

1. WHAT ARE THE PROVINCIAL REQUIREMENTS?

- As applicable to Central Saanich, our residential zones affected include approximately 3,742 properties that must permit either 3 or 4 dwelling units. Lots 280m² or less (8 lots) must be permitted 3 dwellings, otherwise a minimum of 4 dwelling units must be permitted.
- The province released a “Provincial Policy Manual and Site Standards” for Small-Scale, Multi-Unit Housing that includes recommended zoning regulations. The *Local Government Act* (LGA) includes a new section 481.3(7) which requires a local government to consider applicable guidelines when adopting zoning bylaws for small-scale, multi-unit housing in response to Bill 44. The manual provides recommended zoning provisions for building types, density, setbacks, height, lot coverage and parking. Although these are recommendations that must be considered, it is not obligatory that they be adopted; however local governments must ensure that the zoning regulations overall would reasonably allow for the required number of dwelling units.

Reference information:

- Attached as Appendix B is a Provincial Recommendations Consideration Table for both the proposed Residential Neighbourhood and Residential Corridor zones outlining the provincial recommendations and staff comments.
- Attached as Appendix C are the Proposed Zoning Maps showing where the two new zones would apply, which also reflect how future amendments to the OCP Land Use Designation map could occur.

Comments:

- Replace all of the affected zones within the UCB with two new zones: Residential Neighbourhood and Residential Corridor.
- The Neighbourhood zone would apply to 90% of the properties, whereas the Corridor zone would apply to 10% and be located on main corridors close to villages or amenities, aligning with the Main Corridor area in the Official Community Plan (OCP)
- Apply a sliding scale approach in the zoning regulations to permit more dwelling units on larger properties to encourage more missing middle housing.
- The draft zones would increase the provisions with respect to building massing to ensure the permitted units could be reasonably achieved. The massing regulations work in tandem with the number of units permitted to ensure the additional density provisions are used to create more housing.
- Reduce the parking requirement to 1/unit for small scale multi-unit development that is defined as having a minimum of three dwelling units and located on lands zoned Neighbourhood Residential and Corridor Residential.

2. IS THE DISTRICT AFFECTED BY TRANSIT-ORIENTED AREAS?

- No, the District is currently not impacted by the legislation related to Transit Oriented Areas.
- These are areas prescribed in provincial legislation for high density eg: 12 – 20 storeys, and primarily impact major municipalities along Sky Train in Metro Vancouver, although there are some in our region.
- A separate regulation requiring a minimum of 6 units must be permitted where a residential property is within 400 m of a bus stop meeting specified service frequency levels. and there can be no on- site parking requirement (new LGA s. 525.1.1). The District currently has no areas that meet the required bus service frequency level.
- The District is currently not impacted by this requirement but potentially could be as bus service frequency improves.

Comments:

- Implement zoning for transit oriented development consistent with the OCP.
- Use the extent of “Main Corridor” development on the Land Use Plan in the OCP to identify where the slightly higher density Residential Corridor zone would apply.
- To support more moderate scale development close to villages and amenities the Draft Corridor zone would:
 - apply to properties adjacent to identified Main Corridors in the OCP.
 - permit slightly higher massing and the unit density scales up with lesser land area requirements
 - not include single detached dwellings as a permitted housing form to encourage more missing middle typologies
 - includes a density bonus of +1 unit where constructed and maintained as a fully accessible unit
 - includes a maximum unit size of 200 m²

3. WHAT IS OUR CURRENT BASELINE FOR RESIDENTIAL AREAS?

- Analysis of the number and size of existing residential properties was undertaken at the neighbourhood level to determine what the overall impact would be and determine if refining zoning regulations at the neighbourhood level was warranted.
- Analysis at the neighbourhood level can also inform potential engineering impacts and help determine future demands.

Reference information:

- Attached as [Appendix D](#) is a Residential Analysis of Existing Conditions, including neighbourhood analysis.
- The average lot size is 925m² overall with a range between neighbourhoods from 796 m² in Saanichton to 1,064m² in Turgoose.
- The median lot size is 822 m².
- Overall, the two village centres of Brentwood Bay and Saanichton have smaller lots, Turgoose and Tanner South tends to have larger lots, with Saanichton South and Tanner North in the middle.
- There are eight properties less than 280m² that would be limited to 3 dwellings, two located in Saanichton Village and six in Tanner North.
- The majority of properties, 2741 or 73%, fall into to the mid-size lot range between 280 and 1,000 m², with 993 or 27% being within the large range.

Comments:

- The proposed zoning approach is to be consistent between the various neighbourhoods within the regulations.
- There are four properties over 4,050m² which could be excluded under the legislation;
- In addition to the rezoning the ‘R’ zones and two CD zones that were solely for housing (CD-7 and CD-10), the following lots have been included for rezoning:
 - 788 Sea Drive, former church currently zoned P-1
 - 1981 and 1993 Stelly’s Cross Road, zoned A-1, not in the ALR, inside the UCB and designated ‘Neighbourhood Residential’ in OCP,
 - 8194 Derrinberg, recently rezoned RM-6 for 4-unit townhouse, along with adjacent lot was zoned RM-1 in response to illegal suites approximately 20 years ago. The proposed Neighbourhood zone could apply to the development with the RM-6 zone becoming redundant, and

- 8187 Derrinberg, rezoned to RM-1 with 8194 Derrinberg to allow four units.
- There are a number of smaller parks that have residential zoning throughout the District. These would be rezoned to P-2 Parks and Open Space where they are identified to be more accurate. Examples include Chatterton Park, Brentwood Heights Park, a portion of Amwell Park, an unnamed park abutting 6238 Elizabeth Garden Court, Tanner Park, English Meadows Park, Seabrook Park, Seamount Park, Galbraith Park, and a portion of George May Park.

4. CAN WE LIMIT THE DENSITY REQUIREMENTS?

- Could a local government avoid the density increase by increasing parking requirements or decreasing some regulations such as lot coverage or FAR? Similarly, could the development permit process be used to deter the directive for more density?

Comments:

- No, we must amend our bylaws to permit the minimum number of dwelling units and cannot impose regulations to thwart the provincial mandate.
- A new section 457.1 has been added to the LGA that specifically states:
457.1 The following powers must not be exercised in a manner that unreasonably prohibits or restricts the use or density of use required to be permitted under section 481.3 [zoning bylaws and small-scale multi-family housing]:
 - (a) a power under section 488 [designation of development permit areas];
 - (b) a power in relation to a land use regulation bylaw or land use permit;
 - (c) a power in relation to a heritage alteration permit, as defined in section 586 [definitions in relation to Part 15];
 - (d) a power under section 614 [designation of heritage conservation areas].

5. HOW MUCH WOULD DENSITY INCREASE?

- Using dwellings per hectare is the most informative way to illustrate density at the neighbourhood level.
- At a site level, density in the form of building massing is regulated through the permitted number of dwelling units and floor area ratio (FAR).

Reference information:

- Attached as Appendix E is a Density Comparison graph that, in general terms, reflects what building forms are feasible based on unit density, and the resultant density that would occur with the proposed zones.
- The graphic on Appendix E compares density based on dwellings/ha and shows how the densities in the proposed zones compared to some development examples in the District. Of note, for the majority of lots the density of the proposed zones would be in the range of 40-60 dwellings/ha, however it does increase for smaller lots with a 500m² lot at 80 dwellings/ha up to 143 dwellings /ha on a 280 m² lot.
- When comparing properties near the average lot size, the density in the Neighbourhood zone would be in the 40-50 dwelling/ha range, whereas in the Corridor zone they would be in the 50-60 dwelling/ha range.

Comments:

- By utilizing a sliding scale to support allowing more units on larger lots a more consistent pattern of development across the landscape would be supported when compared to an approach of continuing to create additional smaller lots that could result in a more intensive infill developments. Although further subdivision to create new lots may still occur under the proposed zoning, more subdivisions are anticipated to be building strata subdivisions.

6. HOW COULD A SINGLE PROPERTY BE REDEVELOPED UNDER THE DRAFT ZONING?

- The province is encouraging flexibility in regulations to make projects more feasible.
- The zoning regulations have been designed to be highly flexible with respect to building typologies and supports new options in the District such as suites in duplexes and townhouses, and retains existing options for single storey dwellings in rear yards.
- Building massing would be determined by Floor Area Ratio (FAR), with lot coverage, setbacks, and height determining the building envelope.
- The zoning regulations allow for increased building massing that scales up with the number of units to ensure the additional massing is used for new housing units. The regulations for 1-2 dwellings closely resemble the current regulations.
- The regulations specifying maximum gross floor area for a house size would be removed in the Neighbourhood zone and dwelling size would be limited by FSR, whereas in the Corridor zone a maximum unit size of 200 m² is proposed where townhouses and small apartments would be preferred.

Reference information:

- To test the regulations further and ensure they would allow for design flexibility at the site level and ideally reduce requests for variances, a planning and design consultant was used to create hypothetical massing models.
- Attached as *Appendix F* are Site Level Graphics for a range of lot sizes and various building typologies to test the draft zoning. These were done to test the regulations at the site level to ensure they would allow for design flexibility.

Comments:

- The zones have been drafted to allow flexibility in terms of dwelling types (townhouses, duplexes, fourplexes, secondary suites, etc.)
- With the Neighbourhood zone, there would be three lot size categories used for regulations (small < 280 m², mid 280-1,000 m², or large >1,000 m²), including to determine the number of permitted dwelling units, up to a maximum of 8 to limit the overall scale of development.
- Within the Corridor zone the number of permitted dwellings would also increase based on lot size, up to a maximum of 8 to ensure consistency with the OCP.
- Within the Neighbourhood zone, the overall size of dwelling units would be governed by the FAR, which increases with the number of dwellings.
- In the Corridor zone a maximum unit size of 200 m² is recommended to encourage more missing middle housing units, as opposed to fewer, large units.
- Cottages would no longer be uniquely regulated, their overall size would be captured within the total gross floor area for the property.
- Retaining reduced setbacks to support single storey dwellings in rear yards is included.
- For properties remaining as single detached with one accessory unit, the proposed zoning would closely align with current regulations.
- Unlike the Neighbourhood zone, the Corridor zone does not include 'detached dwelling' as a permitted typology to encourage higher density housing forms.

7. WHAT IS THE POTENTIAL IMPACT OF REZONING ALL OUR RESIDENTIAL LANDS?

- Approximately 71.6% would be permitted 3 or 4 dwellings, 21.8% permitted 6 units, and 6.6% permitted 8 units.
- Unit potential calculations assume that every lot has one existing dwelling, with an additional 25% estimated to have a suite or be a duplex to determine the current number, compared to the full build out potential if every permitted unit was constructed.

- Given that the zoning amendments would at least double the density provisions from permitting a principal dwelling and one accessory unit to a minimum of four dwellings for most properties, the overall potential increase in housing units is estimated to be a approximate 2.75 increase from what exists today.
- It is important to note that these are maximum potential numbers and inherently be overestimated as various development constraints and the economic feasibility of development are not considered.
- Although zoning must allow for more housing, it is expected that small scale multi-unit housing will be realized gradually over time.

Reference information:

- Attached as Appendix G is a Residential Analysis of Future Considerations.
- Of note, a graph in the noted appendix summarizes the data, but results of how many properties would be permitted a certain number of units are:
 - 3 units: 8 lots (<0.5%)
 - 4 units: 2671 lots (71.3%)
 - 6 units: 816 lots (21.8%)
 - 8 units: 247 lots (6.6%)

8. WHAT WOULD THIS LOOK LIKE ACROSS THE DISTRICT?

- Understanding where there is density potential will be informative when evaluating infrastructure capacity and to help determine priority areas for upgrades.

Reference information:

- Attached as Appendix H is a Unit Distribution Map showing the geospatial distribution of lots permitted up to 3, 4, 6, and 8 units. (Option 1 in the Staff Report)

9. PARKING IS A CONCERN NOW, HOW WILL MORE HOUSING AND PARKING FIT ON A PROPERTY?

- The provincial policy manual notes *“Of all bylaw regulations, on-site vehicular parking requirements often have the greatest influence on the viability of SSMUH housing forms.”* And that *“Consequently, local governments should minimize parking requirements when updating their zoning bylaws, and in some cases consider removing parking requirements for residential zones altogether.”*
- The provincial policy manual also notes that often parking is over supplied, and that other advantages of reducing parking requirements include:
 - Improved affordability and equity,
 - Increased permeable space,
 - Support modal shifts in transportation and climate action initiatives,
 - Speeds up construction, and
 - Improved street vibrancy and equity.
- The District has recently exempted up to 28 m² per unit for garages, therefore all allowable floor area could be used for habitation purposes rather than vehicle storage.
- The province encourages local governments to consider no parking requirements or parking maximums, as opposed to more traditional parking minimums, while also acknowledging that *“other factors that could be used to set parking requirements include proximity to services (e.g.; designated village or town centres), walk scores, and the availability on-street or other parking alternatives.”*

Reference information:

- Attached as *Appendix I* is a Proposed Off-Street Parking Review provided as a preliminary report on a broader review of the District parking regulations. This review concluded:
“The approach to off-street parking requirements for Small Scale Multi-Unit Development proposed by District staff is supported. This generally includes one parking space per unit, with the exclusion of specific off-street visitor parking spaces leading to visitors likely seeking parking on-street. While the proposed parking supply rate is less than is required for other similar uses, it is our opinion that it strikes a balance between addressing anticipated parking demand and allowing for the higher site coverage afforded in the new Multi-Unit Neighbourhood and Multi-Unit Corridor zones.”

Comments:

- *A series of supporting regulatory options have been identified – including bicycle parking, TDM and cash-in-lieu of parking - that may also be pursued to help manage off-street parking demand. The District may also consider pursuing more restrictive on-street parking management approaches in the vicinity of new SSMUH developments to address any concerns relating to resident or visitor parking spillover. These supplementary actions may be carried out subsequent to the immediate Land Use Bylaw updates to incorporate SSMUH.”*
- Reduce parking for small scale multi-unit development with a minimum of 3 units to 1 parking space per unit.
- To help offset the potential of increased parking areas, including a new regulation requiring a minimum lot coverage for soft landscaping is recommended. This would help support tree retention, ground water infiltration, and overall aesthetics.
- With respect to subdivision, a lot frontage requirements of 22 m is recommended as that should be able to accommodate two on-street parallel parking spaces and a driveway (7.3 + 7.3 + 6 m) so that adding on-street parking as part of frontage improvements could be required where appropriate.
- Revisit parking regulations more broadly through a separate project in the future and consider revisions to the parking requirements at that time, which could include refining regulations based on site location (proximity to Village Centres), rental vs stratified, or unit size (# of bedrooms or floor area).

10. HOW DOES THIS COMPARE TO OTHER MUNICIPALITIES?

- Over the spring months as part of researching options, planning staff from various municipalities were contacted. This grew into a number of informal meetings with staff from nine other local governments to discuss various issues and share ideas.
- Although the context of each local government and their bylaw structure can vary significantly and make direct comparisons difficult, general approaches and common challenges tend to be similar.
- A number of similar concerns have been raised so while our bylaws would not be the same, they may end up with similar regulations for SSMUH developments, such as the number of residential buildings permitted, including new landscaping requirements, and regulating building form.

11. WHAT HAPPENS TO SITE SPECIFIC REGULATIONS THAT WERE PREVIOUSLY APPROVED?

- From the existing 14 site specific zones, five would become redundant but there are 9 that should be retained and these have been relocated to a new section 5.3 “Previous Site Specific Approvals” in the Zoning Bylaw.

12. ARE THERE EXEMPTIONS?

- Yes, there are exemptions that can be considered by Council. Each is noted below with staff comment.
 - Land with Heritage Designation protection.
 - The District does have a number of houses designated as Heritage, however additional dwellings could be added in a sensitive manner that is compatible with the Heritage values. Interior renovations to add suites could have minimal to no exterior changes, additional residential buildings such as an accessory cottage or duplex could be designed to be compatible with and enhance the Heritage Values, and additions to the heritage building could be approved through a Heritage Alteration Permit.
 - Land that is not connected to municipal water or sewer systems.
 - A clause within the zones is included that would restrict properties not connected to municipal services to one principal dwelling and one accessory dwelling.
 - There are some properties within the UCB that remain unconnected, however should they wish to increase the number of dwelling units above two, municipal services are available.
 - Land larger than 4,050m² (one acre).
 - These are exempt due to their potential for subdivision and even higher densities in urban and sub-urban contexts.
 - There are four such properties within the District and none are located in close proximity to village centres where higher density would be preferred. Sites are identified in the Residential Analysis attachments.

13. ALIGNING NEW ZONING REGULATIONS WITH THE OFFICIAL COMMUNITY PLAN

- The *Local Government Act* (LGA) requires that any bylaws enacted by Council must be consistent with the Official Community Plan (OCP), however Bill 44 includes a clause that exempts bylaws for the purpose of permitting the required density until December 31, 2025.
- Amendments to the OCP are anticipated to include refining the housing policies based on an upcoming housing needs assessment and refining the Development Permit Guidelines.

14. DRAFT ZONING REGULATIONS

- Attached as Appendix J is draft Zoning Bylaw Amendment Bylaw No. 2196, 2024. The main text of the bylaw deals with various amendments to incorporate the new zones with the two zones, Residential Neighbourhood and Residential Corridor attached as Schedules A and B respectively.
- The zones have been drafted such that the number of permitted units and the FAR are density regulations that cannot be varied, whereas ‘gross floor area’ and ‘number of residential buildings’ are not density regulations that could be varied.
- Zoning maps are attached separately as Appendix C.