



# The Corporation of the District of Central Saanich

## REGULAR COUNCIL REPORT

For the Regular Council meeting on Monday, November 25, 2024

Re: 1934 Hovey Rd – OCP Amendment, Rezoning and Development Permit

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### **RECOMMENDATION(S):**

1. That OCP Amendment Bylaw No. 2205, 2024 (1934 Hovey Road) be given First and Second Reading and referred to a public hearing.
2. That Zoning Amendment Bylaw No. 2206, 2024 (1934 Hovey Road) be given First and Second Reading and referred to a public hearing.
3. That with regard to Development Permit Application 3060-20-10/23 (1934 Hovey Road), staff schedule an Opportunity to be Heard on the following variances:
  - Increase the maximum permitted height for the seniors building from 15.0 metres to 18.8 metres;
  - Decrease the minimum required rear yard setback for the seniors building from 10.5 metres to 5.0 metres;
  - Decrease the minimum required side yard setback for the seniors building from 6.0 metres to 3.0 metres for the west side yard setback;
  - To permit up to 14 residential parking spaces to be provided on an adjacent lot;
  - To reduce the overall parking requirement for both lots from 336 spaces to 193 spaces;
  - To increase the maximum permitted percentage of small car parking to be provided from 30% to 32% for the market rental building;
  - To reduce the required long term bike parking stalls for the seniors building from 93 to 48 long term stalls and 12 mobility scooter spaces;

### Following public input, the following recommendations should be considered:

1. That OCP Amendment Bylaw No. 2205, 2024 (1934 Hovey Road) be given Third Reading.
2. That Zoning Amendment Bylaw No. 2206, 2024 (1934 Hovey Road) be given Third Reading.
3. That Housing Agreement Bylaw No. 2207, 2024 (1934 Hovey Road) for the seniors building be introduced and given First and Second Reading.
4. That Housing Agreement Bylaw No. 2207, 2024 (1934 Hovey Road) be given Third Reading.
5. That prior to consideration of adoption, a covenant be registered to secure:
  - a. That in collaboration with the Saanich Peninsula Hospital and Healthcare Foundation, the market rental units are offered to hospital staff before being offered to the wider public.
  - b. That all market rental units shall remain rental in perpetuity and that 10% of the units be provided as affordable housing units, and that this be secured by way of a housing agreement to be registered prior to occupancy of the market rental building.

- c. That the property at 7601 East Saanich Road shall provide 14 parking spaces to be used solely by visitors of the two proposed buildings and that this be secured on title prior to occupancy of either building.
- d. That TDM measures, including off-site measures, as outlined in the Parking Variance Report by Bunt & Associates (Version 5) dated November 12, 2024, be provided, or alternatively, bonded for, prior to occupancy of any building.
- e. That the following be provided prior to building permit issuance of any building:
  - \$100,000 to the Aurora Outreach Society
  - \$50,000 for the Little League turf at Centennial Park
  - New sidewalks from Hovey Rd to Centennial Park (\$130,000)
  - \$50,000 to the Tsawout Nation, including first right of refusal for affordable homes
  - Right of first refusal for 1 month pre-leasing to the Saanich Peninsula Hospital workforce for units in the west building
  - New senior fitness pad at Legion Manor
  - \$200,000 contribution to the District Active Transportation Fund

**PURPOSE:**

A revised proposal has been submitted for the five properties at 7551 East Saanich Road and 1934 – 1966 Hovey Road to develop the land with one 4-storey market rental building and one 6-storey building with seniors housing to be operated by the Legion Manor. A letter from the applicant is attached to this report as Appendix A. This report provides an overview and staff analysis of the proposal.

**BACKGROUND:**

The proposed development includes five properties that lie at the corner of Hovey and East Saanich Roads (see Appendix B - Site Context Plan). The two lots fronting East Saanich Road fall within the Residential Corridor zone and the three lots fronting Hovey are zoned Residential Neighbourhood. Adjacent the development site to the east lies land that is part of the Agricultural Land Reserve (ALR).

The application was introduced to Council on July 22, 2024 and referred to the Advisory Planning Commission (APC) and the Saanich Peninsula Accessibility and Advisory Committee (SPAAC). A revised proposal was presented to Council on October 21, 2024 and denied. At their meeting on November 4, 2024 Council passed a motion to reconsider the proposal. The proposal has now seen further revisions and is presented to Council for consideration of bylaw readings.

**DISCUSSION:**

Two buildings are proposed for the site. The west building would consist of four storeys as seen from East Saanich Road (five storeys for the portion of the building facing east) and will include market rental units with one level of underground parking. The building would have a U-shape and have access off East Saanich Road, through the adjacent Legion Manor property to the north. The east building has remained the same and would consist of six stories of affordable seniors housing, with access off Hovey Road. The proposal includes subdivision into two parcels, of 5,291m<sup>2</sup> and 2,798m<sup>2</sup> in area, each developed with one building. Development plans are attached to this report as Appendix C.

The market rental building would consist of 130 units and the Legion building includes 62 units for a total of 192 units being proposed. The following table shows the unit mix for the proposed development.

Unit Type	Studio	1-Bed	2-Bed (+ den)	3-Bed	Total
Market Rental	36 (28%)	49 (38%)	25 (19%)	20 (15%)	130
Legion	11 (18%)	51 (82%)	0	0	62
<b>Total</b>	47 (24%)	100 (52%)	25 (13%)	20 (10%)	192

The proponent has had discussions with the Saanich Peninsula Hospital and Healthcare Foundation about priority housing for hospital staff. This would see the rental units being offered to hospital staff before being offered to the wider public. Securing this by covenant is recommended.

### Official Community Plan

The five subject properties are designated 'Neighbourhood Residential' in the Official Community Plan (OCP). This designation suggests a mix of housing units such as single-detached, duplexes and multi-unit residential buildings containing up to 8 dwelling units. In addition, the part of the site that fronts onto East Saanich Road lies along the 'Main Corridor Development', which supports increased density such as townhouses and up to 4-storey apartment buildings.

The proposal consists of 192 apartment units in two multi-storey buildings, exceeding the density outlined under the 'Neighbourhood Residential' as well as the 'Main Corridor Development' designations, therefore, an OCP amendment is required. The OCP designation would be amended to 'Multi-unit Residential', for multi-level apartment buildings within the Urban Containment Boundary. This designation would be the same as for the property directly to the north (Legion Manor) and at the corner of East Saanich and Prosser roads, which are in the immediate vicinity of the site.

The proposed development would occur within the Urban Containment Boundary and provide rental housing, identified as a need within the District. The make-up of the market rental unit types per number of bedrooms is substantially in line with the Housing Needs Assessment (HNA), with the percentage of three-bedroom units even exceeding the target. The proposed percentage of 3-bedroom units is considered positive as this type of unit has been identified as a need within the District and is often the most challenging to secure. The proposal would also provide 62 housing units for the Legion Manor, which would provide seniors' housing, another need identified in the HNA. A portion of the units would only be available for persons with an income below a certain threshold and be provided at below market rental rates.

As mentioned, the proposed density would exceed the density envisioned under the current 'Neighbourhood Residential' designation, especially for those three lots that do not front onto East Saanich Road but lie in the vicinity of the 'Main Corridor Development' area. The 'Main Corridor Development' policy direction envisions "townhouses and up to 4-storey apartments", which the west building as currently proposed would comply with. The east side of the west building and the 6-storey seniors building exceed the recommended height of four storeys. Buildings higher than 5 storeys are supported in the village centres when they provide a community benefit such as seniors housing. The OCP includes the following under the General Polices in the Growth Management and Housing section:

*Within the established commercial village centres of Brentwood Bay and Saanichton, support apartments or mixed-use buildings (commercial/ residential) higher than 5 storeys when they provide a community benefit such as:*

- a. Affordable, seniors, or supportive housing;*
- b. Public park, public plaza, or community space;*
- c. BC Energy Step Code - Step 5 or highest applicable Step for the type of construction (Passive House);*
- d. Significant pedestrian/cycling infrastructure;*
- e. At least one floor is predominantly devoted to medical services or other healthcare benefits to the community;*
- f. A significant community amenity contribution is provided to contribute toward achieving an identified off-site amenity; or*
- g. Other significant community benefits identified through a public process.*

The proposal includes 62 units of seniors housing but is some distance from the commercial Village Centre (approx. 800 metres). Even though the proposed housing units would address housing needs and would be in an appropriate location, the number of storeys is more than what is envisioned for the area. The building does meet policies and guidelines that suggest a stepping back of upper storeys to reduce massing, which will be discussed more in depth later on in this report. However, it would not be in accordance with policies that suggest a stepping down of storeys further away from village centres and adjacent low-density residential areas and agricultural land. The 6-storey Legion building would be adjacent to a two-storey residential building on agricultural land, although a substantial setback is proposed. While land use designation policies may not support the proposed height and massing in this location, these must be balanced with policies that support projects that address an identified housing gap, such as OCP policy 4.1.10:

*10. Encourage development applications that address identified housing gaps. In particular, favourable consideration will be given to:*

- a. Family oriented rental housing;*
- b. Rental housing for seniors;*
- c. Affordable, below market housing;*
- d. Housing for First Nations or WSÁNEĆ Nations;*
- e. Proposals that improve housing diversity, particularly those that allow people to remain in the community as they age (i.e., compact, ground oriented);*
- f. Fully accessible and adaptable housing;*
- g. Proposals designed for workforce housing, including farm workers, healthcare and emergency personnel; and*
- h. Various forms of supportive housing and multi-level care facilities.*

With the revised proposal as now presented, the market rental building would be generally consistent with OCP policies and guidelines.

#### Zoning Bylaw

The current zoning of the property is Residential Neighbourhood (RN) and Residential Corridor (RC), whereas the zoning proposed for the site is Residential Attached: RM-5. Based on the RM-5 zoning, the proposal would be substantially compliant with the regulations of that zone. The required setbacks for each proposed site, one with the market rental building and one with the Legion building, would be met save for the rear yard and side yard setbacks for the Legion building, as the new lot would have the south property line become the new front property line. The variances required would be to reduce the rear yard setback from 10.5 metres to 5.0 metres and the (internal) side yard setback from 6.0 metres to 3.0 metres. The proposed Legion building would exceed the required east side yard setback of 11 metres, which includes the additional required 5-metre setback from ALR land, with a proposed setback of 22.5 metres. Lot coverage is proposed at 41% for the west property and 35% for the east (Legion) property, both within the maximum allowable 45%.

A variance is requested for the height of the Legion building. The maximum height in the RM-5 zone is 15 metres and the proposed building has a height of 18.8 metres, resulting in a variance of 3.8 metres. The proposed height is similar to other 6-storey buildings previously approved within the District. The height of the market rental building is now within the height restrictions of the proposed RM-5 zone.

The proposal includes a deviation from the maximum permitted Floor Area Ratio (FAR) for both proposed lots. The RM-5 zone permits a ratio of up to 1.6 whereas the proposed market rental building comes in at 1.84 and the Legion building at 1.7. These are increases of 0.24 and 0.1, respectively. The additional FAR would be included as a site-specific regulation in the RM-5 zone.

### Parking

Based on the 192 units proposed, the parking requirement for the project totals 336 spaces (1.5 plus 0.25 per unit for a total of 1.75 per unit) whereas 193 spaces are proposed (1.01 p/u), resulting in a shortage of 143 parking spaces. The proposed allocation of parking spaces indicates that 136 spaces would be provided in the parkade, accessed off East Saanich Road and utilizing the existing access to the parking area on the current Legion site, and 57 spaces would be surface parking spaces.

The 130 parking spaces in the parkade are being proposed for the 130 market rental units, for a ratio of 1.0 space p/u. The remaining 6 spaces in the parkade would be allocated to visitor parking. The 43 spaces proposed on the Legion site would be allocated to the Legion housing units. An additional 14 spaces are proposed on the current Legion site, adjacent this development and the site of the parkade entrance. Of these, two spaces would be allocated to the Legion housing units for a total ratio of 0.73 spaces per unit (inclusive of the 43 on site spaces). The remaining 12 spaces proposed on the Legion site would be allocated to visitor parking for both sites. Together with the six spaces in the parkade, a total of 18 visitor parking spaces would be provided, resulting in an overall parking ratio of 0.09 per unit. Staff had noted previously that a draft Zoning Bylaw amendment bylaw (1183 Verdier) to reduce the visitor parking requirement for multi-family units to 0.1 spaces per unit has been given third reading by Council.

The proposed parking necessitates a variance to reduce the overall requirement from 336 spaces to 193 spaces as shown on the attached plans. In addition, the 14 parking spaces on the adjacent Legion property would require a variance to permit required residential parking to be provided on an adjacent lot, as opposed to commercial parking, which is permitted in the Zoning Bylaw. The parking spaces would be secured by way of a covenant on title.

An additional variance is requested for the percentage of small car parking spaces. The Zoning Bylaw permits up to 30% of the required parking spaces to be small car spaces (reduced width and length) whereas the proposal includes 32% small car parking spaces. The request is to increase the allowable percentage of small car parking spaces from 30% to 32% of the total number of required parking spaces. The proposal meets the requirements for accessible parking stalls, with a total of 13 spaces being provided.

### Transportation Demand Management (TDM)

To support the proposed parking numbers, the applicant is proposing a range of TDM measures based on a parking study (Appendix D). The parking study describes factors, such as location, access to active transportation options and rental tenure, that impact the parking demand for the site and these, along with the TDM measures, result in the expected parking demand being consistent with what is being proposed.

The following TDM measures are proposed as part of this proposal and would be secured by a covenant to be registered prior to adoption.:

- Exclusive use of the shared e-scooters in the building for hospital workers;
- Car-share memberships for all units;
- Bicycle rooms with enhanced access to accommodate a cargo bike, electrified with 110 volt charging ability, and larger-sized cargo bicycle spaces;
- A bike repair station and a bike wash station to be provided within the bike room;
- An e-bike rental program;
- Mobility assist device parking;
- Unbundled vehicle parking; and,
- Transportation Options Information Package.

In addition, off-site TDM measures would include:

- Improving site fronting sidewalks and boulevards to enhance the area's walkability.

- Adding a controlled pedestrian crossing along the north side of the adjacent East Saanich Road & Hovey Road intersection. The crossing would have push-button activation with flashing lights.
- A Car-Share vehicle with an on-street, Hovey Road site frontage parking space. The purchase of the vehicle would result in the per-unit membership fee being waived up to the value of the vehicle.

### Traffic Impact Assessment (TIA)

The Traffic study (Appendix D) concludes that: *“the study intersection is expected to operate well within acceptable operational thresholds after the introduction of the proposed development.”* The report states that due to the traffic volumes on East Saanich Road not being impacted by the proposed development, there would be little to no change in delays for vehicles turning onto East Saanich Road from Hovey Road. Improvements would still be made to address the sightline issue at Hovey Road raised previously and this would be required as part of the subdivision.

### Bicycle parking

The market rental building would provide 308 long-term bicycle parking spaces, exceeding bylaw requirements by 113 spaces, including space for oversized cargo bicycles. In addition, 24 short-term spaces would be provided, whereas 23 are required, exceeding the bylaw requirement.

The Legion building requires 93 long-term spaces but is proposing 48 long term bicycle parking spaces and 12 mobility scooter spaces in lieu of the remaining 45 required long-term spaces. The proposed scooter parking is tailored to the specific needs of the Legion Manor building. A variance is requested to permit the proposed scooter parking arrangement in lieu of long-term parking spaces. Based on the target users for this site, staff have no concerns with the proposed parking arrangement for the Legion Manor building. An additional 18 short term spaces would be provided, whereas 11 are required, exceeding the bylaw requirement by 7 spaces.

### Housing Agreement Bylaw

The applicant has agreed that the seniors building would be rental in perpetuity and limited to people 55 years of age and older. The rental rates would be based on an operating agreement with BC Housing. The units in the west building would be rental units in perpetuity and 10% of the units or 13 units, would be rented as affordable housing units for a period of 10 years from the date of first occupancy. The housing agreement would secure the conditions for the seniors building, whereas a second housing agreement for the market rental building would be registered prior to occupancy of that building but secured through a covenant prior to adoption.

### Development Permit

The development has been viewed in light of the guidelines for Residential Multi-Family and Commercial / Mixed Use Development Permit Areas. Should the OCP amendment bylaw be adopted, the ‘Residential’ OCP designation would change to ‘Multi-Unit Residential’.

Overall, the proposal is consistent with guidelines for multi-family developments in that balconies and the outdoor (seating) areas overlook public open spaces, the proposed Legion building is stepped back at the upper levels, and the main building entrances off East Saanich Road and Hovey Road are very visible and provide accessible access. Both buildings include facades that include a range of materials and provide articulation. Parking is located behind and beside the buildings or underground. Extensive native landscaping is proposed and approximately 18 different tree species would be planted.

A guideline that is not met with this proposal is for the new development to be similar in height to adjacent development and if not, that buildings should step down (in storey(s)) to provide a transition. The Legion

building would not be in accordance with this guideline due to the single-family nature of the agricultural properties to the east as well as the single-family residential properties to the north and south.

The market rental building would include 28 adaptable units, and 60 of the 62 seniors units would be built to adaptable standards with the remaining two units built to accessible standards.

### Trees

The proponent has provided an arborist report that describes the trees to be removed and the number of trees to be replaced. All on-site trees save for four are to be removed, as well as eight that are located within the District’s right-of-way and two that are on the property to the north. The four trees that are proposed to be retained are located along the west boundary of the site. Impacts due to the proposed underground parkade, site access, servicing and improvements necessitate the tree removal. The landscape plan indicates 18 different tree species to be planted as replacement trees throughout the site.

### Amenity Contributions

As per Council’s motion to waive amenity contributions for purpose-built rental applications for a period of two years, amenity contributions are not required for this project. However, the following amenity contributions are being proposed as part of this project:

- \$100,000 to the Aurora Outreach Society
- \$50,000 for the Little League turf at Centennial Park
- New sidewalks from Hovey Rd to Centennial Park (\$130,000 CAP)
- \$50,000 contribution to the Tsawout Nation, including first right of refusal for affordable homes
- Right of first refusal for 1 month pre-leasing to the Saanich Peninsula Hospital workforce for units in the west building
- New senior fitness pad at Legion Manor
- \$200,000 contribution to the District Active Transportation Fund

The above contributions would be required prior to issuance of a building permit and secured through a covenant to be registered prior to bylaw adoption.

### **IMPLICATIONS:**

#### Strategic

The project aligns with Council’s 2024-2027 Strategic Plan that includes as a priority “Expand Supply of Affordable, Attainable, and Rental Housing”, with the following goals:

- Support and encourage development proposals that expand housing diversity, including purpose built rental and legal suites;

#### Legislative/Policy

Due to the required OCP amendment to change the designation from ‘Residential’ to ‘Multi-Unit Residential’, a public hearing is required.

### **OPTIONS:**

#### Option 1 (recommended):

1. That OCP Amendment Bylaw No. 2205, 2024 (1934 Hovey Road) be given First and Second Reading and referred to a public hearing.
2. That Zoning Amendment Bylaw No. 2206, 2024 (1934 Hovey Road) be given First and Second Reading and referred to a public hearing.

3. That with regard to Development Permit Application 3060-20-10/23 (1934 Hovey Road), staff schedule an Opportunity to be Heard on the following variances:

- Increase the maximum permitted height for the seniors building from 15.0 metres to 18.8 metres;
- Decrease the minimum required rear yard setback for the seniors building from 10.5 metres to 5.0 metres;
- Decrease the minimum required side yard setback for the seniors building from 6.0 metres to 3.0 metres for the west side yard setback;
- To permit up to 14 residential parking spaces to be provided on an adjacent lot;
- To reduce the overall parking requirement for both lots from 336 spaces to 193 spaces;
- To increase the maximum permitted percentage of small car parking to be provided from 30% to 32% for the market rental building;
- To reduce the required long term bike parking stalls for the seniors building from 93 to 48 long term stalls and 12 mobility scooter spaces

**Option 2:**

That alternative direction be provided.

**Option 3:**

That the application be denied.

**CONCLUSION:**

A proposal has been received for two multi-storey residential buildings at the northeast corner of the intersection of East Saanich and Hovey Roads. One building would include 130 market rental units and one building would include 62 units of seniors housing (Legion). The project would involve the following:

- Amend the OCP designation from Residential to Multi-Unit Residential
- Amend the zoning from Residential Neighbourhood (R-N) and Residential Corridor (R-C) to Residential Attached: RM-5;
- Site specific text amendment in RM-5 zone to increase Floor Area Ratio for both proposed lots;
- Variances to reduce the rear yard setback for the Legion building from 10.5 metres to 5.0 metres and the internal side yard (west) setback from 6.0 metres to 3.0 metres;
- Variance to increase the height in the RM-5 zone from 15 metres to 18.8 metres for the seniors building;
- Variance to reduce the overall parking requirement from 336 to 193 spaces;
- Variance to be permitted to provide residential parking on an adjacent lot (14 spaces);
- Variance to increase the maximum permitted small car parking percentage from 30% to 32%.
- Variance to provide 12 scooter parking in lieu of 45 long-term bicycle parking spaces for the Legion building.

The proposal would see multiple TDM measures implemented resulting in the proposed parking being supported by a parking consultant. A Housing Agreement would secure the seniors housing for the Legion Manor building and a covenant would secure additional conditions of rezoning such as a parking easement and TDM measures as well as the market rental building being rental in perpetuity and including 13 affordable housing units.

The proposal requires an OCP amendment but does align with policies reflecting identified housing needs. The project would fulfill multiple housing needs as it includes rental-, seniors-, and affordable housing units. However, the proposed seniors building does exceed the suggested height with respect to the number of storeys being proposed.



Report written by:	Ivo van der Kamp, A/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: Applicant Letter

Appendix B: Site Context Plan

Appendix C: Development Plans

Appendix D: Parking and Traffic Study

Appendix E: Draft OCP Amendment Bylaw

Appendix F: Draft Zoning Bylaw Amendment Bylaw

Appendix G: Draft Development Permit