



Staff Report to the Planning, Zoning and Affordable Housing Committee

DATE: Monday, July 11, 2022

DEPARTMENT: Planning

APPLICATION NO.: Z22-0012

SUBJECT: Bylaw No. 2078 – Application to Rezone 3608 Happy Valley from the Rural Residential (RR2) Zone to the Residential Townhouse 1 (RT1) Zone to allow for the development of approximately Eight Townhouses

PURPOSE

Dave Stephens of Lida Developments Inc. has applied to rezone 3608 Happy Valley Road from the Rural Residential (RR2) Zone to the Residential Townhouse 1 (RT1) Zone to allow for the development of approximately eight townhouses.

PREVIOUS APPLICATIONS

The City has not received any previous planning applications on the subject property.

Table 1: Site Data

<i>Applicant</i>	Dave Stephens	
<i>Owner</i>	Lida Developments Inc.	
<i>Civic Addresses</i>	3608 Happy Valley	
<i>Legal Descriptions</i>	Lot 8, Section 80, Metchosin District, Plan 10359	
<i>Size of Properties</i>	1,295m ² (0.32 acres)	
<i>DP Areas</i>	Riparian, Habitat and Biodiversity	
<i>Zoning Designation</i>	Existing: Rural Residential (RR2)	Proposed: Residential Townhouse 1 (RT1)
<i>OCP Designation</i>	Existing: Neighbourhood	Proposed: Neighbourhood

SITE AND SURROUNDING AREA

The property contains a single-family dwelling along with an accessory building and some temporary shelters. The surrounding area to the north, south, and west consist of single-family dwellings on small to regular-sized lots. To the east across Happy Valley Road are larger parcels that are within the Agricultural Land Reserve.

Council may wish to require the applicant to submit a memo prepared by a Landscape Architect prior to Public Hearing that examines the existing trees on site and along Fashoda Place. The memo would provide comments on both the potential for tree retention onsite and steps for protecting the trees within Fashoda Place as part of the development plan

Figure 1: Current Condition of Subject Property



Table 2: Surrounding Land Uses

	<i>Zoning</i>	<i>Use</i>
<i>North</i>	Residential Small Lot (RS1) One- and Two-Family Residential (R2)	Residential Residential
<i>East</i>	Agricultural 1 (AG1)	Residential
<i>South</i>	Rural Residential 2 (RR2)	Residential
<i>West</i>	Rural Residential 2 (RR2)	Residential

Figure 2: Subject Property

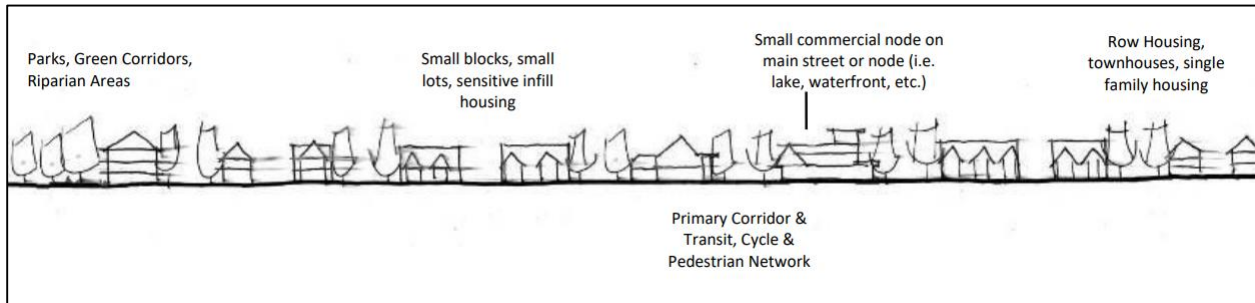


OFFICIAL COMMUNITY PLAN

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

- 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.

Figure 3: Concept for Neighbourhood



DEVELOPMENT PERMIT AREAS

The subject property is located within the 'Riparian' and the 'Habitat and Biodiversity' Development Permit Areas. A Development Permit for these will be required prior to any alterations to the lands. A Development Permit for Form and Character will also be required, which would be needed prior to issuance of a building permit to ensure the design is consistent with the City's Design Guidelines.

DEVELOPMENT PROPOSAL

As previously noted, the applicant is proposing to rezone the subject property to the Residential Townhouse 1 (RT1) Zone in order to allow for the construction of approximately eight (8) townhouses. Appendix A provides an illustration of how the eight townhouses would be situated on the subject lot, which includes a single access point off of Fashoda Place.

The units that front Fashoda would have their vehicle access from the internal strata road while their façades along Fashoda would be designed as the front of the townhouses. Appendix B includes a conceptual rendering of the intended design. Each townhouse would have the required two parking stalls, plus there would be an additional two visitor parking stalls as required by the Zoning Bylaw.

REQUESTED VARIANCES

Two variances are requested, and both could be considered minor in nature. The first would be to reduce the exterior side yard from 3.5m to 3.0m. This would apply to the three units facing Fashoda Place, all of which would have their parking in the rear of their units off the internal strata road. Therefore, with just a pedestrian walkway to the front door and no driveways in the front, the impact of reducing this setback by 0.5m is consider negligible.

The second would be a reduction to the rear yard setback from 5.5m to 3.5m. This would only apply to the northwest corner of proposed unit 1, as illustrated in Appendix A. If Council is supportive the two requested variances, they may wish to authorize the Director of Planning to grant the requested variances within the Development Permit for Form and Character.

Table 3: Proposed Data

	Permitted by RR2 (Current Zone)	Permitted by RT1 (Proposed Zone)
<i>Permitted Uses</i>	<ul style="list-style-type: none"> • Agriculture • One or Two-Family Dwelling • Equestrian Facility 	<ul style="list-style-type: none"> • One-Family Dwelling • Townhouse • Home Office
<i>Density</i>	1 unit per lot	1.2 FAR
<i>Height</i>	10.5m (34.4 ft)	10m (32.8 ft)
<i>Site Coverage</i>	n/a	60%
<i>Front Yard Setback</i>	7.5m (24.6 ft)	3.0m (9.8 ft)
<i>Interior Side Yard Setback</i>	3.0m (9.8 ft)	1.2m (3.9 ft)
<i>Exterior Side Yard Setback</i>	3.0m (9.8 ft)	3.0m (9.8 ft) *
<i>Rear Yard Setback</i>	10m (32.8 ft)	3.5m (11.5 ft) *
<i>Parking</i>	2 per unit + 1 per suite	2 per unit

*** Requested Variance**

FRONTAGE IMPROVEMENTS

Happy Valley Road

The applicant will be required to provide frontage improvements along Happy Valley in accordance with Bylaw 1000, prior to issuance of a building permit. Improvements are anticipated to include sidewalk, street lighting, and possibly parking scallops. Boulevard landscaping with irrigation might not be required due to limited space and the retention of existing trees.

Fashoda Place

The applicant will be required to provide frontage improvements along Fashoda, prior to issuance of a building permit, but possibly not entirely in accordance with Bylaw 1000. The Parks Department has requested that the existing trees within the municipal right of way be retained, which may impact the ability to install full frontage improvements. Improvements may include sidewalk and street lighting, but given the tree retention and the fact that this is a dead end road, the sidewalk might not be required. This will be determined through the civil design stage in relation to the tree retention memo.

TRAFFIC IMPACT ASSESSMENT

A Traffic Impact Assessment for this development is not required.

SEWERS

A sewer main does exist within both Happy Valley and Fashoda Place along the frontage of this site and a connection from the strata to the main would be required. Any improvements, extensions, or modifications needed to the sewer main within the municipal road right-of-way will be completed by West Shore Environmental Services at the applicant's expense.

DRAINAGE AND STORMWATER MANAGEMENT

This site is located within an area where stormwater detention is required as per Bylaw 1000. As a condition of rezoning, Council may wish to request the applicant to examine how stormwater can be managed on-site through detention and have a technical memo from a qualified engineer be provided in this regard to the satisfaction of the Director of Engineering prior to public hearing. A full stormwater management plan will be required prior to issuance of a building permit.

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

Rezoning the subject property 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 required 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, Park and Amenity Contribution Policy are summarized in Table 4 below, which is based on eight (8) townhouse units.

Table 4 - Amenity Contributions per Council Policy

Amenity Item	Per Unit Contribution Rates	Total
<i>Affordable Housing Reserve Fund</i>	\$610	\$4,880
<i>General Amenity Reserve Fund</i>	\$3,660	\$29,280

DEVELOPMENT COST CHARGES

The development cost charges that would apply to this development are summarized in Table 5 below, and is based on eight (8) townhouse units as well.

Table 5 - Development Cost Charges

Development Cost Charge	Per Unit Contribution	Total
<i>Roads</i>	\$3,865	\$30,920
<i>Park Improvement</i>	\$1,348	\$10,784
<i>Park Acquisition</i>	\$130	\$1,040
<i>ISIF Fees</i>	\$371.25	\$2,970
Subtotal (DCC's to Langford)		\$45,714
<i>CRD Water</i>	\$1,644	\$13,152
<i>School Site Acquisition</i>	\$800	\$6,400
TOTAL DCC's (estimated)		\$65,266

OPTIONS:

Option 1

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

1. Proceed with consideration of 1st reading of Bylaw No. 2078 to amend the zoning designation of the property located at 3608 Happy Valley from the Rural Residential 2 (RR2) Zone to the 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 residential unit, prior to issuance of a building permit:
 - i. \$610 towards the Affordable Housing Fund; and
 - ii. \$3,660 towards the General Amenity Reserve Fund.
 - b) That the applicant provides, **prior to Public Hearing**, the following to the satisfaction of the Director of Engineering:
 - i. A technical memo from a qualified engineer that verifies stormwater can be adequately managed on-site for the proposed development; and

- ii. A tree retention memo from a Landscape Architect that examines potential tree retention onsite and along the fronting roads.
- c) That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
 - i. That the following are implemented to Bylaw 1000 standards to the satisfaction of the Director of Engineering prior to issuance of a building permit:
 - 1. Full frontage improvements;
 - 2. A storm water management plan; and
 - 3. A construction parking management plan
 - ii. 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.

AND

- 2. Authorize the Director of Planning to issue the following variances in the Form and Character Development Permit for 3608 Happy Valley Road:
 - a) That Section 6.28.07(1)(c) be varied to reduce the minimum exterior side yard setback from the required 3.5m (11.5 ft) to 3.0m (9.8 ft).
 - b) That Section 6.28.07(1)(d) be varied to reduce the minimum rear yard setback from the required 5.5m (18 ft) to 3.5m (11.5 ft).

OR Option 2

THAT the Planning, Zoning and Affordable Housing Committee recommend that Council take no action at this time with respect to this application to rezone 3608 Happy Valley under Bylaw 2078.

SUBMITTED BY: Robert Dykstra, MCIP, RPP Senior Planner

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

Site Plan



Appendix B

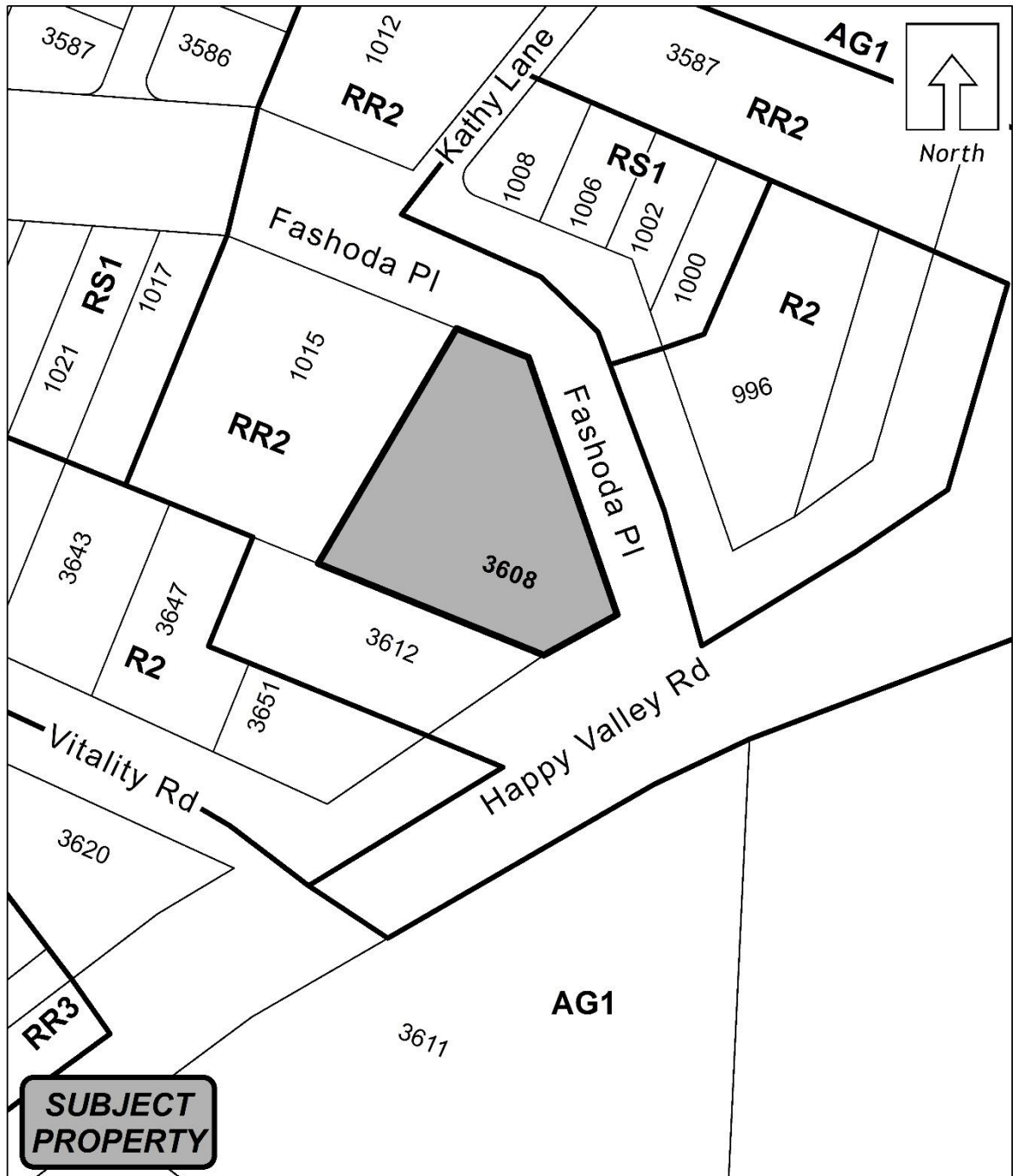
Rendering



Appendix C

Subject Property Map

**REZONING BYLAW AMENDMENT
(Z22-0012)
3608 Happy Valley Rd**



Document Name: Z22-0012_Site_Map

Scale: N.T.S.

Last Revised: 4/25/2022

Appendix D

Location Map

**REZONING BYLAW AMENDMENT
(Z22-0012)
3608 Happy Valley Rd**

