Uses**

	<b>Zoning</b>	<b>Use</b>
<i>North</i>	CD3	One- and Two-Family Residential, Townhouses
<i>East</i>	R2	One- and Two-Family Residential
<i>South</i>	P1A	Neighbourhood Institutional
<i>West</i>	RR4	Rural Residential

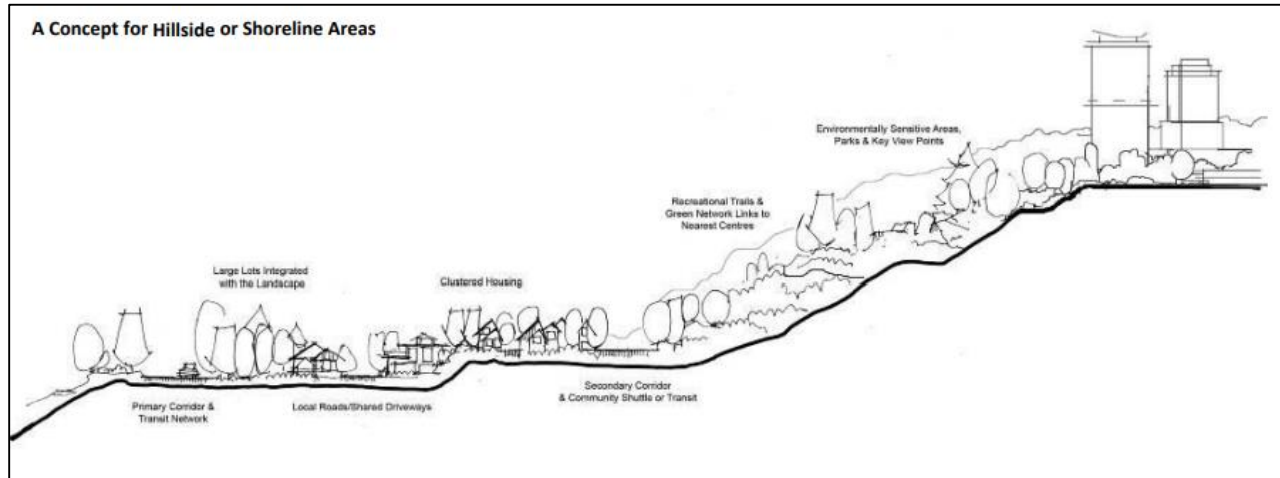
As noted, 2941 Irwin Road is currently one legal lot with 2940 Irwin Road and will be subdivided to allow for this development. 2941 Irwin Road, the subject site, has been shaded in blue in Figure 1, below.

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

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

- Langford**  
where it all happens.

Figure 2: A Concept for Hillside or Shoreline Areas



#### DEVELOPMENT PERMIT AREAS

The subject properties are located within the Interface Fire Hazard, Potential Habitat and Biodiversity and Riparian Development Permit Areas, for which a Development Permit must be issued prior to any alteration of land. Additionally, a form and character development permit would be required prior to the issuance of a building permit to review overall compliance with the Multi-Family design guidelines as well as zoning bylaw requirements.

#### **COMMENTS:**

##### DEVELOPMENT PROPOSAL

The applicant has applied to rezone 2941 Irwin Road from the Neighbourhood Institutional (P1A) zone to the Residential Townhouse (RT1) zone to allow for the development of approximately 14 townhouses within five separate townhouse blocks. The existing buildings 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.

Figure 3: Site Plan



Access to the site will be off Irwin Road, with the townhouse along Irwin Rd designed to incorporate 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 at the rear of the property.

To remain consistent with our townhouse developments that have recently been rezoned, Council may wish to require that any off-street parking that is situated in a garage is to be used for the parking of vehicles and not the storage of items preventing parking within, this should be secured through a separate covenant.

The two properties associated with this development proposal would be subdivided, but not at this moment. To ensure these properties are subdivided as presented with this rezoning application, Council may wish to require subdivision to occur prior to issuance of a Development Permit.

Additionally, the applicant is proposing to vary the rear lot line setback from 5.5 m to 3.0 m due to the triangular shape of the property. 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 for Form



and Character that is required for this site. Conversely, if they do not support this variance, they may wish to direct the applicant to redesign the project to comply with current setbacks.

**Table 1: Proposal Data**

	<b>Permitted by P1A (Current Zone)</b>	<b>Permitted by RT1 (Proposed Zone)</b>
<i>Density (min. lot size)</i>	695 m <sup>2</sup> (7,480.9 ft <sup>2</sup> )	100 m <sup>2</sup> (1,076.4 ft <sup>2</sup> )
<i>Height</i>	12 m (39.4 ft)	10 m (32.8 ft)
<i>Site Coverage</i>	40%	60%
<i>Front Yard Setback</i>	7.5 m (24.6 ft)	3.0 m (9.8 ft), or 5.5m (18 ft) for the garage portion
<i>Interior Side Yard Setback</i>	6.0 m (19.7 ft)	1.2 m (3.9 ft)
<i>Exterior Side Yard Setback</i>	7.5 m (24.6 ft)	3.0 m (9.8 ft), or 5.5m (18 ft) for the garage portion
<i>Rear Yard Setback</i>	10.0 m (32.8 ft)	<b>5.5 m (18 ft) *</b>
<i>Parking Requirement</i>	Dependent on Use	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 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 continue the sidewalk down Irwin Road, as well as streetlights.

#### 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.

## PARKS

The applicant has agreed to provide park dedication to allow for the connection of a Municipal trail from the Westhills development north of the site to Irwin Rd. The exact amount of land dedication still needs to be determined and dedicated prior to bylaw adoption. The Parks Department has determined that the applicant shall bond and construct a trail from the Westhills development to Irwin Road prior to the issuance of a building permit built to Bylaw No. 1000 standards and to the satisfaction of the Director of Parks, Recreation and Facilities.

## 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 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.

### COUNCIL'S AMENITY CONTRIBUTION POLICY

The amenity contributions that apply as per Council's current Affordable Housing and Amenity Contribution Policy as summarized in Table 4 below, which is based on 14 units.

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

<b>Amenity Item</b>	<b>Per unit contribution</b>	<b>Total (Approx. 14 units)</b>
<i>Affordable Housing Reserve Fund</i>	\$610 per unit	\$8,540
<i>General Amenity Reserve Fund</i>	\$3,660 per unit	\$51,240
<b>TOTAL POLICY CONTRIBUTIONS</b>		<b>\$59,780</b>

**Table 5 – Development Cost Charges**

Development Cost Charge	Per unit contribution	Total (Approx. 14 units)
<i>Roads</i>	\$3,865	\$54,110
<i>Park Improvement</i>	\$1,948	\$27,272
<i>Park Acquisition</i>	\$130	\$1,820
<i>ISIF Fees</i>	\$371.25	\$5,197.50
<b>Subtotal (DCCs paid to City of Langford)</b>		<b>\$88,399.50</b>
<i>CRD Water</i>	\$2,557	\$35,798
<i>School Site Acquisition</i>	\$900	\$12,600
<b>TOTAL (estimate) DCCs</b>		<b>\$136,797.50</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. 2090 to amend the zoning designation of the property located at 2941 Irwin Road from Neighbourhood Institutional (P1A) Zone to Residential Townhouse 1 (RT1) 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 boundary adjustment subdivision be registered prior to the issuance of a Development Permit for Form and Character;
  - ii. That the following will be 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.
  - iii. 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.
  - iv. 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.
  - 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.
- d. That the applicant registers, **prior to Bylaw Adoption**, a subdivision plan that includes the required land dedication for the trail, to the satisfaction of the Director of Parks, Recreation and Facilities.
- e. That the applicant, **prior to issuance of a building permit**, shall bond for or construct a trail from the Westhills Development to Irwin Road in accordance with Bylaw No. 1000 standards, to the satisfaction of the Director of Parks, Recreation and Facilities.
- f. Authorize the Director of Planning and Subdivision to issue the following variance in the Form and Character Development Permit for 2941 Irwin Road:
- i. That Section 6.28.07(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. 2090.

**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

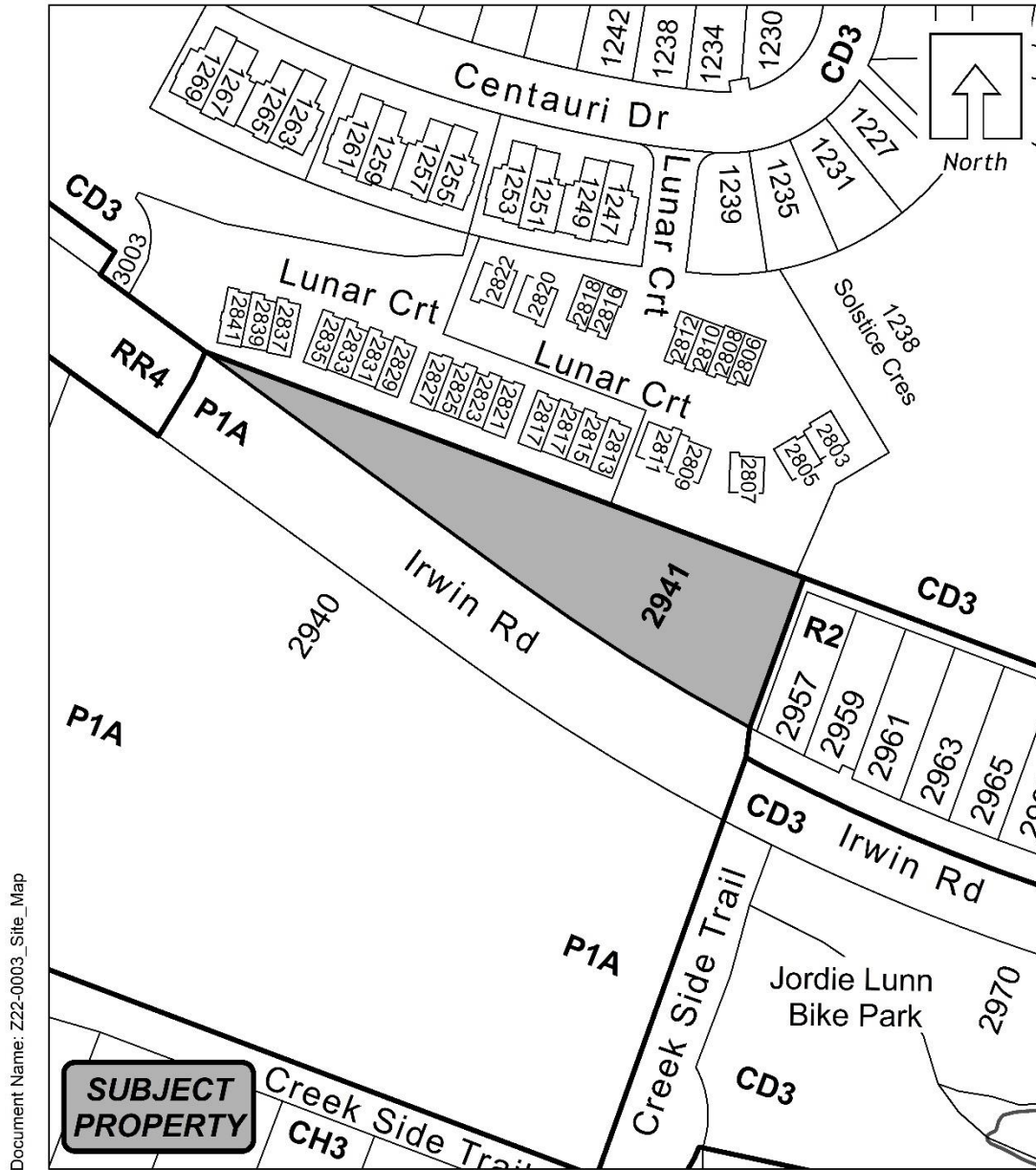
**Concurrence:** Audrey Kryklywyj-Shortreid, Deputy Director of Finance

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

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

Appendix A – Site Map

**REZONING BYLAW AMENDMENT  
( Z22-0003 )  
2941 Irwin Rd**



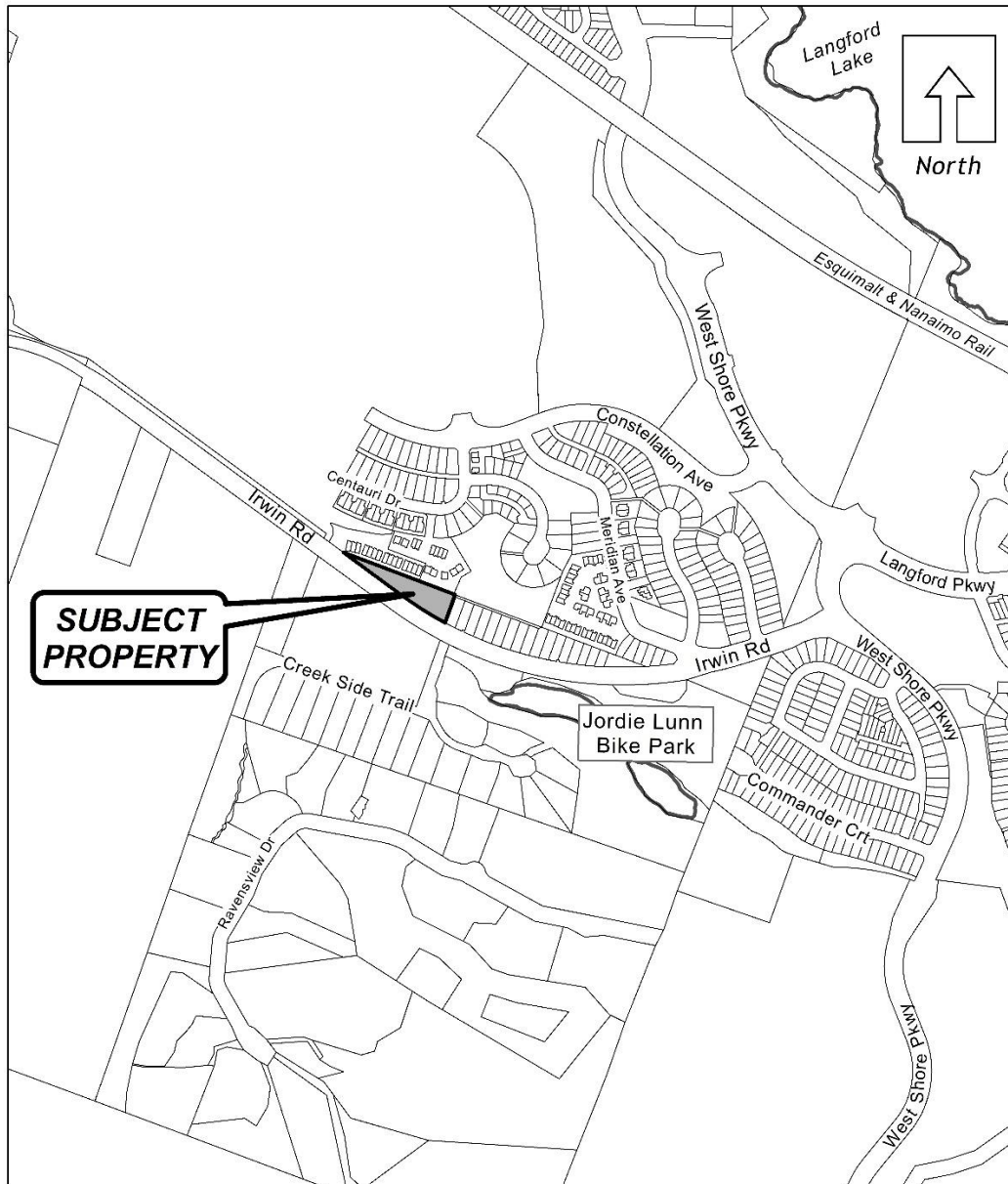
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Last Revised: 2022-02-01

Appendix B – Location Map

**REZONING BYLAW AMENDMENT  
( Z22-0003 )  
2941 Irwin Rd**



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Last Revised: 2022-02-02

## Appendix C – Elevations

