



## The Corporation of the District of Saanich

# Report

**To:** Mayor and Council  
**From:** Lindsay Chase, Director of Planning  
**Date:** October 17, 2024  
**Subject:** Rezoning and Development Permit Application  
**File:** DPR01052; REZ00747 • 3861 & 3861A Cadboro Bay Road

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### RECOMMENDATIONS

1. That the application to rezone from the RS-10 (Single Family Dwelling) Zone to the RT-7 (Attached Housing) Zone be approved.
2. That Development Permit DPR01052 be approved.
3. That prior to Final Reading of the Zoning Bylaw Amendment and Ratification of the Development Permit:
  - a. a covenant be registered to secure a Community Amenity Contribution of \$46,080 be provided towards the Saanich Affordable Housing Fund;
  - b. a covenant be registered to secure the following:
    - i. that no part of the ground floor of any building on the Lands shall be located below the Flood Construction Level (4.64 m), and used for human habitation, except only the following uses, which shall be permitted:
      1. Entrance foyer
      2. Garage
    - ii. That the District be indemnified and released in the event of a flood.

### PURPOSE

The purpose of this Report is to seek Council's decision on this application to rezone 3861 and 3861A Cadboro Bay Road from single-family dwelling zoning to an attached housing zone to construct 12 townhouse units. A form and character Development Permit with variances will be required. The applicant is 1416816 BC LTD., INC.NO. BC1416816 (Jeffrey Sengara).

### DISCUSSION

#### Land Use and Neighbourhood Context

The 2,444 m<sup>2</sup> site is located within the Cadboro Bay Local Area. The Official Community Plan (OCP) identifies the subject site as within the Primary Growth Area and designates it as "Village" (Cadboro Bay). The site is 100 m east of the focal point of Cadboro Bay Village at Penrhyn Street. Surrounding land use is commercial, park, single-family residential and attached housing (see Figure 1).

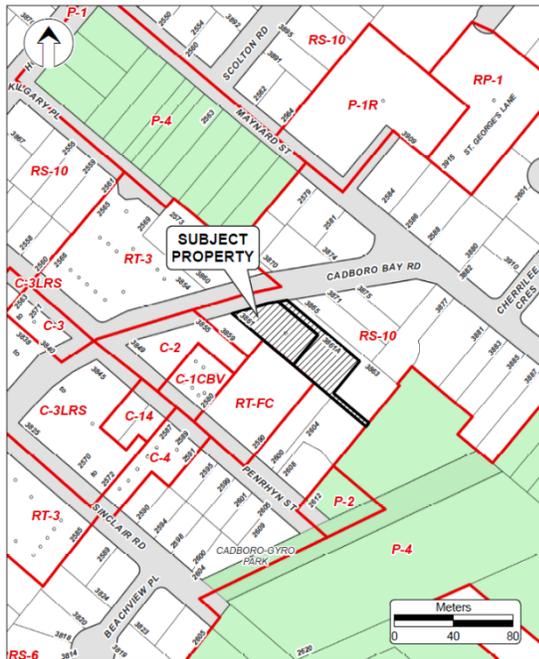


Figure 1: Neighbourhood Context

The Cordova Bay Village Plan further designates the site as “Townhouse” (see Figure 2). This designation limits height at three storeys with a Floor Space Ratio (FSR) of 0.6 to 1.1.

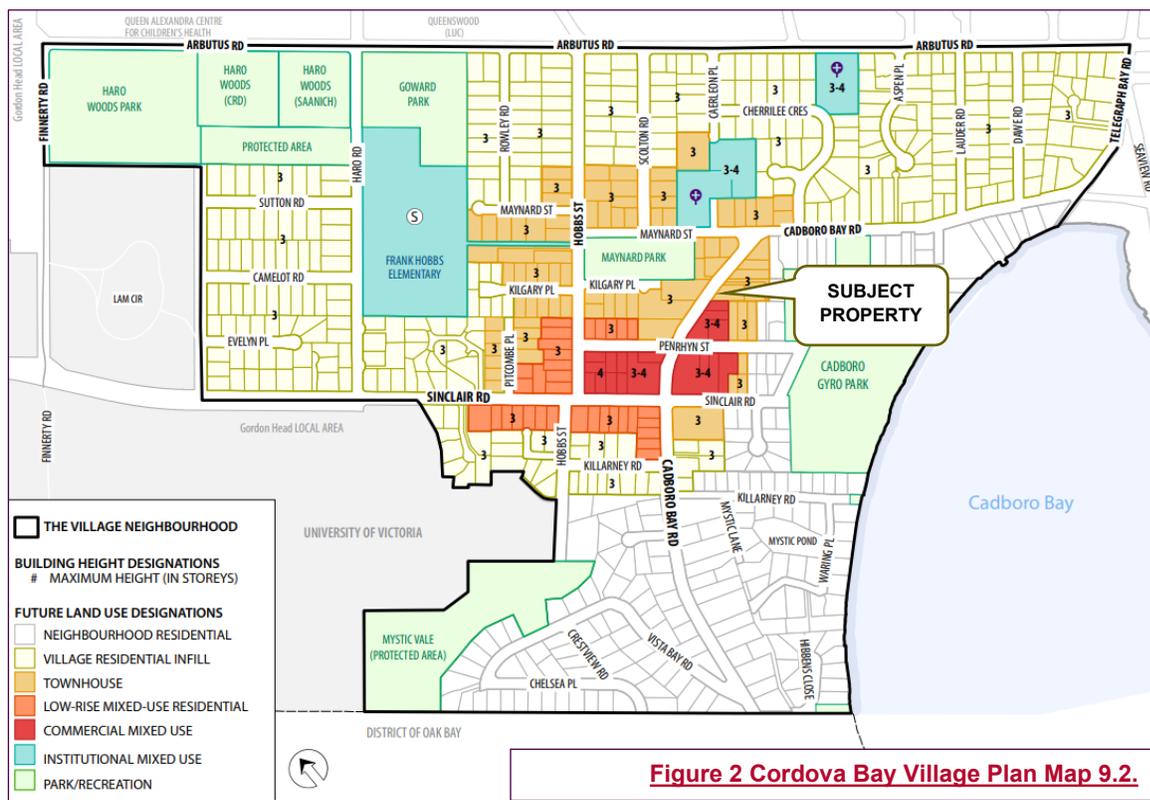


Figure 2 Cordova Bay Village Plan Map 9.2.

The subject site connects to Cadboro-Gyro Park to the southeast by a narrow land strip. Several parks and Frank Hobbs Elementary School are within walking distance. The site is on a local transit route (#11 to Tillicum Centre/UVic) which feeds into the Frequent Transit Network (identified on Map 4 of the OCP). The UVic Transit Exchange is a 1.3 km walk. The site is located on the long-term All Ages and Abilities Bicycle Network along Cadboro Bay Road.

### Proposed Development

The proposed development has 12 three-bedroom units across four three-storey buildings. Vehicle and bicycle parking is provided in each unit's double-car garage.

The proposed RT-7 (Attached Housing) Zone (with variances) suits the proposed development. The project data is outlined in Table 1 with the items requiring a variance noted in bold. These variances are discussed in more detail later in the Report.

**Table 1: Project Data**

Project Data	
Unit Total	12
Site Coverage	29.1%
Floor Space Ratio	0.75
Lot Area per Dwelling Unit	205 m <sup>2</sup> /unit
Height	10.4 m
Building Separation	
From the centre of all living room windows	<b>6.4 m</b>
From the centre of all habitable room windows	<b>6.4 m</b>
Setbacks	
Front	<b>3.6 m</b>
Rear	4.6 m
Interior Side (northeast)	6.9 m
Interior Side (southwest)	3.1 m
Parking Total	26 spaces (2.17 spaces/unit)
Visitor Parking	<b>2 spaces (0.17 spaces/unit)</b>

As a condition of rezoning, a covenant to secure the Flood Construction Level (FCL) is being sought. A FCL is essentially the highest elevation where flood waters might be expected to reach. The District of Saanich will not permit any living spaces or any storage to be below the FCL. The Covenant will also serve to render the District of Saanich indemnified and released in the event of a flood.

### Policy Analysis

The following District of Saanich Planning Policies are most applicable to the subject proposal.

#### Official Community Plan

- 7.3.3 Support development in Centres and Villages that:
- Encourage a diversity of housing, economic and cultural opportunities;
  - Enhance the mix of uses that supports area vibrancy;
  - Support transit and other forms of sustainable transportation;
  - Provide publicly accessible amenity space that complements the public realm, and creates identifiable focal points within each growth area;

- e. Set aside land for public open space in the form of parks, playgrounds, recreation programming, open air plazas, and other assembly and activity spaces;
  - f. Encourage the integration of residential, commercial, and recreational land uses;
  - g. Support the integration of institutional uses as community focal points to maximize opportunities for accessing essential social amenities and services; and,
  - h. Create or enhance a unique “sense of place.”
- 8.1.1 Increase new housing units across the housing spectrum and continue to implement the Housing Strategy.
- 8.4.4 Support family-friendly housing by encouraging that new multi-unit residential developments contain a minimum of 30% units with two bedrooms or more, and that at least 10% of all units have three or more bedrooms.
- 9.6.9 Consider parking variances where one or more of the following apply:
- a. Transportation Demand Management strategies are implemented;
  - b. Transit and active transportation options exist within the immediate vicinity of the proposed development; and,
  - c. The development is located in a Primary Growth Area.

#### Cadboro Bay Village Plan

- 9.1.1 Consider changes to land use, building height and density in the Village Neighbourhood based on designations identified on Map 9.2 and Figure 9.1 and policies contained in all sections of this plan.
- 9.3.7 Design roof forms to be articulated and provide a variable skyline to match the historical character of the village.

#### Cadboro Bay Local Area Plan

- 5.1.4 Support redevelopment proposals that include:
- enhancements to the pedestrian experience and connectivity;
  - integration of existing mature trees and the planting of new trees;
  - preservation of public views to the water; and
  - expansion of housing diversity and affordability.

The proposal meets OCP and Cadboro Bay Village Plan (VP) land-use policies. The VP directs an FSR of 0.6 to 1.1. The subject site’s position at the periphery of the Village makes the proposed FSR of 0.75 reasonable in this context. For comparison, Small-Scale Multi-Unit Housing typically permits an FSR of 1.0, or 0.6 on large lots (1,216 m<sup>2</sup> or more). The roofline is articulated, even if the roof form is flat, because of how the buildings’ massing creates distinct lines and shapes for each unit.

The public pathway to Cadboro-Gyro Park enhances pedestrian connectivity and experience. The proposed unit mix exceeds the two- and three-bedroom targets of the OCP. The proposed townhouses increase housing diversity in this area.

**Design Review**

The proposed design suits the site and aligns with the Development Permit Area (DPA) Guidelines. Buildings are arranged in four parallel rows, each increasingly distanced from the street, and all with appropriate setbacks and separation. Varied materials, colours and building articulation are proposed. Landscaping and plantings are appropriate, providing comfort, privacy, and gentle delineation of site functions.

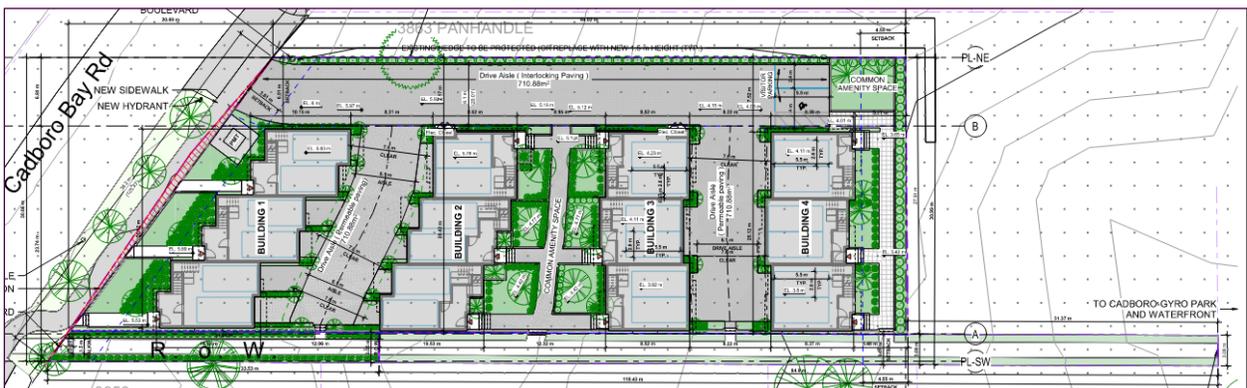
A key feature of the buildings are their rooftop patios. Because the buildings are at a low elevation (relative to sea level), living space cannot be at-grade, and the decision to locate outdoor amenity area primarily on rooftops is reasonable. Rooftop patios meet Development Permit Area Guidelines. The roof includes parapets and railings around the perimeter, privacy screen between units, an increased setback for patio areas from roof edge, and additional landscape buffering lining the entirety of any side- or rear-yard-facing patio.

Pedestrian paths connect the site internally and to the neighbourhood. There is a public access statutory right-of-way that runs from Cadboro Bay Road to Cadboro-Gyro Park. This is an important connection for the broader neighbourhood.

Figures 2 through 4, show plans and drawings for the proposed development.



**Figure 2: Site Plan** (from plans by Ankenman Marchand Architects)



**Figure 3: Rooftop Plan** (from plans by Ankenman Marchand Architects)



**Figure 4: Northwest (Cadboro Bay Road) Elevation** (from plans by Ankenman Marchand Architects)

**Variations**

Table 2 below shows the application’s required variations for the requested RT-7 (Attached Housing) Zone and other sections of the Zoning Bylaw, 2003.

**Table 2: Requested Variations**

Proposed Variations			
	REQUIRED	PROPOSED	VARIANCE REQUIRED
<u>Building separation</u>			
From the center of all windows in a living room	15 m	6.4 m	8.6 m
From the center of all windows in a habitable room other than a living room	12 m	6.4 m	5.6 m
Setback from a lot line that abuts a street (Cadboro Bay Road)	4.0 m	3.6 m	0.4 m
Visitor Parking	4	2	2

The building separation setbacks only affect the site internally and will have minor impacts on the overall liveability of the units. Staff support this Variance.

The setback variance is acceptable because no negative impacts are incurred, and the proposed project’s design further mitigates any potential impacts. This is achieved through landscaping and massing at ground level, which provides a suitable transition from public to private space. Staff support this Variance.

The proposed variance for visitor parking is minor and is within the range of variations granted for similar developments. Staff support this Variance.

**Consultation**

The applicant held an open house in October 2023. The applicant sent invitations to neighbours within 300 m of the subject site, placed a newspaper ad two weeks prior to the event, and invited the community association. The applicant provided an exit survey and analyzed results. About 26 persons attended, and feedback was generally positive. Nearly half of the positive comments suggested increasing density further.

BC Transit supports the proposal because it increases density in an area served by transit.

The Cadboro Bay Residents Association did not provide a response, preferring instead to distribute the District of Saanich's request for comment to the community.

Feedback received from members of the public is mixed, with concerns including traffic, density, and overlook from rooftop patios. Positive comments often mentioned the resulting increased, although moderate, density, and attractive design.

The Advisory Design Panel (ADP) considered the proposal on June 5, 2024. The ADP adopted a motion of approval subject to the applicant considering altering glazing to increase privacy between units. The applicant has not adjusted the glazing. ADP minutes are found in Attachment 1.

**Community Contribution**

The applicant has proposed a Community Amenity Contribution (CAC) of \$46,080, or \$3,840 per unit, which meets recommended amounts of the CAC & Inclusionary Housing Policy. The applicant proposes the entire CAC be directed to the Saanich Affordable Housing Fund. This proposed CAC package meets the policy. The CAC would be secured by covenant.

**PROCEDURES**

As this application is consistent with the Official Community Plan, notice of the bylaws will be provided pursuant to Section 464(3) of the *Local Government Act* in advance of the Council meeting. This facilitates Council being able to consider the recommendations included in this Report.

Should Council decide to approve the recommendations, the following procedures will occur:

1. At the initial meeting, approval of the application, first three readings of the Zoning Bylaw Amendment and approval of the Development Permit.
2. After all conditions have been met, the application will come before Council for Final Reading of the Zoning Bylaw Amendment and ratification of the Development Permit.

**COUNCIL OPTIONS**

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

**STRATEGIC PLAN IMPLICATIONS**

The subject proposal aligns with the Housing theme in the District of Saanich's 2023 - 2027 Strategic Plan by improving the supply of diverse forms of housing in the community.

**CONCLUSION**

The proposed development is consistent with the land use policies in the Official Community Plan and the Cadboro Bay Village Plan. The proposed use, height, and density are consistent with these plans. Requested variances for siting, building separation, and visitor parking create minor, if any, impacts and are acceptable.

The project provides sensitive densification in an OCP "Village," connects Cadboro Bay Road and Cadboro-Gyro Park, and is located along the future All Ages and Abilities Bicycle Network. Development Permit Area Guidelines are, on balance, met, and the project furthers several of the goals of the OCP including adding housing diversity and improving connectivity. For the above noted reasons, staff support the Rezoning and Development Permit Applications.

Prepared by: Eric Joyal, Planner

Reviewed by: Amber Walker, Acting Manager of Current Planning

Approved by: Lindsay Chase, Director of Planning

EJ/kb

Attachments: ~~001~~1. ADP Minutes

**ADMINISTRATOR'S COMMENTS:**

I endorse the recommendation from the Director of Planning.

Brent Reems, Chief Administrative Officer