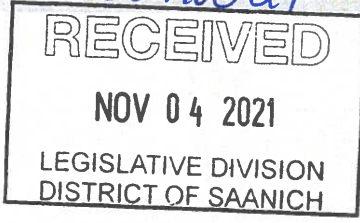


2870 - 30 CEDAR HILL CROSS ROAD



The Corporation of the District of Saanich

C 22 Nov 21



Report

To: Mayor and Council
From: Sharon Hvozdanski, Director of Planning
Date: November 2, 2021
Subject: Rezoning, Subdivision, Development Variance Permit, Development Permit Amendment, and Development Permit Application
File: REZ00655; SUB00889; DVP00458; DPA00988; DPR00744 • 1525 Cedar Hill Cross Road and 3787 Cedar Hill Road

RECOMMENDATION

- 1. That Luther Court Society Land Use Contract Bylaw, 1977, Amendment Bylaw, 2004, No. 8604 be discharged.
2. That the application to rezone 1525 Cedar Hill Cross Rd from RS-6 (Single Family) Zone and P-1 (Assembly) Zone to P-14 (Personal and Health Care) Zone be approved.
3. That the application to rezone proposed Lot 2 from RS-6 (Single Family) Zone and P-1 (Assembly) Zone to RA-11 (Apartment) Zone be approved.
4. That Development Variance Permit DVP00458 for 1525 Cedar Hill Cross Road be approved.
5. That Development Permit Amendment DPA00988 for 3787 Cedar Hill Road be approved.
6. That Development Permit DPR00744, for proposed Lot 2, be approved.
7. That Final Reading of the Zoning Amendment Bylaw and ratification of the Development Permit DPR00744, for proposed Lot 2, be withheld pending registration of a covenant to secure the following:
- The project be constructed to include the necessary conduits to be solar ready for future installation of photovoltaic and/or solar hot water systems;
- A statutory right of way along Cedar Hill Road in order to facilitate a future separate cycling facility and separated sidewalk on Cedar Hill Road;
- A reciprocal access agreement to allow access to all three proposed lots for shared parking, bicycle parking and refuse containers; and
- A maximum of 95 units.

8. Registration of a Housing Agreement to secure the following:

- The form of tenure of the housing units to be limited to rental for 60 years or the life of the building (whichever is less); and
- 67 of the housing units to be rented for a monthly rate that is less than current median market rent levels published by Canada Mortgage Housing Corporation for Saanich from time to time.

9. That Council provide guidance to Staff on the request for \$190,000 from the Affordable Housing Fund.

PURPOSE

The purpose of this report is to seek direction from Council on the subject application. The application proposes the subdivision of 3787 Cedar Hill Road, Lutheran Church of the Cross (LCC) and 1525 Cedar Cross Road, Luther Court Society (LCS) in order to create one additional lot (proposed Lot 2) (see Figures 1 and 2).

The newly created Lot 2 is proposed to accommodate a 5-storey, 95 unit intergenerational housing development which would replace an existing wing of the Luther Court Society building. A Development Permit, Development Permit Amendment and a Development Variance Permit are also required, as detailed below.



Figure 1: Subject Properties - Existing

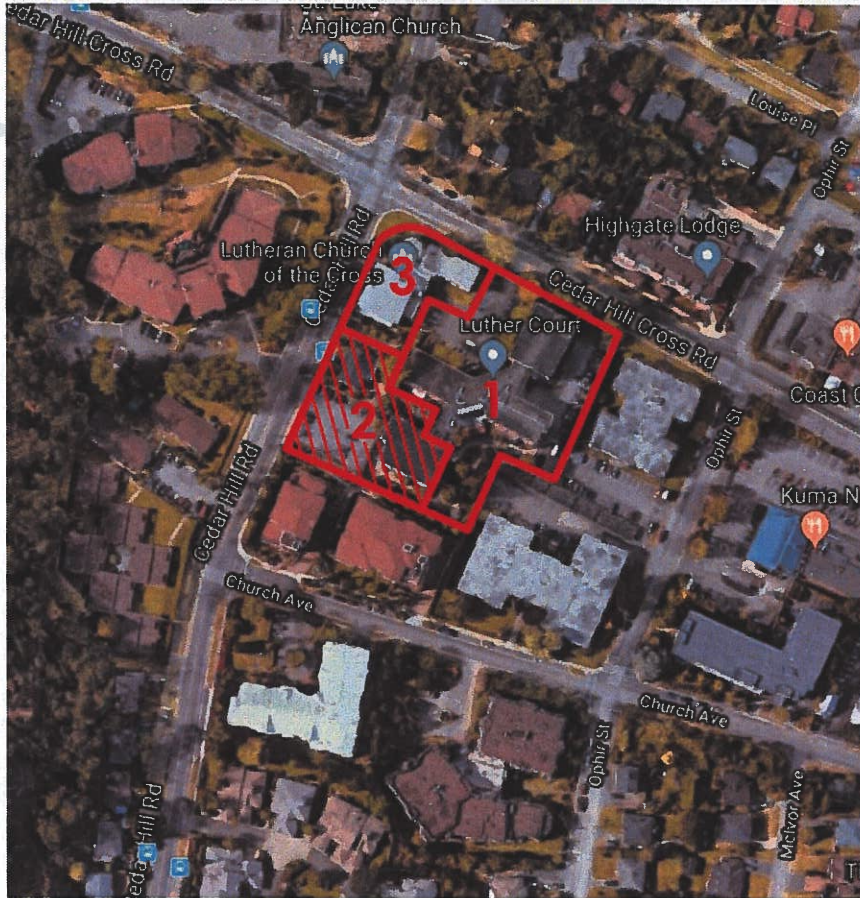


Figure 2: Proposed Subdivision

Proposed Lot 1, 1525 Cedar Hill Cross Road - DVP00458

The application proposes to discharge the Luther Court Society Land Use Contract and to rezone from the underlying zones of RS-6 (Single Family) and P-1 (Assembly) to a new P-14 (Personal and Health Care) Zone to accommodate the existing uses of senior's independent living and supportive living and the Community Health Centre on the lot. Variances are requested for setbacks and parking.

Proposed Lot 2 - DPR00744

This would be a new lot in which the application proposes to rezone the site from RS-6 (Single Family) Zone and P-1 (Assembly) Zone to a RA-11 (Apartment) Zone to allow for a five-storey intergeneration housing development. Variances are requested for setbacks.

Proposed Lot 3, 3787 Cedar Hill Road - DPA00988

As a result of the creation of proposed Lot 2, parking variances for the existing Lutheran Church of the Cross property are required. Development Permit Amendment DPA00988 addresses the proposed variances for the existing Lutheran Church as a result of the proposed rezoning and subdivision application.

The applicant is M'akola Development Services (Bronwyn Mclean).

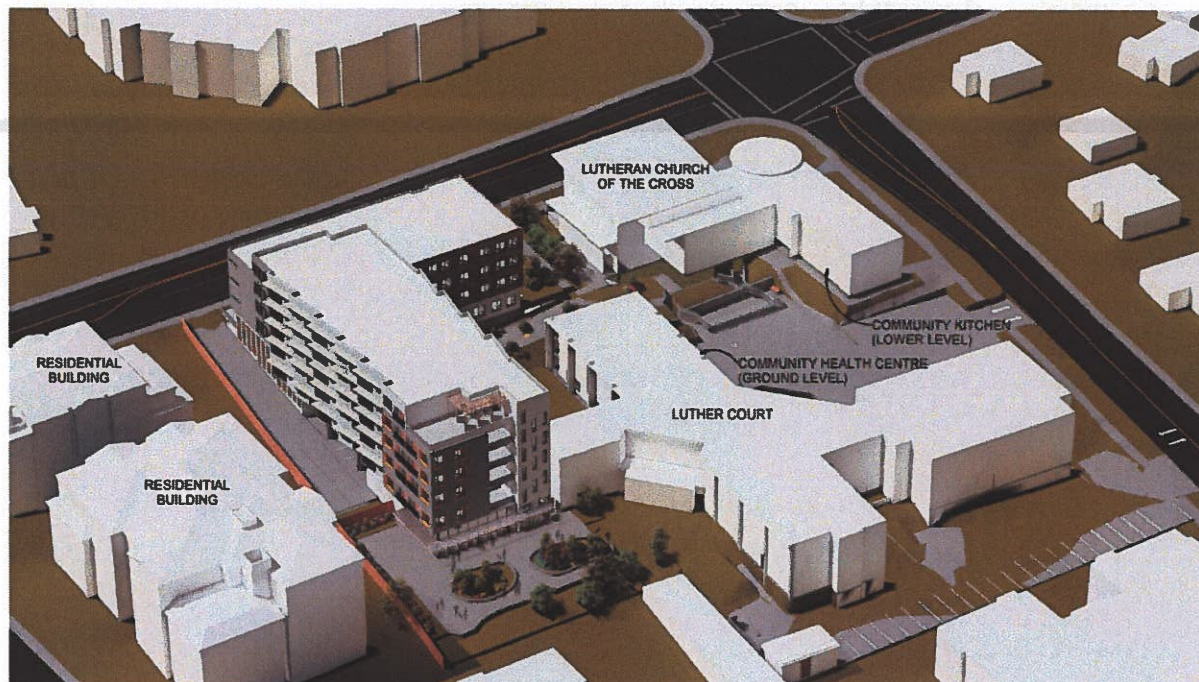


Figure 3: Proposed Context Rendering (provided by Studio 531 Architects Inc.)

DISCUSSION

Neighbourhood Context

The two existing lots, 1525 Cedar Hill Cross Road (Luther Court Society) and 3787 Cedar Hill Road (Lutheran Church of the Cross) are located in the Shelbourne Valley, at the south east corner of the intersection of Cedar Hill Cross Road and Cedar Hill Road. The existing church, the senior's independent living and complex care facility, and medical clinic are located within the Shelbourne Valley Neighbourhood "Centre". The Lutheran Church of the Cross property is zoned P-1 (Assembly) Zone. The Luther Court Society is regulated through a Land Use Contract (LUC), which will be discussed in greater detail later in this Report. Underlying the LUC is a split zoned property with the northern portion of the property zoned P-1 (Assembly) and the southern portion of the property zoned RS-6 (Single Family) (see Figure 4).

Surrounding land uses include congregate care and single family across Cedar Hill Cross Road to the north, multi-unit residential developments to the south adjoining property, and a multi-family senior's housing proposed as part of the Dawson Heights development to the west across Cedar Hill Road. In accordance with the Shelbourne Valley Action Plan, this area is expected to transition over time to four-storey institutional and residential developments.

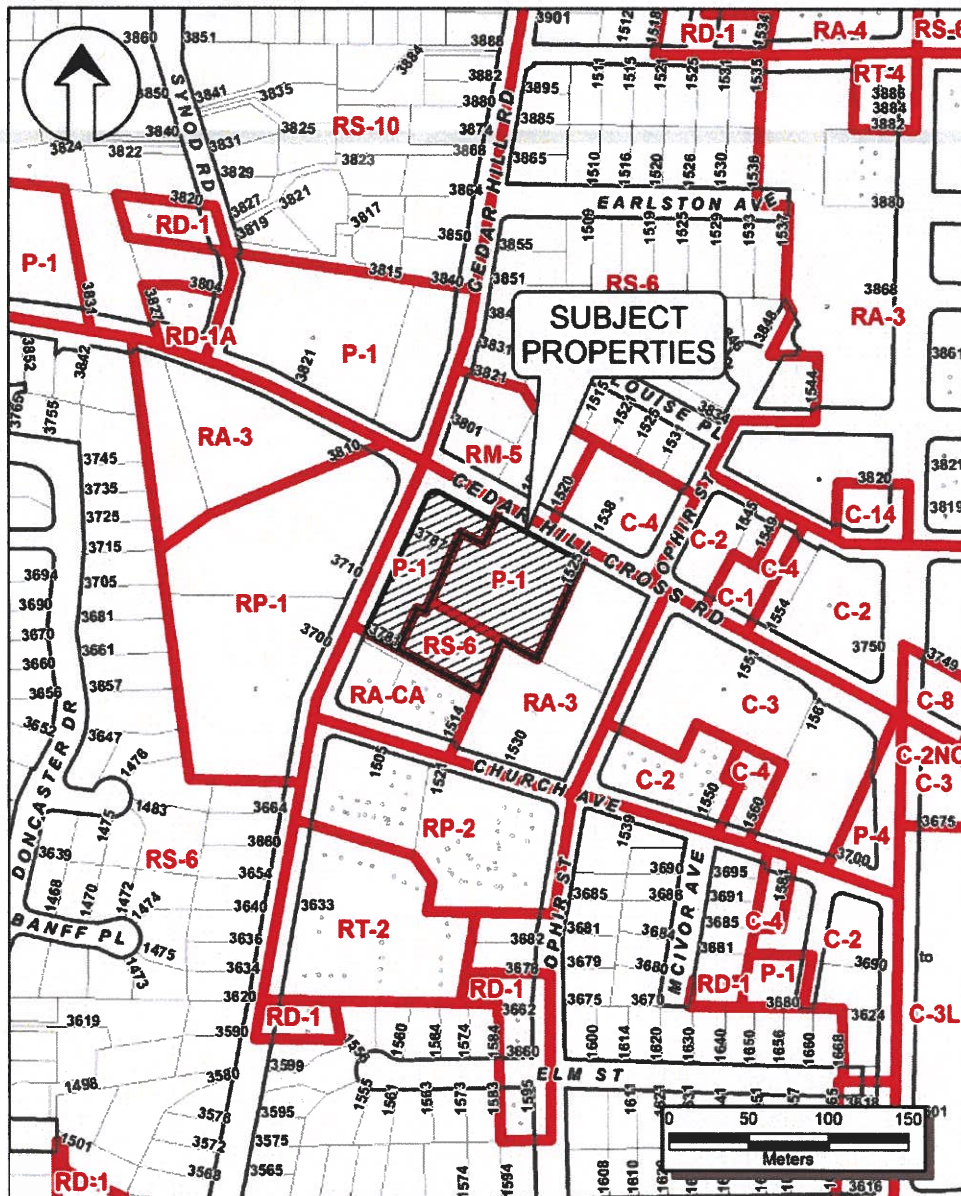


Figure 4: Neighbourhood Context Map

Proposed Land Use (Proposed Lot 2)

The Luther Court Society and the Lutheran Church of the Cross are partnering to propose an intergenerational rental housing development on proposed Lot 2. The housing would be designated for seniors and post-secondary students, with 17 studio units for students and 78 one-bedroom units for seniors. This housing model is inspired by successful projects in Denmark and the Netherlands. The applicant states that research on the outcomes of this housing model of living affords both youth and seniors is overwhelmingly positive. The Luther Court Society’s experience with welcoming youth and university students to their community for practicum placement further confirms the mutual benefits of encouraging social interaction across generations.

Site and Building Design

There is a significant grade change on proposed Lot 2. The lowest point is the south east corner of the site which is approximately 7 m lower than the highest point of the site at the intersection of the Cedar Hill Road and Cedar Hill Cross Road.

The intergenerational housing development planned for Lot 2 would be a five storeys of residential and amenity areas, over two levels of below grade parking. The first level of the parkade would be partially above grade, due to the grade change described above, allowing for a lobby entrance, multipurpose room with associated washroom, kitchen and storage at the eastern portion of the floorplate. The ground floor would include a residential entry fronting Cedar Hill Road, with three common amenity areas to be used by the residents of the development. The ground floor units would have semi private and private outdoor areas where possible and a shared common deck with south east exposure.



Figure 5: Proposed Rendering from Cedar Hill Road (provided by Studio 531 Architects Inc.)

Levels two through four would be comprised of residential units with shared common areas, TV room, lounge and common outdoor deck. Each unit is provided with a Juliette balcony, a full sliding door with a guardrail, which would provide natural ventilation and the ability for residents to control their indoor environment. The Juliette balconies along with the common deck on each floor, allow the residents with varying levels of mobility, to access the outdoors and areas to congregate with other residents. The upper most floor, the 5th level, is significantly setback, over 7.5 m from Cedar Hill Road. Setting back the upper floor significantly reduces the apparent massing from the street and results in the appearance of a four-storey development from Cedar Hill Road.

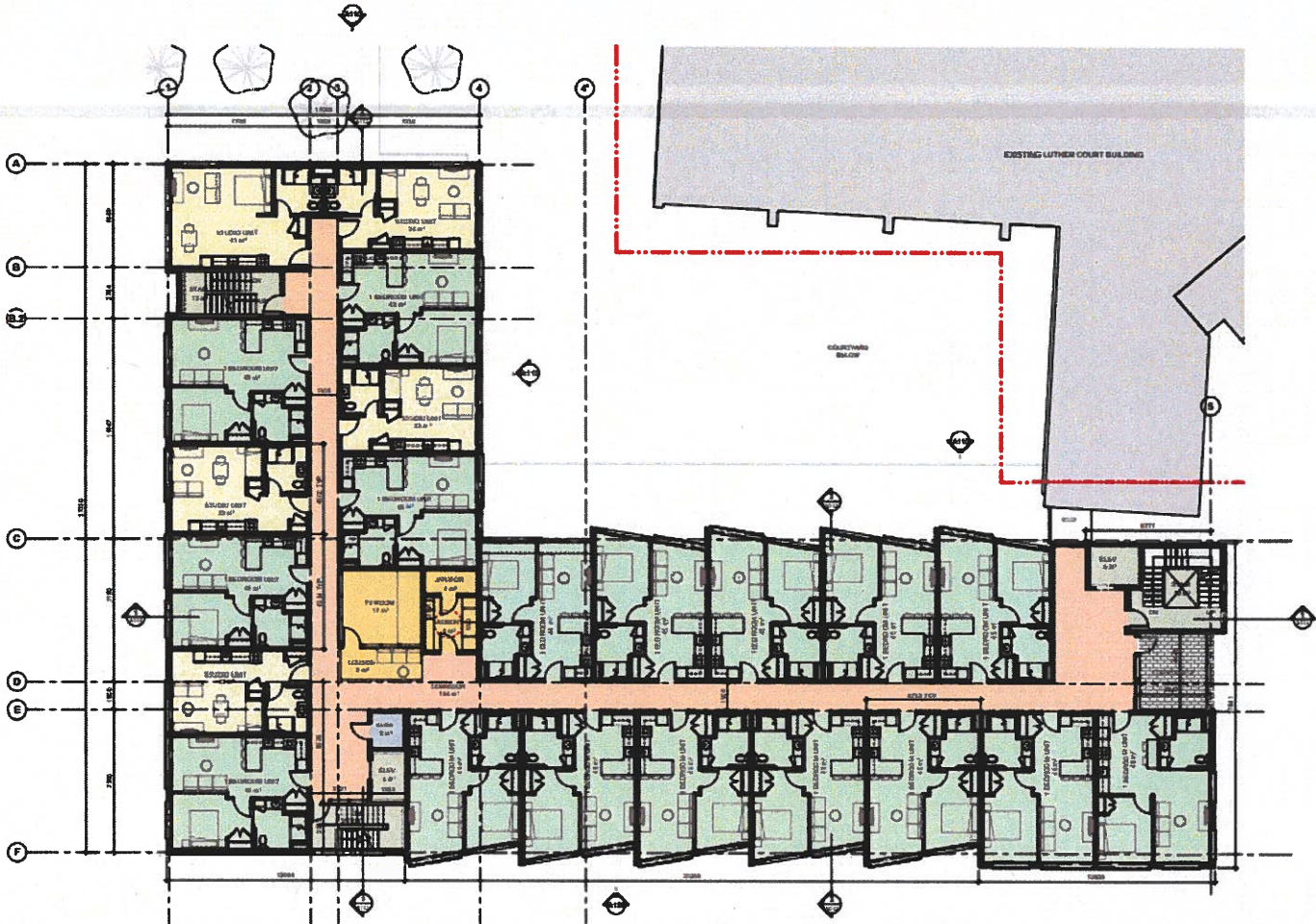


Figure 6: Standard Floor Plan Proposed (provided by Studio 531 Architects Inc.)

The development proposes a contemporary architectural expression, clad with high quality durable material such as, brick, cementious and metal paneling. The ground floor would be clad in grey brick with aluminum store front glazing at the entries and common area. The main body of the structure would be clad in cementious paneling which is proposed to have three different textures to add visual interest. The windows would be accented with brightly coloured trim that would be highly visible to pedestrian and vehicular observers.



Figure 7: Proposed Cedar Hill Road Elevation (provided by Studio 531 Architects Inc.)

The long elevations, south and north, would be broken into three elements by the white metal paneling being flanked by grey cementitious paneling. The brick base is proposed to wrap the building and is represented on all elevations. Decorative metal paneling is proposed for the lowest level of the north courtyard facing elevation.



Figure 8: Proposed North Courtyard Elevation (provided by Studio 531 Architects Inc.)

The development is designed to meet Step 3 of the BC Energy Step Code. The building is also designed to meet Canada Mortgage Housing Corporation’s National Co-Investment Fund energy efficiency and greenhouse gas reduction requirements. The applicant has also committed to pre-ducting to ensure the building has the necessary conduits to be solar ready for future installation of photovoltaic and/or solar hot water systems. This item would be secured by covenant.

Variations are requested for setbacks. This is discussed later in the Report.

Tenant Relocation

The applicant has noted that the Luther Court Society residents have been informed of the proposed project. It is estimated that up to 20 residents would need to be relocated. Luther Court Society is committed to supporting tenants throughout this process. As units become available, tenants would be relocated within the Luther Court Society facility. Luther Court Society has also committed to assisting tenants in filling out housing applications and is actively reaching out to other organizations that specialize in affordable housing for seniors in order to find vacant units for existing tenants to move into. If Council were to approve the application, and once the intergenerational housing project is built, the relocated tenants would be given priority to move back to the site and would be offered a space in the building.

Community Contribution and Interim Community Amenity Contribution Policy

The proposed development would be an affordable housing project that would provide 95 units of affordable rental housing for seniors and students. The applicant has agreed to secure the rental tenure for 60 years, or the life of the building, through a Housing Agreement prior to Final Reading of the Amendemnt Bylaw (see item 5 in the Staff Recommendation). This much needed and secured housing is considered by Staff to be a significant community contribution and therefore, no additional contributions were sought as part of this application.

On August 9, 2021 Council adpoted the Interim Community Amenity Contribution Policy. As this application was submitted prior to the adoption of this policy it the interim policy does not apply. However, it is worth noting that the application would qualify for 100% exemption for Community

Amenity Contribution based on securing not-for-profit rental housing and securing the rental tenure for 60 years or the life of the building which ever is greater.

Consultation

The applicant has stated that during the concept development and design phase, Luther Court Society, Lutheran Church of the Cross and the project consultants were in communication with municipal Staff, the local community, and other stakeholders.

The applicant has met with the Mount Tolmie Community Association (MTCA) and the Quadra Cedar Hill Community Association (QCHCA) multiple times over the course of the development of this project. The applicant also hosted internal engagement events for the residents of the Luther Court Society, Luther House and members of both organizations, as well as, hosted three community open houses.

Referrals were sent from the Planning Department to the Camosun Community Association and the MTCA. A formal response from MTCA was received indicating no objection to the proposal. The MTCA identified items for consideration including concerns regarding traffic impacts and have requested that Staff provide a separate report regarding traffic implications generated by the amount of development in the area. A copy of the referral comments from the MTCA is included in the agenda package. The MTCA also noted that the partial 5th floor is considered acceptable given the design.

As stated above, concerns have been raised regarding the cumulative impacts of traffic from new developments in the area and requested that the Engineering Department conduct a separate study of these potential impacts. The Engineering Department has indicated that they will not be conducting the requested study at this time as the transportation network in this area was considered during the development of the Shelbourne Valley Action Plan (SVAP). The SVAP is a comprehensive land use and transportation plan that was adopted by Council in 2017 after being developed over a number of years. When the SVAP was developed, the transportation network was evaluated to ensure that the network would be able to continue to support the effective, efficient, and safe movement of people, goods, and services. The SVAP also includes comprehensive policy and direction to ensure that walking, cycling, and transit are viable and popular travel options, resulting in less car dependence.

As the proposed development is in alignment with the policies in the SVAP, Staff are confident that the transportation network envisioned in the SVAP will provide quality transportation options for the community well into the future and that no additional study is needed at this time.

Advisory Design Panel

The proposal was considered by the Advisory Design Panel (ADP). The Panel's Motion was:

"That it be recommended that the design to construct a six-storey, 95 unit, intergenerational affordable housing development at 1525 Cedar Hill Cross Road and 3781 Cedar Hill Road be approved subject to consideration of the south elevation concrete walls with additional landscaping where possible."

The applicant has stated that they have considered several landscape options with the Landscape Architect and have concluded that a landscape solution was not appropriate given the very small amount of growing space and the anticipated harsh environment afforded by the southern exposure and concrete surrounds and that an architectural response is more suitable.

In response to the Advisory Design Panel's comments, the applicant included two architectural changes to the proposed development. The first is the proposed addition of metal panels to the brick base on the south façade to provide points of interest at the pedestrian/vehicular level of the façade. The second is the proposed addition of shading louvres on the south façade. The proposed louvres would provide a horizontal element that reduces the vertical expression as well as provide a functional shading benefit to reduce energy use and improve occupant comfort.

ALTERNATIVES

1. That Council approve the recommendations as outlined in the Staff Report.
2. That Council reject the recommendations as outlined in the Staff Report.
3. That Council provide alternative direction to Staff.

FINANCIAL IMPLICATIONS

Development Cost Charges

The proposal is subject to the prevailing development cost charges. Assuming the application receives a Building Permit prior to February 24, 2022, the Development Cost Charges (DCC) for the project would be \$6,763 per unit for a total of \$642,485 for the proposed 95 unit project.

The new DCC Reduction Bylaw provides a 50% reduction of the required DCCs for affordable housing projects. For eligible projects to receive the DCC reduction, the applicant must be:

- a) A not-for-profit rental housing development, including an assisted living development, owned by a public authority or a not-for-profit society incorporated under the "Societies Act", subject to a housing agreement that:
 - i. Limits the form of tenure of the housing units to rental tenure for a term of not less than 20 years from the date an occupancy permit is granted; and
 - ii. Requires the housing units to be rented for a monthly rate that is less than the current median market rent levels published by Canada Mortgage Housing Corporation (CMHC) from time to time.

A 50% DCC reduction would apply to 67 of the proposed 95 units. No action is required by Council as the process for a reduction is coordinated by the Engineering Department at the time of Building Permit.

Saanich Affordable Housing Fund

In addition to the potential reduction in DCCs, the applicant has requested financial assistance from the Saanich Affordable Housing Fund. This fund acts to help defray off-site servicing costs. Applications are considered by Council on a site-by-site basis and the ability to provide assistance is partially dependent on the balance remaining in the fund at the time of the request.

Typically, grants from the District's Affordable Housing Fund have been in the range of \$1,500 to \$2,000 per unit. The subject project would create 95 units; therefore, the contribution could range between \$142,500 and \$190,000. The applicant is requesting \$2,000 per unit from the

Affordable Housing Fund for a total contribution of \$190,000. The current balance in the fund, at the time this Report was drafted, is \$764,005. If the full request of \$190,000 was granted, the remaining balance of the Affordable Housing Fund would be \$574,005.

Staff are seeking direction from Council regarding the request of \$190,000 from the Affordable Housing Fund and have included this item in the Recommendation.

STRATEGIC PLAN IMPLICATIONS

The subject proposal works towards achieving one of Council's key Strategic Plan goals, namely; the development of "Affordable and diverse housing that meets our residents' needs now and in the future".

The development also addresses other Strategic Plan goals, such as:

- Increasing housing supply and diversity to support more affordable, vibrant and inclusive communities;
- Integrating sustainable modes of transportation with land use planning; and
- Building connected neighbourhoods with a focus on active transportation and accessible services.

PLANNING IMPLICATIONS

Policy

The following Saanich Planning Policies are most applicable to the subject proposal:

Official Community Plan

- 4.2.1.1 "Support and implement the eight strategic initiatives of the Regional Growth Strategy, namely: Keep urban settlement compact; Protect the integrity of rural communities; Protect regional green and blue space; Manage natural resources and the environment sustainably; Build complete communities; Improve housing affordability; Increase transportation choice; and Strengthen the regional economy."
- 4.2.1.2 "Maintain the Urban Containment Boundary as the principal tool for growth management in Saanich, and encourage all new development to locate within the Urban Containment Boundary."
- 4.2.3.1 "Focus new multiple family residential, commercial, institutional and civic development in Major and Neighbourhood 'Centres', as indicated on Map 4."
- 4.2.4.3 "Support the following building types and land uses in Neighbourhoods:
- single family dwellings;
 - duplexes, tri-plexes, and four-plexes;
 - townhouses;
 - low-rise residential (up to four-storeys); and
 - mixed-use (commercial/residential) (up to four-storeys)."
- 4.2.9.37 "Consider parking variances where one or more of the following apply:
- transportation demand strategies (TDM) are implemented;

- a variety of alternative transit options exist within the immediate vicinity of the proposed development;
- there is a minimal reduction in required parking;
- the development is located in a 'Centre'; and
- availability of on-street parking.”

5.1.2.2 “Evaluate applications for multi-family developments on the basis of neighbourhood context, site size, scale, density, parking capacity and availability, underground services capacity, school capacity, adequacy of parkland, contributions to housing affordability, and visual and traffic/pedestrian impact.”

Shelbourne Local Area Plan

6.5 “Ensure redevelopment of existing multi-family developments is compatible with adjacent land use when considering development permit applications.”

10.0 “Consider rezoning for institutional uses only where the vehicular access is to and from a major road or a collector street.”

Shelbourne Valley Action Plan

4.4.2 “Encourage “green” development practices by considering variances, increased density, modified/alternative development standards or other appropriate mechanisms when reviewing development applications.”

5.1.1 “Consider changes to use, density and height in the Shelbourne Valley based on designations identified on Map 5.1.”

5.4.1 “Promote a range of housing types, forms and tenures to support a diverse, inclusive and multigenerational community.”

5.4.2 “Support apartment buildings on major and collector roads where designated on Map 5.1.”

5.4.5 “Subject to the Zoning Bylaw, seniors housing and care facilities, including congregate housing and nursing homes, shall be permitted in all areas designated for apartment housing.”

5.4.6 “Encourage seniors housing in walkable areas convenient to services and without hilly topography.”

5.6.8 “Encourage the retention and expansion of publicly accessible open space on private lands, including plazas.”

5.7.2 “Locate all surface parking to the rear of new development and screen from view.”

5.7.8 “Provide shared access to parking between developments.”

5.8.2 “For redevelopment proposals within the Shelbourne Valley plan area seek to achieve community contributions, with a priority on the following items:

- Parks or plazas;
- Bowker Creek daylighting or restoration;

- Enhancement of greenway or bikeway routes in accordance with Saanich standards;
- Dedications or easements that create new roads or pathways that improve the overall connectivity of the Valley, particularly for pedestrians and cyclists
- Contributions to affordable housing;
- Significant contributions to public realm enhancement;
- Public art;
- Undergrounding of above-ground utilities;
- Stormwater management that treats run-off from off-site and/or provides flood attenuation at the watershed scale;
- Use of alternative energy or contributions to district energy infrastructure;
- Contributions to the Urban Forestry Fund; and
- Daycare space.”

7.4.2 “For apartment and townhouse developments, generally achieve a 6 m front yard setback.”

7.5.1 “In general, transition density within each Centre and Village with the highest density in the core transitioning to lower densities at the edges.”

7.6.2 “Work with developers to provide drop-off bays that accommodate handy DART buses in developments that have a focus on seniors or other populations with potential mobility issues.”

Housing Strategy

The Housing Strategy is a 10-year framework that provides direction on how Saanich can achieve greater housing supply, affordability and diversity and accommodate a broad range of community housing needs now and into the future. The strategy aims to support a healthy housing supply for resident of different ages, incomes, household structures, abilities, and social needs.

The strategy was informed by the Housing Needs Report (2020), which identified key community housing issues and projected housing demand using an evidence-based approach. Working towards a diverse and affordable housing supply is also an important foundation for supporting growth and responding to changes in population and housing trends. The Housing Strategy creates a path forward to address housing needs and improve housing outcomes through numerous focus areas, strategies and actions.

The proposed development addresses the Housing Strategy goals to: increase affordable and supportive housing, promote rental housing, support housing diversity and increase supply. As the proposed development would be owned and operated by a non-profit society, the goals and objectives of the Housing Strategy are considered to be met.

Development Permit Area Guidelines

The development is subject to the relevant guidelines for the Shelbourne/McKenzie Development Permit Area. The Shelbourne Valley Design Principles contained within the Shelbourne Valley Action Plan are also relevant. Key guidelines and principles include: retaining existing trees and native vegetation where practical; reducing impervious site cover; the scale of new development to reflect the Major “Centre” character; buildings designed to a human scale to increase street level opportunities for social interaction and the creation of a vibrant pedestrian environment; pedestrian networks and public spaces that are designed to encourage

pedestrian activity; transportation and parking provisions that balance the needs of all transportation nodes; high quality architecture that is contemporary and authentic.

Policy Analysis

The proposal is consistent with the Official Community Plan (OCP) which focuses the majority of future growth to “Centres” and “Villages” and supports the establishment of more compact, walkable neighbourhoods that address a variety of local resident’s needs. It is consistent with the Shelbourne Valley Action Plan (SVAP) which designates the site for apartment and institutional use. The project would contribute to the Regional Growth Strategy’s objective to keep urban settlement compact by concentrating development and providing denser forms of housing within the Urban Containment Policy Area. It is also consistent with the OCP and Regional Growth Strategy’s objective for an adequate, accessible and diverse supply of affordable housing across the spectrum.

The affordable housing project would help seniors age in place, offering both senior’s independent living and supportive living, and stay connected to their community supports. This, in turn, would help them maintain a high quality of life. The development is readily accessible via all modes of alternative transportation including walking, cycling, and public transit which make it an affordable housing option for students as well as seniors. In addition a range of services are available within a very close walking distance.

Projected demographic and household changes in the Shelbourne Valley, particular with respect to a significant increase in the number of seniors, means a greater need for a range of housing choices and the proposed development would increase the range of housing for both post-secondary students and seniors.

The application proposes a five-storey development in a location designated for four-storey residential and institutional uses. That said, the Shelbourne Valley Action Plan contains policy to consider changes to land use and height designations, where projects advance overall plan objectives and provide a significant community contribution. The proposed affordable intergenerational housing would advance the plan’s objective of prioritizing affordable housing. In addition, the proposed fifth level is significantly setback, over 7.5 m from Cedar Hill Road. Setting back the upper floor reduces the apparent massing from the street and results in the appearance of a four-storey development from Cedar Hill Road.

Housing Diversity, Affordability and Supply

The proposed development is consistent with the Official Community Plan and Housing Strategy as noted above. It would address sustainability objectives by providing affordable rental housing for seniors and students within walking distance of commercial services and public transit.

The 95 proposed units would increase the supply of rental units in a more affordable price range within the District of Saanich and would contribute to housing diversity in the area with a multi-generational unit mix and supports for seniors. In addition, the rental tenure of the development is proposed to be secured for 60 years or the life of the building, and 67 of the housing units are proposed to be secured at a monthly rental rate that is less than current median market rent levels published by CMHC for the District of Saanich from time to time. The availability of a broad range of services within walking distance, and easy access to transit options, would further improve affordability providing opportunities for renters to allocate less monthly expenditures to transportation.

The application is seeking funding from the BC Housing through the Community Housing Fund (CHF). If the applicant is successful in their BC Housing funding request, the proposed development would include a mix of rental rates, ranging from \$375 to \$1,145 per month, to support the diverse housing needs in the community. The proposed rental structure includes 20 one-bedroom units, would be deeply subsidised, and would rent for \$375 monthly. Forty seven units would be rented for \$744 monthly, and the remainder would rent for \$1,145 monthly.

Based on the definition of affordable housing, (households that spend less than 30% of their income on housing) these rental rates would be available to households with annual incomes between \$15,000 and \$45,780. In addition, the rental tenure of the development is proposed to be secured for 60 years or the life of the building.

If the applicant is unsuccessful in their BC Housing funding request, they intend to pursue other sources of funding which may have different affordability threshold requirements, however the Luther Court Society is committed to providing affordable rental housing.

Servicing

Development servicing requirements call for a property dedication for road allowance along Cedar Hill Cross Road frontage of Lot 1. In order to facilitate the provision of a separate cycling facility and separate sidewalk on Cedar Hill Road in the future, a statutory right of way would be required for pedestrian access on proposed Lot 2.

Stormwater management must be provided in accordance with the requirements of Schedule H "Engineering Specifications" of the Subdivision Bylaw. This development is within a Type II watershed area which requires stormwater storage, oil/grit separator or grass swale and sediment basin.

An appropriately sized storm drain connection is required to serve proposed Lot 2 from the existing main located in the south west corner of Lot 1. An appropriately sized sewer connection must be installed from the existing 150 mm sewer line in the easement, across Lot 1, to serve proposed Lot 2. A pumper connection for the fire sprinkler system must be provided at a location acceptable to the fire department and within 45 m of a fire hydrant. This connection is to be free-standing and outside the collapse zone of the building.

Environment

A Construction Impact Assessment and Tree Preservation Plan was prepared for the site by Talbot Mackenzie & Associates. The Arborist Report identified 12 trees on the site that would be impacted by the proposed construction of the intergenerational housing development. Eleven of the trees are proposed to be removed while one is proposed to be transplanted. The report states that the removals would be required to facilitate the excavation for the proposed underground parkade. Two small apple trees near the property boundary, located on the neighbour's property at 1514 Church Avenue could be impacted by the exaction for the parkade ramp. While these trees are not bylaw protected the property owner at 1514 Church Avenue would need to grant permission for their removal or work within their root zone.

The Parks Department has confirmed that of the 11 trees proposed for removal, 3 are bylaw protected, 2 are boulevard trees and 6 are non-bylaw protected. As noted above, one tree would be transplanted. The impacted trees are located within or near the construction area for the proposed housing development. In terms of replanting, 20 trees are proposed to be planted on the three lots, with the majority of the planting to be in the courtyard north of the proposed new housing. In addition, four boulevard trees are proposed to be planted on Cedar Hill Road.

The subject application meets the intent of the Urban Forest Strategy and the “No Net Loss” canopy policy.

The applicant has committed to the irrigation of the new boulevard trees through a water meter that is separate from the building consistent with the District of Saanich’s standard.

Mobility and Parking

The site is bounded by Cedar Hill Road to the west, and Cedar Hill Cross Road on the north. Cedar Hill Road fronting the development is classified as a collector road. A northbound bus stop is located along the subject site frontage along with a southbound bus stop directly across on Cedar Hill Road. Both of these stops are served by Route #24 (Cedar Hill/Admirals Walk), a local route with service every 50 minutes or better on weekdays.

Table 1 below outlines the Zoning Bylaw parking requirement, the proposed parking and the variances sought by Lot.

Table 1: Proposed Parking Variances by Lot

	Required Parking	Proposed Parking	Variance Requested
Proposed Lot 1 (Existing Luther Court Society)	48	40	8
Proposed Lot 2 (Proposed Intergenerational Housing)	65	73	0 (8 surplus stalls)
Proposed Lot 3 (Existing Luther Church of the Cross)	24	0	24
TOTAL	137	113	24

The Parking Study prepared by Associated Engineering notes that the Lutheran Church of the Cross and the Luther Court Society currently provide 85 parking spaces however 40 stalls would be lost for the construction of the proposed intergenerational housing. As previously noted, the intergenerational housing project on proposed Lot 2 calls for 73 parking stalls which would result in a total parking supply of 113 parking spaces on the three lots, a net increase of 28 parking spaces from the existing condition.

The parking study, prepared by Associated Engineering, notes that during the week, the parking would likely be underutilized based on general demand for student parking as well as reduced parking demand for congregate care. The peak time for parking demand for the Church would be on Sundays when the Church service has the highest demand. The additional parking provided by the proposed development would be sufficient to cover the peak Church demand on Sundays, as well as, provide sufficient parking for the uses at the Luther Court Society during off-peak periods.

Traffic Impact Assessment

A Traffic Impact Assessment was completed by Associated Engineering. The report anticipates that the trips generated from the proposed development would be less than 0.5% of the total traffic in the AM and PM peak hours and that the intersection of Cedar Hill Road and Cedar Hill

Cross Road would perform at the same overall level of service as the pre-development scenario.

The Engineering Department reviewed the Traffic Impact Assessment and Parking Study and deemed the assessment acceptable.

The Shelbourne Valley Action Plan contains a vision and policies for land use and mobility enhancements that have the potential to fundamentally change the character of the Shelbourne Valley to create vibrant and liveable “Centres” and “Villages” and a balanced mobility network where walking, cycling and public transit are inviting options for all ages and abilities.

Proposed New Zone

Land Use Contracts were permitted in B.C. between 1971 and 1978 as a form of site specific, contractual arrangement between local governments and landowners. The intent was to allow more flexibility than traditional zoning. These contracts were registered on Land Title and they could be amended or discharged as required. When the Land Use Contract legislation was repealed in 1978, the existing contracts remained in place, however no new contracts could be created.

Proposed Lot 1, the Luther Court Society, is currently regulated through a land use contract. The Land Use Contract was amended in 2004 to include Accessory Medical Clinic as a use. Parking for the medical clinic was considered acceptable at that time. Despite being a permitted use, a Medical Clinic did not operate on this site. Recently, Luther Court Society received funding from the Provincial Government to construct a medical facility and the applicant is currently in the process of obtaining the necessary Building Permit required.

In 2014, the “Local Government Act” was changed to terminate all Land Use Contracts by June 30, 2024. Consequently, the existing land use contract is proposed to be discharged as part of the proposed development application. As the underlying zone, P-1 (Assembly) Zone does not allow for the current uses on site, a new zone is required in order to continue to permit the existing uses. A new zone has been created for the proposed development as part of this proposed application. The proposed P-14 (Personal and Health Care) Zone would have the same siting and height regulations as the P-1 (Assembly) Zone, the only difference being the addition of Congregate Housing and Medical Services to the list of permitted uses.

Variances

Proposed Lot 1, Luther Court Society (DVP00458)

Should Council see merit in the development proposal, the following variances to the proposed P-14 (Personal and Health Care) Zone are required in order to permit the existing structure operated by the Luther Court Society on proposed Lot 1:

- Setback from a front property line;
- Setback from a rear property line;
- Setback from an interior property line;
- Height; and
- Parking.

A variance is requested for the setback from Cedar Hill Road. The existing structure is currently setback from Cedar Hill 7.33 m. This setback would be reduced by 3.75 m for a setback of

3.58 m as a result of the road dedication required. The setback required from a front lot line in the proposed P-14 Zone is 10 m, resulting in a variance request of 6.42 m. As this is an existing condition that was further intensified by the District of Saanich's required road dedication, Staff can recommend that the proposed variance be supported.

A variance is requested to permit a 0 m setback from a rear yard to allow the proposed building and the existing Luther Court Society building to be connected creating the "zero-lot-line" condition. This connection is functionally important for the Luther Court Society as the new residence would share common areas with the existing facility. The applicant has been made aware of the Building Code implications of this connection and would review this connection in detail at time of Building Permit to ensure compliance with the BC Building Code. For the reasons stated, staff can recommend that the proposed variance be supported.

The Zoning Bylaw requires that buildings and structures be setback a minimum of 6 m from an interior lot line in the P-14 Zone. The existing structure is proposed to be 1.99 m from the interior lot line. As this would be an existing condition between Lot 1 the shared property line with Lot 3, the Lutheran Church of the Cross, who is also part of the applicant group for the proposed development, staff can recommend that the proposed variance be supported.

A variance is requested for building height. The maximum building height in the P-14 Zone is 10 m however the height of the existing building is 11.9 m (four-storeys). As this is an existing condition and no change to the building height is proposed, Staff recommend that the proposed variance be supported.

A variance for parking is requested for proposed Lot 1 (see Table 1). Due to the required road dedication on Cedar Hill Cross Road, two parking stalls would be required to be removed. The other parking on this site would remain the same. Proposed Lot 2 would have a surplus of stalls; 73 parking spaces proposed where 65 parking spaces are required. A reciprocal access agreement is proposed between all Lots to allow shared access to garbage and cycling facilities, as well as to allow residents and staff from the Luther Court Society to access parking in Lot 2 if required. As a result, Staff can recommend that the proposed variance be supported.

Proposed Lot 2, Intergeneration Housing DPR00744

The following variances are being requested for Lot 2, Intergenerational Housing:

- Setback from a front property line; and
- Setback from a rear property line.

A variance is requested for the setback from Cedar Hill Road. The required setback from a street is 5 m and the proposed setback is 4.45 m resulting in a proposed variance of 0.55 m. As the requested variance is minor, Staff recommend that the proposed variance be supported.

A variance is requested allow a 0 m setback from a rear yard to allow the proposed building and the existing Luther Court Society building to be connected creating the "zero-lot-line" condition, as described previously in this Report, 6.5 m is required. As the requested variance is minor and only impacts the existing owner, Staff recommend that the proposed variance be supported.

Proposed Lot 3, Lutheran Church of the Cross, DPA00988

The following variances are being requested for Lot 3, the Lutheran Church of the Cross:

- Parking; and
- Access to Refuse Containers.

In 2008, a 32 parking stall variance for the Lutheran Church of the Cross was approved by Council through Development Permit Amendment DPA2008-00010. The total parking requirement for all uses within the church is 56 parking spaces. As a 32 space variance has previously been granted, the parking requirement for the church is now 24 parking spaces. To allow for the subdivision to create proposed Lot 2 for the affordable Intergenerational Housing development, the southern portion of the lot which currently provides parking for the church would be subdivided off resulting in no on-site parking. As previously mentioned within the Report, a reciprocal access agreement is proposed which would allow the users of the Church to park on either proposed Lot 1 or 2, and for this reason Staff recommend that the proposed parking variance of 24 parking spaces be supported.

The Zoning Bylaw requires that all P zoned properties have unobstructed communal access to waste or garbage disposal containers on site. It is proposed that Lot 1 would share the garbage facility located on proposed Lot 2. This would be formalized in the reciprocal access agreement that is being proposed for all three sites. As access would be addressed through the reciprocal access agreement, Staff recommend that the proposed variance be supported.

Climate Change and Sustainability

The Official Community Plan highlights the importance of climate change and sustainability. The Official Community Plan is broadly broken down into the pillars of sustainability including environmental integrity, social well-being, and economic vibrancy. Climate change is addressed under the environmental integrity section of the Official Community Plan and through Saanich's Climate Action Plan.

The following is a summary of the Climate Change and Sustainability features and issues related to the proposed development. This section is not and cannot be an exhaustive list or examination of the issue. However, this section is meant to highlight key issues for council and keep the subject matter at the forefront of council's discussion.

Climate Change

This section includes the specific features of a proposal related to mitigation and adaption strategies. Considerations include: 1) Project location and site resilience; 2) Energy and the built environment; 3) Sustainable transportation; 4) Food security; and 5) Waste diversion.

The proposed development includes the following features related to mitigation and adaption:

- The proposal is an infill project located within the Urban Containment Boundary and Sewer Service Area, and is able to use existing roads and infrastructure to service the development;
- The development is readily accessible via all modes of alternative transportation including walking, cycling, and public transit;

- Lot 2 would be providing more bicycle parking than required by the Zoning Bylaw requirements.
- The applicant is proposing 73 parking spaces, a surplus of 8 spaces. Twenty nine of these spaces would be designated for visitor parking. Four spaces are proposed to be energized to allow for the future installation of the EV chargers;
- The site is in good proximity to public transit. A northbound bus stop is located along the subject site frontage along with a southbound bus stop directly across the Cedar Hill Road. Both of these stops are served by Route #24 (Cedar Hill/Admirals Walk), a local route with service every 50 minutes or better on weekdays;
- Shopping, services and other amenities are located at the Shelbourne Valley Neighbourhood "Centre" 228 m to the east. In general, a walking distance between 400 - 800 m is considered optimal to encourage the average person to walk to a service or access public transit, instead of driving to their destination. Obviously, health, weather, comfort/ease of use related to alternative transportation, and purpose of the trip all play a role in a person choosing a particular travel mode; and
- Nearby parks include Cedar Hill Park (900 m), Horner Park (650 m) and Mount Tolmie Park (930 m). St. Luke's Anglican Church and St Aidan's United Church are also located nearby. Cedar Hill Community Recreation Centre is located 1.5 km to the south.

Sustainability

Environmental Integrity

This section includes the specific features of a proposal and how it impacts the natural environment. Considerations include: 1) Land disturbance; 2) Nature conservation; and 3) Protecting water resources. The proposed development includes considerations related to the natural environment, such as:

- The proposal is a compact, infill development in an already urbanized area that would avoid putting pressures onto rural areas;
- Eleven trees are recommended for removal. The proposed landscaping would include 20 trees to be planted on site and the planting of four boulevard trees. The proposed development would meet the intent of the "No Net Loss" canopy policy" of the Urban Forest Strategy; and
- The project is designed to meet BC Energy Step Code Level 3 energy requirements. The building is also designed to meet BMHC's National Co-Investment Fund energy efficiency and greenhouse gas reduction requirements.

Social Well-being

This section includes the specific features of a proposal and how it impacts the social well-being of our community. Considerations include: 1) Housing diversity; 2) Human-scale pedestrian oriented developments; and 3) Community features. The proposed development includes the following considerations related to social well-being, such as:

- The multi-family proposal includes studio, one bedroom units to provide affordable senior and student housing; and
- A range of outdoor, community, and recreation opportunities are available within reasonable walking/cycling distance. Nearby parks include Cedar Hill Park (900 m), Horner Park (650 m) and Mount Tolmie Park (930 m). Cedar Hill Community Recreation Centre is located 1.5 km to the south.

Economic Vibrancy

This section includes the specific features of a proposal and how it impacts the economic vibrancy of our community. Considerations include: 1) Employment; 2) Building local economy; and 3) Long-term resiliency. The proposed development includes features related to economic vibrancy, such as:

- The development would create local short-term jobs during the construction period; and
- The development would site additional residential units within the commercial; and catchment/employment area for businesses and services located within the Shelbourne Valley Neighbourhood “centre” and elsewhere in the Shelbourne Valley.

CONCLUSION

The proposal is consistent with the Official Community Plan which focuses the majority of future growth to “Centres” and “Villages” and supports the establishment of more compact, walkable neighbourhoods that address a variety of local resident’s needs. It is consistent with the Shelbourne Valley Action Plan which designates the site for institutional use (up to four-storeys). The project would contribute to the Official Community Plan and Regional Growth Strategy’s objectives to keep urban settlement compact by concentrating development and providing denser forms of housing within the Urban Containment Boundary. It is also consistent with the Official Community Plan’s and Regional Growth Strategy’s objective for an adequate, accessible and diverse supply of affordable housing across the spectrum.

The proposed development has a contemporary architectural expression and proposed high quality durable cladding materials. The proposed fifth level is significantly setback, over 7.5 m from Cedar Hill Road. Setting back the upper floor reduces the apparent massing from the street and results in the appearance of a four storey development from Cedar Hill Road.

If the proposed development is successful in receiving funding through BC Housing’s Community Housing Fund, the development would include three levels of affordability including 20 units which would be rented for \$375 monthly. The 95 units of affordable rental housing for seniors and students, which would be secured through a Housing Agreement, would assist in providing a greater housing range for seniors and students in the Shelbourne Valley, as well as, assisting in filling the void of much need affordable rental housing in the area.

The proposed development addresses the Housing Strategy goals to: increase affordable and supportive housing, promote rental housing, support housing diversity and increase supply. As the proposed development would be owned and operated by a non-profit society, the goals and objectives of the Housing Strategy are considered to be met.

For the above-noted reasons, Staff support the Rezoning, Subdivision, Development Variance Permit, Development Permit Amendment, and Development Permit application, subject to the recommendations outlined on page 1 of this Report.

Prepared by: Gina Lyons

Gina Lyons
Senior Planner

Reviewed by: Shari Saltzman

Shari Holmes-Saltzman
Manager of Current Planning

Approved by: Sharon Hvozanski

Sharon Hvozanski
Director of Planning

GL/jsp

Attachments

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planning



Paul Thorkelsson, Chief Administrative Officer