

Amending Bylaw Binder

digital version

NOTICE IS GIVEN that Council will consider First, Second and Third Reading at the Regular Meeting of Council on Monday, August 29, 2022 at 6:30 pm in relation to the following proposed **“Colwood Land Use Bylaw No. 151, 1989, Amendment No. 197 (CD36 Zone, 2403 Sooke Road and a portion of 681 Allandale Road), Bylaw No. 1955, 2022”**.

Within the binder, please find a copy of:

1. Notice of Development
2. Staff Report to Committee of the Whole (Aug. 22, 2022)
3. Staff Presentation (Aug. 22, 2022)
4. Proposed Bylaw
5. Notice of Public Hearing
6. Public Input

Minutes and video from the August 22nd Committee of the Whole meeting and the August 29th Council meeting will also be made publicly available, and can be accessed through the following links:

- [Committee of the Whole Meeting \(Aug 22, 2022\)](#)
- [Council Meeting \(Aug 29, 2022\)](#)

DEVELOPMENT APPLICATION

2403 Sooke Road and 681 Allendale Road

PROPOSAL:

Application to rezone the subject properties to a Comprehensive Development Zone to allow for the construction of three multi-family residential buildings.

APPLICANT:

Peter Laughlin for Sherringham

This information is based on the initial application and is subject to change. Please contact the Development Services Department for instream updates.



LEARN
MORE

For more information,
public meeting dates or to provide
input: colwood.ca/planning

City of Colwood Development Services Dept.

3300 Wishart Road

250-294-8153





City of Colwood STAFF REPORT

To: Committee of the Whole
Date: August 22, 2022
From: Yazmin Hernandez, Manager of Development Services
RE: Land Use Bylaw Amendment Application RZ-22-007 for 2403 Sooke Road & a portion of 681 Allendale Road
File: RZ-22-007

RECOMMENDATION

THAT Committee recommends to Council,

THAT the appropriate amendments to the Land Use Bylaw to rezone 2403 Sooke Road (the lands legally described as: Lot A, Section 67, Esquimalt District Plan 22075, Except in Part in Plan VIP72233) and a portion of 681 Allendale Road (the lands legally described as: Lot B, Section 67, Esquimalt District Plan EPP93779) from the Comprehensive Neighborhood Development (CN1) Zone and the General Industrial Zone (M2) to a new Comprehensive Development Zone be prepared;

AND THAT the amending bylaw be considered for 1st, 2nd and 3rd reading;

AND THAT prior to adoption of the amending bylaw a Traffic Impact Assessment prepared by a qualified professional is approved by the Director of Engineering and the Ministry of Transportation;

AND FURTHER THAT prior to adoption of the amending bylaw the following be registered within a Section 219 Covenant Development Agreement:

That Prior to the issuance of a Development Permit:

1. The Owner(s) covenants and agrees with the City that the Lands shall not be built upon and the Owner(s) shall not apply for a Development Permit and the Owner(s) agree they are not entitled to a Development Permit to construct on the subject properties, unless and until:

HERITAGE

- a. The Owner(s) agrees to install a heritage kiosk and integrated landscaping viewable from the public domain at the property located at 2403 Sooke Road, which is to include pictures of the family home and written history of the Parker/Acres family and their contribution to the area.

CONSERVATION AREA

- b. The Owner(s) agree to register a Section 219 Covenant on the property to retain an area of approximately 2,090 m² of natural open space for conservation purposes.

That Prior to the Issuance of a Building Permit:

2. The Owner(s) covenants and agrees with the City that the Lands shall not be built upon, and the Owner(s) shall not apply for a building permit and the Owner(s) agree they are not entitled to a building permit, unless and until:

LOT CONSOLIDATION

- a. The Lands located at 2403 Sooke Road with a portion of the property located at 681 Allandale Road are consolidated into one legal lot and registered at the Land Titles Office as a single property entity;

OFF-SITE WORKS

- b. That the recommendations from a Traffic Impact Assessment approved by the Director of Engineering and the Ministry of Transportation will be implemented as will any upgrades, improvements or installations required as part of those recommendations;

HOUSING COVENANT

- c. That the Owner(s) agree to register a Section 219 that secures residential units on the Lands for rental tenure for no less than 20 years commencing on the date an occupancy inspection is approved for the second residential building constructed on the Lands;
- d. That the Owner(s) enter into a housing agreement with Colwood, in accordance with the LGA to be registered as a Section 219 Covenant on Colwood's standard terms, to secure the number of three-bedroom residential units to no less than 10% of all residential dwelling units on the Lands; and

ELECTRICAL VEHICLE CHARGING

- e. That the Owner(s) agree to install infrastructure to facilitate the charging and use of electrical vehicles for all vehicle parking stalls within underground or covered parking areas.

SUMMARY AND PURPOSE

The purpose of this report is to present to Committee Rezoning Application RZ-22-007. The applicant is requesting to rezone the property addressed at 2403 Sooke Road along with a portion of the property located at 681 Allandale Road from the Comprehensive Neighbourhood Development (CN1) Zone and the General Industrial (M2) Zone to a new comprehensive development zone that would allow for the construction of three 4, 5 and 6 storey apartment building with a combined total of approximately 220 rental dwelling units.

The subject properties share a property line with of 691 and 681 Allandale Road, the "Allandale District", which have been developed into commercial and low intensity industrial uses. Together the properties will support the objectives regarding concentrating residential growth and access to employment centers of their shared Mixed Use Employment Centre designation and Transit Growth Area designation in the Official Community Plan (OCP). This proposal also meets City – wide policy objectives tied to housing

diversity, increasing density within intended growth areas, and promoting economic growth. Hence, staff recommend the necessary amending bylaws be prepared and brought forward for consideration by Council of 1st, 2nd and 3rd reading.

STRATEGIC PLAN AND RELATED POLICIES

This proposal aligns with the mobility and prosperity priorities in the Strategic Plan 2019-2023 by encouraging development near areas served by transit and creating opportunities for local business and economic development.

Applicant Information

<u>Applicant:</u>	Sheringham Holdings Ltd / Peter Laughlin
<u>Owner:</u>	Linda Aubrey & Donna Braaten (2403 Sooke Road) Sheringham Holdings Ltd. (681 Allandale Road)
<u>Address:</u>	2403 Sooke Road & a portion of 681 Allandale Road
<u>Legal:</u>	Lot A, Section 67, Esquimalt Land District, Plan 22705, Except in Part in Plan VIP72233. PID 003-305-881 (2403 Sooke Road) Lot B, Section 67, Esquimalt Land District, Plan EPP93779. PID 030-961-068 (681 Allandale Road)
<u>Current Zoning:</u>	CN1, Comprehensive Neighbourhood Development 1, Zone M2, General Industrial, Zone
<u>Proposed Zoning:</u>	Comprehensive Development Zone
<u>Current OCP Designation:</u>	Mixed Use Employment Centre, Transit Growth Area
<u>Proposed OCP Designation:</u>	No Change
<u>Development Permit Area:</u>	Form, Character, and Sustainability (Mixed-Use Employment Centre), Transit Growth Area

APPLICATION REVIEW

1. Proposal

The applicant is requesting to rezone the property addressed at 2403 Sooke Road along with a portion of the adjacent property south located at 681 Allandale Road. This is to allow for the construction of 3 residential apartment buildings, ranging in height from 4-6 storeys and consisting of approximately 220 units combined.

2. Site Context

The 1.63 ha property is located on the corner of Sooke Road with Veteran's Memorial Parkway (VMP) and extends south to the boundary shared with 691 Allandale Road and the Allandale Road of Way, the shared access via VMP. This adjacent property is part of a larger area of Land, referred to as the "Allandale District". The adjacent property was rezoned in 2019 and is undergoing development into business park, commercial and light industrial uses.

Figure 1: Current Site Condition



According to the grading plan (Appendix 1), the subject property is located more than 5 m above the surface of VMP and the shared Allandale Road access. Currently the site contains many rocky outcrops and natural vegetated areas consisting primarily of arbutus and mature Douglas fir trees. There remains a two-storey house and two small accessory buildings on the eastern portion of the property. Table 1 highlights the land uses and current zoning/policy designations of the adjacent properties.

Table 1 – Existing Zoning and Uses of Adjacent Parcels

Parcel	Zoning / OCP Designation	Current Use of the Lands
North 2420 Sooke Road, north across Sooke Road	Residential 1 (R1) /Neighborhood	Single family dwelling
East 2361 Sooke Road, east across VMP	Residential 1 (R1) /MUEC	Vacant, subject to RZ21-007 proposing commercial and light industrial uses
East 685 Allandale Road, east across VMP	Residential 1 (R1) /MUEC	Vacant
South 691 Allandale Road	Light industrial (M2)/ MUEC	Commercial, Light Industrial (Seaspan Buildings, various commercial)
West 2415 Sooke Road	Residential 1 (R1)/ Neighborhood	Single family dwelling
West 3280 Fulton Road	Residential 1 (1)/Neighborhood	Single family dwelling
West 3290 Fulton Road	Residential 1 (R1) /Neighborhood	Vacant

3. Background

A rezoning/ OCP application was approved by Council in 2002 to rezone the property from the Residential 1 (R1) Zone to a Comprehensive Neighbourhood Development, CN1, Zone and from the Residential OCP designation to a Commercial Mixed-Use designation (RZ-02-03), now Mixed-Use Employment Centre. This was done to allow for multi-family residential (townhouses) and mixed use residential and commercial buildings to be constructed.

4. Land Use Bylaw No. 151 Amendment

The subject property is currently zoned Comprehensive Neighbourhood Development 1 (CN1) which allows for a range of commercial and business park uses. Table 2 compares the land use requirements imposed on the lands by the existing CN1 zone and the proposed requirements for a new Comprehensive Development zone.

Table 2 – Comparison of Current, Adjacent Property Zoning and Proposed Zoning

	Comprehensive Neighborhood Development Zone (CN1)	New Comprehensive Development Zone (Proposed)
Permitted Uses	<u>Apartment dwelling units;</u> <u>Attached Housing;</u> Bakeries with a gross floor area of not more than 300 m2 Civic uses; Media-related establishments; Day care; Home occupations; Hotel; Indoor sports and recreation facilities; Offices; Personal service; Post offices; Premises licensed pursuant to the Liquor Control and Licensing Act; Printing, publishing, and bookbinding; Assembly and entertainment uses; Restaurants, excluding drive thrus; Retail stores; Scientific or technological research facilities; One dwelling unit for caretaker; Accessory buildings; Accessory residential unit	Apartment dwelling units; Attached housing; Accessory buildings; and Home Occupations;
Density (FAR)	FAR of 2.0 to of 2.5	FAR of 1.75
Height	4 storeys	6 storeys
Site Coverage (%)	80%	50%
Front Yard Setback	Not more than 4.5 m 5.5 m – above the 2nd storey of a building 6.5 m – above the 4 th storey of a building	6.0 m 7.5 m above the 4 th storey of a building
Interior Side Yard Setback	7.5 m	6.0 m
Exterior Side Yard Setback	4.5 m	6.0 m
Rear Yard Setback	10.0m	6.0 m
Parking Requirements (bicycle and vehicle)	As per Bylaw No. 1909, Off-Street Parking Regulations	

5. Official Community Plan (OCP) Bylaw No. 1700

The property is within the ‘Mixed Use Employment Centre’ (MUEC) land use designation which supports ground-oriented and low-rise buildings up to 6 storeys as well as the establishment of commercial, light industrial and residential uses. The MUEC designation is also an ‘Intended Growth Area’, where future growth is expected and encouraged. Table 3 highlights the applicable policies and how the proposed development upholds the policy objectives of their designation within the OCP.

The site is also within the ‘Transit Growth Area’ (TGA) of the OCP. Properties within established Neighbourhood and Neighborhood Hillside and Shoreline land use designations of the OCP that are within 200 metres of the Transit Growth Area may achieve moderate densities to support transit use and opportunities. In accordance with Policy 6.2.3.1 of the OCP, development within the Growth Area should target a minimum overall gross density of 45 people per hectare, based on the Colwood’s current average household size, this works out to approximately 17 units per hectare (Policy 6.2.3.1 of the OCP).

Table 3 – Compliance of Proposed Development with OCP Policies

Mixed Use Employment Centre (MUEC) OCP Policy		Proposal	Staff Comment
7.2.13 Land Uses	Multi-unit residential & mixed-use Commercial Institutional Live/work & home occupations Light industrial	Multi-family residential (apartments)	Policy met
7.2.14 (a) Built form	Ground oriented and low rise buildings up to approximately 6 storeys	Building heights of 4, 5 and 6 storeys	Policy met
7.2.14.1. (c) Other Directions	Encouraging the redevelopment of brownfield sites	Site is previously altered, contains a dwelling unit. Close to established services and transportation corridors	Policy met
7.2.14.1 (e) Other Directions	Supporting a diversity of housing types and choices.	Apartments ranging from 1 to 3 bedroom units	Policy met
Density	No FAR limit for lands designated MUEC	Density	No FAR limit for lands designated MUEC

This application is also meeting Transit Growth Area and broader City-wide OCP objectives and policies including:

- Policy 6.2.1.1 Allocate all future residential and commercial growth in a manner that supports a compact urban form, reduces pressure on rural areas, protects ecological areas, enables complete communities, increases housing and non-automobile transportation choice, and reduces greenhouse gas emissions.
- Policy 6.2.1.2 Focus commercial growth and the greatest residential densities in the ‘Intended Growth Areas.’
- Policy 7.2.25(a) Providing access to and support for frequent transit, as part of the Transit Growth Area
- Policy 7.2.25(f) Designing buildings, public open spaces and transportation networks to protect natural assets, consistent with the site adaptive policies

Policy 9.2.2.2 Support co-locating rental housing with transit & other amenities to enable accessibility, ensuring rentals are distributed throughout the city and integrated into diverse neighbourhoods.

6. Site Adaptive Planning

Despite not being within being under the scope of OCP policy 11.2.2.3, that requires site adaptive planning and design principles on all greenfield and Neighborhood Hillside development sites, the OCP seeks site adaptive planning through City wide policies including targeting the reduction of greenhouse gas emissions, ensuring sustainability of environmentally sensitive areas, and protecting trees and native landscapes. The proposed configuration of the development will preserve the natural conditions and topography, retaining the natural grade of the site and retaining many of the natural landscaping features. The applicant has agreed to retain, secured through Section 219 covenant registered with the property, a space on the site of approximately 2090 m² that contains arbutus trees, Douglas fir and native ground cover as a conservation area.

Figure 3: Proposed Site Plan



A Tree Inventory prepared by Talmack Urban Forestry Consultants Ltd identified 280 trees located on site, of which 279 were considered Bylaw protected (Tree Protection Bylaw No. 1735). Of the 279 on site trees, 167 are proposed for removal, therefore 334 replacement trees would be required (calculated at a 2:1 ratio) to compensate for the loss of trees. A Landscape plan will be provided at time of Development Permit for form and character. If the landscaping plan determines that the property cannot accommodate the required quantity of replacement trees, the applicant will be required to compensate the City of Colwood through cash in lieu of payment, at \$250 per required replacement tree.

7. Off-Site Works

The City of Colwood is constructing the frontage works along Allandale Road and VMP. Additional off-site works will be required on Allandale Road, VMP and Sooke Road to ensure proper integration with offsite works and to meet Colwood's Subdivision and

Servicing Bylaw standards and in alignment with Colwood's Transportation Management Plan as amended from time to time by Council.

Following a recommendation from the June 6th Committee of the Whole meeting, in conjunction with current rezoning requests, Council directed Staff to develop a plan to integrate and enhance public realm improvements at Sooke Road and Veteran's Memorial Parkway. Although frontage improvements have been completed for the site, there may be opportunities to install placemaking features within the public property fronting the site. Staff will continue to identify opportunities to enhance this space, including exploring options to connect the Heritage elements of the subject property to this frontage through subsequent Development Permits for form and character.

8. Traffic Impact Assessment

The applicant has submitted a “mini-Transportation Study” dated June 16, 2022 to provide a preliminary understanding of the traffic and transportation context for the site. The applicant is required to provide a full Transportation Impact Assessment (TIA) approved by the Director of Engineering and the Ministry of Transportation and Infrastructure (MOTI) prior to Adoption of the amending Bylaw.

9. Site Servicing

The site is serviced by municipal water and sewer is available along Sooke Road and VMP. The applicant is aware that water and sanitary capacity will need to be confirmed during the design stage, in advance of Building Permit consideration so the works can be available for connection.

A site-specific stormwater management plan (SWMP) will be required for review and acceptance prior to the issuance of a building permit. The applicant will be responsible for service upgrades and connections to the subject property to facilitate the proposed development.

10. Building And Life Safety

All upgrades necessary to serve the development are the responsibility of the developer. An acceptable FUS report would be required if the development proceeds to the development permit stage and is required prior to Building Permit approval.

11. Community Amenity Contributions

At its regular meeting on February 14, 2022, Council adopted an Interim Community Amenity Contributions (CAC) Policy COM003. The CAC policy and the Attainable Housing Policy ATT001 are considered at the time of a rezoning application with respect to increased density to guide negotiations with developers during rezoning consideration. The applicant is proposing to meet Council’s policy as illustrated in Table 4:

Table 4 – Comparison of contributions applied to the new CD zone and required by policy

Contributions by type	Council Policy	Applicant’s proposed contributions	Policy compliance
Community Amenity Fund	\$4,500/apartment dwelling unit \$7,500/ attached dwelling unit	\$4,500/ apartment dwelling unit \$7,500/ attached dwelling unit	Yes
Affordable Housing Reserve Fund	SFD & Attached housing: \$1,500/unit Apartments: N/A	\$1,500/ dwelling unit	Yes
Attainable Housing Policy	1 unit per every 10 apartment dwellings must be provided to the City, with 25% of the units provided being rental	Proposing a contribution to the Affordable Housing Reserve Fund in-lieu of an in-kind contribution at \$1,500 per apartment dwelling unit	Yes
Fire Station Fund	\$525*/dwelling <i>*Subject to annual CPI increase</i>	\$525*/dwelling <i>*Subject to annual CPI increases</i>	Yes

12. Legal Encumbrances

The property owner is responsible for ensuring the proposed development either abides by the terms of the existing private easements or renegotiates the terms of the documents to support the proposed development.

A Development Agreement covenant, ET129446, was registered on the property as a condition of RZ-02-02, that amended the zoning of the property from R1 to the current Zoning, CN1 and amended the OCP land use designation from residential to a Commercial Mixed-Use designation. The provisions within the Development Agreement included:

- plans that the context of the subject property and its relationship with the property to the south (Allandale District Lands);
- natural open space areas;
- heritage building retention;
- streetscape and open space design (including cross sections);
- future land use and compatibility with residential uses, with those permitted within the CN1 Zone;
- building mass relationship with pedestrian, public spaces, residential realms;
- transportation and parking;

Staff recommend that Council discharge this Development Agreement Covenant from the title, noting a new Development Agreement to secure Council's recommendations will replace it and recognizing the adjacent properties have now been redeveloped with road networks and pedestrian connections established. In addition, the Development Agreement requirements will be addressed through a development permit for form and character, and those that are not, such as requirements for Heritage Review are being addressed as part of this amending bylaw.

13. Heritage Consideration

The single-family dwelling and two accessory buildings on the site are listed within Colwood's Heritage Inventory (1988). The Heritage inventory provides this excerpt:

Hydepark (2403 Sooke Road, Inventory Classification: B-015, Local Area: Triangle Mountain)

This gabled cottage was built for the Southwell Family in 1921. The Hughes family bought the house in 1929, and Mrs. Acres (nee Hughes) still resides here. Hydepark and the Valiss house on Carran Road were the only residences on Sooke Road between Metchosin and Jacklin Roads until after 1938. The Hughes' extended the kitchen onto half of the front porch in 1929, and two rooms were added in the rear in the 1950's. In 1980, glass was added to the front porch. Mrs. Acres' playhouse which was built in the 1930's still stands in the backyard as does the old shed for the Delco plant.

Heritage resources within the B classification sites are generally considered to be landmarks within the community wherein landscaping of a B List site may also be retained to reinforce the character of the area. The rezoning applicant, Peter Laughlin of Omicron Canada Inc. has proposed the following:

- Removal all of the existing structures on site;
- Developer happy to work with 3rd party to remove the house to another location at the 3rd parties cost, but will make a financial contribution to the removal;
- To recognise the contribution of the Parkers (parents of Dola) and Fred and Dola Acres (ne Parker) to the heritage of Colwood. The developer has an agreement with the family to develop and incorporate into the landscape area an information centre incorporating pictures of the family home and written history of the Parker/Acres family and their contribution to the area.

Staff are not recommending that the heritage inventory structure be protected from demolition through a heritage designation bylaw because of the impact this would have to the developability of the site and its designation as a “B” property in the Heritage Inventory. Significant development potential under zoning was bestowed to the site when it was rezoned to “CN1 -Comprehensive Neighbourhood Development” in 2002. Under the *Local Government Act* the property owner would be entitled to compensation for reduction in the market value of the subject property if the City were to designate property for heritage conservation.

Staff are supportive of the proposal by the applicant to install a heritage kiosk and integrated landscaping in situ to provide future residents and visitors with information about the history of the site. The staff recommendation includes a condition to this effect as part of the Development Agreement.

14. Public Engagement

Council’s policy on public engagement was provided to the applicant to help guide their engagement efforts. The applicant held an open house engagement on August 4th, 2022. The applicant is expected to provide a verbal summary of their public engagement during their presentation to Committee of the Whole.

15. Public Input in Absence of a Public Hearing

In accordance with the Local Government Act, a public hearing is not required for this application as the amending Bylaw is consistent with the Official Community Plan land use designation. Public notice is required instead prior to Council considering first reading of an amending bylaw.

At their discretion, Council may choose to require a public hearing. The option to hold a public hearing is provided in the options section of this report should Council decide a public hearing is warranted.

DISCUSSION

Staff feel that the amending bylaw to create a Comprehensive Development Zone will permit the design and use of the proposed development and will uphold key OCP objectives tied to site adaptive design, as well as Mixed Use Employment Centre (MUEC) and Transit Growth Area (TGA) land use designations.

The new CD Zone will focus on residential uses that are envisioned within the Mixed-Use Employment Centre OCP land use designation but do not include commercial, pedestrian focused ground floor uses that the MUEC designation encourages. The natural site conditions, including the grade differential from the road, make it difficult for the development to realize a ground floor commercial component that includes an active pedestrian/patron presence at grade level. When considered in conjunction with the

adjacent development, the commercial and light industrial uses being developed there will support the residential development on the subject site and satisfy the “mixed use” intent of the designation.

The proposed development is within 200 metres of the Transit Growth Area and will align with the TGA land use designation objectives including:

- a. Developments characterized by low to mid-scale, multi-unit residential uses at densities that support transit use on the Transit Growth Area;
- b. Supportive of housing choice and diversity.

The proposal includes the construction of 3 buildings consisting of approximately 220 units, or 150 units per hectare, which aligns with the OCP (Policy 6.2.3.1) by exceeding the amount targeted by the TGA density objectives, (minimum 17 units per hectare). In addition, the proposed buildings are to an FAR of 1.75, which aligns with the height and density regulations within the TGA policy (Policy 7.2.24 a.). The Growth Area policy allows for buildings to be constructed to 6 storeys, in limited situations. Given the location of the property adjacent to the Transit Growth Area, Sooke Road, Staff feel that the 6 storey height is appropriate and will be further mitigated by proposed building setbacks, and landscaping buffers. The design and siting of the development will be reviewed through a form and character development permit upon approval of the amending bylaw.

The applicant intends to offer the 220 units as rental accommodations with 10% of the units constructed with three-bedroom units. Larger unit apartment rental housing is identified as a crucial need within the Colwood Housing Needs Assessment, received December 2020. The applicant has agreed to enter into a Housing Agreement with the City, secured as part of a Section 219 covenant, to offer all 220 units as rental accommodations and provide no less than 10% of these as three-bedroom units.

Staff are of the opinion that the approval of the amending bylaw will allow for the following City-wide objectives to be realized in the following ways:

- Policy 5.1.1 Concentrating residential density within the Transit Growth Area, thus supporting policy objectives of the OCP as well as infrastructure plans tied to BC Transit Network. Currently the site is serviced by BC Transit routes 52 Colwood Exchange/Bear Mountain and 61 Sooke/Langford/Downtown (Victoria)
- Policy 9.2.2.2 Co-locate housing opportunities with employment and services. Site adjacent is being developed into employment generating uses, and will provide goods and services in close proximity to proposed residential development.
- Policy 13.2.2.2 Protection of natural Heritage conditions and preserves heritage legacy components through interpretive signage and monuments. Staff are seeking a recommendation from the Heritage Commission to inform how the site’s heritage significance will be commemorated.
- Policy 9.2.1.2 Providing housing identified as a critical need in the City by providing 10% of dwellings as three-bedroom units for rental tenure.

Staff recommend the necessary amending bylaws be prepared and brought forward for consideration by Council for 1st, 2nd and 3rd reading.

OPTIONS / ALTERNATIVES

Committee may wish to consider the following recommending to Council one of the following options:

OPTION 1 – As per the staff recommendation.

OR

OPTION 2 - The staff recommendation plus a requirement to hold a public hearing.

OR

OPTION 3 - That the application be deferred for further information.

OR

OPTION 4 - That the application be denied.

COMMUNICATION

A development notification sign was posted on the subject property as per Council Policy. The application and supporting documents have been available for public viewing on the City's website, as well as available for review at City Hall during office hours.

If Council endorses the staff recommendation opting not to hold a public hearing, the City will issue a public notice in accordance with Section 467 of the Local Government Act prior to first reading. If Council elects to require a public hearing, the City will mail notice of the rezoning application to owners and occupants of properties within a 75m radius of the subject property, as well as place advertisement of the public hearing in two consecutive issues of a local newspaper in the lead up to the hearing date after 2nd reading as per previous practice.

FINANCIAL CONSIDERATION

Rezoning the subject property to permit a higher density of development will increase the assessed value of the lands, thus increasing its taxable value.

Table 5 (next page) provides a *preliminary* break down of the developer contributions for the proposed 220 unit apartment dwelling units considered by this rezoning application.

Table 5 – Preliminary summary of developer contributions

Contributions by Type	Rate per unit or per m ²	Total	Bylaw/policy reference
Community Amenity Contribution	\$4,500/ unit	\$990,000	Policy CM003 as amended
Affordable Housing Reserve	\$1,500/unit	\$330,000	Policy CM003 as amended
Fire hall fund	\$525*/unit	\$115,500	Policy C002 as amended
School DCCs (payable to SD62)	\$700/unit	\$154,000	CRD Bylaw No. 2019-01
Road DCCs	\$4,264.60/unit	\$930,080	Bylaw No. 1839
Water DCCs (payable to CRD)	\$1,644/unit	\$361,680	CRD Bylaw No. 2758
Sewer enhancement fees	\$1,178/unit	\$259,160	Bylaw No. 1500

* Subject to annual CPI increases

TIMELINE

Rezoning Process



Option 1 - Public notice to be published before 1st reading when a public hearing is not required

Option 2 - Public Hearing / Notice of hearing to be published prior to 3rd. reading if Council decides to hold a hearing

Additional approvals/permits required after rezoning



CONCLUSION

The proposed amending bylaw will uphold the City-wide policy objectives as well as those within the Mixed-Use Employment Centre and the Transportation Growth Area land use designations of the OCP. Committee may wish to recommend to Council that staff prepare the necessary amending bylaws for their consideration.

Respectfully submitted,



Yazmin Hernandez, MCIP RPP
Manager of Development Services

ADMINISTRATORS COMMENTS:

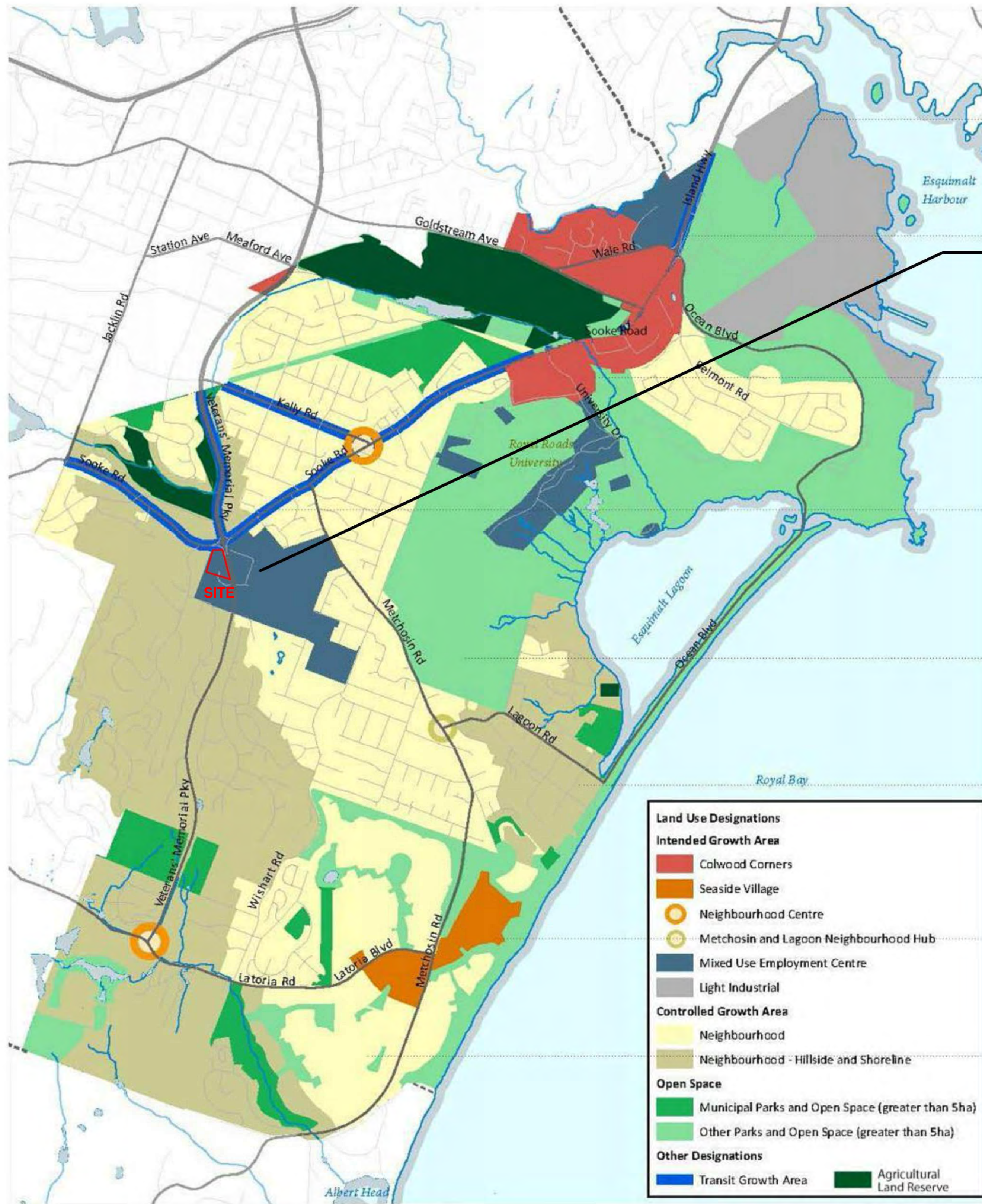
I have read the report and endorse the recommendation.



Robert Earl
Chief Administrative Officer

ATTACHMENTS:

Appendix 1 – Conceptual Site and Grading Plan
COTW PowerPoint



Source: Colwood OCP

Colwood Official Community Plan

MIXED-USE EMPLOYMENT CENTRE

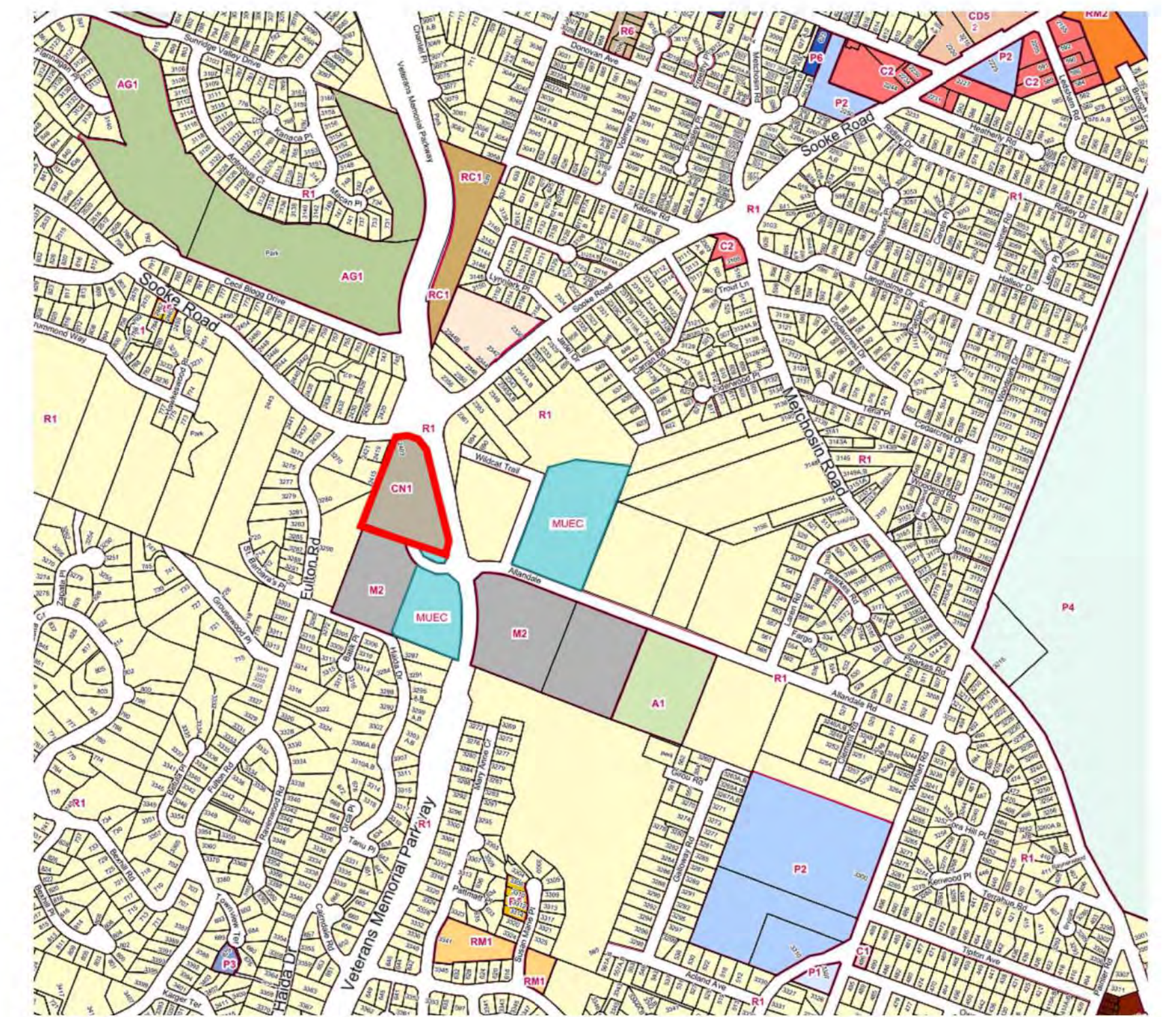
These are mixed-use centres that provide significant employment opportunities, including in areas that are currently under utilized.

PERMITTED USES: Multi-unit residential and mixed-use, commercial, institutional, live/work and home occupations, light industrial.

BUILT FORM: Ground-oriented and low rise buildings up to approximately 6 storeys, to be focused within 200 meters of travel distance (or a 3-minute walk) of the Frequent Transit Network (see "Streets and Mobility" panels for transit network map)

SITE INFORMATION

EXISTING ZONING: CN1
SITE AREA: 174,675ft² / 4.01 acres / 1.62 ha
LEGAL DESCRIPTION: REM A, VIP22075



CURRENT ZONING MAP

REZONING RATIONALE

As identified in the City of Colwood 2018 Official Community Plan, the parcels including 2403 Sooke Rd are requesting Mixed-Use Employment Centre land use designations.

These are mixed-use centres that provide significant employment opportunities, including in areas that are currently underutilized. The land use objective for these areas is to be:

- Supportive of employment-generating uses, including commercial, accommodation, institutional, and low-impact/light industrial uses
- Supportive of creative or infill housing, such as live-work buildings and student housing
- Well-connected by and supportive of frequent or local transit, linking workers with their homes and other uses
- Supportive of walking and cycling, including an improved public realm
- Characterized by green infrastructure and green spaces

POLICY 7.2.13 USES

- Multi-unit residential and mixed-use
- Commercial
- Institutional
- Live/work and home occupations
- Light industrial

POLICY 7.2.14 BUILT FORM

- Ground-oriented and low rise buildings up to approximately 6 storeys
- Greatest intensities to be focused within 200 meters of real travel distance of the Transit Growth Area

CURRENT CN1 ZONING (DETAILED)

10.7.1 Permitted Uses
 In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Comprehensive Neighbourhood Development 1 (CN1) Zone:

1. Apartment dwelling units;
2. Attached housing;
3. Bakeries with a gross floor area of not more than 300 m²;
4. Civic uses;
5. Media-related establishments;
6. Day care for three or more preschool children who are not related by blood or marriage to an operator of the facility;
7. Home occupations;
8. Hotels;
9. Indoor sports and recreation facilities;
10. Offices;
11. Personal service;
12. Post offices;
13. Premises licensed pursuant to the Liquor Control and Licensing Act;
14. Printing, publishing and bookbinding;
15. Assembly and entertainment uses, limited to indoor movie theatres, auditoriums, billiard and pool halls, bowling alleys, catering establishments, dance and fitness studios, gymnasiums, martial arts studios, schools and assemblies for educational and philanthropic purposes;
16. Restaurants, excluding drive-in and drive-through restaurants;
17. Retail stores;
18. Scientific or technological research facilities;
19. One dwelling unit for a caretaker in a building containing a scientific or technological research Facility, or media-related establishment;
20. Accessory buildings and structures; and
21. Accessory dwelling unit.

10.7.02 Conditions for Use for Apartment and Attached Housing Dwelling Units
 Apartment and attached housing dwelling units shall be permitted only in conformity with the following provisions:

1. Except where separate entrances are provided for commercial users, the floor on which any dwelling units are located shall be used exclusively for residential purposes.
2. In a building used for both residential and commercial purposes, a completely separate public entrance to the apartment dwelling units shall be provided at the ground floor front or side elevation.
3. No advertising use shall be located on or above a storey used for apartment dwelling units.
4. Motor vehicle parking spaces for apartment dwelling units shall be completely separate from those provided for other uses and shall bear a sign stating that the parking is for residential purposes only.
5. Where any apartment or townhouse unit is built at or near grade adjacent to a street, an at-grade entrance from the street shall be provided.

10.7.03 Density of Development

1. Except as provided in subsections 2, 3 and 4, the residential density shall not exceed 32 units per hectare and the total floor area ratio may not exceed 2.0.
2. The floor area ratio may be increased by 0.10 if the owner provides residential dwelling units on the third and/or fourth storey.
3. The floor area ratio may be increased by 0.15 if the owner enters into an agreement with a non-profit housing provider for 10% of the dwelling units.
4. The floor area ratio may be increased by up to 0.25 if the owner provides on site community amenities. This increase will be provided according to the following:
 - a. 0.10 for provision of a community amenity building area of more than 65 m² gross floor area located on the ground floor or 100 m² located on the second storey. The use of these areas shall be limited by the registration of a covenant on the title of the property.
 - b. 0.15 for the provision and maintenance of urban plazas which are exclusively devoted to public use at a rate of a 0.01 increase in floor area ratio for each 2% of the gross floor area of the ground floor of every building on the lot that is developed as urban plaza. For example, development of an urban plaza of 330 m² or 33% of a 1000 m² building would result in an increase in floor area ratio of 0.15.

10.7.04 Height of Buildings
 The height of a building shall not exceed 4 storeys to the highest point of a habitable space. Sloped roofs shall be used for any building below the maximum height. Sloped roofs shall extend the height of the building beyond the habitable areas to screen all roof top mechanical devices.

10.7.05 Yard Requirements

1. A front yard shall be not more than 4.5 m, provided, however:
 - a. Above the second storey, residential uses shall be set back not less than 5.5 m, excluding any balcony spaces, and
 - b. Above the fourth storey, residential uses shall be set back not less than 6.5 m, excluding any balcony spaces.
2. Side yards shall be provided of not less than 4.5 m from a flanking street or 7.5 m from a parcel in a Residential or Comprehensive Development zone.
3. A rear yard shall be provided of not less than 7.5 m.

10.7.06 Lot Coverage
 The maximum coverage shall be 80 percent of the lot.

10.7.07 Landscaping and Screening

1. All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition. This landscaped area shall be not less than 10 percent of the developed lot area.
2. Landscaping shall include the planting of trees in the amount of not less than one tree for each 100m² of developed lot area.
3. At least one tree shall be planted for each 7.5 m of the entire street frontage of the lot. They shall be planted parallel to the street frontage flush to the grade and with a maximum spacing of 7 m apart.
4. All trees planted shall be of at least 9 cm calliper or more with at least 5.6 m³ of soil per tree, to a depth of at least 1.2 m.
5. The off-street parking provided for an apartment dwelling use, if not within a building or underground, shall be delineated through signage and landscaping.

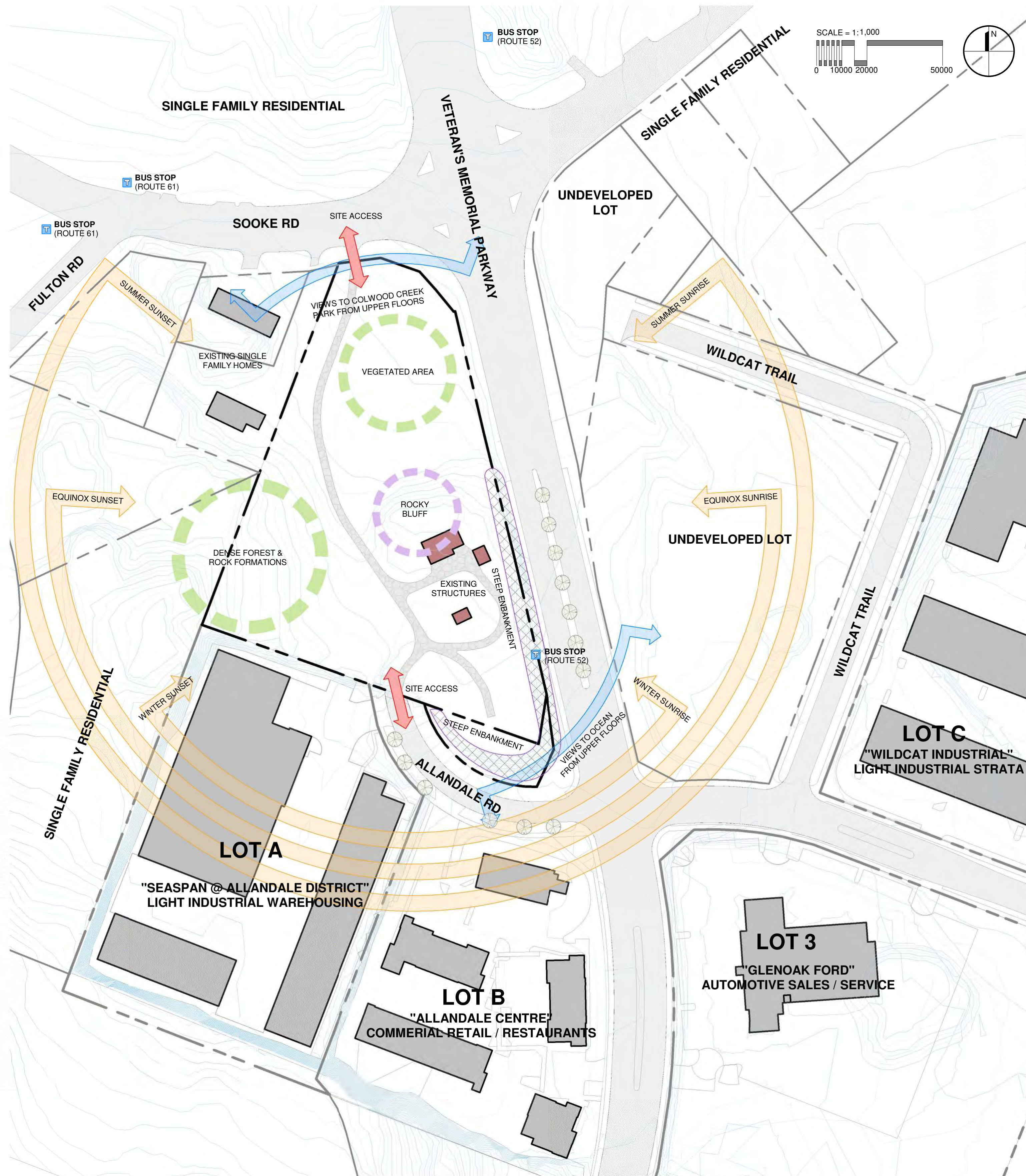
10.7.08 Private Amenity Space
 Attached dwelling units shall have a private amenity space of not less than 15 m² located to the rear or side of the dwelling unit. No dimension of this space shall be less than 3 m. This space shall be designed and landscaped for the outdoor leisure activities of the residents of the dwelling unit. The amenity space may be located above grade where dwelling units are designed at different elevations, such as stacked dwelling units.

10.7.09 Subdivision Requirements

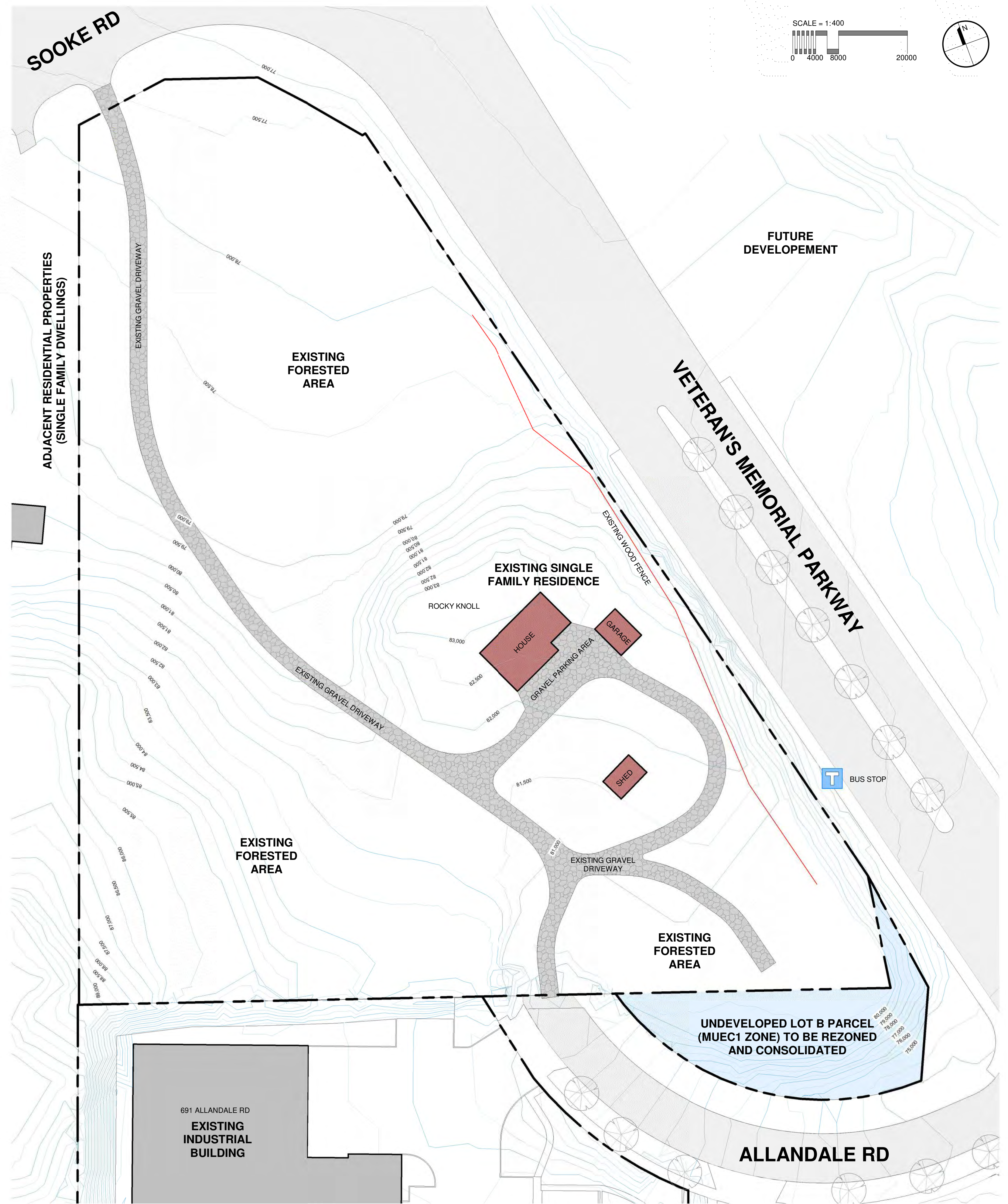
1. The minimum lot area that may be created by subdivision is 2000 m².
2. The minimum highway frontage and lot width that may be created by subdivision is 18 m.
3. Panhandle lots are not permitted.

10.7.10 General
 The relevant provisions of Division 2 of this Bylaw shall apply.

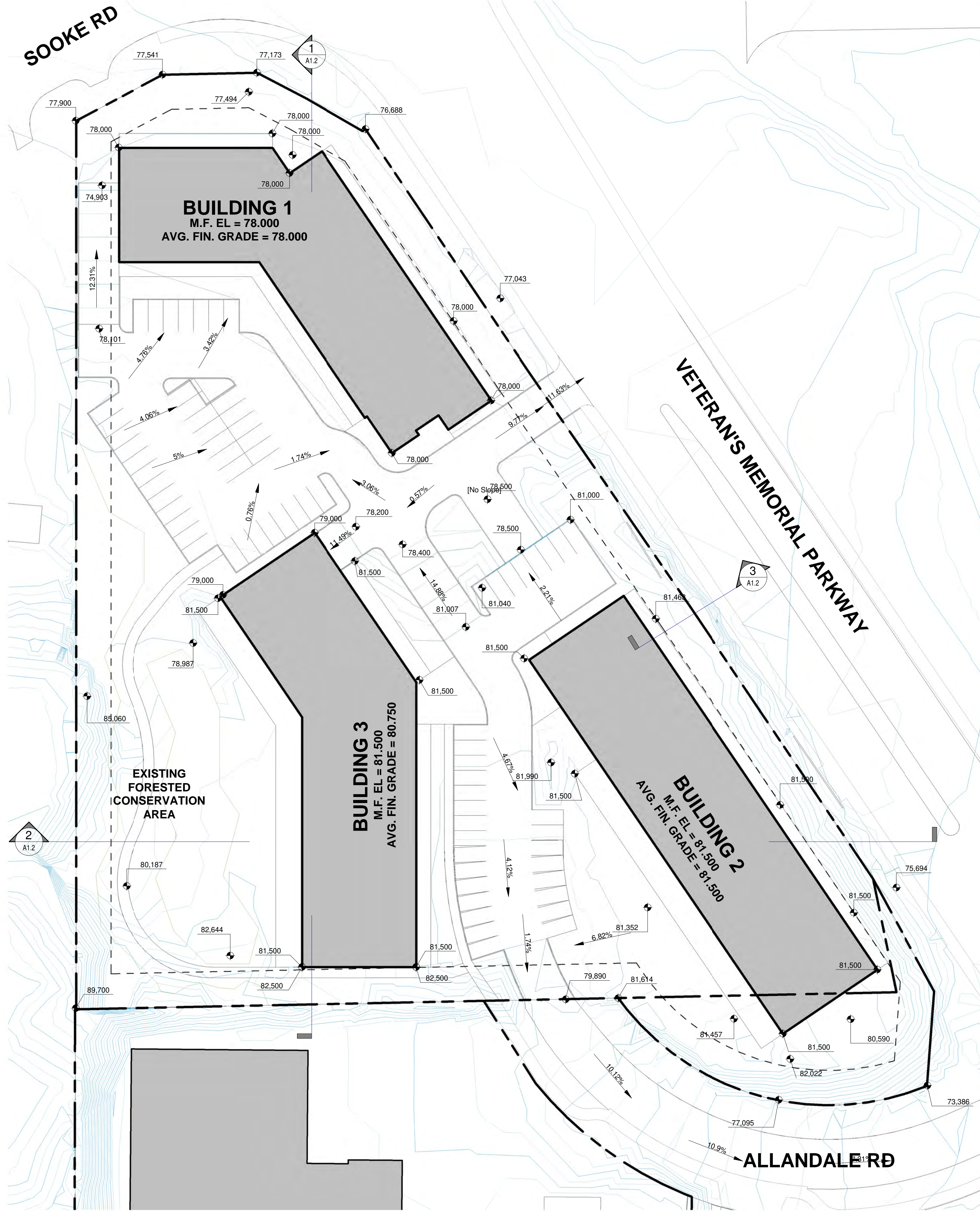
	CURRENT CN1 ZONING (CONDENSED)	PROPOSED ZONING
Permitted Uses	Apartment dwelling units; Attached housing;	Apartment dwelling units; Attached housing;
Density of Development	Residential density shall not exceed 32 units per hectare and the total F.A.R. may not exceed 2.0. with increases of: +0.10 if 4 dwelling units on the third and/or fourth storey. +0.15 if 10% units are non-profit housing +0.25 if the owner provides on site community amenities. Max F.A.R. = 2.5	Approx 150 residential dwelling units per hectare and the total F.A.R. may not exceed 1.75.
Height of Buildings	The height of a building shall not exceed 4 storeys	The height of a building shall not exceed 6 storeys
Yard Requirements	1. Front yard shall be not more than 4.5m A. Above the second storey, not less than 5.5 m, excluding any balcony spaces B. Above the fourth storey, not less than 6.5 m, excluding any balcony spaces. 2. Side yards of not less than 4.5m from a flanking street or 7.5m from a parcel in a R or CD zone. 3. Rear yard of not less than 7.5m.	1. Front yard shall be not less than 6.0m A. Above the fourth storey, not less than 7.5 m, excluding any balcony spaces. 2. Side yards of not less than 6.0m 3. Rear yard of not less than 6.0m.
Lot Coverage	The maximum coverage shall be 80% of the lot.	The maximum coverage shall be 50% of the lot.
Landscaping and Screening	1. Landscaped area shall be not less than 10% of the developed lot area. 2. Landscaping shall include the planting of trees for each 100m ² of developed lot area. 3. At least one tree shall be planted for each 7.5m of the entire street frontage of the lot. 4. All trees planted shall be of at least 9 cm calliper with at least 5.6 m ³ of soil per tree, to a depth of at least 1.2 m.	1. Landscaped area shall be not less than 10% of the developed lot area. 2. Landscaping shall include the planting of trees for each 100m ² of developed lot area. 3. At least one tree shall be planted for each 7.5m of the entire street frontage of the lot. 4. All trees planted shall be of at least 6 cm calliper with at least 3.1 m ³ of soil per tree, to a depth of at least 0.7 m.
Private Amenity Space	Attached dwelling units shall have a private amenity space of not less than 15 m ² located to the rear or side of the dwelling unit. No dimension of this space shall be less than 3 m ² .	Attached dwelling units shall have a private amenity space of not less than 3 m ² located adjacent to the dwelling unit.
Subdivision Requirements	1. The minimum lot area that may be created by subdivision is 2000m ² . 2. The minimum highway frontage and lot width that may be created by subdivision is 18m. 3. Panhandle lots are not permitted.	1. The minimum lot area that may be created by subdivision is 2000m ² . 2. The minimum highway frontage and lot width that may be created by subdivision is 18m. 3. Panhandle lots are not permitted.
General	The relevant provisions of Division 2 of this Bylaw shall apply.	The relevant provisions of Division 2 of this Bylaw shall apply.
Parking Residential, multi-family (attached housing, apartments)	1.5 per dwelling unit plus 1 for each 100m ² of building floor area exceeding 60m ² times the number of dwelling units	0.8 per bachelor suite 1.0 per 1 bedroom suite 1.3 per 2 bedroom suite 1.5 per suite with more than 2 bedrooms 100% Energized



2 | SITE ANALYSIS
SCALE: 1:1,000

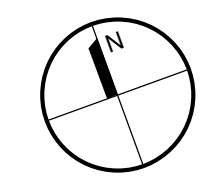


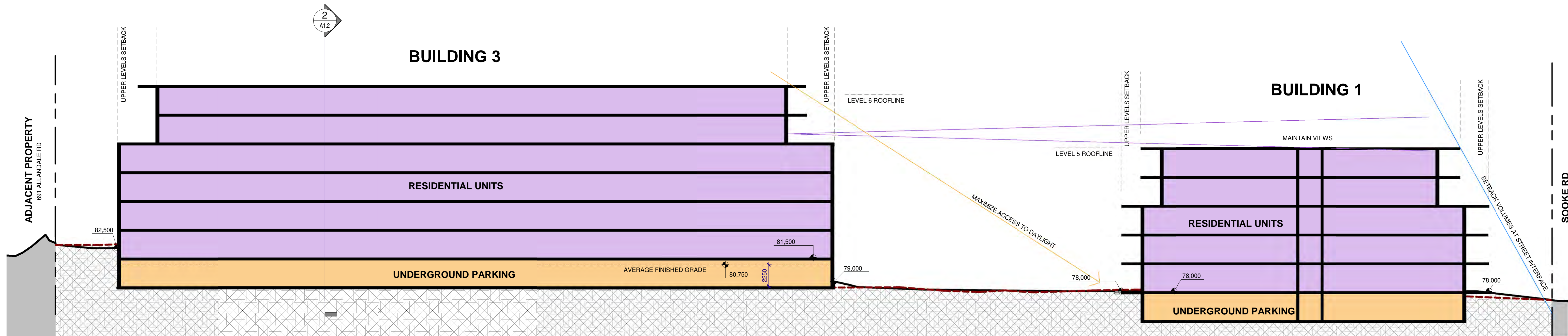
1 | EXISTING SITE PLAN
SCALE: 1:400



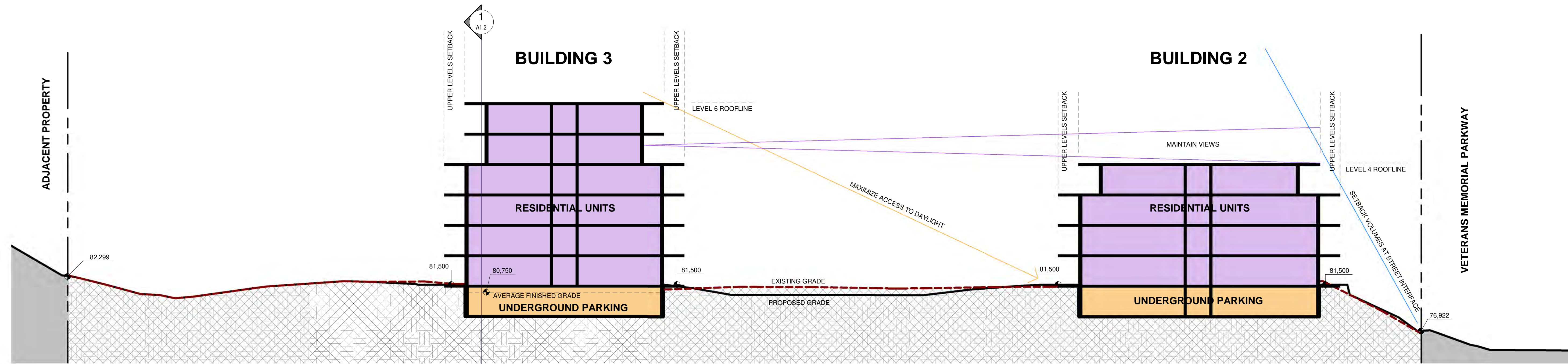
SITE INFORMATION

EXISTING ZONING: CN1
 SITE AREA: 165,772ft² / 3.81 acres / 1.54 ha
 LEGAL DESCRIPTION: REM A, VIP22075

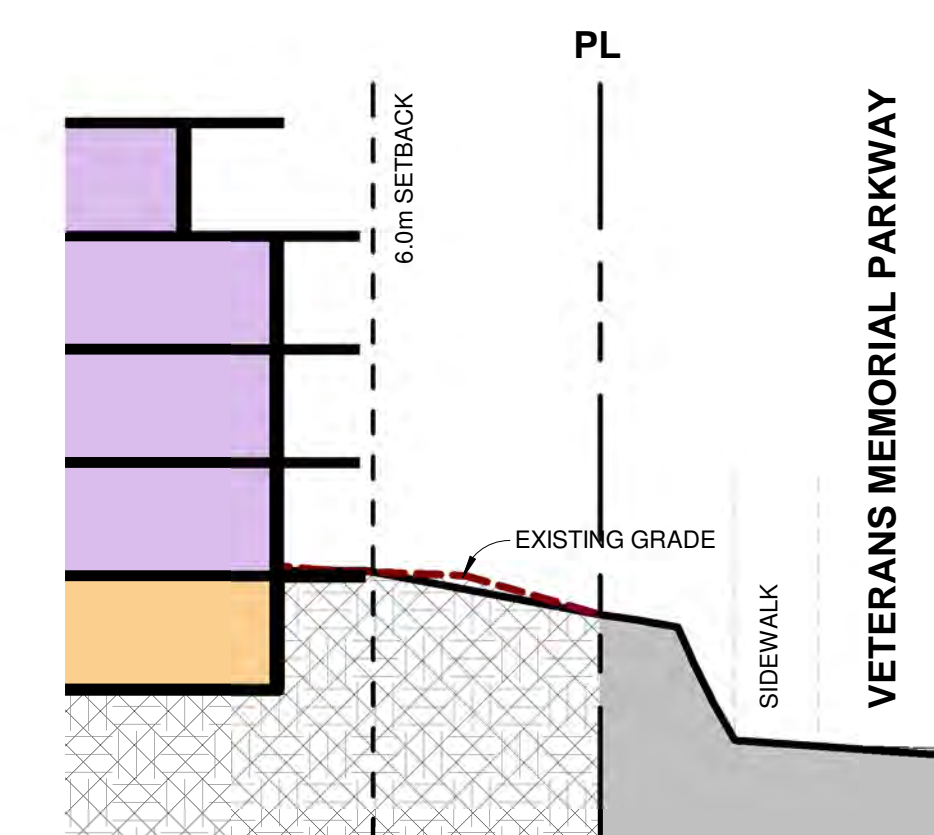




1 | SITE SECTION N-S
SCALE: 1 : 200



2 | SITE SECTION E-W
SCALE: 1 : 200



3 | V.M.P. PL SECTION
SCALE: 1 : 200



MID SITE - FOREST AND ROCK FEATURES



NORTH WEST ADJACENT RESIDENTIAL



EXISTING SINGLE FAMILY HOME



VIEW SOUTH TO 691 ALLANDALE (SEASPAN @ ALLANDALE DISTRICT)



EXISTING SHED STRUCTURE



EAST PROPERTY LINE FROM V.M.P.



VIEW FACING SOUTHWEST FROM V.M.P. & SOOKE



VIEW FACING NORTH TO V.M.P. & SOOKE



EXISTING INTERNAL ACCESS ROAD



POTENTIAL CONCEPT MASSING - VIEW LOOKING NORTH WEST



POTENTIAL CONCEPT MASSING - VIEW LOOKING SOUTH EAST



POTENTIAL CONCEPT MASSING - VIEW LOOKING NORTH WEST

2403 Sooke Rd and a portion of 681 Allandale Rd

Zoning Amendment Application

RZ 22-007

Committee of the Whole, August 22nd, 2022

Staff Recommendation

THAT Committee recommends to Council,

THAT the appropriate amendments to the Land Use Bylaw to rezone 2403 Sooke Road (the lands legally described as: Lot A, Section 67, Esquimalt District Plan 22075, Except in Part in Plan VIP72233) and a portion of 681 Allandale Road (the lands legally described as: Lot B, Section 67, Esquimalt District Plan EPP93779) from the Comprehensive Neighborhood Development (CN1) Zone and the General Industrial Zone (M2) to a new Comprehensive Development Zone be prepared;

AND THAT the amending bylaw be considered for 1st, 2nd and 3rd reading;

AND THAT prior to adoption of the amending bylaw a Traffic Impact Assessment prepared by a qualified professional is approved by the Director of Engineering and the Ministry of Transportation;

AND FURTHER THAT prior to adoption of the amending bylaw the following be registered within a Section 219 Covenant Development Agreement ***(Refer to page 1 & 2 of the staff report for the list of conditions including heritage; conservation area; lot consolidation; off-site works; housing covenant and EV charging)***

Site Context - Location



<u>Address</u>	2403 Sooke Road & 681 Allandale Road
<u>Zone</u>	CD30
<u>OCP Designation</u>	MUEC – Mixed Use Employment Centre TGA – Transit Growth Area
<u>Lot Area</u>	1.63 hectares

Concept Plans Illustrating Full Buildout of Adjacent Lands



POTENTIAL CONCEPT MASSING - VIEW LOOKING NORTH WEST

Concept Massing Model Southeast View



POTENTIAL CONCEPT MASSING - VIEW LOOKING SOUTH EAST

Land Use Bylaw No. 151 - Amendment

	Comprehensive Neighborhood Development Zone (CN1)	New Comprehensive Development Zone (Proposed)	Adjacent Property General Industrial (M2) Zone (the "Allandale Lands")
Permitted Uses (Consolidated, please see Staff Report for full list)	<u>Apartment dwelling units;</u> <u>Attached Housing;</u> Media-related establishments; Day care; Hotel; Indoor sports and recreation facilities; Offices; Personal service; Premises licensed pursuant to the Liquor Control and Licensing Act; Assembly and entertainment uses; Restaurants, Retail stores; Technological research facilities; <u>Accessory buildings;</u> <u>Accessory residential unit</u>	Apartment dwelling units; Attached housing; Accessory buildings; and Home Occupations;	Industrial Uses Gasoline Service Stations Coffee shops Gravel processing Retail sale, rental of automobiles, trucks, boats, mobile homes... One dwelling unit for a caretaker Unenclosed storage; and Accessory buildings and structures
Density (FAR)	2.0 to of 2.5	FAR of 1.75	--
Height	4 storeys	6 storeys	-
Site Coverage (%)	80%	50%	50%
Front Yard Setback	Not more than 4.5 m 5.5 m – above the 2nd storey 6.5 m – above the 4 th storey	6.0 m 7.5 m above the 4 th storey	7.5 m
Interior Side Yard Setback	7.5 m	6.0 m	0.0 m when adjacent to commercial or industrial zone and the other side yard is 6 m
Exterior Side Yard Setback	4.5 m	6.0 m	
Rear Yard Setback	10.0m	6.0 m	10 m

OCP Designations

Figure 12: Transit Network

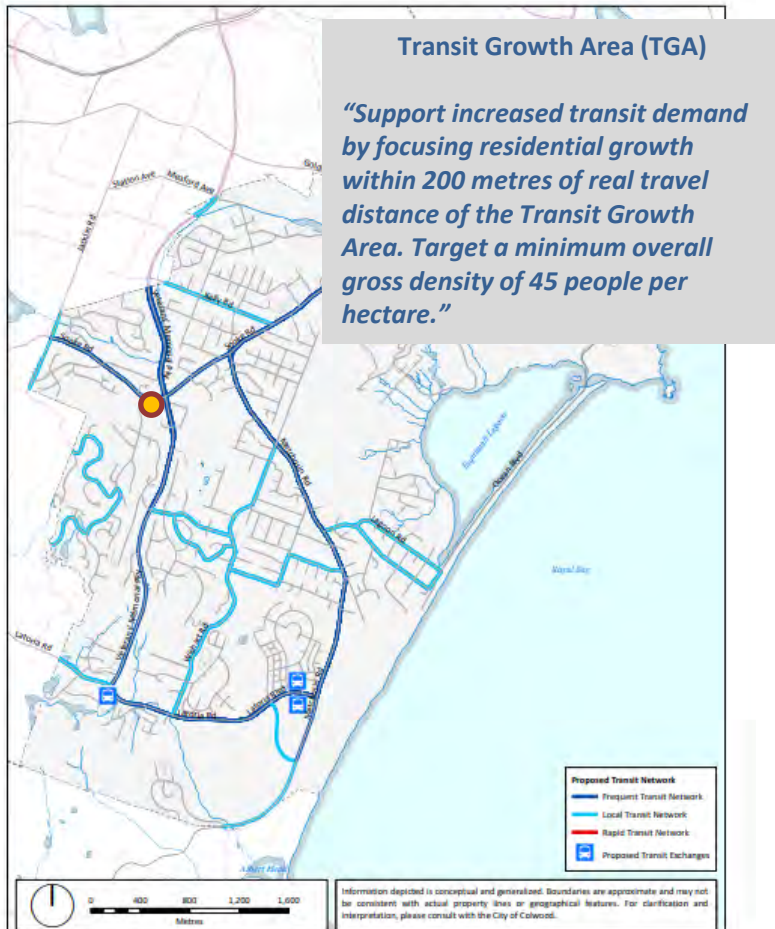
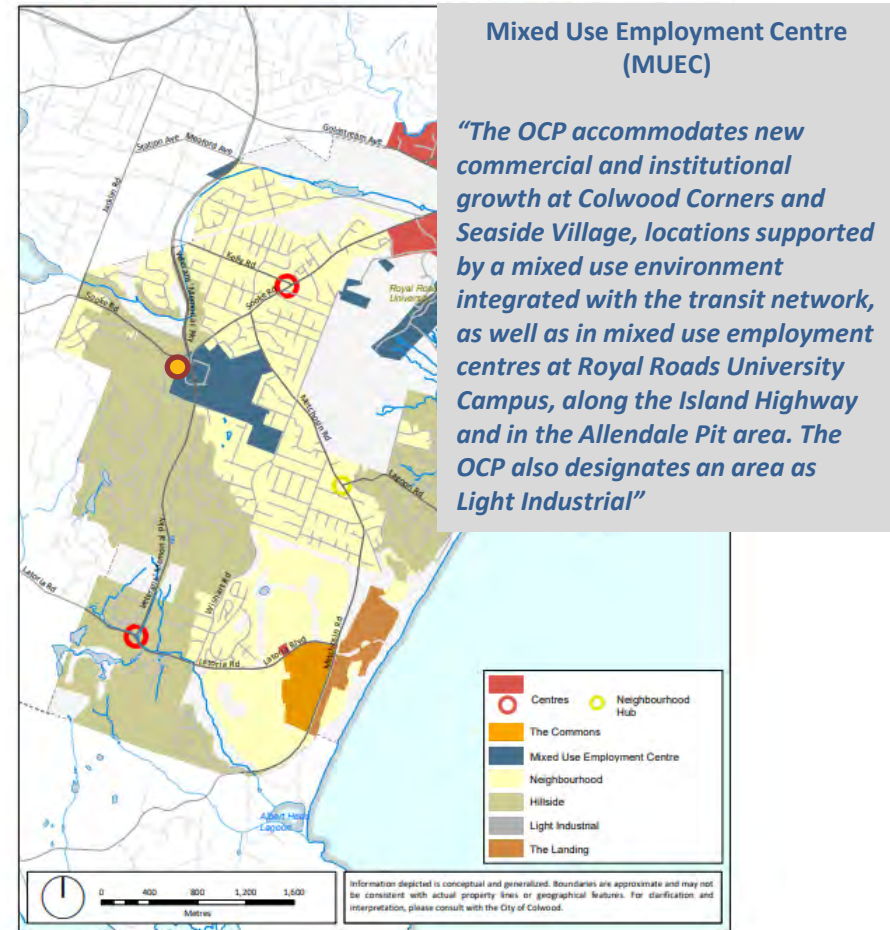


Figure 20: Form, Character, and Sustainability Development Permit Area



OCP Bylaw No. 1700 - Review

Mixed Use Employment Centre (MUEC) and Transit Growth Area (TGA) OCP Policy		Proposal	Staff Comment
7.2.13 Land Uses	Multi-unit residential & mixed-use Commercial Institutional Live/work & home occupations Light industrial	Multi-unit residential	Policy met when considered with adjacent development
7.2.14 Built form	Ground-oriented and low-rise buildings, up to 6 storeys (TGA)	4 to 6 storey residential buildings	Policy met
7.2.14 Height	Up to approximately 6 storeys, with greatest intensities to be focused within 200 meters of real travel distance of the TGA	Max 6 storey building	Policy met
Density	No FAR limit for lands designated MUEC <u>Minimum</u> of 45 people/ha for TGA	1.75 FAR 150 units per ha	Policy met
7.2.14.1.b and c	Supportive of creative or infill housing such as live work buildings and student housing Well-connected by and supportive of frequent or local transit, linking workers with their homes and other uses	Proposing residential close to local transit (Sooke Road and VMP) as well as close to places of employment, commercial and industrial businesses on adjacent property	Policy met
7.2.14.1.d	Avoiding disturbances to adjacent residential neighbourhoods, by sensitively managing the scale, intensity, and types of industrial and commercial activities.	Landscaping, setbacks and site conditions will provide separation and screening for the residential units from adjacent light industrial uses to the south of the site.	Policy met
7.2.14.1.g	Enhancing transportation services and infrastructure to connect residents to regional transportation networks, including the Frequent and Rapid Transit Networks.	A Traffic Impact Study will identify infrastructure improvements needed to support the joint transportation objectives for this intersection from BC Transit and City of Colwood.	Policy met
7.2.14.1.e	Supporting a diversity of housing types and choices.	The proposal will provide the City with options for housing and intends to develop no less than 10% of the proposed units as 3 bedroom dwellings to meet demands for this accommodation type.	Policy met

Heritage Significance

Staff are not recommending that the heritage inventory structure be protected from demolition due to:

- 1) Significant development potential under zoning was bestowed to the site when it was rezoned to “CN1 -Comprehensive Neighbourhood Development” in 2002.
- 2) The statement of significant for this property, has deemed that the heritage value is in associating with the long-time resident of the home Mrs. Dolora Acres, not the structure itself.
- 3) The developer is proposing to celebrate the heritage value by installing a heritage kiosk and integrated landscaping in situ to provide future residents and visitors with information about the history of the site.



Financial Considerations

Contributions by Type	Rate per unit or per m ²	Total (@220 apartment dwelling units)	Bylaw/policy reference
Community Amenity Contribution Fund	\$4,500/ unit	\$990,000	Policy CM003 as amended
Affordable Housing Reserve Fund	\$1,500/unit	\$330,000	Policy CM003 as amended
Fire hall fund	\$525*/unit	\$115,500	Policy C002 as amended
School DCCs (payable to SD62)	\$700/unit	\$154,000	CRD Bylaw No. 2019-01
Road DCCs	\$4,264.60/unit	\$930,080	Bylaw No. 1839
Water DCCs (payable to CRD)	\$1,644/unit	\$361,680	CRD Bylaw No. 2758
Sewer enhancement fees	\$1,178/unit	\$259,160	Bylaw No. 1500

* Subject to annual CPI increases

Greyed out Funds denote municipal funds

City-wide OCP objectives

This application is also meeting broader city-wide OCP objectives and policies including:

Policy 6.2.1.2 - 'Focus commercial growth and the greatest residential densities in the 'Intended Growth Areas.'

Policy 7.2.5. i. - 'Maintaining and enhancing transportation services and infrastructure to connect residents to regional transportation networks, including the Rapid Transit Network.'

Policy 9.2.2.2 - 'Co-locate non market and special needs housing with transit and other amenities to ensure accessibility, while ensuring that these household types are distributed through the city and integrated into diverse neighbourhoods.'

Communication

- Notification sign posted on the subject property as per Council Policy.
- Application is publicly available on City's website
- Applicant hosted an Open House on Thursday August 4th, 2022.
- Under the recently amended Local Government Act, this application does not require a Public Hearing.
- A mail out notice to go out to residents within 75 meters, and 2 publications in a local newspaper are required notifications prior to 1st Reading of an amending bylaw.

Rezoning Process

TIMELINE

Rezoning Process



Option 1 - Public notice to be published before 1st reading when a public hearing is not required

Option 2 - Public Hearing / Notice of hearing to be published prior to 3rd. reading if Council decides to hold a hearing

Additional approvals/permits required after rezoning



Options

1. The staff recommendation;

OR

2. The staff recommendation, but adding a public hearing requirement;

OR

3. That the application be deferred for further information;

OR

4. That the application be denied.

Thank You



WHO IS THE DEVELOPER?



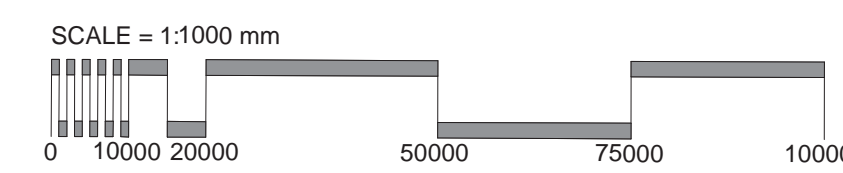
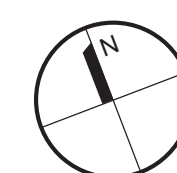
Sherringham Holdings Ltd. is owned by a local family group, and operates the business as a real-estate development company based here in Victoria. Sherringham develops, owns and manages a diversified portfolio of residential, retail commercial and light industrial properties on southern Vancouver Island. Collectively, the Sherringham team bring a rich and diverse history of professional, client-focused experience to each development project. Sherringham pride themselves on fairness, transparency, and finding balance between each development's various stake holder groups as well as their own. If approved, Allandale Center Residential will be the complimentary residential partner to Sherringham's Allandale Centre, a commercial development (currently under construction) at 681 Allandale Road. In addition, the proposed project is adjacent to Seaspan Victoria Shipyards at 691 Allandale Road, Wildcat Industrial at 650 Allandale Road and Glenoak Ford the first phase of the Carson Auto Group development at 651 Allandale Road.

WHO IS THE PROJECT DESIGN CONSULTANT?



Omicron, the principal designers and developers for Allandale District, have an integrated team of architects, designers, and technologists, who collaborate with developers to identify the challenges and opportunities for each project. Omicron's design-led process balances aesthetics and functionality through a lens of constructability and sustainability to achieve stakeholder goals.

2

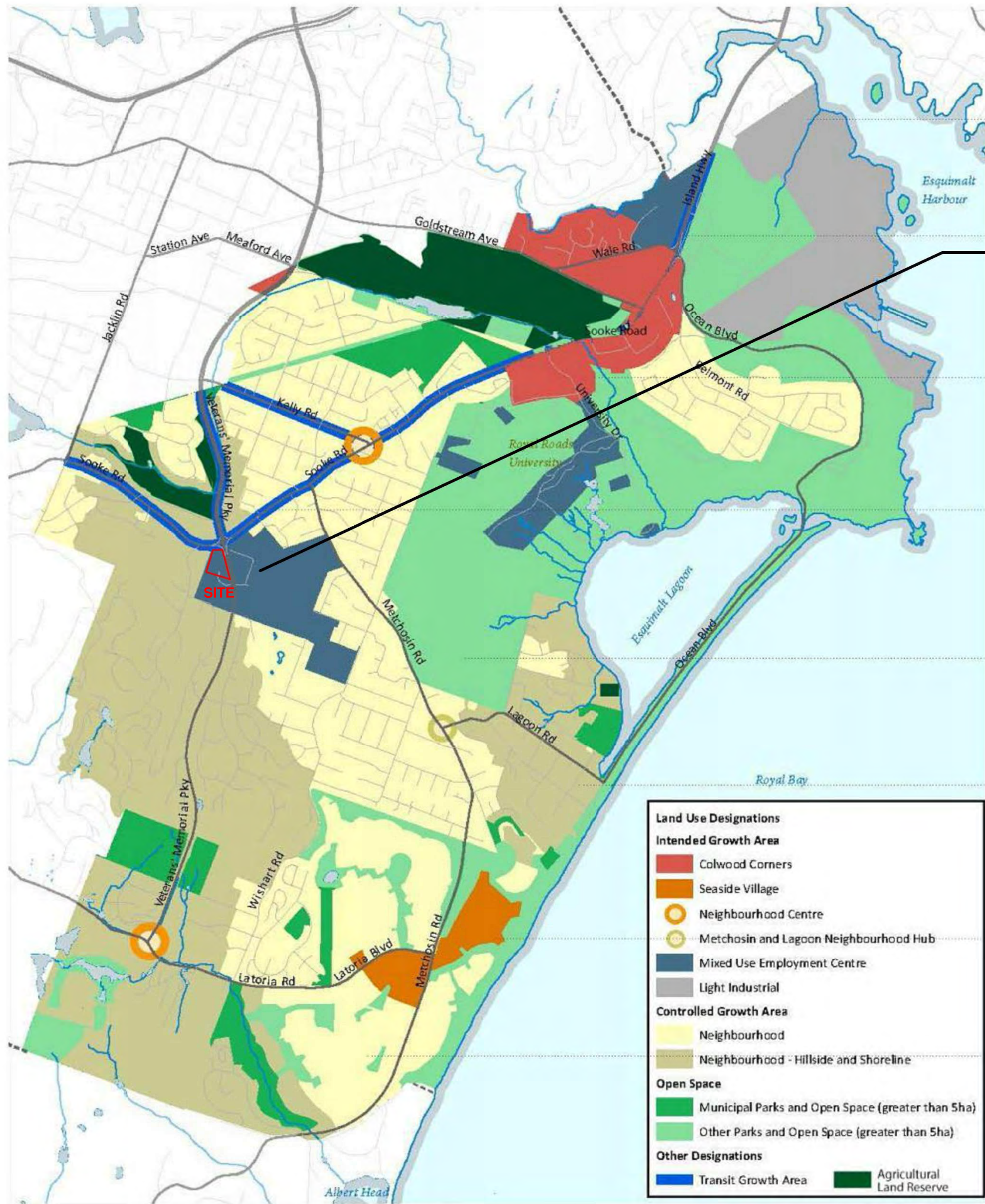


3



OMICRON 

SHERRINGHAM
REAL ESTATE • FINANCE • PROPERTY MANAGEMENT

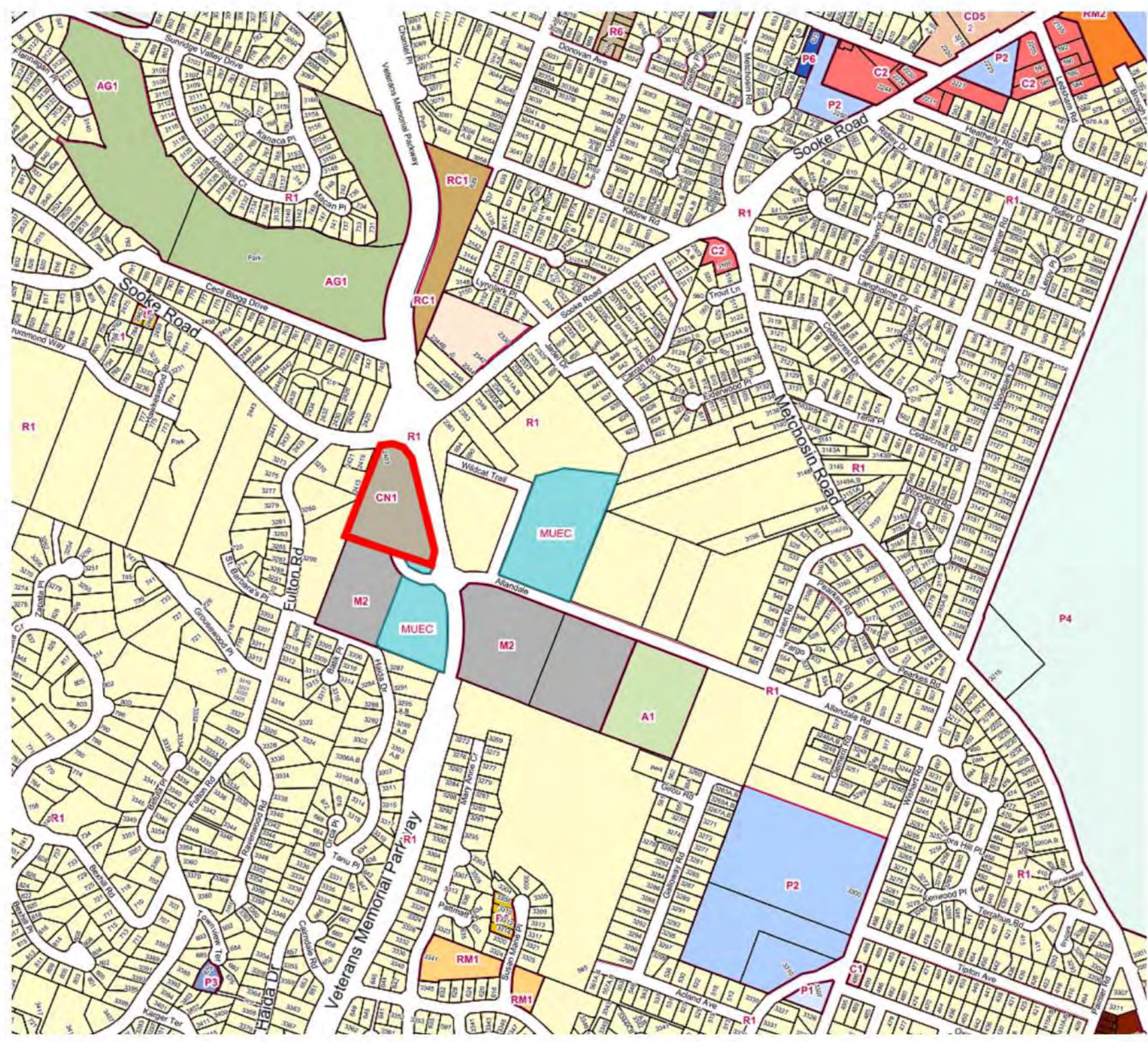


Source: Colwood OCP

Colwood Official Community Plan
MIXED-USE EMPLOYMENT CENTRE
 These are mixed-use centres that provide significant employment opportunities, including in areas that are currently under utilized.

PERMITTED USES: Multi-unit residential and mixed-use, commercial, institutional, live/work and home occupations, light industrial.

BUILT FORM: Ground-oriented and low rise buildings up to approximately 6 storeys, to be focused within 200 meters of travel distance (or a 3-minute walk) of the Frequent Transit Network (see “Streets and Mobility” panels for transit network map)



CURRENT ZONING MAP

SITE INFORMATION

EXISTING ZONING: CN1
SITE AREA: 174,675ft² / 4.01 acres / 1.62 ha
LEGAL DESCRIPTION: REM A, VIP22075

REZONING RATIONALE

As identified in the City of Colwood 2018 Official Community Plan, the parcels including 2403 Sooke Rd are requesting Mixed-Use Employment Centre land use designations.

These are mixed-use centres that provide significant employment opportunities, including in areas that are currently underutilized. The land use objective for these areas is to be:

- A. Supportive of employment-generating uses, including commercial, accommodation, institutional, and low-impact/light industrial uses
- B. Supportive of creative or infill housing, such as live-work buildings and student housing
- C. Well-connected by and supportive of frequent or local transit, linking workers with their homes and other uses
- D. Supportive of walking and cycling, including an improved public realm
- E. Characterized by green infrastructure and green spaces

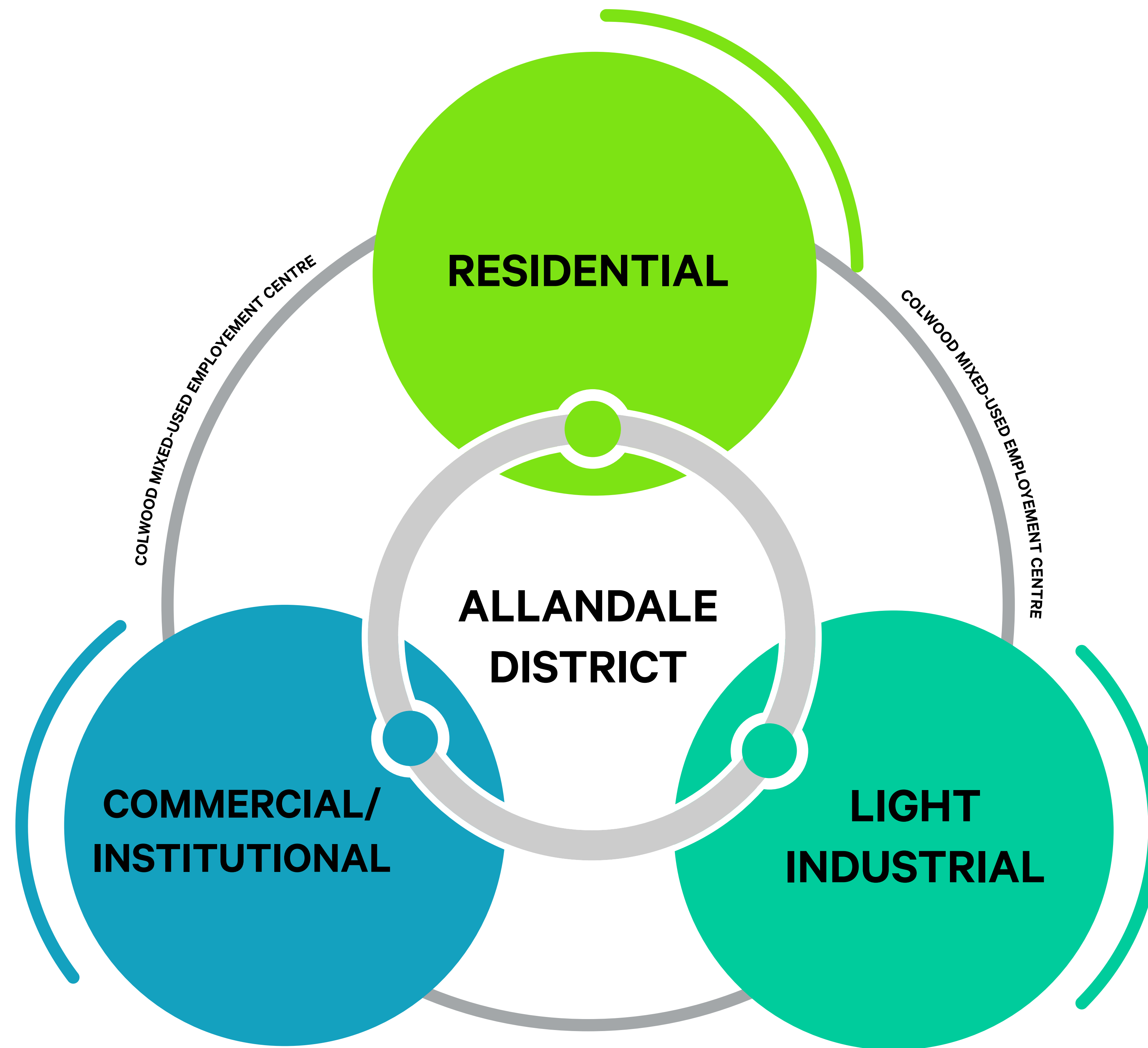
POLICY 7.2.13 USES

- A. Multi-unit residential and mixed-use
- B. Commercial
- C. Institutional
- D. Live/work and home occupations
- E. Light industrial

POLICY 7.2.14 BUILT FORM

- A. Ground-oriented and low rise buildings up to approximately 6 storeys
- B. Greatest intensities to be focused within 200 meters of real travel distance of the Transit Growth Area

5



CURRENT CN1 ZONING (DETAILED)

10.7.1 Permitted Uses
 In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Comprehensive Neighbourhood Development 1 (CN1) Zone:
 1. Apartment dwelling units;
 2. Attached housing;
 3. Bakeries with a gross floor area of not more than 300 m²;
 4. Civic uses;
 5. Media-related establishments;
 6. Day care for three or more preschool children who are not related by blood or marriage to an operator of the facility;
 7. Home occupations;
 8. Hotels;
 9. Indoor sports and recreation facilities;
 10. Offices;
 11. Personal service;
 12. Post offices;
 13. Premises licensed pursuant to the Liquor Control and Licensing Act;
 14. Printing, publishing and bookbinding;
 15. Assembly and entertainment uses, limited to indoor movie theatres, auditoriums, billiard and pool halls, bowling alleys, catering establishments, dance and fitness studios, gymnasiums, martial arts studios, schools and assemblies for educational and philanthropic purposes;
 16. Restaurants, excluding drive-in and drive-through restaurants;
 17. Retail stores;
 18. Scientific or technological research facilities;
 19. One dwelling unit for a caretaker in a building containing a scientific or technological research Facility, or media-related establishment;
 20. Accessory buildings and structures; and
 21. Accessory dwelling unit.

10.7.02 Conditions for Use for Apartment and Attached Housing Dwelling Units
 Apartment and attached housing dwelling units shall be permitted only in conformity with the following provisions:
 1. Except where separate entrances are provided for commercial users, the floor on which any dwelling units are located shall be used exclusively for residential purposes.
 2. In a building used for both residential and commercial purposes, a completely separate public entrance to the apartment dwelling units shall be provided at the ground floor front or side elevation.
 3. No advertising use shall be located on or above a storey used for apartment dwelling units.
 4. Motor vehicle parking spaces for apartment dwelling units shall be completely separate from those provided for other uses and shall bear a sign stating that the parking is for residential purposes only.
 5. Where any apartment or townhouse unit is built at or near grade adjacent to a street, an at-grade entrance from the street shall be provided.

10.7.03 Density of Development
 1. Except as provided in subsections 2, 3 and 4, the residential density shall not exceed 32 units per hectare and the total floor area ratio may not exceed 2.0.
 2. The floor area ratio may be increased by 0.10 if the owner provides residential dwelling units on the third and/or fourth storey.
 3. The floor area ratio may be increased by 0.15 if the owner enters into an agreement with a non-profit housing provider for 10% of the dwelling units.
 4. The floor area ratio may be increased by up to 0.25 if the owner provides on site community amenities. This increase will be provided according to the following:
 a. 0.10 for provision of a community amenity building area of more than 65 m² gross floor area located on the ground floor or 100 m² located on the second storey. The use of these areas shall be limited by the registration of a covenant on the title of the property.
 b. 0.15 for the provision and maintenance of urban plazas which are exclusively devoted to public use at a rate of a 0.01 increase in floor area ratio for each 2% of the gross floor area of the ground floor of every building on the lot that is developed as urban plaza. For example, development of an urban plaza of 330 m² or 33% of a 1000 m² building would result in an increase in floor area ratio of 0.15.

10.7.04 Height of Buildings
 The height of a building shall not exceed 4 storeys to the highest point of a habitable space. Sloped roofs shall be used for any building below the maximum height. Sloped roofs shall extend the height of the building beyond the habitable areas to screen all roof top mechanical devices.

10.7.05 Yard Requirements
 1. A front yard shall be not more than 4.5 m, provided, however: a. Above the second storey, residential uses shall be set back not less than 5.5 m, excluding any balcony spaces, and b. Above the fourth storey, residential uses shall be set back not less than 6.5 m, excluding any balcony spaces.
 2. Side yards shall be provided of not less than 4.5 m from a flanking street or 7.5 m from a parcel in a Residential or Comprehensive Development zone.
 3. A rear yard shall be provided of not less than 7.5 m.

10.7.06 Lot Coverage
 The maximum coverage shall be 80 percent of the lot.

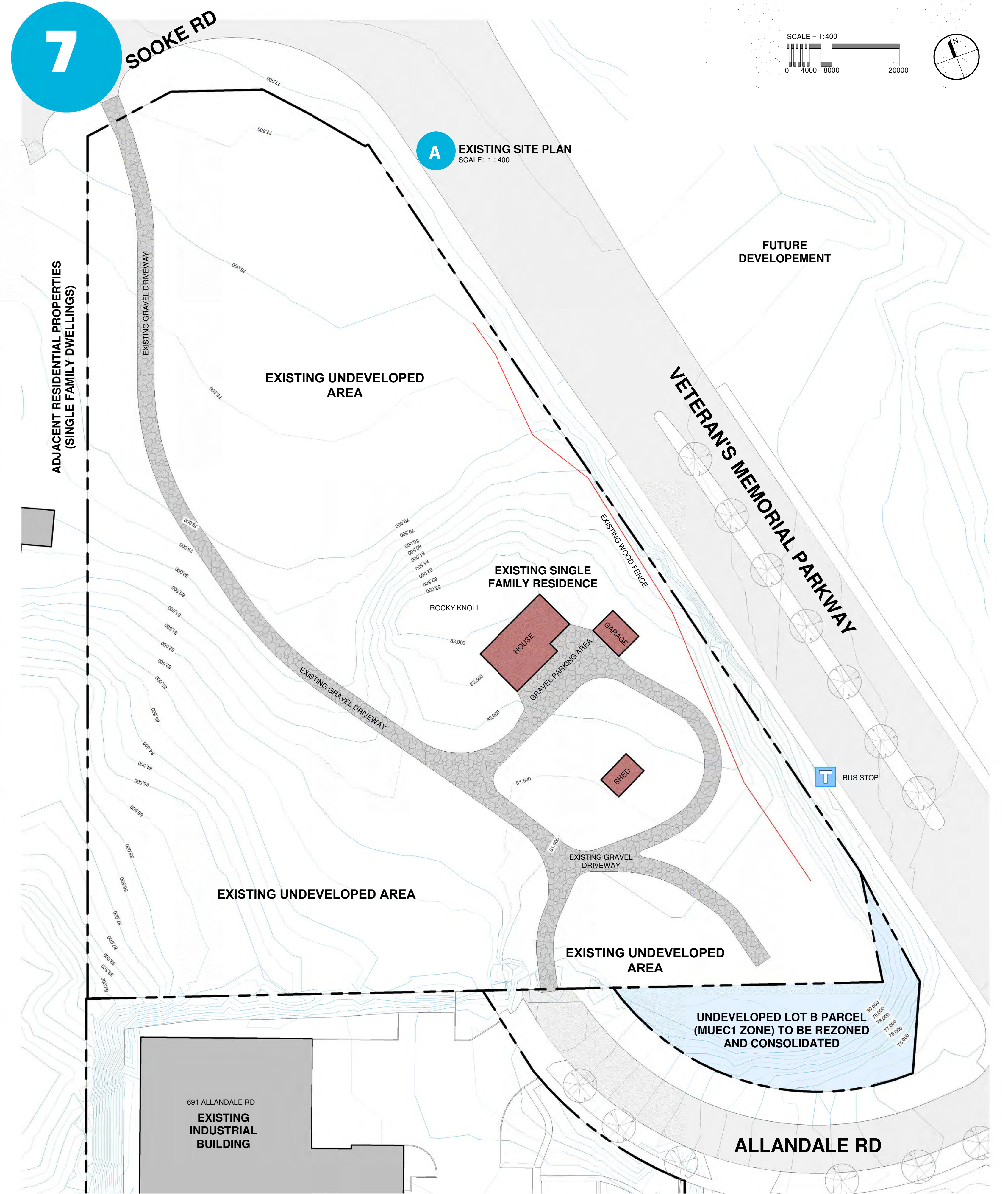
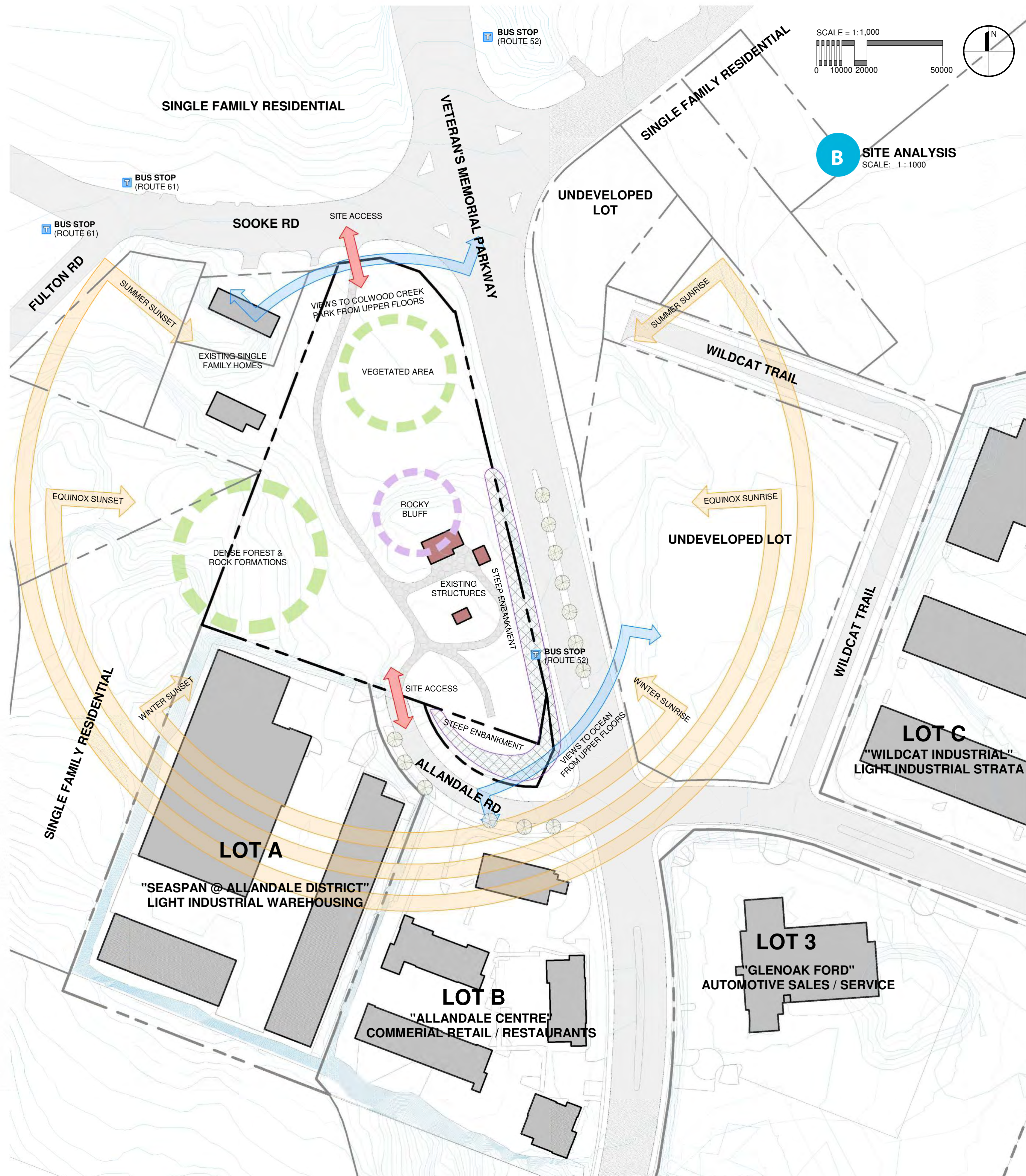
10.7.07 Landscaping and Screening
 1. All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition. This landscaped area shall be not less than 10 percent of the developed lot area.
 2. Landscaping shall include the planting of trees in the amount of not less than one tree for each 100m² of developed lot area.
 3. At least one tree shall be planted for each 7.5 m of the entire street frontage of the lot. They shall be planted parallel to the street frontage flush to the grade and with a maximum spacing of 7 m apart.
 4. All trees planted shall be of at least 9 cm calliper or more with at least 5.6 m³ of soil per tree, to a depth of at least 1.2 m.
 5. The off-street parking provided for an apartment dwelling use, if not within a building or underground, shall be delineated through signage and landscaping.

10.7.08 Private Amenity Space
 Attached dwelling units shall have a private amenity space of not less than 15 m² located to the rear or side of the dwelling unit. No dimension of this space shall be less than 3 m. This space shall be designed and landscaped for the outdoor leisure activities of the residents of the dwelling unit. The amenity space may be located above grade where dwelling units are designed at different elevations, such as stacked dwelling units.

10.7.09 Subdivision Requirements
 1. The minimum lot area that may be created by subdivision is 2000 m².
 2. The minimum highway frontage and lot width that may be created by subdivision is 18 m.
 3. Panhandle lots are not permitted.

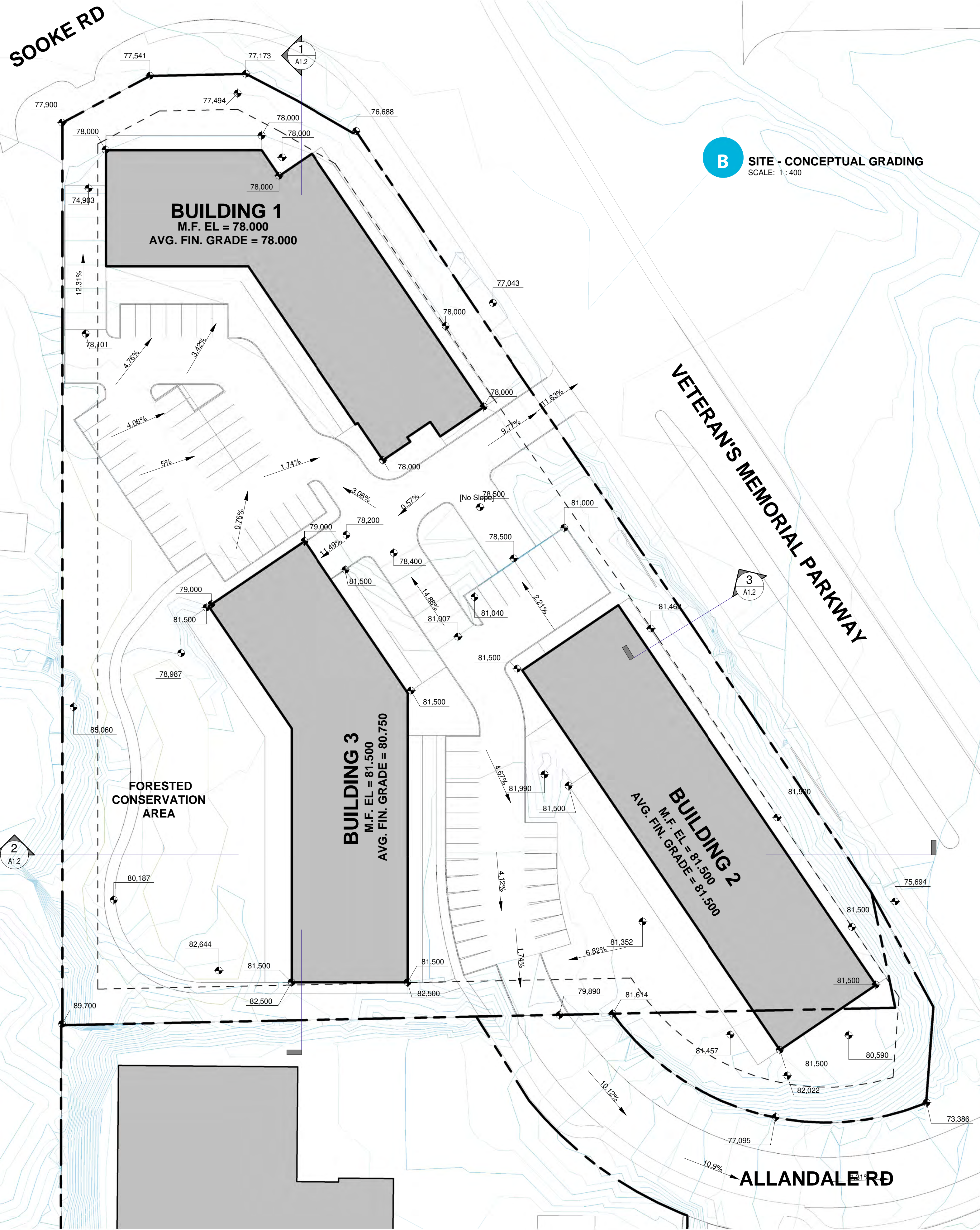
10.7.10 General
 The relevant provisions of Division 2 of this Bylaw shall apply.

	CURRENT CN1 ZONING (CONDENSED)	PROPOSED ZONING
Permitted Uses	Apartment dwelling units; Attached housing;	Apartment dwelling units; Attached housing;
Density of Development	Residential density shall not exceed 32 units per hectare and the total F.A.R. may not exceed 2.0. with increases of: +0.10 if 4 dwelling units on the third and/or fourth storey. +0.15 if 10% units are non-profit housing +0.25 if the owner provides on site community amenities. Max F.A.R. = 2.5	Approx 150 residential dwelling units per hectare and the total F.A.R. may not exceed 1.75.
Height of Buildings	The height of a building shall not exceed 4 storeys	The height of a building shall not exceed 6 storeys
Yard Requirements	1. Front yard shall be not more than 4.5m A. Above the second storey, not less than 5.5 m, excluding any balcony spaces B. Above the fourth storey, not less than 6.5 m, excluding any balcony spaces. 2. Side yards of not less than 4.5m from a flanking street or 7.5m from a parcel in a R or CD zone. 3. Rear yard of not less than 7.5m.	1. Front yard shall be not less than 6.0m A. Above the fourth storey, not less than 7.5 m, excluding any balcony spaces. 2. Side yards of not less than 6.0m 3. Rear yard of not less than 6.0m.
Lot Coverage	The maximum coverage shall be 80% of the lot.	The maximum coverage shall be 50% of the lot.
Landscaping and Screening	1. Landscaped area shall be not less than 10% of the developed lot area. 2. Landscaping shall include the planting of trees for each 100m ² of developed lot area. 3. At least one tree shall be planted for each 7.5m of the entire street frontage of the lot. 4. All trees planted shall be of at least 9 cm calliper with at least 5.6 m ³ of soil per tree, to a depth of at least 1.2 m.	1. Landscaped area shall be not less than 10% of the developed lot area. 2. Landscaping shall include the planting of trees for each 100m ² of developed lot area. 3. At least one tree shall be planted for each 7.5m of the entire street frontage of the lot. 4. All trees planted shall be of at least 6 cm calliper with at least 3.1 m ³ of soil per tree, to a depth of at least 0.7 m.
Private Amenity Space	Attached dwelling units shall have a private amenity space of not less than 15 m ² located to the rear or side of the dwelling unit. No dimension of this space shall be less than 3 m ² .	Attached dwelling units shall have a private amenity space of not less than 3 m ² located adjacent to the dwelling unit.
Subdivision Requirements	1. The minimum lot area that may be created by subdivision is 2000m ² . 2. The minimum highway frontage and lot width that may be created by subdivision is 18m. 3. Panhandle lots are not permitted.	1. The minimum lot area that may be created by subdivision is 2000m ² . 2. The minimum highway frontage and lot width that may be created by subdivision is 18m. 3. Panhandle lots are not permitted.
General	The relevant provisions of Division 2 of this Bylaw shall apply.	The relevant provisions of Division 2 of this Bylaw shall apply.
Parking Residential, multi-family (attached housing, apartments)	1.5 per dwelling unit plus 1 for each 100m ² of building floor area exceeding 60m ² times the number of dwelling units	0.8 per bachelor suite 1.0 per 1 bedroom suite 1.3 per 2 bedroom suite 1.5 per suite with more than 2 bedrooms 100% Energized

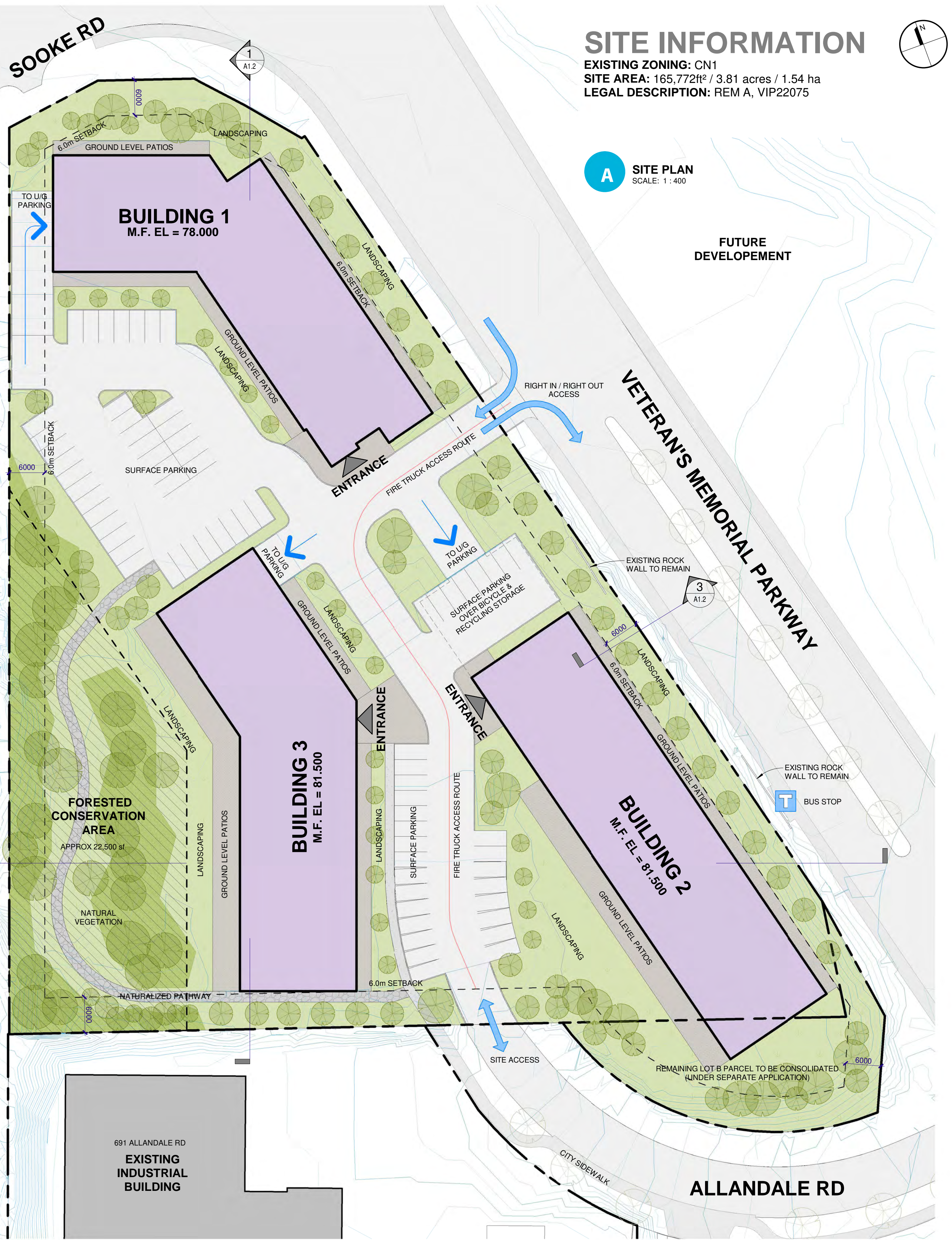


DEVON PROPERTIES UNIT MIX RECOMMENDATION FOR 2403 SOOKE ROAD APARTMENT DEVELOPMENT

Suite Type	Min	Max	Average	Comments
Studio	5%	10%	7.5%	The market has a limited supply of bachelor suites in the market, however, has the highest vacancy rate among unit types at 2.38%. Many university students, singles and seniors who traditionally rent these unit types typically prefer being closer to town. As a result, Devon has recommended a lower % for the suite mix.
1 Bedroom	25%	35%	30%	1 and 2 bedrooms units are the most popular unit types for renters within this market. 1 bedroom units in higher-end developments have a 2.00% vacancy rate. In Devon's experience with the lease-up of new development projects, 1 bedroom units typically lease-up quicker than other unit types.
1 Bedroom + Den	5%	10%	10%	See above.
2 Bedroom	30%	40%	40%	1 and 2 bedrooms units are the most popular unit types for renters within this market. 2 bedroom units in higher-end developments have a 0.65% vacancy rate. This demand is fueled by young professionals, families, roommates, and middle-income boomers.
2 Bedroom + Den	10%	15%	10%	See above.
3 Bedroom	5%	10%	5%	There is a limited supply of 3 bedroom units in the market, accounting for only 3.1% of total market units in higher-end rental developments. In addition, the vacancy is at 0.00%. While the market demand for these unit types exist, these units are larger and receive a lower \$ PSF which can be challenging for developers to underwrite.

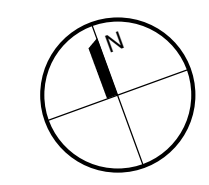


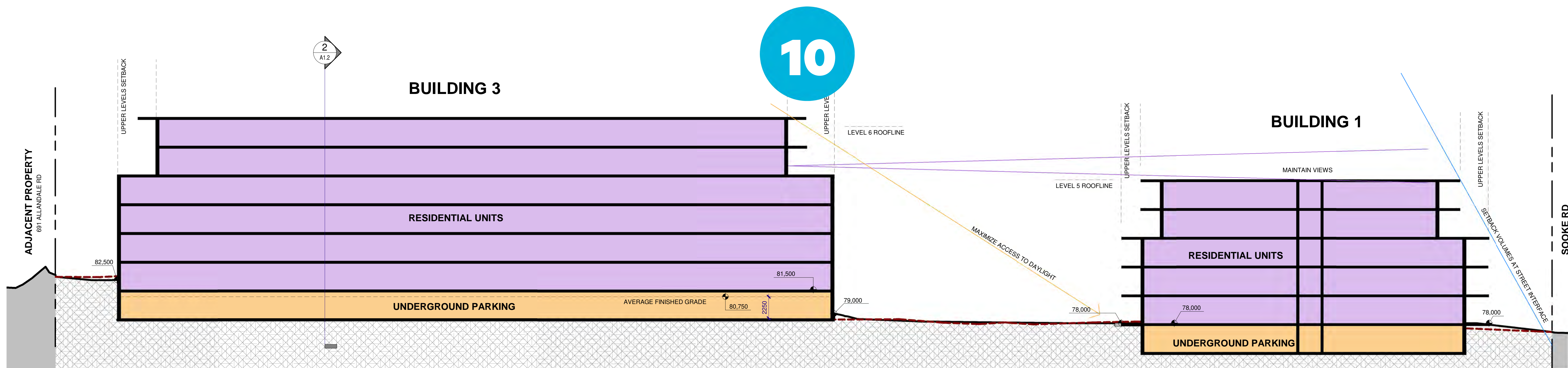
9



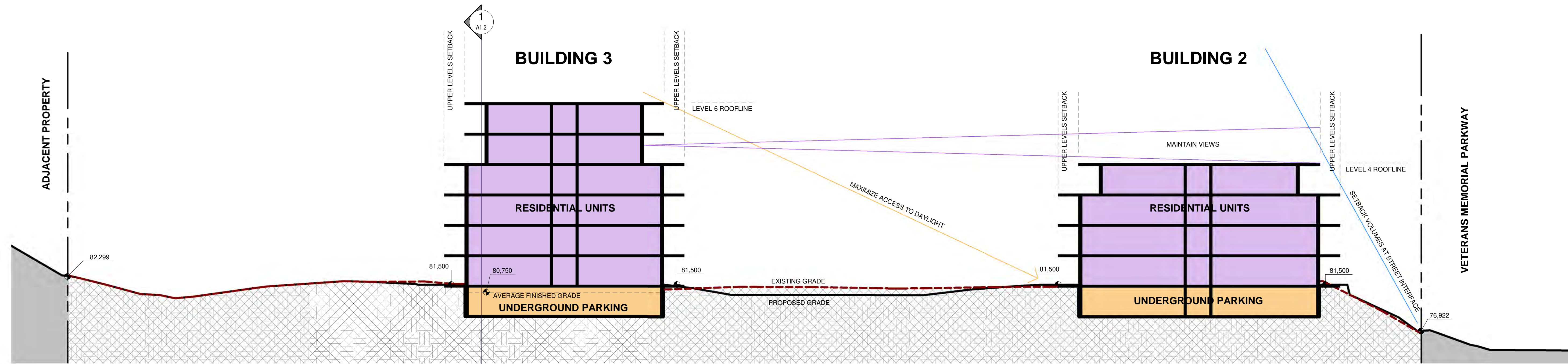
SITE INFORMATION

EXISTING ZONING: CN1
SITE AREA: 165,772ft² / 3.81 acres / 1.54 ha
LEGAL DESCRIPTION: REM A, VIP22075

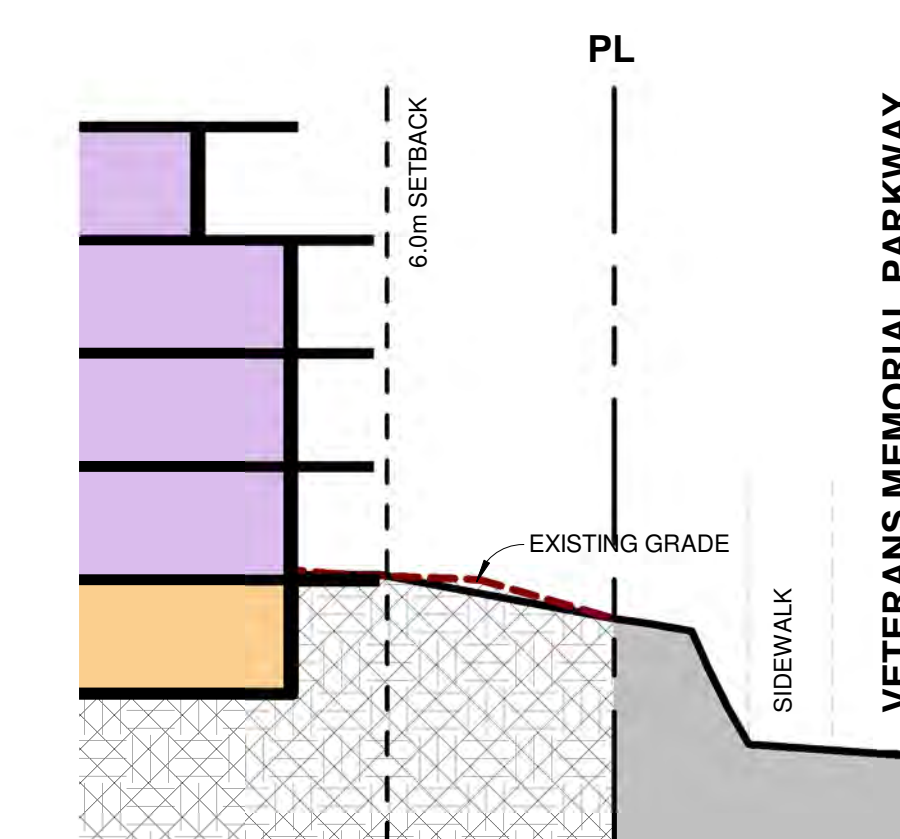




1 | SITE SECTION N-S
SCALE: 1 : 200



2 | SITE SECTION E-W
SCALE: 1 : 200



3 | V.M.P. PL SECTION
SCALE: 1 : 200



POTENTIAL CONCEPT MASSING - VIEW LOOKING NORTH WEST



POTENTIAL CONCEPT MASSING - VIEW LOOKING SOUTH WEST



POTENTIAL CONCEPT MASSING - VIEW LOOKING SOUTH EAST

NOTICE OF AMENDING BYLAW

Colwood Land Use Bylaw No. 151, 1989, Amendment No. 197

(CD36, 2403 Sooke Road and a portion of 681 Allandale Road), Bylaw No. 1955, 2022

MEETING:	Regular Meeting of Council
DATE and TIME:	Monday, August 29, 2022, 6:30 pm
PLACE:	Council Chambers, 3300 Wishart Road, Colwood BC

NOTICE IS GIVEN that Council of the City of Colwood will consider First, Second, and Third Reading at the Regular Meeting of Council on Monday, August 29, 2022, at 6:30 pm in relation to the following proposed “Colwood Land Use Bylaw No. 151, 1989, Amendment No. 197 (CD36 Zone, 2403 Sooke Road and a portion of 681 Allandale Road), Bylaw No. 1955, 2022”.

PURPOSE: To amend the current Colwood Land Use Bylaw No. 151, 1989 to enable the construction of three (3) apartment buildings consisting of a total of approximately 220 apartment dwelling units.

SUBJECT PROPERTY: This Bylaw applies to the land legally described as “Lot A, Section 67, Esquimalt District, Plan VIP22075, Except in Part in Plan VIP72233. PID-003-305-881 (2403 Sooke Road); and a portion of Lot B, Section 67, Esquimalt District, Plan EPP93779. PID-030-961-068 (a portion of 681 Allandale Road)”.

INSPECTION OF MATERIALS: Copies of the proposed bylaw and related materials can be viewed at www.colwood.ca/publicnotices or in person at Colwood City Hall from August 18 to August 29, 2022 between 8:30 am and 4:30 pm, Monday to Friday excluding statutory holidays.

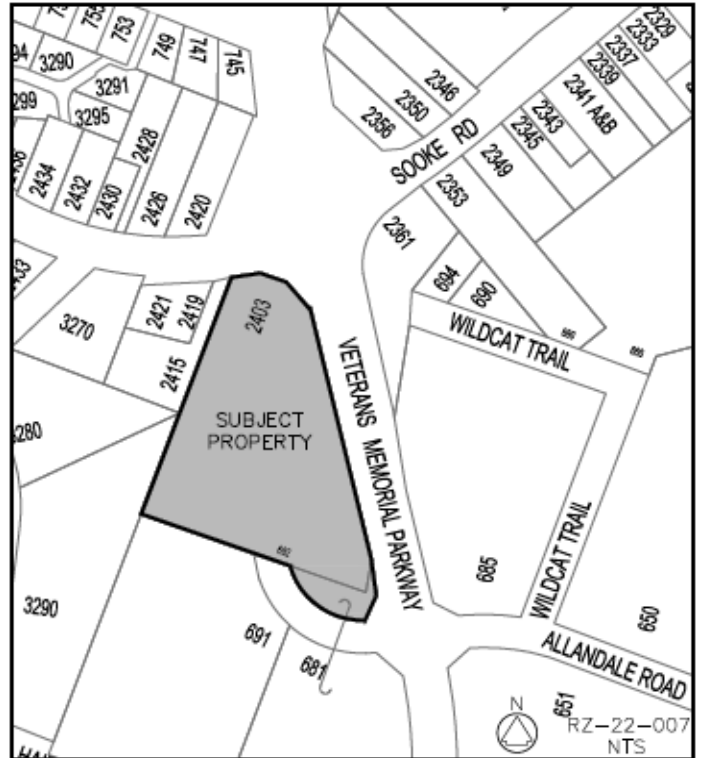
We want to hear from you!

WRITE TO US

The deadline for written submissions is 12:00 pm on the day of the meeting and must include your name and civic address.

- Email corporateservices@colwood.ca
- Mail/Drop-off: City of Colwood, 3300 Wishart Road, Colwood, BC V9C 1R1

NEED MORE INFORMATION? Contact Development Services at 250-294-8153 or planning@colwood.ca.



SPEAK TO COUNCIL

In Person: The public will be permitted in the Council Chambers on a first come, first served basis until capacity is met.

Electronically: To pre-register to speak please contact corporateservices@colwood.ca up until noon on the day of the meeting.

Marcy Lalande, CMC
Corporate Officer





**CITY OF COLWOOD
BYLAW NO. 1955**

A BYLAW TO AMEND BYLAW NO. 151 BEING THE “COLWOOD LAND USE BYLAW, 1989”

The City of Colwood Council, in open meeting assembled hereby enacts as follows:

1. CITATION

This bylaw may be cited as **“Colwood Land Use Bylaw No. 151, 1989, Amendment No. 197 (CD36 Zone – Sooke Road and Allandale Road), Bylaw No. 1955, 2022”**.

2. Bylaw No. 151, the “Colwood Land Use Bylaw, 1989” is amended as follows:

- a) Amend Schedule “A” by adding to the Comprehensive Development (CD36 – Sooke and Allandale) Zone the properties shown in Schedule 1 attached and described as:

Lot A, Section 67, Esquimalt District, Plan VIP22075, Except Part in Plan
VIP72233 (PID 003-305-881)

AND

The northeast portion of Lot B, Section 67, Esquimalt District Plan EPP93779
(PID 030-961-068)

- b) In Section 1.2 “DEFINITIONS,” under the heading “COMPREHENSIVE DEVELOPMENT ZONE”, insert “CD36” after “CD35”
- c) In Section 1.3.09 under the heading “SHORT FORM” and after “CD35” insert “CD36”
- d) In Section 1.3.09 under the heading “ZONE” and after “Comprehensive Development 35” insert “Comprehensive Development 36”
- e) After Section 10.40, add Section 10.41 COMPREHENSIVE DEVELOPMENT 36 (CD36) ZONE as per Schedule 2 of this bylaw.

READ A FIRST TIME on this the _____ day of _____, 2022

READ A SECOND TIME on this the _____ day of _____, 2022

READ A THIRD TIME on this the _____ day of _____, 2022

**APPROVED BY THE MINISTRY OF
TRANSPORTATION AND INFRASTRUCTURE**
on this the _____ day of _____, 2022

**ADOPTED BY THE MUNICIPAL COUNCIL
OF THE CITY OF COLWOOD** on this the _____ day of _____, 2022

MAYOR

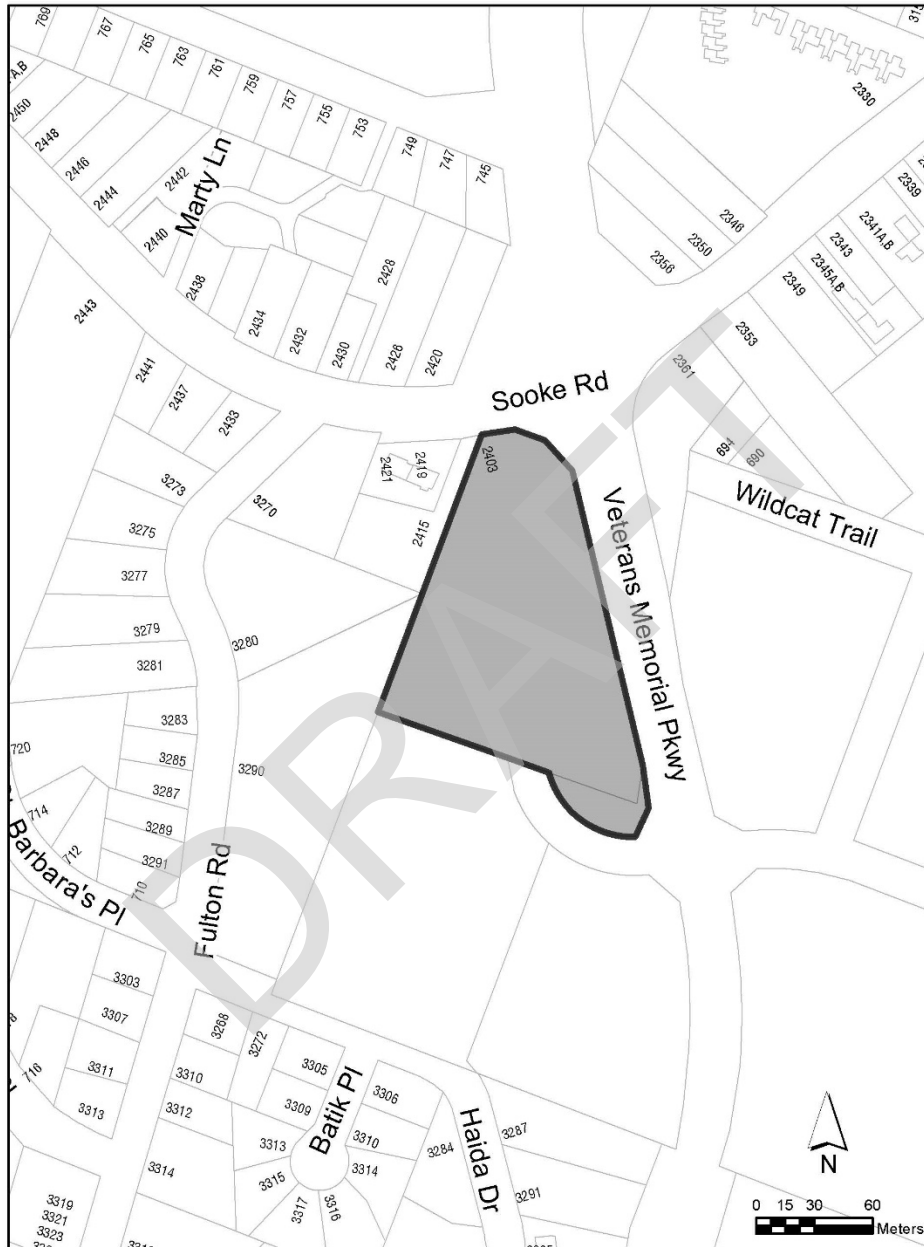
CORPORATE OFFICER

DRAFT

SCHEDULE 1

Subject Property Map

COMPREHENSIVE DEVELOPMENT 36 (CD36-SOOKE AND ALLANDALE) ZONE



Scale 1:8,000

SCHEDULE 2

SECTION 10.41 COMPREHENSIVE DEVELOPMENT 36 (CD36) ZONE

10.41.01 Purpose

The purpose of this zone is to provide for the orderly development of lands on the southwest corner at the intersection of Sooke Road with Veterans Memorial Parkway in Colwood. A base level of development is provided for, which would permit the development of the lands in the zone at a low density. Alternative regulations are specified for development at greater density, subject to providing amenity contributions as contemplated by the *Local Government Act*.

10.41.02 Permitted Uses

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the Comprehensive Development (CD36) Zone:
 - a. Within the area of lands identified as the CD36 Zone on the CD36 Zone Map:
 - i. Apartments;
 - ii. Attached housing;
 - iii. Home occupations; and
 - iv. Accessory buildings and structures.

10.41.03 Base Development

1. In the CD36 Zone the number of dwelling units shall not exceed 1.

10.41.04 Comprehensive Development Conditions

1. Notwithstanding Section 10.41.03, the density of development is permitted in Section 10.41.05 is permitted on the lands shown on the CD36 Zone Map if the Owner:
 - a. Contributes to the Community Amenity Reserve Fund the amount of \$7,500 per additional attached dwelling unit and \$4,500 per additional apartment dwelling unit in excess of 1 dwelling unit on the lands, payable at time of subdivision approval or building permit issuance, whichever is first; and
 - b. Contributes toward the Affordable Housing Reserve Fund the amount of \$1,500 per additional attached dwelling unit and additional apartment dwelling unit in excess of 1 dwelling unit, payable at time of subdivision approval or building permit issuance, whichever is first;

10.41.05 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

Regulation	General
Maximum Building Height (Storeys)	6 storeys
Maximum Lot Coverage	50%
Maximum Floor Area Ration (FAR)	1.75
Minimum Yard Requirements for Principal Buildings:	
Front	6.0 m
Above the 4 th storey of a building	7.5 m
Rear	6.0 m
Exterior Side (East)	6.0 m
Interior Side (West)	6.0 m

10.41.06 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask separate uses.
2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation, planting that enhances the natural environment with the use of plants native to the area shall be used, in addition:
 - a. Landscaped areas shall not make up less than 10% of the developed lot area;
 - b. Landscaping shall include the planting of trees for each 100 m² of developed lot area;
 - c. A minimum of 1 tree shall be planted for each 7.5 m of the entire street frontage of the property; and,
 - d. All trees planted shall be a minimum of 6 cm calliper and a minimum of 3.1 m³ of soil per tree to a depth of 0.7 m.

10.41.07 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

