



# Staff Report to Council

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

**DEPARTMENT:** Planning

**APPLICATION NO.:** Z22-0014

**SUBJECT:** Bylaw No. 2091 – Application to rezone 2786, 2792, 2798 Scafe Road and 821, 825 Wren Place from One- and Two-Family Residential (R2) to City Centre 2 (CC2) to allow for the development of a six-storey residential building containing approximately 114 unit

## **PURPOSE:**

Nick Bray of Nick Bray Architecture has applied on behalf of Rick Genovese of 1232189 BC Ltd. and 1246629 BC Ltd. to rezone 2786, 2792, 2798 Scafe Road and 821, 825 Wren Place from the One- and Two-Family Residential (R2) zone to the City Centre 2 (CC2) zone to allow for the development of a six-storey residential building containing approximately 114 units.

## **BACKGROUND:**

### PREVIOUS APPLICATIONS

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

**Table 1: Site Data**

<i>Applicant</i>	Nick Bray, Nick Bray Architecture
<i>Owner</i>	Rick Genovese, 1232189 BC Ltd. and 1246629 BC Ltd.
<i>Civic Address</i>	2786, 2792, 2798 Scafe Road; 821 and 825 Wren Place
<i>Legal Description</i>	<b>2786 Scafe Road:</b> Lot 30, Section 5, Esquimalt District, Plan 24870, PID: 002-835-878 <b>2792 Scafe Road:</b> Lot 8, Section 5, Esquimalt District, Plan 24870, PID: 002-829-932 <b>2798 Scafe Road:</b> Lot 7, Section 5, Esquimalt District, Plan 24870, PID: 002-829-533 <b>821 Wren Place:</b> Lot 6, Section 5, Esquimalt District, Plan 24870, PID: 000-417-297 <b>825 Wren Place:</b> Lot 5, Section 5, Esquimalt District, Plan 24870,

	PID: 001-439-413	
<i>Size of Property</i>	<b>2786 Scafe Road:</b> 714 m <sup>2</sup> <b>2792 Scafe Road:</b> 765 m <sup>2</sup> <b>2798 Scafe Road:</b> 751 m <sup>2</sup> <b>821 Wren Place:</b> 982 m <sup>2</sup> <b>825 Wren Place:</b> 705 m <sup>2</sup>	
<i>DP Areas</i>	City Centre	
<i>Zoning Designation</i>	Current: One- and Two Family Residential (R2)	Proposed: City Centre 2 (CC2)
<i>OCP Designation</i>	City Centre	

#### SITE AND SURROUNDING AREA

The subject properties are located at the south end of Scafe Road, a connector road providing access to the downtown via Strathmore Road and Goldstream Avenue, and have convenient access to the Trans Canada Highway via Brock Avenue and Peatt Road to Veterans Memorial Parkway.

Combined, the subject properties have an approximate frontage of 45 m on Scafe Road, an approximate depth of 87 m and are approximately 3,917 m<sup>2</sup> (0.97 acre) in area. The homes on the properties are typical of the area, that being single storey split level family homes setback approximately 6 m from the road and ample yard space. The yards of all properties are nominally landscaped with ornamental trees and sod.

Scafe Road has seen minimal redevelopment to accommodate higher density residential and commercial buildings however adjacent to Wren Place, 2739-2751 Scafe Road and 2746 Peatt Road were recently rezoned to the City Centre Pedestrian Zone (CCP) – Area 2 to allow for two residential mixed-use buildings.

Being in the designated City Centre of Langford's OCP, the immediate area will continue to see redevelopment into higher density. The area as a whole has seen mid to high density redevelopment with several townhouse complexes, four and six storey multi-family residential developments as well as higher density multi-family and mixed-use developments.

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.

**Table 2: Surrounding Land Uses**

	<b>Zoning</b>	<b>Use</b>
<i>North</i>	One- and Two-Family Residential (R2)	Residential and Porcher Park
<i>East</i>	One- and Two-Family Residential (R2) and City Centre Pedestrian (CCP)	One and Two Family Residential and Mixed-Use Development site
<i>South</i>	One- and Two-Family Residential (R2)	One- and Two-Family Residential
<i>West</i>	One- and Two-Family Residential (R2)	One- and Two-Family Residential

**Figure 1: Orthophoto (2021)**

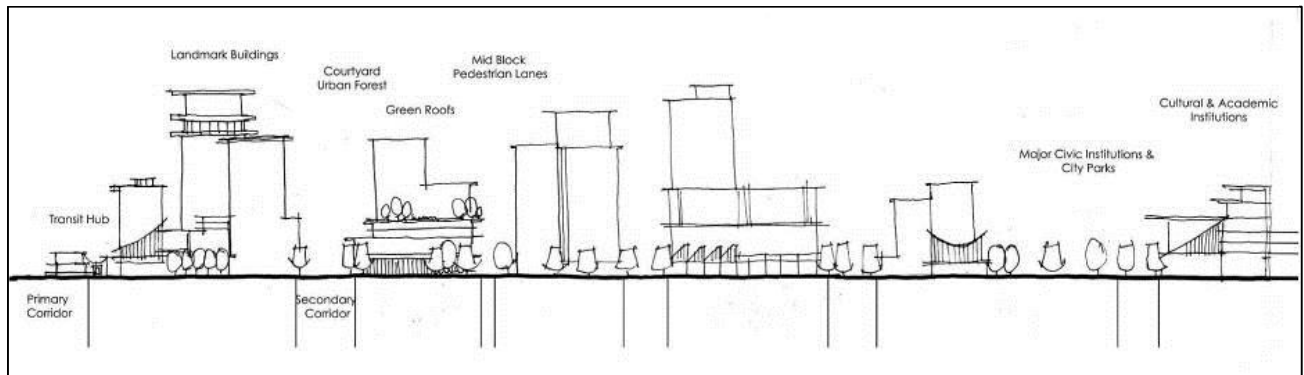


## OFFICIAL COMMUNITY PLAN

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

- A major regional growth centre that support a wide range of high-density housing, including affordable and rental housing
- A major employment area for institutional, office, commercial, light industrial uses
- Major civic uses and public buildings are key landmarks
- A major place of community gathering and celebration
- A wide range of public squares, parks and open spaces are integrated throughout
- The City’s major entertainment and/or cultural precinct
- Inter-city and/or inter-regional transit hub connect residents

**Figure 2: A Concept for the City Centre**



## DEVELOPMENT PERMIT AREAS

The subject properties are not located within any environmental or hazardous development permit areas. However, a form and character development permit would be required prior to the issuance of a building permit to review overall compliance with the City Centre and Multi-Family design guidelines as well as zoning bylaw requirements.

## DESIGN GUIDELINES

The subject properties are located within the Strathmore (N2) neighbourhood of the City Centre Design Guidelines as outlined below. For this region of the City Center, the design intent is as follows:

*The Strathmore neighbourhood is located towards the middle of the City Centre. The borders consist of main connector roads going north/south and east/west. This neighbourhood is a very suitable location for medium and high-density residential development due to the variety of existing building types. Development along Peatt Road and Goldstream Avenue, Jacklin Road shall contain commercial and heavily pedestrian oriented ground floors. These areas can be supported by medium density multi-family development in the central portion of the neighbourhood. A development emphasis should be on creating animated street level for the public.*



Further to these Neighborhood Guidelines, the subject properties were identified as being appropriate for consideration of the City Centre 2 (CC2) Zone on the City Centre Concept Map now forming part of the City Centre design guidelines.

### **COMMENTS:**

#### **DEVELOPMENT PROPOSAL**

The applicant has applied to rezone 2786, 2792, 2798 Scafe Road and 821, 825 Wren Place from the One- and Two-Family Residential (R2) zone to the City Centre 2 (CC2) zone to allow for the development of a six-storey residential building made up of approximately 114 units. These residential units would be supported by one floor of underground parking and surface parking that is screened behind the building face. The proposal meets the CC2 zoning requirement for a minimum of 80% active building frontage and the requirement of providing at least 5% of the lot area as common outdoor amenity space on the top floor patio space. The site plan can be seen below in Figure 3.

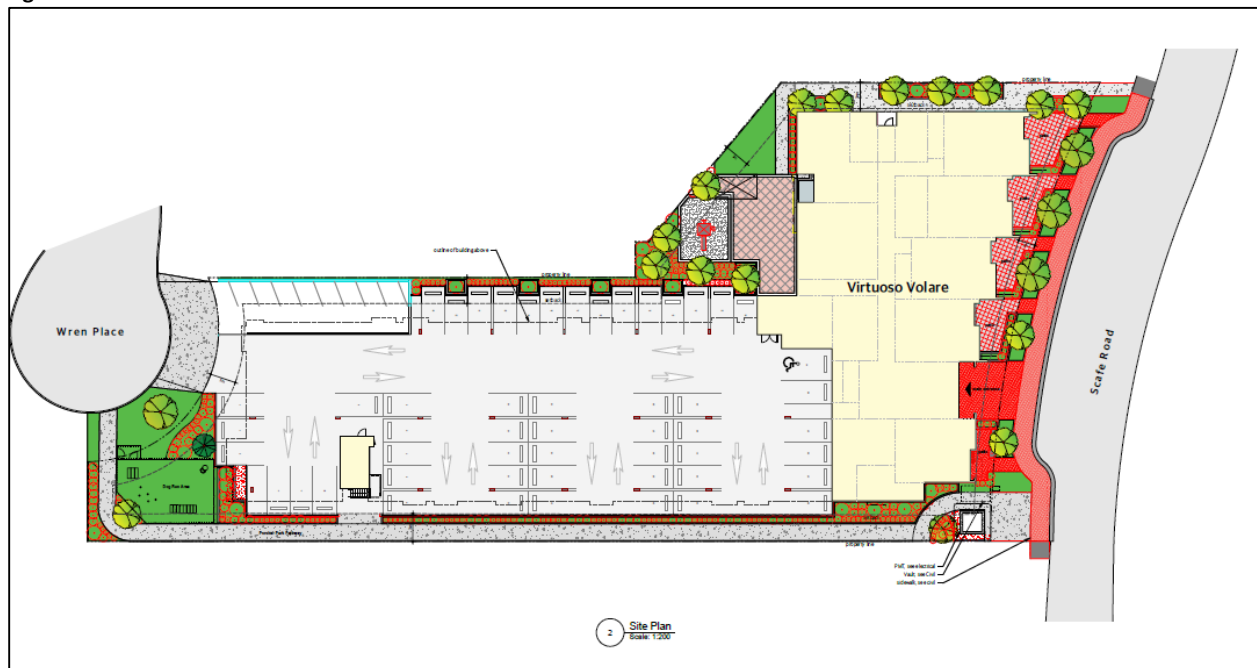
Of note, the applicant has provided a 3 m pedestrian walkway from Scafe Road to Wren Place with the intent to connect to Porcher Park located north of the subject properties to Scafe Rd. To ensure the City has legal access, Council may wish to require a Statutory Right of Way be registered on title, prior to issuance of a Development Permit. The walkway has been located along the western property line, so it has the potential to be expanded further when the neighbouring properties develop. This will ultimately provide not only a pedestrian walkway route, but also a green corridor including trees and landscaping.



Additionally, the applicant is proposing to amend the text of the City Centre 2 (CC2) zone to increase the allowable height of a building or structure from 4 storeys to 6 storeys. Despite the requested increase in height, the proposed development has a Floor Area Ratio that is slightly less than the maximum permitted in the Zone. Due to this and that the proposal is including a public amenity in the form of the green corridor and pedestrian walkway, Council may feel that this increase in height is appropriate.

As noted, the site has frontage along two roads, Wren Place and Scafe Road. As per the zoning bylaw definitions, Wren Pl is designated as the front lot line whereas Scafe Rd is the rear lot line. However, from a design perspective, the applicant has proposed to locate and design the building by treating Scafe Rd as the front and Wren Pl as the rear. As such, they have proposed to apply the front setback of 2m to Scafe Rd and the rear setback of 3m to Wren Pl. While this is essentially just moving the building envelope rather than increasing it, a variance to reduce the rear lot line setback from 3m to 2m is still required. If Council has no objection to the requested variance, they may wish to authorize the Director of Planning to issue it 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.

**Figure 3: Site Plan**



Presently, the proposal demonstrates a residential unit mix of 40 one-bedroom units, 72 two-bedrooms or two-bedroom with den units and 2 three bedrooms with den units. Council may wish to have the applicant register a building strata plan as a condition of rezoning prior to issuance of an occupancy permit

and have this provision secured with a section 219 covenant registered on title. As of recently, Council has been requiring this for most multi-family rezoning applications.

The five properties associated with this development proposal would be consolidated into one parcel, but not at this moment. To ensure these properties are consolidated as presented with this rezoning application, Council may wish to require lot consolidation to occur prior to issuance of a Development Permit.

To remain consistent with our multi-family developments that have recently been rezoned, Council may wish to require the onsite parking stalls be secured to each unit in accordance with the Zoning Bylaw to ensure separate rent is not charged for a parking space. This would prevent future tenants from declining to pay separately for a parking stall and choosing to park on the surrounding streets instead.

As Council has now adopted Bylaw No. 2054 to establish Electric Vehicle rough-in requirements, a Covenant is no longer required as a condition of rezoning.

**Table 1: Proposal Data**

	<b>Permitted by R2 (Current Zone)</b>	<b>Permitted by CC2 (Proposed Zone)</b>
<i>Density (min. lot size)</i>	N/A	3.0 FAR
<i>Height</i>	9 m (30 ft)	<b>4 storeys*</b>
<i>Site Coverage</i>	40%	N/A
<i>Front Yard Setback</i>	3.0 m (9.8 ft), or 5.5 m (18 ft) for the garage portion	2 m (6.6 ft)
<i>Interior Side Yard Setback</i>	1.5 m (5.0 ft)	3 m (9.8 ft)
<i>Exterior Side Yard Setback</i>	3.0 m (9.8 ft), or 5.5 m (18 ft) for the garage portion	2 m (6.6 ft)
<i>Rear Yard Setback</i>	5.5 m (18 ft)	<b>2 m (9.8 ft)*</b>
<i>Parking Requirement</i>	2 per dwelling unit + 1 per suite (if permitted)	1.25 per 0-2 bedrooms 2.25 per 3+ bedrooms

**\*variance/bylaw amendment requested**

#### PEDESTRIAN, CYCLING AND MOTORIST NETWORK

The subject properties are located near downtown Langford and therefore are within close walking distance to many shops and services. The site is also situated close to many bus stops that provide frequent service to downtown Victoria, Sooke, and other neighbourhoods throughout Langford and the

West Shore. Vehicle access to the development will be provided off Wren Place and no access directly from Scafe Road will be permitted.

#### FRONTAGE IMPROVEMENTS

##### Scafe Road:

The applicant will be required to provide full frontage improvements along Scafe Road in accordance with Bylaw 1000, prior to issuance of a building permit. Improvements are anticipated to include a concrete sidewalk, boulevard landscaping, streetlights and scallop parking.

##### Wren Place:

The applicant will be required to provide full frontage improvements along Wren Place in accordance with Bylaw 1000, prior to issuance of a building permit. Improvements are anticipated to include a concrete sidewalk.

#### DRAINAGE AND STORMWATER

As a condition of rezoning, Council may wish to request the applicant to examine how storm water can be managed on-site through infiltration 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.

#### CONSTRUCTION PARKING AND TRAFFIC MANAGEMENT PLAN

Council may wish to require a Construction Parking and Traffic Management Plan as a condition of rezoning and require that it be provided to the satisfaction of the Director of Engineering prior to any land alteration. 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 CO<sub>2</sub> mineralized concrete for the construction of the proposed development.

#### **FINANCIAL CONTRIBUTIONS:**

##### FINANCIAL IMPLICATIONS

Rezoning the subject properties 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 responsible 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 and Amenity Contribution Policy as summarized in Table 4 below, which is based on 114 units.

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

<b>Amenity Item</b>	<b>Per unit / area contribution</b>	<b>Total</b>
<i>General Amenity Reserve Fund</i>	\$2,850 per residential unit (1st through 4 <sup>th</sup> storeys)	@ 69 units = \$196,650
	\$1,425 per residential unit (5 <sup>th</sup> & 6 <sup>th</sup> storeys)	@ 45 units = \$64,125
<i>Affordable Housing Reserve Fund</i>	\$750 per residential unit (1st through 4 <sup>th</sup> storeys)	@ 69 units = \$51,750
	\$375 per residential unit (5 <sup>th</sup> and 6 <sup>th</sup> storeys)	@ 45 units = \$16,875
<b>TOTAL POLICY CONTRIBUTIONS</b>		<b>\$329,400</b>

#### DEVELOPMENT COST CHARGES

The development cost charges that would apply to this development are summarized in Table 5 below.

**Table 5 - Development Cost Charges**

<b>Development Cost Charge</b>	<b>Per Unit Contribution</b>	<b>Total</b>
<i>Roads</i>	\$3,092.39	\$352,532.46
<i>Park Improvement</i>	\$1,348	\$153,672
<i>Park Acquisition</i>	\$90	\$10,260
<i>ISIF Fees</i>	\$331.65	\$37,808.10
<b>Subtotal (DCC's to Langford)</b>		<b>\$554,272.56</b>
<i>CRD Water</i>	\$1,644.00	\$187,416
<i>School Site Acquisition</i>	\$600.00	\$68,400
<b>TOTAL DCC's (estimated)</b>		<b>\$810,088.56</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. 2091 to amend the zoning designation of the properties located at 2786, 2792, 2798 Scafe Road and 821, 825 Wren Place from One- and Two-Family Residential (R2) to City Centre 2 (CC2) 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 the issuance of a building permit**:
    - i. \$750 towards the Affordable Housing Reserve Fund; and
    - ii. \$2,850 towards the General Amenity Reserve Fund;

Subject to reductions in accordance with the Affordable Housing and Amenity Contribution Policy depending on use and height.
  - b. That the applicant provides the following, **prior to Public Hearing**:
    - i. A technical memo from an engineer that verifies storm water can be adequately managed on-site for the proposed development 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 title, that agrees to the following:
    - i. That the five subject properties be consolidated prior to issuance of a Development Permit for Form and Character;
    - ii. That prior to issuance of a Development Permit, the design of the 3m walkway corridor be approved by the Director of Parks and a 3 m Statutory Right of Way registered on title of the consolidated property;
    - iii. 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 inclusive of sidewalks, boulevards, and street parking;
  2. A storm water management plan; and
  3. A construction parking management plan.
- iv. That no occupancy permit be issued for the proposed building until a strata plan for the building has been registered, to the satisfaction of the Approving Officer;
- v. That a separate covenant be registered prior to issuance of a building permit for the proposed development that ensures residential parking is allocated to each unit and visitors as required by the zoning bylaw and is not provided in exchange for compensation separate from that of a residential unit;
- vi. 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. Authorize the Director of Planning and Subdivision to issue the following variance in the Form and Character Development Permit for 2786, 2792, 2798 Scape Road and 821, 825 Wren Place:
- i. That Section 6.59.07(1)(c) of Zoning Bylaw No. 300 be varied to reduce the rear lot line setback of a building or structure from the required 3.0 m to 2.0 m.
2. Proceed with consideration of First Reading of Bylaw No. 2091 to amend the text of the City Centre 2 (CC2) zone to increase the allowable height of a building or structure from 4 storeys to 6 storeys for the subject properties only.

**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. 2091.

**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

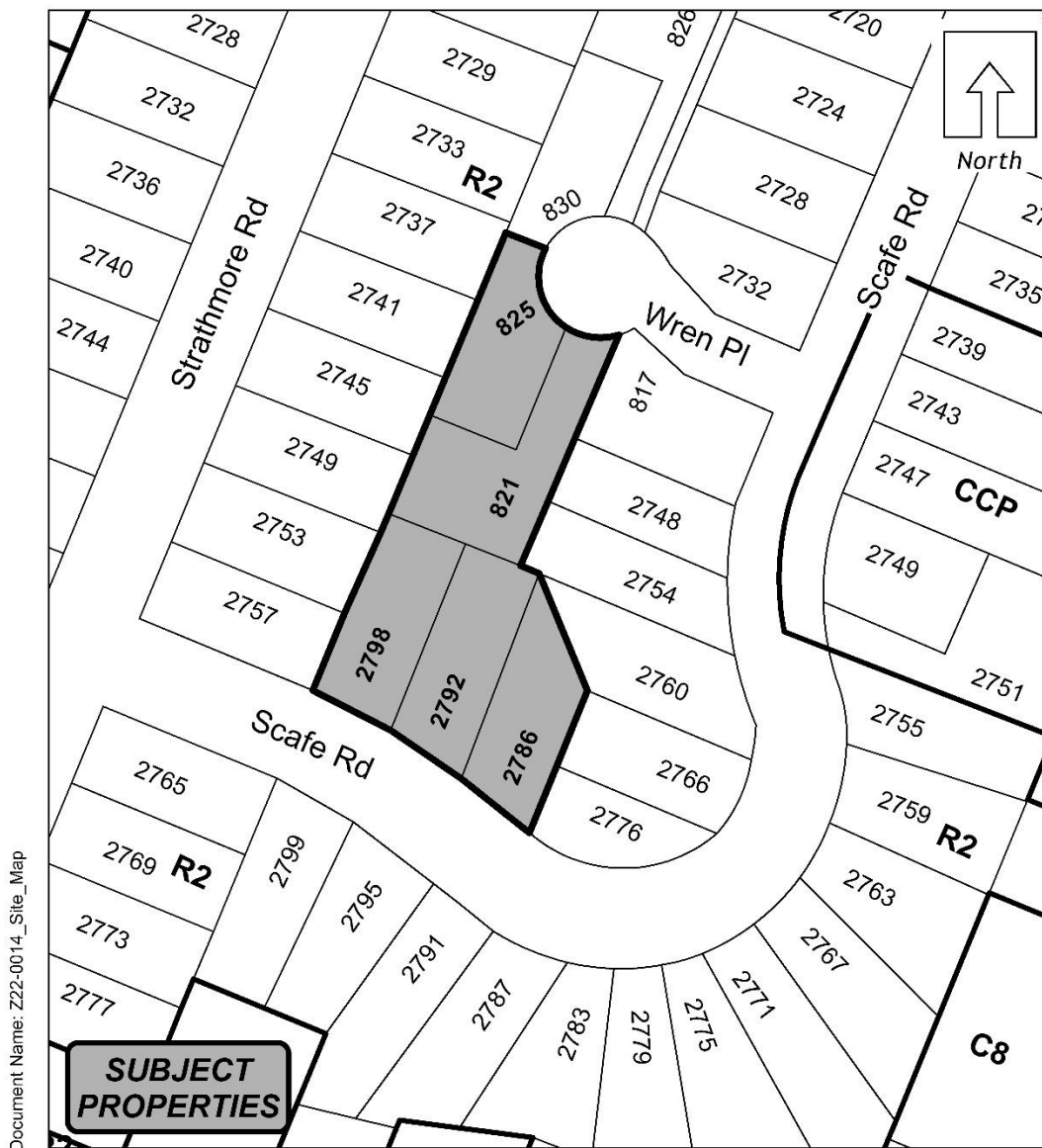
**Concurrence:** Audrey Kryklywyj-Shortreid, Deputy Director of Finance

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

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

**Appendix A – Site Map**

**REZONING BYLAW AMENDMENT  
( Z22-0014 )  
2786, 2792, 2798 Scafe Rd & 821, 825 Wren Pl**

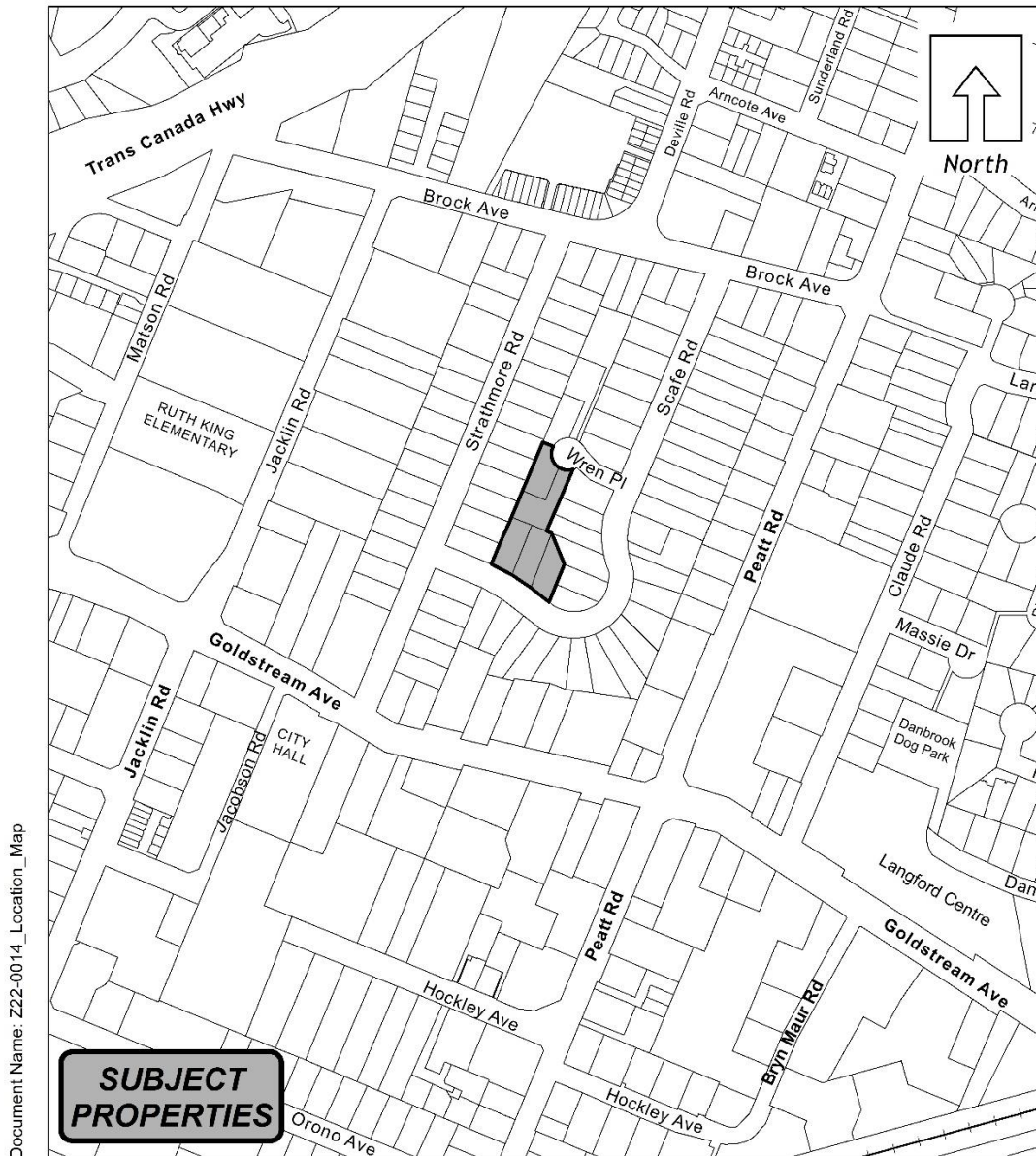


Scale: N.T.S.

Last Revised: 4/28/2022

**Appendix B – Location Map**

**REZONING BYLAW AMENDMENT  
( Z22-0014 )  
2786, 2792, 2798 Scafe Rd & 821, 825 Wren Pl**



Scale: N.T.S.

Last Revised: 4/28/2022



## Appendix C – Elevations



View of Porcher Park Pathway from Scafe Road