



The Corporation of the District of Central Saanich

REGULAR COUNCIL REPORT

For the Regular Council meeting on Monday, February 26, 2024

Re: 1255 Marchant Road – Rezoning and Development Permit (Infill) with Variances

RECOMMENDATION(S):

1. *That Land Use Bylaw Amendment Bylaw No. 2174 (1255 Marchant Road) be introduced and given First Reading.*
2. *That Rezoning Application 3360-20-18/23 and Development Permit with Variances Application 3060-20-18/23 for 1255 Marchant Road be referred to the Advisory Planning Commission for comment.*

Following consideration by the Advisory Planning Commission the following recommendations should be considered:

1. That Land Use Bylaw Amendment Bylaw No. 2174 (1255 Marchant Road) be given Second Reading.
2. That Land Use Bylaw Amendment Bylaw No. 2174 (1255 Marchant Road) be given Third Reading.
3. That prior to adoption of Land Use Bylaw Amendment Bylaw No. 2174 (1255 Marchant Road), a contribution be made per new lot to the General Amenity Fund of \$5,500 and to the Affordable or Supportive Housing Amenity Fund of \$2,000, for a total of \$30,000.

Following Third Reading the following recommendations should be considered:

1. That Land Use Bylaw Amendment Bylaw No. 2174 (1255 Marchant Road) be adopted.
2. That Development Permit 3060-20-18/23 be authorized for issuance with the following variances to the Land Use Bylaw:
 - a. Section 3(2) of the RM-6 Zone is varied to reduce the rear yard setback requirement from 9.0m to 7.5m;
 - b. Section 3(5) of the RM-6 Zone is varied to reduce the total side yard setback requirement from 4.5m to 3.0m;
 - c. Section 4.6.2 of the Land Use Bylaw is varied to reduce the additional agricultural setback from 5.0m to 0.0m; and
 - d. Section 6.4.5 is varied to permit tandem parking within a shared driveway for Residential Two-Family and Residential Attached.

PURPOSE:

The applicant wishes to rezone the property located at 1255 Marchant Road from the Residential R-1 zone to the RM-6 zone to construct five townhouses. A letter from the applicant is attached to this report as Appendix A.

BACKGROUND:

The subject property is located at 1255 Marchant Road in the Brentwood Bay neighbourhood and is approximately 1,196 m² in size. The existing single family dwelling has been demolished and the site is prepped for development. The adjacent properties to the east and west are zoned Residential R-1 and the property to the south is zoned Agricultural A-1 and is in the Agricultural Land Reserve, the properties to the north side of Marchant Road are zoned Residential R-1 as shown on the context map (Appendix B).

DISCUSSION:

The proposed five-unit townhome development is based on the RM-6 Zone. Two units are proposed to be side by side at the front of the property and access by a shared driveway, plans and elevation drawings are included in Appendix C. Three units are proposed to be located at the rear of the site and access by a shared driveway. The units offer three bedrooms with a den and 2.5 bathrooms. Each unit has a one parking space in a garage and one space in the driveway, exceeding the parking requirements in the Land Use Bylaw. The proposed height of the townhomes are 7.7 m which is consistent with the adjacent R-1 zone which allows a maximum height of 8.0 m. Several variances are requested to reduce yard setbacks and to permit tandem parking for residential two-family.

Official Community Plan (OCP)

The property is located within the Urban Containment Boundary and designated in the OCP as 'Neighbourhood Residential', which permits up to eight units. The policies contained in Section 4.1 Growth Management and Housing support a 'mix of housing forms, including small lots, panhandle lots, pocket neighbourhoods, duplexes, small scale multi-unit development and townhouses, where they are consistent with the infill design guidelines."

Policy 2 encourages "Innovative and site-sensitive housing and subdivision designs that reduce storm water run off, demonstrate energy efficiency in building performance, and demonstrates a sensitive response to the site and its context". The proposal is consistent with OCP policies and guidelines.

Form and Character Development Permit Guidelines

The proposed development is considered infill and would need to be consistent with the guidelines for the Intensive Residential Development Permit Area. The subject property is subject to the General Infill Guidelines as well as the Townhouse Design Guidelines.

The proposed townhouses are two storeys in height integrating into the neighbourhood with a moderate building height and compatible roof design. The building elevations incorporate varied architectural elements and articulations to provide interest including a mix of materials, textures, and colours. The primary entrances include weather protection, and the front two units are clearly visible and accessible from the street. The front two units include a shared driveway to reduce the surface pavement and driveways along the frontage which provides ample space for landscaping. Each unit has private open space to the rear yard. Privacy of neighbours has been considered by reducing the size of windows and overlook into neighbouring yards.

A landscape plan includes six replacement trees and shrubbery. Tree replacement will be in accordance with the Tree Management Bylaw and the proposed tree planting plan meets the tree density target. Tree replacement will be required through a Tree Permit at the time of removal. Fencing will be provided along the property line and to provide privacy between each unit.

The development would be required to be constructed in accordance with Energy Step Code Level 3 and Carbon Step Code Level 4 (Zero Carbon). The applicant has reviewed the proposal with an energy modeler to confirm that using high efficiency windows, additional insulation and a heat pump will achieve the required standards. In addition, the parking requirements included in the Land Use Bylaw require an energized parking space for each unit. A draft Development Permit is included in Appendix D.

Land Use Bylaw

The subject property is currently zoned R-1: Large Lot Single Family Residential which permits a single family dwelling and an accessory dwelling unit. The proposal is to rezone the property to the RM-6 zone to allow five townhomes and variances are requested.

The RM-6 zone allows a specific number of units based on the lot size. Other considerations include Floor Area Ratio and site coverage. The maximum number of units permitted in the RM-6 zone is eight units to align with the ‘Neighbourhood Residential’ land use designation in the OCP. Table 1 below shows how the proposal aligns with the RM-6 zone.

Table 1: Zoning Regulations for the RM-6 Zone

| Zoning Regulations | | RM-6 Zone | Proposed | Notes |
|---|-----------------|----------------------------|----------------------|------------------------------|
| Siting | Front Yard | 6.0 m | 6.0 m | |
| | Rear Yard | 9.0 m | 7.5 m | Variance Required |
| | Side Yard | 1.5 m | 1.5 m | |
| | Side Yard Total | 4.5 m | 3.0 m | Variance Required |
| Density (FAR) | | 0.70 (Maximum for 5 units) | 0.611* | Maximum density not exceeded |
| Lot Coverage | | 40% | 35.1% | |
| Maximum Height of Buildings | | 9.0 m | 7.7 m | |
| Minimum Lot Size | | 875 m ² | 1,196 m ² | |
| Parking (1.5 per unit plus 0.25 per unit for visitors) | | 9 | 10 | Excess parking provided |

*Drawings indicate FAR is 0.699; however, garages are not calculated in FAR which results in a FAR of 0.611.

The applicant is requesting a variance to the rear yard setback and to the side yard total setback requirements of the RM-6 Zone as shown in Table 1. The applicant is requesting a variance to the Agricultural setback of an additional 5.0m to the yard setback adjacent to agricultural land from 5.0 m to

0.0 m. Additionally, a variance to Section 4.6.5 of the Land Use Bylaw is required to permit tandem parking for both a Residential Two-Family use and Attached Residential use. This would allow a parking space located in the garage and a space in the driveway in tandem with one another. Staff have no concerns with the proposed variances. The proposed variances are included in the draft Development Permit in Appendix D and the draft Bylaw Amendment is included in Appendix E.

Frontage Improvements

Frontage improvements and servicing of the property are required prior to Building Permit. Improvements include widening of Marchant Road fronting the property. A crosswalk is proposed by the Traffic Safety Committee to be located on Marchant Road fronting the property that provides pedestrian access to an existing trail to the north of Marchant Road. The proposed location of the driveway for the duplex building would need to consider the crosswalk location. The crosswalk details are not finalized; however, the applicant is aware of the proposal and agrees to work with staff to align the development proposal with the frontage works and improvements. If a change to the development proposal is required, the applicant would be required to submit a plan change request for review by staff.

Community Amenity Contribution

As part of the rezoning contribution, the applicant is offering amenity contributions based on the *Community Amenity Contributions Policy*. Contributions consist of \$2,000 per unit toward the Affordable/Housing Community Amenity Reserve Fund and \$5,500 per unit toward the General Amenity Reserve Fund, for a total of \$30,000 based on the four additional units that would be proposed under the proposed zoning. These contributions would be required prior to the adoption of the amendment bylaw.

IMPLICATIONS:

Strategic

The proposal aligns with the Strategic Plan to expand the supply of affordable and attainable housing by enabling a range of Small-Scale, Multi-Unit Housing in the form of townhouses.

Legislative/Policy

The proposed density of a total of five units on one lot would be in line with the Small-Scale, Multi-Unit Housing (SSMUH) density required by provincial legislation for the current parcel. Based on the RM-6 Zone additional units cannot be considered as the allowable density has been achieved by the proposal.

Communications

Staff note that as part of the notification process required for first reading (where there is no public hearing to be held), at the same time the public was notified of the Opportunity to be Heard regarding the variances included in the proposal. This approach has the following benefits:

- It avoids the District notifying the public twice for the same application;
- It provides the public with early notice of the proposal and requested variances;
- It allows Council to consider public input prior to first reading of the bylaw; and
- It allows Council to approve the rezoning and development permit applications in two Council meetings.

The Opportunity to be Heard provides residents with the ability to comment on the proposed variances only. There is no longer an opportunity for the public to provide in-person input on the bylaw amendment as the development proposal is consistent with the OCP.

OPTIONS:

The following options are presented for Council consideration:

OPTION 1

Proceed as per the staff recommendation.

OPTION 2

Have the approval process follow an expedited timeline. Under this option, the following motion is provided:

1. That Land Use Bylaw Amendment Bylaw No. 2174 (1255 Marchant Road) be introduced and given First Reading and Second Reading.
2. That Land Use Bylaw Amendment Bylaw No. 2174 (1255 Marchant Road) be given Third Reading
3. That prior to adoption of Land Use Bylaw Amendment Bylaw No. 2174 (1255 Marchant Road), a contribution be made per new lot to the General Amenity Fund of \$5,500 and to the Affordable or Supportive Housing Amenity Fund of \$2,000, for a total of \$30,000.

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 - d. Section 6.4.5 is varied to permit tandem parking within a shared driveway for Residential Two-Family and Residential Attached.

OPTION 3

Provide alternative direction.

OPTION 4

Deny Rezoning Application 3360-20-18/23 and Development Permit with Variances Application 3060-20-18/23 for 1255 Marchant Road.

CONCLUSION:

The proposal is consistent with the Official Community Plan 'Neighbourhood Residential' land use designation and is generally consistent with the General Infill Guidelines as well as the Townhouse Design Guidelines. The proposal is sensitive to adjacent residential uses and aligns with the regulations for five

units in the RM-6 Zone. The proposed variances to the side yard and rear yard setbacks are similar to other variances permitted in residential zones and staff have no concerns with a variance to enable tandem parking for the two units fronting Marchant Road. The proposed dwellings would be constructed in accordance with Energy Step Code Level 3 and Zero Carbon Step Code Level 4. The propose would include energized parking spaces as per the Land Use Bylaw and provide community amenity contributions as per Council’s policy.

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| Report written by: | Kerri Clark, Manager of Development Services |
| Respectfully submitted by: | Jarret Matanowitsch, Director of Planning and Building Services |
| Concurrence by: | Christine Culham, Chief Administrative Officer |

ATTACHMENTS:

Appendix A: Rationale Letters

Appendix B: Context Map

Appendix C: Architectural Plans and Sections

Appendix D: Draft Bylaw

Appendix E: Draft Development Permit

Appendix F: Application Form