

1410-04 Planning;
xref 2870-30 Nigel valley

Public Hearing Sept. 18, 2018



The Corporation of the District of Saanich

Supplemental Report

To: Mayor and Council
From: Sharon Hvozanski, Director of Planning
Date: August 28, 2018
Subject: Rezoning and Development Permit Application
File: REZ00581; DPR00665 • 801, 813, 833, 837 and 841 Darwin Avenue,
821, 843 and 846 Nigel Avenue, 828, 832 and 880 Vernon Avenue,

RECEIVED

AUG 28 2018

LEGISLATIVE DIVISION
DISTRICT OF SAANICH

RECOMMENDATION

1. That Zoning Bylaw, 8200 be amended to include a new CD-6NV (Comprehensive Development Nigel Valley) Zone;
2. That the application to rezone from the RS-6 (Single Family Dwelling) Zone, the RT-2, RA-3, and RM-5 (Multi-Family Dwelling) Zones, the P-1 (Assembly) Zone, and the P-3 and RP-3 (Residential Personal Care) Zones to a new CD-6NV (Comprehensive Development Nigel Valley) Zone be approved;
3. That Development Permit DPR00665 be approved;
4. That Final Reading of the Zoning Amendment Bylaw and ratification of the Development Permit be withheld pending resolution of the following outstanding issues:
 - Finalization and sign off by all parties of the Nigel Valley Master Development Agreement and Housing Agreement; and
 - Discharge of the Land Use Contract for 846 Nigel Avenue.
5. Following approval of Development Permit DPR00665, that the following Development Permits be rescinded: P12/90 (821 Nigel Avenue), P8/98 (846 Nigel Avenue) and P16/03 (880 Nigel Avenue);
6. That Council provide direction to Staff regarding the applicant's request for financial assistance for Affordable Housing; and
7. That Council provide direction regarding the applicant's request that Nigel Valley non-market housing development applications be prioritized and fast-tracked.

PURPOSE

The purpose of this report is to seek direction from Council on the subject redevelopment proposal. The subject application is to rezone the site, which comprises 12 separate properties, from the RS-6 (Single Family Dwelling) Zone, the RT-2, RA-3, and RM-5 (Multi-Family Dwelling) Zones, the P-1 (Assembly) Zone, and the P-3 and RP-3 (Residential Personal Care) Zones to a new CD-6NV (Comprehensive Development Nigel Valley) Zone to permit phased redevelopment of the properties to accommodate both affordable/supportive housing and market housing.

The applicant is Lauren English (BC Housing Management Commission) who is coordinating the development proposal on behalf of the following agencies:

- Provincial Rental Housing Corporation;
- Broadmead Care Society;
- Island Community Mental Health Association;
- Garth Homer Foundation; and
- The Corporation of the District of Saanich.

DISCUSSION

Background

On July 23, 2018, Saanich Council called a Public Hearing to consider the above noted application by BC Housing Management Commission. The discussion noted that further details and clarification should be provided for the Public Hearing regarding the proposed Nigel Valley Master Development Agreement and the Housing Agreement. In addition, minor inconsistencies have been noted between the July 6, 2018 Planner's report and the Draft CD-6NV Zone schedule that require clarification. Based on further discussions with the Garth Homer Foundation, the applicant has requested an increase in the proposed number of units for Development Area B from 75 to 90 to accommodate an additional 15 market housing units. As a result, the number of units proposed for the entire site has increased from 796 units to 811 units. In addition, the applicant has requested that the District provide support for affordable housing with a contribution from the Affordable Housing Fund, and reduction of Development Cost Charges, proportional to the amount of Affordable Housing units provided and level of affordability.

Additional Information

Number of Dwelling Units Proposed

Based on the adjustment requested by Garth Homer Foundation, the total number of units proposed for Nigel Valley has increased by 15 units to 811 units as shown in Table 1. A revised zone schedule is attached.

Table 1 – Proposed Land Use

Proposal Land Use				
Development Area	Agency	Proposed Use	Height (Storeys)	Approximate # Residential Units
A	Island Community Mental Health	<ul style="list-style-type: none"> Affordable/Supportive Housing Ground floor commercial 	5 to 6	110
B	Garth Homer Society	<ul style="list-style-type: none"> Expanded day care programs including dementia care Meeting space Supportive Housing 	3 to 6	90
C	B.C. Housing	<ul style="list-style-type: none"> Market Housing 	5	35
D	Greater Victoria Housing Society	<ul style="list-style-type: none"> Affordable Housing 	5	70
E	B.C. Housing	<ul style="list-style-type: none"> Affordable Housing 	5 to 8	90
F	B.C. Housing	<ul style="list-style-type: none"> Market Housing Ground floor commercial 	6 to 16	180
G	B.C. Housing	<ul style="list-style-type: none"> Affordable Housing 	6	75
H	Island Community Mental Health	<ul style="list-style-type: none"> Affordable/Supportive Housing 	6	60
I	Broadmead Care Society	<ul style="list-style-type: none"> Affordable/Supportive Housing 24 hr Assisted, Respite and Transitional Living 	6	101
Affordable/Supportive Housing				556
Market Housing				255
Total Residential Units				811

Parking Requirements

Inconsistencies have been noted between Table 2 - Parking Requirements of the July 6, 2018 Planner's report and Table 1750.1 of the draft zone schedule. The draft zone schedule contains the correct information.

	Use of Building	Required Parking Spaces
1.0	Residential	
1.1	Apartment, for Market Housing	0.75 space / dwelling unit Plus 0.1 visitor space / per dwelling unit
1.2	Apartment, for Affordable Housing	0.5 space / dwelling unit Plus 0.1 visitor space / dwelling unit
1.3	Apartment, Supportive Housing	0.25 space / dwelling unit
2.0	Residential Care and Supportive Care	
2.1	Community Care Facility or Residential Care Facility	1 space / 3 beds
2.2	Congregate Housing (Assisted Living)	0.5 space / dwelling or sleeping unit
2.3	Daycare, Adult	1 space / 93 m ² GFA for daycare programs plus 1 shuttle vehicle space / 130 m ² of GFA for Adult Daycare or part thereof
2.4	Office, accessory to an affordable housing or supportive care	1 space / 25 m ² GFA for office use
2.5	Daycare, Child	1 space / 50 m ² GFA for daycare use

3.0	Commercial / Cultural	
3.1	Restaurant	1 space / 35 m ² GFA
3.2	Personal Service	1 space / 35 m ² GFA
3.3	Medical Services	1 space / 35 m ² GFA
3.4	Retail Sale of Goods and Services	1 space / 35 m ² GFA
3.5	Art Gallery	1 space / 35 m ² GFA
3.6	Library	1 space / 35 m ² GFA
3.7	Museum	1 space / 35 m ² GFA
3.8	Theatre	1 space / 35 m ² GFA
3.9	Assembly	1 space / 35 m ² GFA of the area used for assembly purposes

Nigel Valley Master Development Agreement

Given the complexity of the development, the number of agencies/user groups involved, and the anticipated build-out time, a Master Development Agreement is proposed to guide future development of the site. The Nigel Valley Master Development Agreement covers the following key areas:

1. Definitions
2. Purpose and Development Overview
3. Legal Clauses
4. Development Phases, Subdivision and Development Permits
5. Off-Site Services
6. Amenities
7. Operation and Maintenance of Public Amenities
8. Interim Covenants
9. Affordable Housing and Community Care Uses
10. Road Closures
11. Energy Efficiency Commitments
12. Road and Utility Construction

Other items noted on Table 3 of the July 6, 2018 Planner’s report for possible inclusion in the Master Development Agreement are covered in the Nigel Valley Urban Design Guidelines which are attached to and form part of the Development Permit or they are covered by other municipal bylaws. A draft copy of the Nigel Valley Master Development Agreement is attached to this report. It should be noted that minor housekeeping changes to the draft agreement that do not change the overall intent or substance may be considered prior to final execution, with the agreement of all parties.

Housing Agreement

A Housing Agreement is proposed to establish occupancy criteria and affordable rental rates for the non-market housing (Development Areas A, B, D, E, G and H) in accordance with the mandates for each of the participating agencies. The Housing Agreement would be replaced with a site-specific Housing Agreement upon registration of a subdivision or airspace parcel creating these Development Areas. A draft copy of the Housing Agreement is attached to this report.

Affordable Housing Financial Assistance

The applicant has requested that the District provide support for affordable housing with a contribution from the Affordable Housing Fund, and reduction of Development Cost Charges,

proportional to the amount of Affordable Housing units provided and level of affordability. In the past, Council has considered support for affordable housing on a site-by-site basis by providing a grant from the Affordable Housing Fund to help off-set off-site servicing costs. Typically, grants have been in the range of \$1,500 - \$2,000 per unit. The subject proposal has 556 supportive housing units. This would translate to an ask of \$834,000 - \$1,112,000. Currently the Affordable Housing Fund has a balance of \$314,500 that is unallocated.

It has not been past practice to waive or reduce Development Cost Charges. Current DCCs are \$980.72 per unit. Total DCCs for the 556 affordable/supportive housing units would be \$545,280.00. It should be noted that staff are working on a revised DCC Bylaw for consideration by Council. DCCs are payable at the time of Building Permit issuance. Based on the proposed bylaw, DCCs would be considerably higher.

Direction from Council is requested regarding the financial assistance requests.


Fast Tracking Nigel Valley Non-Market Housing Development Applications

The applicant has also requested that Council commit to prioritize and fast-track non-market housing development applications as part of the Nigel Valley development. As part of the development application streamlining report that went to Council earlier this year, Council indicated that it would consider such an approach on a case by case basis. Council direction is requested regarding the applicant's request that non-market housing development applications be prioritized and fast-tracked.

Other Outstanding Issues

As previously noted, the purpose of this report is to seek feedback from Council on the subject redevelopment proposal. Given the number of land owners and parties involved in this project and its scale and complexity, a phased approval process is appropriate. Adequate controls have been built into the Development Permit, the Nigel Valley Master Development Agreement, and the Housing Agreement to ensure that Municipal interests are addressed at the appropriate time prior to approval of subsequent phases and/or issuance of a building permit.

Prepared by: 
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Reviewed and
Approved by: 
Sharon Hvozdzanski
Director of Planning

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Attachments

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planning.


Paul Thorkelsson, Administrator