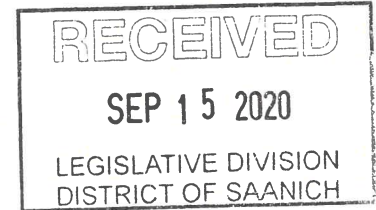




The Corporation of the District of Saanich

Supplemental Report



To: Mayor and Council
From: Sharon Hvozdanski, Director of Planning
Date: September 10, 2020
Subject: Rezoning and Development Permit Amendment Application
File: REZ00605; DPA00931; DPA00959 • 3956 Shelbourne Street and 3955 Cedar Hill Road

PURPOSE

The purpose of this report is to provide Council with the additional information requested at its August 24, 2020 meeting.

DISCUSSION

At the Council meeting on August 24, 2020, Council considered the application to rezone the site from the C-2 (General Commercial) Zone and the C-3 (Shopping Centre) Zone to a new site-specific C-3UH (Shopping Centre University Heights) Zone to allow for a mixed commercial residential development and resolved as follows:

That a Public Hearing be called to further consider the rezoning application and that Council direct staff to prepare a supplemental report to be brought to Council prior to a Public Hearing outlining:

- 1. Options for additional EV charging infrastructure;
2. Refining the costs of undergrounding the hydro lines along Cedar Hill Road; and
3. Alternate uses of Level 2 of Building D which would be restricted by a covenant for daycare.

Due to the timing of this report, the August 24, 2020 Council Meeting Minutes are still in draft form and are scheduled for adoption by Council on September 14, 2020.

**Electric Vehicle Infrastructure**

The applicant has committed to providing conduit infrastructure to 50% of the residential parking stalls, 197 potential electrical access points within the new portions of the below grade parking, to allow for future electric vehicle charging opportunities. The conduit will be strategically placed to maximize the number of parking stalls which could be serviced in the future. The provision of conduit would be secured through covenant and the recommendation has been amended to reflect this commitment.

**Undergrounding of the Hydro Lines**

Staff have been in contact with BC Hydro to provide Council with an order of magnitude costing for the undergrounding of the hydro lines along Cedar Hill Rd. BC Hydro estimates the typical cost of undergrounding the hydro lines to be within a range of \$2,700 to \$5,500 per linear meter dependant on the complexity of the project. BC Hydro has indicated that the frontage of the applicant's property along Cedar Hill Road, from McKenzie Avenue to Arrow Road (approximately 200 m) would be in the higher range of complexities, which would result in a cost range of \$800,000 to \$1,100,000. In addition, up to seven new street lights would be required to replace the lights currently located on the hydro poles. The approximate cost for the installation of the new street lights is estimated to be approximately \$90,000.

Given the current information available, and the lack of preliminary engineering design work that has been completed at this time, staff anticipate the undergrounding of the Hydro lines along Cedar Hill Rd, from McKenzie Avenue to Arrow Road, to be in the order of magnitude of \$890,000 - \$1,190,000.

As described in the report to Council, dated August 6, 2020, the intent of undergrounding the hydro lines is to provide large class boulevard trees along Cedar Hill Road, to buffer the impacts of the proposed retaining wall and to provide a high quality public realm as envisioned in the Shelbourne Valley Action Plan. If Council chooses to approve the application as recommended, staff would be cognisant of the intent of the undergrounding of the hydro lines during the detail design review phase, at Building Permit, and would review the scope of work in detail to avoid the applicant incurring any additional cost, which would not contribute to achieving a pedestrian friendly public realm along Cedar Hill Road consistent with Council approved policies.

Should the applicant choose to revise the application to replace the large retaining wall with active uses at grade such as residential or commercial along Cedar Hill Road, consistent with policy in the Shelbourne Valley Action Plan, the recommendation to underground the hydro lines would be reconsidered.

**Daycare**

The applicant originally proposed a 1,080 m<sup>2</sup> (11,625 ft<sup>2</sup>) space located in Building D to be designated for daycare use as part of the development proposal. This proposed use has been detailed by the applicant over the last year in numerous consultation sessions with the Community Association and the general public, and is listed on Wesbild's website as a benefit and amenity to the overall development proposal (see Figure 1). Given the importance of daycare to Saanich residents, staff are recommending that this item be secured by covenant.

The draft Saanich Peninsula Child Care Inventory and Action Plan notes that the District of Saanich has met 50% of the need for daycare. The draft Plan states that 3,176 additional child care spaces are required to meet the need of 2020, and as a result, daycare spaces are very much needed in Saanich. Accordingly, staff have been very supportive of the proposed daycare as it would provide a significant step forward in achieving the daycare needs in Saanich.

While the applicant is not willing to secure a covenant across the entire second floor of proposed Building D, they are willing to commit to covenant to secure a minimum of 325 m<sup>2</sup> (3,500 ft<sup>2</sup>) for daycare use. In addition, the applicant wishes to include in the covenant that if a daycare tenant cannot be located within two years of occupancy being granted for Building D, the use restriction could be lifted. Given internal deadlines for report submission, staff nor the applicant have consulted with the Neighbourhood Association or immediate neighbours regarding the proposed reduction in daycare area and the time limited covenant.

Staff are in support of amending the recommendation to include a time limited covenant as well as a reduction in the area for daycare use. Given the significant need for daycare space and the future growth anticipated in this major centre, 325 m<sup>2</sup> (3,500 ft<sup>2</sup>) of area dedicated for daycare use would meet the intent of the draft Saanich Peninsula Child Care Inventory and Action Plan, and would assist in beginning to address the significant daycare shortage in Saanich.

In the future, if the applicant finds a daycare provider seeking a smaller area, the applicant could apply to amend the covenant. Covenant amendments of this nature would be forwarded to Council for consideration.

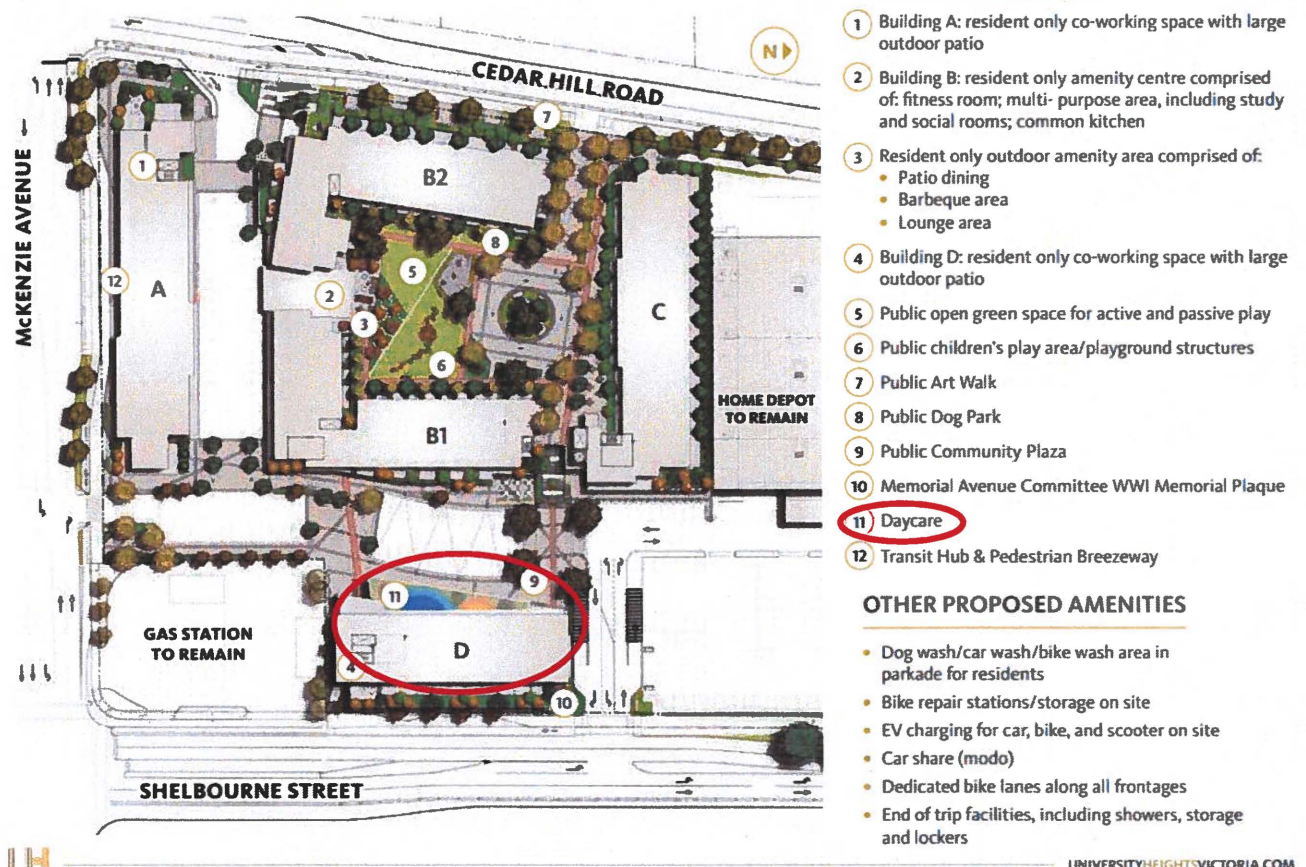


Figure 1: Proposed Amenities Diagram (from Wesbild Holdings Ltd consultation package)

**ADDITIONAL INFORMATION**

**Loading Spaces**

In the Report to Council dated August 6, 2020, page 22 notes that 11 loading spaces are proposed. This was a typographical error and the proposed development application has identified 10 loading



spaces not 11. All other supporting documents correctly note the number of loading spaces.

### **Other Public Hearing Considerations**

As noted in the Report to Council dated August 6, 2020, staff recommended that the applicant provide several items for review prior to Public Hearing. These items are as follows:

1. Details regarding the securing of a 6 m wide at grade pedestrian cycling connection to connect Arrow Road to Shelbourne Street and to provide a connection along the north property line consistent with the Shelbourne Valley Action Plan for the future development of the site;
2. Details regarding the installation of a dedicated boulevard tree irrigation system from a municipally owned water source and timer;
3. The undergrounding of the hydro lines along Cedar Hill Road;
4. A restriction of films or other obstructions on the commercial frontage of Building A's McKenzie Avenue glazing through a note on the permit drawings; and
5. The use of soil cells for the four Dawyck Beech boulevard trees to be planted along Shelbourne Street in front of Building A.

The applicant is not at this time willing to commit to items 3 through 5, as noted above. While the Supplemental Report addresses questions from Council regarding the undergrounding of the hydro lines along Cedar Hill Road, it's important to highlight that these items continue to be included in the recommendation from staff and would be required prior to the Public Hearing, should Council wish.

### **Home Depot Expansion – Potential Implications for deferred development requirements**

The week the staff report was due, staff were formally made aware by the applicant (Westbild) that Home Depot is considering an expansion of the existing store at the north end of the subject site. The proposed expansion would be located at the north end of the existing Home Depot building and would increase the store's floor area by approximately 930 square meters (10,000 square feet). As Council is aware the site is one lot, owned by University Heights Shopping Centre Ltd. and Home Depot is a tenant.

While the redevelopment of the Home Depot is welcomed, it raises a number of issues that may require additional Council review and consideration, if Home Depot applies to expand the existing building.

It has been clearly understood for many years by the applicant and Saanich staff that the subject redevelopment application did not include any changes north of the southern wall of the Home Depot building. This was further reconfirmed in the Council report of August 20, 2020. Accordingly:

- The comprehensive zone was drafted based on no changes being made the existing Home Depot; and
- The proposed phasing of works and services and the delivery of certain aspects of the onsite development and community contributions, have been committed to by the applicant with the understanding that future development of the north/Home Depot end of the site would trigger the delivery of these outstanding works and onsite development and community contributions not delivered during the Phase One (Mall redevelopment at the south end of the property) development of the site.

### **Potential Applicant Request**

On September 10, 2020, the applicant requested that staff consider supporting a covenant to defer all onsite requirements if/when Home Depot expands their store as outlined above (approximately 930m<sup>2</sup> (10,000 ft<sup>2</sup>). As noted previously, the long standing agreement between Saanich and the property owner right up until now had been that some onsite development requirements, community

contributions as well as works and services that would have been required as part of the subject application would be deferred from phase one and would be triggered when/if any development on the northern portion of the site (Home Depot) occurred.

The applicant has now requested information from staff on possible options to further defer the works and servicing requirements of the Building Bylaw should Home Depot expand as noted above. Staff will continue to provide information regarding requirements, however have informed the applicant that further deferral of works and services required represents a significant departure from the original agreement with staff and would require Council approval.

### Process

Staff have made it clear to the applicant and Home Depot both verbally and in writing that:

- Council is the decision maker in relation to the above-noted request; and
- Should an expansion of the Home Depot building be proposed if/when the subject application is approved, a Rezoning; a Form and Character Development Permit with a variances for; parking, and potentially other issues and works and services would be required in order to comply with municipal bylaws and other regulations.

Staff wanted to bring this information to Council's attention as a decision will need to be made on this matter in the future should an expansion of Home Depot be proposed as noted above. Staff are continuing discussions with the applicant to seek further clarity on their future plans.

### **RECOMMENDATION**

1. That the application to rezone from the C-2 (General Commercial) Zone and the C-3 (Shopping Centre) Zone to a new site-specific C-3UH (Shopping Centre University Heights) Zone be approved.
2. That Development Permit Amendment DPA00931 be approved subject to the following:
  - The undergrounding of the hydro lines along Cedar Hill Road;
  - The securing of a 6 m wide at grade pedestrian cycling connection to connect Arrow Road to Shelbourne Street consistent with the Shelbourne Valley Action Plan for the future development of the site; and
  - The installation of a dedicated boulevard tree irrigation system from a municipally owned water source and timer.
3. That prior to Public Hearing, the applicant provide staff with the following information for review:
  - Details regarding the securing of a 6 m wide at grade pedestrian cycling connection to connect Arrow Road to Shelbourne Street and to provide a connection along the north property line consistent with the Shelbourne Valley Action Plan for the future development of the site;
  - Details regarding the installation of a dedicated boulevard tree irrigation system from a municipally owned water source and timer; and


Note the applicant is unwilling to commit to the following:


- The undergrounding of the hydro lines along Cedar Hill Road;
- A restriction of films or other obstructions on the commercial frontage of Building A's McKenzie Avenue glazing through a note on the permit drawings; and


- The use of soil cells for the four Dawyck Beech boulevard trees to be planted along Shelbourne Street in front of Building A.
4. That Final Reading of the Zoning Amendment Bylaw and ratification of the Development Permit Amendment DPA00931 be withheld pending registration of a covenant to secure the following:
- The undergrounding of the hydro lines along Cedar Hill Road;
  - A 6 m wide at grade pedestrian cycling connection to connect Arrow Road to Shelbourne Street and to provide a connection along the north property line consistent with the Shelbourne Valley Action Plan for the future development of the site;
  - **A minimum of 325 m<sup>2</sup> (3,500 ft<sup>2</sup>) be restricted to daycare use for a period of two years following occupancy;**
  - A contribution of \$500,000.00 to the Affordable Housing fund;
  - A contribution of \$20,000.00 to a Saanich led report on the safety and visibility of the cross walk at Cedar Hill Road and Arrow Road;
  - A contribution of \$5,000.00 towards the memorial London Plane tree fund;
  - A contribution of \$15,000.00 towards the fabrication of a 'Shelbourne Street of unfinished Dreams' placard to be placed on the subject property;
  - A commitment of \$500,000.00 worth of Public Art;
  - Provision of twenty electric vehicle charging stations;
  - **Provision of conduit to all new areas of the underground residential parking area for 50% of the stalls.**
  - A statutory right of way to permit the sidewalk to encroach onto the site; and
  - Completion of the Traffic Demand Management measures as identified in the Transportation Impact Assessment, dated May 4, 2020 including:
    - one parking stall being assigned for car share use;
    - the purchase of one car share vehicle;
    - Multiple bicycle repair stations for residential and visitor use;
    - Transportation Information Bulletin for all residential units; and
    - An erasable public notice board for the exchange of ride-share information.

Registration of a housing agreement to secure the following:

- All units to remain as rental in perpetuity; and
  - That 60 units be designated at 10% below market rents for 20 years.
5. That Development Permit Amendment DPA00959, for the temporary Cedar Hill Road loading ramp, be approved.
6. That Final Reading of the Zoning Amendment Bylaw and ratification of the Development Permit Amendment DPA00959 be withheld pending registration of a covenant to secure the use of the loading access off of Cedar Hill Road to be limited to a five year period.

Prepared by:   
Gina Lyons  
Senior Planner

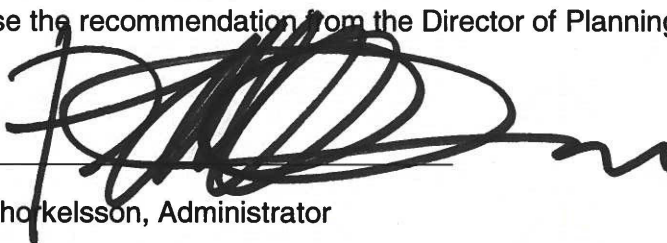
Reviewed by:   
Shari Holmes-Saltzman  
Manager of Current Planning

Approved by:   
Sharon Hvozdzanski  
Director of Planning

GL/rh

**ADMINISTRATOR'S COMMENTS:**

I endorse the recommendation from the Director of Planning.

  
Paul Thorkelsson, Administrator