



The Corporation of the District of Saanich

## Report

**To:** Mayor and Council  
**From:** Sharon Hvozdanski, Director of Planning  
**Date:** July 6, 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,

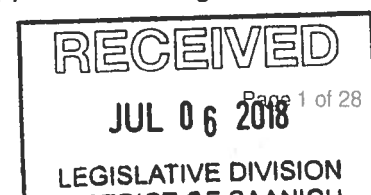
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### RECOMMENDATION

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;
  - 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 Following approval of Development Permit DPR00665, that the following Development Permits be rescinded: P12/90 (821 Nigel Avenue), P8/98 (846 Nigel Avenue) and P16/03 (880 Nigel Avenue).

### 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 proposal would increase the total number of residential units within Nigel Valley by ±610 units, from 186 to a maximum 796 units. A Development Permit is also requested that would incorporate the Nigel Valley Neighbourhood Plan, development guidelines, and the Nigel Valley Master Development Agreement for the whole site to guide the redevelopment.

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

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

### **Process Considerations**

The proposal involves 12 separate properties, 5 property owners, and 5 agencies that deliver affordable and supportive housing, and related programs. Redevelopment would include realignment of property boundaries and require some of the service providers to be relocated throughout the site. Redevelopment is anticipated to occur in phases over time, allowing stakeholders to address tenant relocation and continuation of services. It is anticipated that as each agency secures financing they would submit a Development Permit Amendment application to redevelop their site in accordance with the Nigel Valley Neighbourhood Plan and the Nigel Valley Master Development Agreement.

Given the scale and complexity of the proposed re-development, a phased approval process is appropriate. Adequate controls would be built into a Development Permit, Housing Agreement, and Master Development 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. Similar processes were used for development of the Uptown Shopping Centre, Rainbow Hill Mixed-Residential, Mount View Campus of Care and Travino Lane projects.

## **DISCUSSION**

### **Neighbourhood Context**

The subject properties, which have been informally referred to as Nigel Valley, are located along Nigel Avenue, between Vernon Avenue and Darwin Avenue in the Saanich Core Area, within the Uptown Major “Centre”. The Lochside Regional Trail is adjacent to the northwest boundary with the municipal precinct across the trail. Vernon Avenue is to the southwest, and Darwin Avenue to the northeast. Single family homes back onto a portion of the site, and a multi-family development is to the southeast. Swan Lake Nature Sanctuary is northwest of the site. As a result of the topography, Nigel Avenue is approximately 6.0 m lower in elevation than Darwin Avenue or Vernon Avenue.

A range of services are available within the Uptown Major “Centre”, including the Emily Carr Library. Cloverdale Traditional School is approximately 1.5 km travel distance and Cedar Hill Recreation Facility is approximately 3.0 km travel distance.



The housing spectrum proposed for the site would include the following:

- Apartment – market price, independent, unsupported;
- Apartment for affordable housing – independent with rent restrictions;
- Supportive Housing – independent living for a vulnerable sector with supportive programs;
- Congregate Housing – independent living with limited services (e.g. meals, housekeeping);
- Community Residential Facility – wider range of supervision or support services but not full care, includes services such as group foster homes, halfway houses, community care facility;
- Community Care Facility – licenced under “BC Community and Assisted Living” Act to deliver prescribed services, full care (e.g. nursing home); and
- Support programs delivered as part of a residential facility or through adult daycare programs.

The proposal would increase the total number of residential units within Nigel Valley by ±610 units, from 186 to a maximum 796, and would include both affordable/supportive units and market units. Affordable/supportive housing units would increase by ±395 units, from 186 units to ±581. Of the maximum 796 total units, ±27% would be for market housing and ±73% for affordable/supportive housing. See Table 1 for a summary of the proposal.

In addition to a significant increase in affordable/supportive residential units the proposal would include the following land uses changes:

- Expansion of facilities available for programming space used for clients in either day care programs or residing on site;
- Introduction of market housing in the Nigel Valley;
- Introduction of small scale commercial activity in the Nigel Valley;
- Addition of a neighbourhood park; and
- Addition of a public plaza.

The properties currently have a range of applicable zones including single family (RS-6), multi-family (RT-2, RA-3, RM-5), assembly (P-1), or residential personal care (P-3, RP-3). A Land Use Contract (LUC) registered on title for 846 Nigel Avenue would be discharged as part of the proposal. Land Use Contracts were a development tool used in BC between 1971 and 1978, which regulated the land use and development of a site and had the legal effect of a restrictive covenant. The terms of a LUC supersede a local government Zoning Bylaw. In 2014 the Provincial Government gave Royal Assent to Bill 17, which states that all Land Use Contracts are terminated on June 30, 2024, and that a local government must adopt a Zoning Bylaw that will apply to the land upon termination of a LUC by June 30, 2022. The current proposal provides an opportunity to discharge the LUC and rezone the property.

Future development applications would also include subdivision applications to realign property boundaries, as well as dedicate land for roadway and park. Also, the existing Nigel Avenue right-of-way is to be reduced in width from 20 m to 18 m (1.0 m on each side) and the unused portion is to be consolidated with the adjacent parcels. This will require Council approval of a Road Closure Bylaw and sale of the unused portion to BC Housing for a nominal fee.



Figure 2: Nigel Valley Illustrative Site Plan (from plans by D’Ambrosio Architecture and Urbanism)

When completed, nine new properties would be created, each representing a future development site. Public space included in the proposed site configuration would include a public plaza to be located within the unconstructed road right-of-way adjacent to the Lochside Regional Trail, a mid-block neighbourhood park between Darwin Avenue and Nigel Avenue, and extension of Nigel Avenue through the site connecting Vernon Avenue to Darwin Avenue.

**Table 1 – Proposed Land Use**

<b>Proposal Land Use</b>				
<b>Development Area</b>	<b>Agency</b>	<b>Proposed Use</b>	<b>Height (Storeys)</b>	<b>Approximate # Residential Units</b>
A	Island Community Mental Health	<ul style="list-style-type: none"> <li>Affordable/Supportive Housing</li> <li>Ground floor commercial</li> </ul>	5 to 6	110
B	Garth Homer Society	<ul style="list-style-type: none"> <li>Expanded day care programs including dementia care</li> <li>Meeting space</li> <li>Supportive Housing</li> </ul>	3 to 6	75
C	B.C. Housing	<ul style="list-style-type: none"> <li>Market Housing</li> </ul>	5	35
D	Greater Victoria Housing Society	<ul style="list-style-type: none"> <li>Affordable Housing</li> </ul>	5	70
E	B.C. Housing	<ul style="list-style-type: none"> <li>Affordable Housing</li> </ul>	5 to 8	90
F	B.C. Housing	<ul style="list-style-type: none"> <li>Market Housing</li> <li>Ground floor commercial</li> </ul>	6 to 16	180
G	B.C. Housing	<ul style="list-style-type: none"> <li>Affordable Housing</li> </ul>	6	75
H	Island Community Mental Health	<ul style="list-style-type: none"> <li>Affordable/Supportive Housing</li> </ul>	6	60
I	Broadmead Care Society	<ul style="list-style-type: none"> <li>Affordable/Supportive Housing</li> <li>24 hr Assisted, Respite and Transitional Living</li> </ul>	6	101
<b>Affordable/Supportive Housing Units</b>				<b>581</b>
<b>Market Residential Units</b>				<b>215</b>
<b>Total Residential Units</b>				<b>796</b>

**Site and Building Design**

The terms and conditions of the Development Permit would capture key building and site features to be incorporated as development applications for each site are prepared. The Development Permit would allow flexibility with respect to architectural design to avoid a monotonous building form throughout the site.

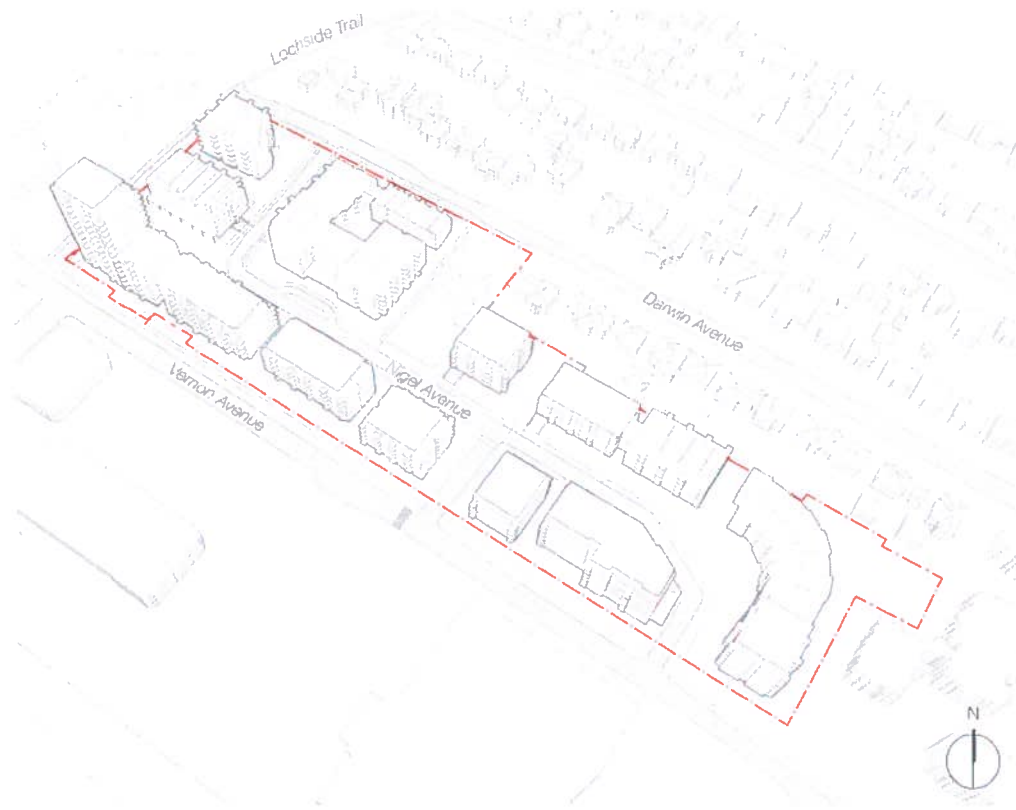
The key planning principles applied in the overall design approach include:

- Building a compact, walkable neighbourhood;
- Encouraging community social enterprise and small scale commercial development;
- Improving physical integration with the surrounding neighbourhood, and accessibility;
- Providing a greater diversity of housing form and tenure;
- Strengthening the community care and support services provided;
- Providing a multi-modal transportation network that includes traffic calming;
- Creating vibrant public spaces that encourage gathering and include natural features; and
- Maintaining flexibility with respect to the timing/phasing for the development of each site.

The proposed CD-6NV Zone and Development Permit would capture the anticipated density in terms of the maximum number of residential units and gross floor area desired by each user group. As each owner/agency secures financing in order to move forward with the redevelopment of their sites, detailed site/building design would be considered through the Development Permit Amendment process.

The project would employ a traditional urban design approach to create an urban neighbourhood with a focus on quality of living space for residents. Small scale commercial opportunities would help to create a sense of place and activate public spaces, but would be secondary to the urban neighbourhood (i.e. not a mixed use high street). Development would accommodate higher density uses while maintaining livability, quality edge conditions between public and private spaces, and accessibility. Reduced setbacks would permit efficient use of the available land while providing semi-private outdoor space, informal gathering space, allowing for light penetration and air circulation, and minimizing elevation difference between the sidewalk and unit entrances.

The architecture of the future buildings and the final number of units would be designed as the individual owners/agencies redevelop their sites. Building massing, height and maximum number of units have been anticipated (see Figures 3, 4 and 5) and would be regulated through the new Comprehensive Development Zone. Maximum heights, which would range from 3 – 16 storeys, have been set according to desired densification amounts, and positioned to maximize sunlight access to outdoor amenity spaces as well as building interiors. Attention has been paid to locations and buildings outside the site regarding sensitive views to, into and over the Nigel Valley block.



**Figure 3: Conceptual Massing Diagram** (from plans by D'Ambrosio Architecture and Urbanism)



**Figure 4: Contextual Perspective Looking North** (from plans by D'Ambrosio Architecture and Urbanism)



**Figure 5: Illustrative Drawing of Proposed Development Looking South** (Calum Srigley Design Consultant Ltd.)

Detailed Landscape and Design Guidelines forming part of the Development Permit would allow flexibility for each user group to address their individual needs and create their own design expression within an established framework with a focus on environmental sustainability and a harmonious aesthetic for the ultimate development within Nigel Valley.

**New Zone**

The applicant requests rezoning to a new CD-6NV (Comprehensive Development Nigel Valley) Zone. The new zone would divide the site into Development Areas representing anticipated future properties to be developed by individual property owners/agencies (see Figure 2). The



zone would contain regulations which would be applicable throughout the site as well as regulations specific to each Development Area, including the permitted uses and density, and parameters for elements such as building height and setbacks (see Figure 6). Regulations pertaining to required vehicle and bicycle parking would also be included within the CD-6NV Zone schedule.

The principles guiding the proposed land use strategy for the redevelopment block are those of compatible mixed-use, and integration. With the new zone, all existing land uses would remain permitted and some land use categories would be expanded to facilitate the development of minor commercial uses.

It is anticipated that as each agency develops specific plans for redevelopment of their sites, variances to the zoning regulations that achieve the overall vision would be considered on a site by site basis through the Development Permit Amendment process. In accordance with the "Local Government Act", variances can be considered for all zoning regulations except use and density.

## **Consultation**

### Neighbourhood:

The applicant has stated that community consultation has been ongoing since early 2015. Each stage of the planning process has been informed by input from a Steering Committee that includes representation from BC Housing as well as each of the individual agencies/owners within the Nigel Valley. Steering Committee members participated in a design charrette in June 2015. The Nigel Valley Comprehensive Neighbourhood Plan has been developed through a collaborative process involving the Steering Committee and other stakeholders, including the Quadra Cedar Hill Community Association, the Mount View Colquitz Community Association, and the Gorge Tillicum Community Association.

BC Housing launched a website for the Nigel Valley Plan in early 2016. The website includes relevant information about the proposal and notices about upcoming meetings for the general public and on-site tenants.

Engagement with the on-site tenants and clients was advanced with consideration to the sensitivity of the discussions about long-term redevelopment of Nigel Valley. Each Steering Committee organization coordinated briefing sessions with their tenants, clients, and user groups, including family members and supporters, where appropriate. Tenant relocation planning is a priority for each organization so as to minimize disruption and provide continuity of housing and support for residents.

The residents and property owners along Darwin Avenue are the Nigel Valley's direct neighbours and important stakeholders in the planning process. A special information session for these stakeholders was hosted by the planning team and attended by representatives of about 15 households. The team also attended the April, 2016 meeting of the Mount View Colquitz Community Association (MVCCA). In June 2016, a public open house was hosted in the Garth Homer auditorium. Approximately 50 people attended the open house.

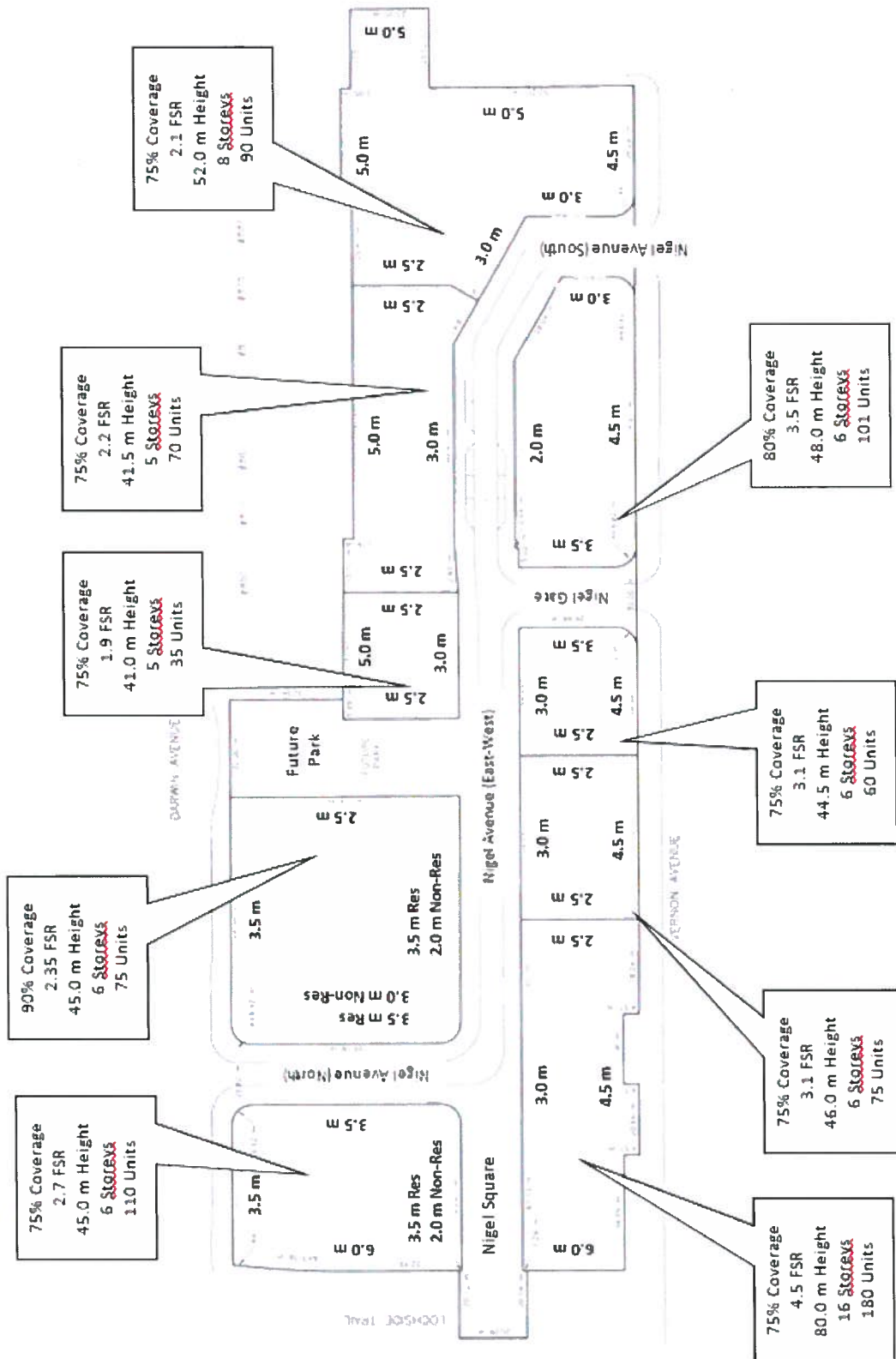


Figure 6: Proposed CD-6NV (Comprehensive Development Nigel Valley) Zone Summary

Community Association

Planning sent a referral to the Mount View Colquitz Community Association and to the Quadra Cedar Hill Community Association. MVCCA responded indicating general support for the proposed use, density, and Vernon Avenue improvements but stating concern about the maximum 16 storey height (maximum 12 storeys preferred), the lack of detailed building designs, and the need for municipal control through creation of a new CD-6NV Zone.

Ministry of Transportation and Infrastructure (MoTI)

A referral was sent to MoTI because the site is located adjacent to a Controlled Access Highway. The Ministry has stated that it has no objections in principle to the proposed rezoning and development and is in agreement in principle with the recommendations of the Traffic Impact Assessment subject to consideration of the detailed comments provided. The detailed comments related to a new pedestrian crossing of Vernon Avenue at Nigel Avenue, removal of the rightmost lane along Vernon Avenue, and two vehicle access points to the development from Vernon Avenue.

BC Transit

BC Transit has indicated support for the proposed development as it is consistent with transit supportive land use and transportation policies in the Victoria Transit Future Plan, and also with the District of Saanich's Official Community Plan. Special considerations at the detailed design stage should include provision for safe HandyDART pick up and drop off and barrier-free pedestrian connections from the subject properties to Ravine Way, Vernon Avenue, and most importantly the future Uptown area transit exchange.

Advisory Design Panel:

The proposal was considered by the Advisory Design Panel at their April 21, 2018 meeting. As there was no quorum, a formal motion could not be made. Consensus of Panel members is that this is an important project that has been well thought out. Members would like to see this project move forward with the setbacks as presented.

The Panel provided the following comments:

- The overall project is appreciated;
- It is evident that the 11 houses that are left on the street would be compatible for inclusion in future development;
- In general there is a lot of massing. The parks are good but it feels like more greenspace is needed;
- The proposed water management is good;
- The proposed mid-block cross walk is good;
- Have they considered electric vehicle plug-ins for both cars and scooters?;
- The five-storey height for buildings along Darwin Avenue (behind the existing houses) seems abrupt but it was noted that there is an extreme elevation change of one or more storeys already at the back of the houses;
- Question was raised about adequate parking for the development;
- With the amount of residents being over 500 people, is it possible to have a commercial business in the area (e.g. café or art gallery etc.);
- The setbacks and buildings define a strong street edge; and
- Have they considered contacting BC Transit for programs such as the Eco-Pass to assist with the need for parking?

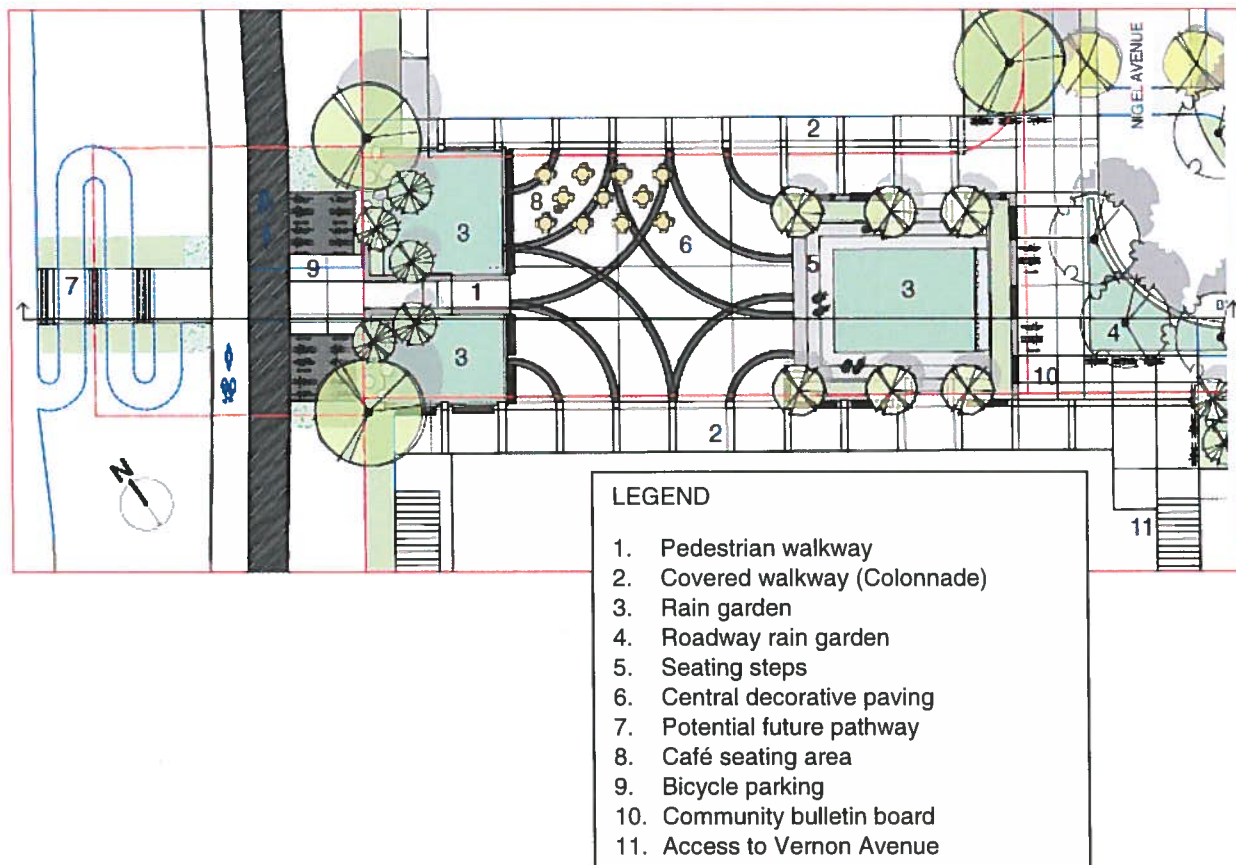
In response to questions from the Panel, staff noted that the Official Community Plan supports mixed-commercial/residential up to 18 storeys in the Uptown Major “Centre”. It was further noted that typically, transit passes are negotiated by the developer and are site specific. In addition to public transit, some developers also consider the MODO car share program.

**Community Contributions**

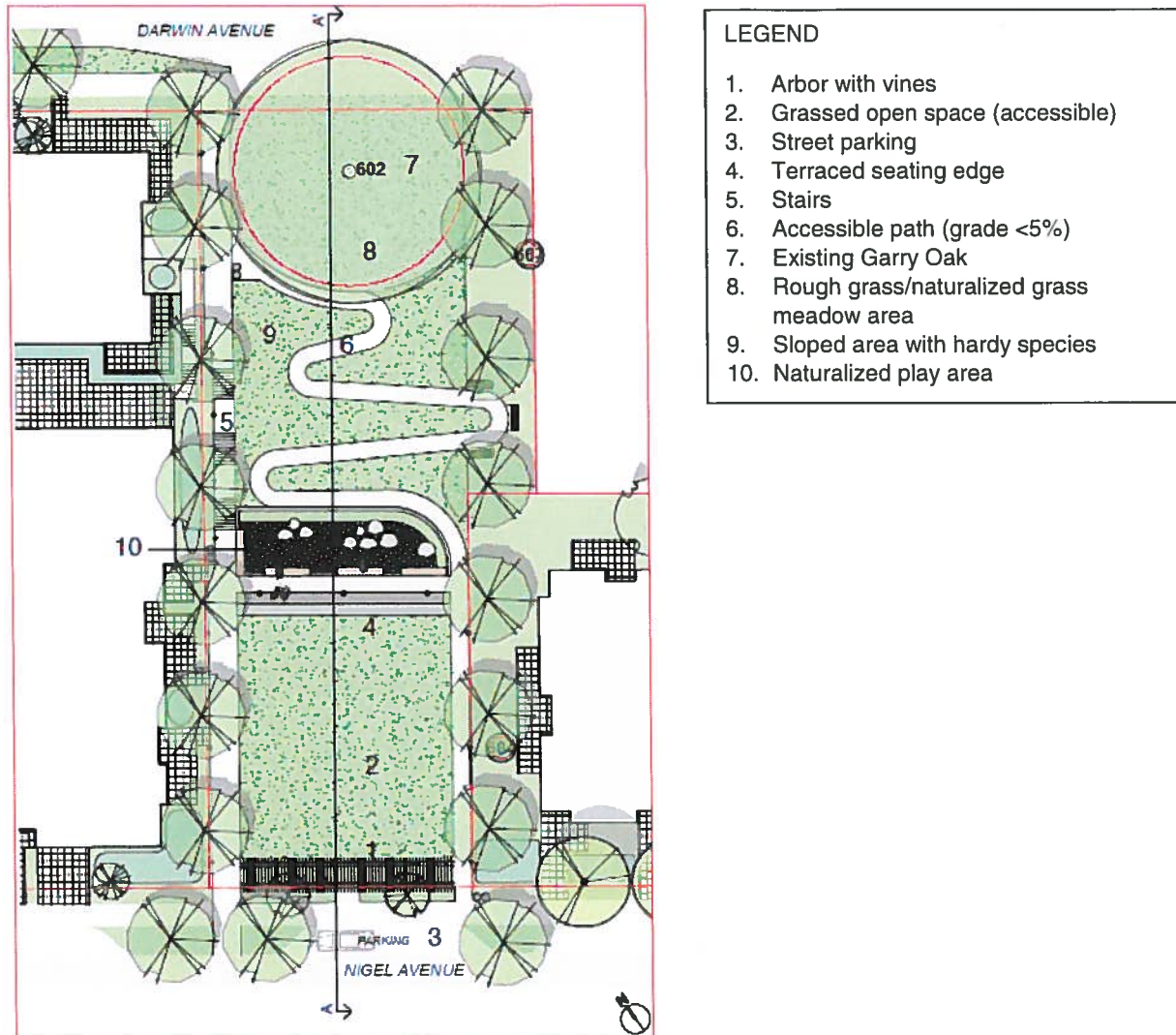
Proposed community contributions for the development would include a public plaza and a new park, at the applicant’s expense.

The Plaza would be located within an unconstructed portion of Nigel Avenue adjacent to the Lochside Regional Trail which would be closed. It would be the first public space in Saanich of this size with an urban park design (see Figure 7). It would be designed as a gathering place to accommodate all users, with a combination of hard surfaces, benches, rain gardens, landscaping, and a new enhanced connection to the trail. Small scale commercial uses would be encouraged in the flanking buildings to help enliven the space.

The new mid-block park, to be located between Darwin Avenue and Nigel Avenue, would include a shared south-facing open space, playground and community garden (see Figure 8). This park would be dedicated by a subdivision plan as the lot lines are being adjusted. This may take a number of years and is dependent on the owners/agencies funding and redevelopment plans and timing.



**Figure 7: Proposed Public Plaza** (from plans by D’Ambrosio Architecture and Urbanism, and Murdoch de Greeff Inc)



**Figure 8: Proposed Park** (from plans by D'Ambrosio Architecture and Urbanism, and Murdoch de Greeff Inc)

**FINANCIAL IMPLICATIONS**

Development of the site as proposed would require the sale of the municipally owned parcel at 832 Vernon Avenue as well as the residual right-of-way resulting from the narrowing of Nigel Avenue to BC Housing for a nominal fee. A number of the properties currently enjoy tax exempt status. While this is expected to continue, the inclusion of more than 200 market housing units would help to expand the tax base.

Saanich Parks has noted that after completion of the development, maintenance of the new park space and public plaza within the closed Nigel Valley right-of-way, would be a Saanich responsibility. A financial impact to Saanich would be expected due to additional maintenance costs for these new public spaces.

**STRATEGIC PLAN IMPLICATIONS**

The proposal has no implications related to the District of Saanich 2015 – 2018 Strategic Plan.

## PLANNING IMPLICATIONS

### Policy

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

#### Official Community Plan (2008)

- 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.”
- 4.2.1.16 “Encourage “green” development practices by considering variances, density bonusing, modified/alternative development standards or other appropriate mechanisms when reviewing development applications.”
- 4.2.1.18 “Encourage new development to achieve higher energy and environmental performance through programmes such as ‘Built Green’, LEED or similar accreditation systems.”
- 4.2.1.20 “Require building and site design that reduce the amount of impervious surfaces and incorporate features that will encourage ground water recharge such as green roofs, vegetated swales and pervious paving material.”
- 4.2.2.1 “Support quality architectural and urban design that: uses local, durable and eco-friendly building materials; works with the topography and protects the natural environment; reflects our west coast design; enhances a “Sense of Place”; respects local history and heritage structures and landscapes; creates pedestrian friendly and safe streets and neighbourhoods; incorporates and supports the use of alternative transportation; and ensures that our community is physically accessible.”
- 4.2.2.3 “Consider the use of variances to development control bylaws where they would achieve a more appropriate development in terms of streetscape, pedestrian environment, view protection, overall site design, and compatibility with neighbourhood character and adjoining properties.”
- 4.2.2.9 “Implement the initiatives outlined in the “Access to Transit” study.”
- 4.2.2.10 “Liaise with private and public agencies to address the needs of people with physical challenges.”
- 4.2.3.1 “Focus new multiple family residential, commercial, institutional and civic development in Major and Neighbourhood “Centres”, as indicated on Map 4.”
- 4.2.3.3 “Through the development review process consider the use of variances, housing agreements, covenants, phased development agreements and density bonusing to

secure public amenities such as; open space, playgrounds, landmarks, focal points, activity centres or cultural features.”

- 4.2.3.7 “Support the following building types and land uses in Major and Neighbourhood “Centres”:
- Townhouses (up to 3 storeys)
  - Low-rise residential (up to 4 storeys)
  - Mixed-use residential (up to 8 storeys)
  - Live/work studio & Office (up to 8 storeys)
  - Civic and institutional (generally up to 8 storeys)
  - Commercial and Mixed-Use (generally up to 8 storeys).”
- 4.2.3.8 “High-rises may be considered in the “Uptown Centre” in certain circumstances, based on the following criteria: siting takes advantage of opportunities to create new views, and does not significantly block existing public view (e.g. from parks and down street ends); buildings front the street with well defined, architecturally detailed, pedestrian scale entryways; generally up to 18 storeys in height; all parking is provided for underground, with the exception of visitor parking; lower floor use is commercial or residential, with individual exterior accesses to each residential dwelling or commercial unit; siting minimizes shading and privacy impacts on adjacent land uses; a significant amenity(ies) is provided to the community as part of the development such as; affordable housing units, a substantial public plaza of green space, community activity centre or other facilities (e.g., daycare, office space for community support services).”
- 4.2.8.1 “Acquire and develop park land to ensure residents have a wide range of leisure opportunities, and to preserve significant ecosystems.”
- 4.2.9.10 “Encourage publicly accessible open spaces in new developments, such as plazas, walkways or small park nodes.”
- 4.2.9.6 “Encourage and support non-vehicular transportation by providing a safe, interconnected, accessible and visually appealing cycling and walking network.”
- 4.2.9.15 “Ensure the pedestrian and cycling network in “Centres” and “Villages” is designed to accommodate projected population densities and associated activities such as, sidewalk cafes, public art, street furniture, and boulevard plantings.”
- 4.2.9.16 “Encourage the Ministry of Transportation to incorporate pedestrian routes and bike lanes on Ministry controlled roads to comparable municipal standards.”
- 4.2.9.30 “Consider alternative road designs where appropriate to retain neighbourhood character and protect environmental features.”
- 4.2.9.30 “Utilise Transportation Demand Management (TDM) strategies and other appropriate traffic calming techniques, to address speeding, safety concerns and short-cutting through neighbourhoods.”
- 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”;
  - 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.”
- 5.1.2.15 “Consider requiring registration of a covenant on title of new multiple-family developments prohibiting Strata Council rental restrictions as part of rezoning applications.”
- 5.1.2.16 “Integrate seniors and special needs housing into the community where there is good access to public transit and basic support services.”

#### Saanich Core Local Area Plan (1999)

- 3.4 “Through the Development Permit Process, carefully consider new development or redevelopment adjacent to the regional trail, in terms of aesthetics, overshadowing, and security impacts.”
- 4.2 “Consider infill housing only where the scale and massing is appropriate and the environmental, social, and traffic impacts would be within acceptable neighbourhood limits.”
- 5.5 “Ensure integration of local pedestrian routes and green spaces with the Regional Trails through the proposed Municipal Green Spaces/ Greenways Strategy.”
- 5.7 “Continue to work with CRD parks, other agencies, and private land owners to further develop and enhance the regional trail network.”
- 6.1 “Encourage protection of indigenous vegetation, wildlife habitat, and riparian environments within Saanich Core when considering applications for change in land use.”
- 6.5 “Seek opportunities to use native species for landscaping boulevards and other public lands to reduce maintenance costs.”
- 7.6 “Encourage the placement of art on public and private buildings and spaces adjacent to the Galloping Goose Trail.”

#### Draft Uptown-Douglas Corridor Plan

On November 6, 2017 Council endorsed the Uptown-Douglas Corridor Plan Framework Report. The Framework Report identifies key concepts and directions that were developed through a comprehensive public engagement process. It envisions mixed-use (residential) development throughout the block which includes the Nigel Valley.



The following key objectives are relative to redevelopment of Nigel Valley:

- Develop a compact urban core.
- Create a network of active and engaging public spaces.
- Lead growth with residential.
- Ensure all new buildings are pedestrian oriented and enhance streetscape conditions.
- Improve area connectivity and break up super blocks.
- Ensure each precinct/neighbourhood has sufficient public open space to provide recreation opportunities within close walking distance.
- Improve connections to Nigel Valley.
- Add public space in this area.
- Transform Vernon Avenue into a complete street.

### **Development Permit Area Guidelines**

The development proposal is within the Saanich Core Development Permit Area. Relevant guidelines include: retaining existing trees and native vegetation where practical; reducing impervious site cover; the scale of new development to reflect the urban character; multi-family housing to reflect surrounding developments, relate to topography, with building heights to acknowledge view corridors; buildings adjacent to Vernon Avenue should be stepped back from the street; no new vehicular accesses to Vernon Avenue between Ravine Way and Tolmie Avenue; buildings to be 4.6 m from Vernon Avenue; human scale design to encourage social interaction; providing high quality architecture; balancing the needs of all transportation modes and applying Crime Prevention Through Environmental Design (CPTED) principles in public areas; and encouraging pedestrian activity through design and connectivity to public spaces.

### **Analysis**

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 needs. The Nigel Valley is part of the Uptown Major “Centre” which includes a diverse range of regional commercial uses as well as the municipal administrative precinct. In accordance with the OCP, the proposed development would provide a range of housing types that can accommodate people of different ages, income, family structures, and physical and social needs. It would allow people with special needs to become or remain part of the community in new, customized accommodations. This proposal fosters the development of a community that is safe, diverse and inclusive and where social interaction, physical activity, sense of place, and neighbourliness are actively promoted and supported.

Redevelopment of the Nigel Valley would support future growth of the Uptown Major “Centre” with a greater mix of housing choices, transformed streetscapes and complete streets, new public amenities and open spaces, and enhanced walkability within a vibrant urban centre.

With respect to the Development Permit Area Guidelines, there are two guidelines where the proposal may be in conflict:

5. “Adjacent to Blanshard Street and Vernon Avenue buildings should be setback from the rights-of-way or stepped so that generally, they do not penetrate a plane formed by a 45° angle measured vertically from the finished grade along the property line abutting the street.”

12. "Buildings and structures should be set back at least 4.6 m from Blanshard Street, Douglas Street, and Vernon Avenue."

With respect to the building height, for a development of this scale the shallow depth of the lots abutting Vernon Avenue make it impractical to design a building that would not penetrate the 45° plane as described. As this development is within the Uptown Major "Centre" where policies support consideration of high-rise buildings up to 18 storeys, complying with this guideline would have a significant impact. The proposed height of any development is often an issue of concern. Impacts can often be mitigated through high quality architectural design, human scale design at the street level and improvements to the public realm. Due to the site topography the proposed 16 storey building would present as 14 storeys on Vernon Avenue.

With respect to the setback requirement noted above, the proposed zone requires a setback of 4.5 m from Vernon Avenue in accordance with the Ministry of Transportation and Infrastructure regulations. However, the Ministry will consider relaxation of that setback upon request. It is anticipated that as a building design is considered for each site, a variance to the Zoning Bylaw and relaxation from the Ministry would be forthcoming on a case-by-case consideration having regard for the overall site design, sight lines, and safety.

### **Environment**

A Tree Resource Report was prepared for the site by Talbot Mackenzie & Associates Consulting Arborists. The report identified 35 trees on the site or along frontages that are bylaw protected trees, and 199 non-bylaw protected trees. The tree retention plan consists of four Garry Oak trees, two large trees close to Darwin Avenue and two smaller Garry Oak trees that are along the eastern boundary of the proposed mid-block park.

The total number of trees to be removed throughout the site is 230, of which 31 are bylaw protected. A total of 77 replacement trees are proposed within public lands along Nigel Avenue, the public plaza, the mid-block park, and along Darwin Avenue. Trees along Vernon Avenue would need to be approved as part of the street design by the Ministry of Transportation and Infrastructure so they are not included as part of the 77 trees. As each site develops additional trees would be planted and the total number of replacement trees overall is 253, which would be a net gain of 23 trees.

### **Mobility and Parking**

To promote a pedestrian oriented street that is not auto-dominant, reduced road widths and a traffic-calmed street are proposed. A key objective is to design outdoor space that is accessible and balances a range of transportation modes. This approach extends to the Vernon Avenue streetscape which falls under provincial jurisdiction. Through extensive consultation BC Housing has obtained approval in principle from the Ministry of Transportation and Infrastructure (MOTI) to undertake changes along Vernon Avenue. Proposed changes include restructuring the right-hand lane to provide wider sidewalks, boulevard trees, cycling lanes, and a new mid-block pedestrian cross-walk.

The existing Nigel Avenue corridor is intended to become a connected and complete street serving as the central spine for the Nigel Valley neighbourhood. Primary access into the valley would be from Vernon Avenue. All roads within the site would have a minimum 18.0 m wide right of way, complete with 6.0 m radius corner cuts at all intersections. Two-way vehicle and bicycle traffic would be accommodated along with separated sidewalks, street parking and significant street trees. The pedestrian realm would be designed to support greater walkability

and to create a welcoming neighbourhood setting. Figures 9 to 11 show typical cross sections for Vernon Avenue and Nigel Avenue.

A Traffic Impact Assessment (TIA) was completed for the proposed development by Watt Consulting Group. The TIA estimated that the proposed redevelopment would generate an estimated 385 vehicle trips (combined in/out) during the PM peak hour based on the worst case scenario compared with 48 trips at present. Overall, the development would not contribute a significant change to traffic volumes on Vernon Avenue

At the intersection of Vernon Avenue/Saanich Road, the additional trips would not impact the level of service (which is already at a poor level of service) and would have minimal impact to the level of service at Vernon Avenue/Ravine Way. At the stop-controlled intersections and site accesses in the study area, current traffic operations would also be minimally affected. In the long term 15 year post development horizon, there could be a reduction in the level of service at the Vernon Avenue/Saanich Road and Vernon Avenue/Ravine Way intersections. This would occur as a result of new development in the area, including Uptown, and not specifically as a result of the Nigel Valley development.

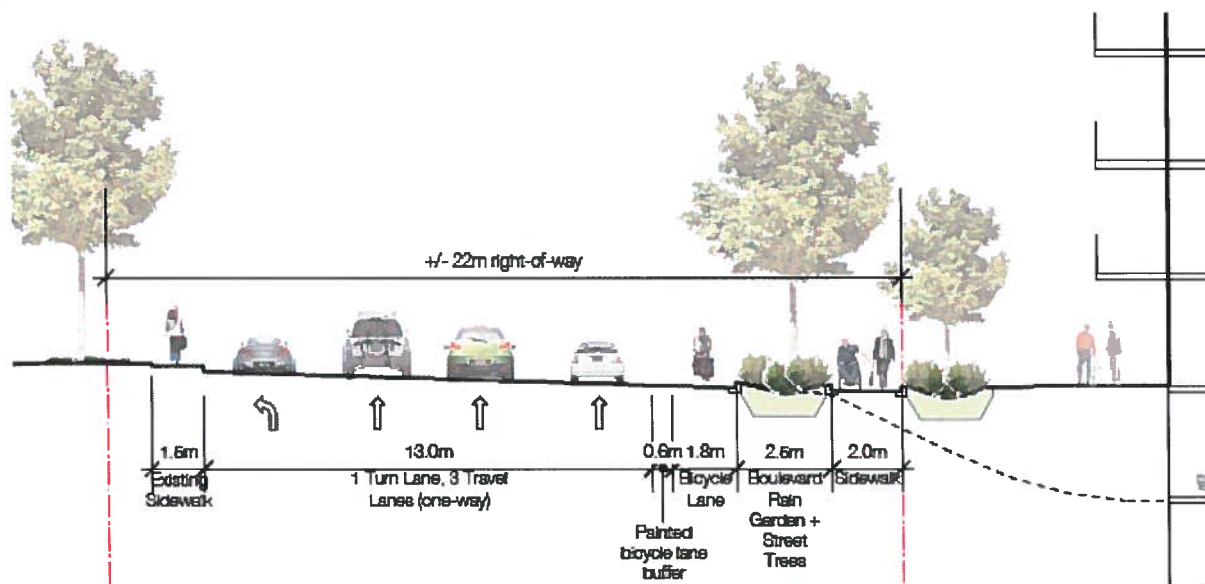
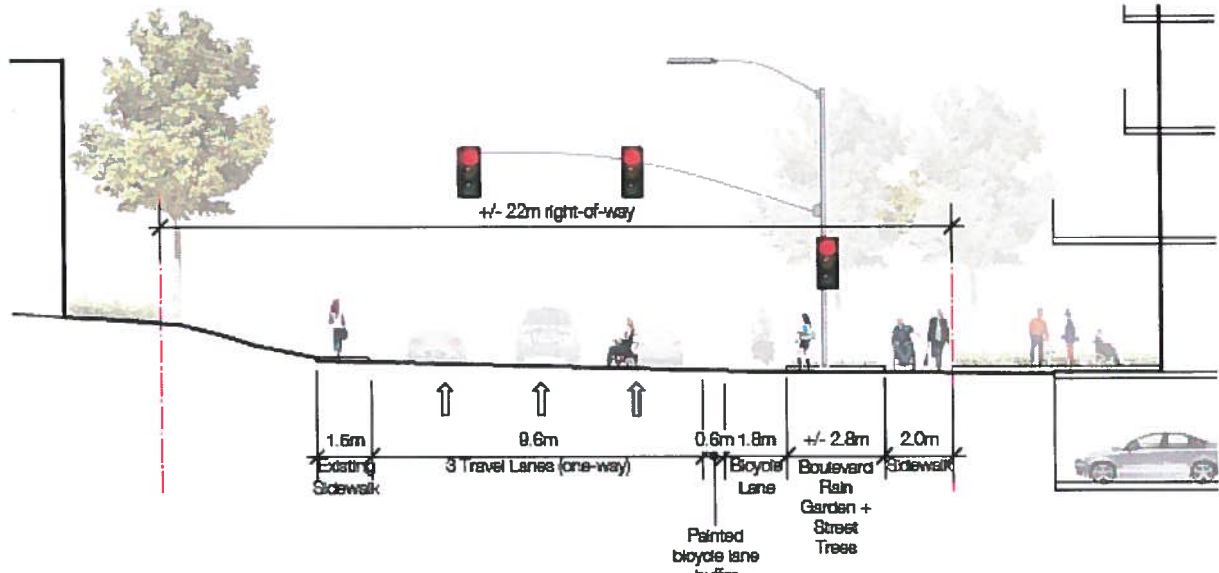
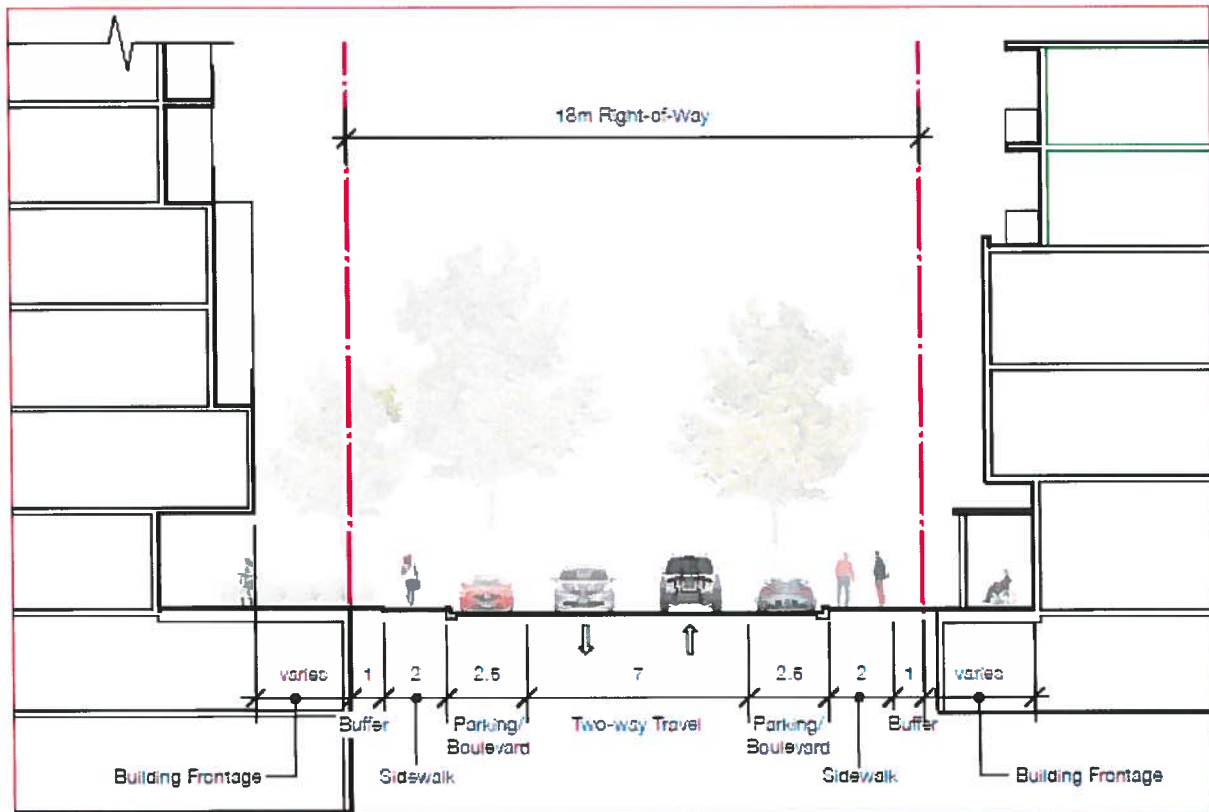


Figure 9: Vernon Avenue Cross Section – North of Nigel Gate (see Figure 2) (from plans by D'Ambrosio Architecture and Urbanism)



**Figure 10: Vernon Avenue Cross Section @ Nigel Gate Crossing (see Figure 2) (from plans by D'Ambrosio Architecture and Urbanism)**



**Figure 11: Nigel Avenue (East-West Portion of Avenue between buildings blocks A and B – see Figure 2) Cross Section (from plans by D'Ambrosio Architecture and Urbanism)**

Parking:

The applicants have been working with a Transportation Consultant throughout the process and have provided a traffic impact assessment and a parking study. The draft CD-6NV Zone would

include parking requirements for the site based on the proposed uses. The terms and conditions in the proposed Development Permit would encourage underground or concealed underbuilding parking. Where surface parking is proposed its primary use would be for visitors, short-term parking, or loading spaces.

Given the current use of passenger vehicles by the stakeholder agencies and the proposed expansion of services, the introduction of parking spaces designed for shuttle buses is proposed in the new zone. Specified dimensions for shuttle bus parking spaces are included and are intended to accommodate a HandyDART bus or multi-passenger vehicles commonly used.

It is anticipated that variances to the total parking requirement may be considered as each site develops and where Transportation Demand Management Strategies are implemented, including but not limited to, consideration of:

- Designated parking spaces for staff carpooling;
- Car share memberships for residents;
- Purchase of a vehicle to augment a car share program with a designated on-site parking space;
- Designated parking spaces for car share vehicles;
- Parking easements between Development Areas where parking demands are demonstrated to have opposing peak demand periods;
- Purchase of annual Public Transit passes for residents or staff; and
- End of trip facilities for staff.

**Table 2 – Parking Requirement Study**

<b>Parking Requirement Summary</b>		
<b>Uses</b>	<b>Proposed Requirement</b>	<b>Current Zoning Bylaw</b>
Apartment, for Market Housing	1 / dwelling unit	1.5 space / dwelling units
Apartment, for Affordable Housing	0.5 / dwelling unit	1.5 space / dwelling units
Apartment, for Housing Persons with Mental Illness	0.25 / dwelling unit	n/a
Residential Visitors	0.2 / dwelling as a portion of the total parking	0.3 spaces / dwelling unit
Daycare, Adult	1 / 50 m <sup>2</sup> GFA for daycare programs	1 per employee plus 2
Restaurant	1 space / 35 m <sup>2</sup>	1 space / 10m <sup>2</sup>
Personal Service	1 space / 35 m <sup>2</sup>	1 space / 14m <sup>2</sup>
Medical Services	1 space / 35 m <sup>2</sup>	1 space / 20m <sup>2</sup>
Retail Sales of Goods and Services	1 space / 35 m <sup>2</sup>	1 space / 14m <sup>2</sup>
Art Gallery	1 space / 35 m <sup>2</sup>	1 / 10m <sup>2</sup> of the area used for assembly
Library	1 space / 35 m <sup>2</sup>	1 / 10m <sup>2</sup> of the area used for assembly
Museum	1 space / 35 m <sup>2</sup>	1 / 10m <sup>2</sup> of the area used for assembly
Theatre	1 space / 35 m <sup>2</sup>	1 / 10m <sup>2</sup> of the area used for assembly
Assembly	1 / 35m <sup>2</sup> of the area used for assembly	1 / 10m <sup>2</sup> of the area used for assembly
<b>Shuttle buses (Includes specified parking space dimensions)</b>		
Daycare, Adult	1 / 130 m <sup>2</sup> of GFA for Adult Daycare	n/a

**Servicing**

The Engineering Department has provided an extensive list of servicing requirements for the proposed developments that must be completed at the applicant's expense. Required services or upgrades must be designed by a Professional Engineer. Specific servicing plans must be approved prior to the issuance of a building permit for each development.

Servicing requirements include assessments, by a Professional Engineer, of the adequacy of existing storm drainage, sanitary sewer, and water systems to accommodate the proposed developments and upgrading/replacement of these systems as necessary. Underground wiring (hydro and telephone) is required on Nigel Avenue and on all proposed roads and all buildings must have underground service connections. A construction fire safety plan and specific fire safety provisions will be required for each building to the satisfaction of the Fire Department.

Stormwater management must be provided in accordance with the requirements of Schedule H "Engineering Specifications" of the Subdivision Bylaw. The development is within a Type 1 watershed area which requires stormwater storage, construction of a wetland or treatment train and sediment basin. The applicant has stated that off-site stormwater generated from the road way or other hard surfaces within the public right-of-way would be treated in rain gardens that would be located within, or close to, the proposed public plaza. As each site is developed, a management plan for stormwater on that site would be required. While rain gardens are the preferred method for stormwater management, other methods that comply with the Engineering Specifications may be considered, such as multi-chamber system, treatment trains, or bioswales.

The District of Saanich is supportive of reclamation of the rightmost (auxiliary) lane of Vernon Avenue, with the reclaimed space allocated to improving the streetscape and pedestrian environment. The proposed crosswalk on Vernon Avenue must be full controlled with a three colour traffic signal. All internal roads must have a minimum 18.0 m wide road allowance complete with 6.0 m radius corner cuts. Design and construction of all municipal roads, including 2.0 m wide sidewalks, must be completed in accordance with the requirements of the Subdivision Bylaw. A 2.0 m wide separated sidewalk and 2.5 m wide parking bays are to be constructed along the Darwin Avenue frontage. A direct connection for all active transportation modes onto Nigel Avenue should be provided through the proposed Nigel Square from the Lochside Regional Trail.

A cash contribution, in the amount of \$50,000.00, would be required towards the installation of a traffic signal at Saanich Road and Tattersall Drive intersection. This would be secured through the Nigel Valley Master Development Agreement.

**Setbacks/Streetscape**

To foster the objective of creating a sense of place that is inclusive, encourages social interaction, and active streetscapes, the required setbacks in the proposed CD-6NV Zone support a more urban design. The setbacks, which range from 2.0 m to 6.0 m, were requested by the applicant based on pre-design work undertaken by the applicant and individual owners/agencies for each site, in consultation with the project architects.

The proposed setbacks are less than those initially proposed by staff, which ranged from 4.0 m to 6.0 m. The staff proposal recognized that space is needed within each site to accommodate such features as accessible building entrances, patios and gardens; patios for cafes, group recreation and private residences; short term bicycle parking; formal and informal seating; landscaping; outdoor gathering spaces; and rain gardens for stormwater management. In

addition, consideration was given to the building-to-building street and plaza width relative to proposed building heights to minimize overshadowing and loss of sun access. It was anticipated that variances could be considered on a site-by-site basis through the Development Permit Amendment process when detailed designs for each development site became available.

The applicant has stated that relying on Council to approve variances at the detailed design stage is not an acceptable option for the individual owners/agencies. Individual owners/agencies are advancing their plans for development of their sites, and securing financing, based on the maximum achievable gross floor area which is influenced by the required setbacks. As a result, they require certainty about the gross floor area that is permitted. Based on detailed pre-design work undertaken to-date, the applicant is confident that municipal interests can be accommodated on each site with the setbacks reflected in the draft CD-6NV Zone.

Based on the proposed setbacks, the building-to-building distance across Nigel Square and Nigel Avenue (East-West portion, see Figure 6) would be 25 m for non-residential floors and 22 m for residential floors. Along Nigel Avenue (North), the proposed building-to-building distance would be 25 m for non-residential floors and 24.5 m for residential floors. To help illustrate the streetscape implications a comparison was made with building-to-building distances at the Selkirk Waterfront development in the City of Victoria. The building-to-building distance across Jutland Road in the Selkirk Waterfront Development varies from  $\pm 20 - 25$  m (see Figures 12 & 13).



**Figure 12: Jutland Road – Selkirk Waterfront** (from Planning Department photo)



**Figure 13: Jutland Road – Selkirk Waterfront** (from Planning Department photo)

Based on the similarity with the Selkirk Waterfront development, the pre-design work undertaken for individual sites within Nigel Valley, and the need of individual owners/agencies for certainty about the gross floor area that may be achievable for their site, the Planning department can support the setbacks contained in the draft zone schedule. Should Council have concerns about the proposed setbacks, it would be in order to postpone consideration of the draft CD-6NV Zone and direct the applicant to come back with an alternate proposal.

## **NEXT STEP**

### **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 would be built into a Development Permit, and the Nigel Valley Master Development 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.

The following is a list of outstanding issues that will need to be addressed by the applicant in consultation with Saanich staff:



**Table 3 – Outstanding Issues**

<b>Outstanding Issues</b>		
	<b>Issue/Comment</b>	<b>Priority</b>
1.	<p><b>Master Development Agreement</b>                      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 Master Development Agreement would address in detail issues such as:</p> <ul style="list-style-type: none"> <li>• Development commitments</li> <li>• Development phases, subdivision and development permits</li> <li>• On-site Servicing</li> <li>• Off-Site Servicing</li> <li>• Public Realm Amenities</li> <li>• Operation and Maintenance of Public Amenities</li> <li>• Interim Requirements</li> <li>• Affordable Housing</li> <li>• Tenant relocation plans</li> <li>• CPTED assessment with each DP application</li> <li>• Transportation Demand Management</li> <li>• Annual Reporting</li> <li>• Energy Efficiency Commitments</li> <li>• Noise and Nuisance Mitigations</li> <li>• Restrictive Covenants</li> <li>• Statutory Rights-of-Way</li> <li>• Termination - Amendments</li> <li>• Dispute Resolution</li> </ul> <p><b>Action:</b>                      This detailed agreement is being drafted by BC Housing in consultation with the stakeholder owners/agencies and Saanich staff and would be available prior to a Public Hearing. If Council resolves to approve the development, Final Reading of the Zoning Amendment Bylaw and ratification of the Development Permit should be withheld pending registration of the Master Development Agreement.</p>	<p>Required prior to Public Hearing</p>
2.	<p><b>Housing Agreement</b>                      A Housing Agreement is proposed to establish occupancy criteria and affordable rental rates for the non-market housing in accordance with the mandates for each of the participating agencies.</p> <p><b>Action:</b>                      The Master Development Agreement contains provisions that would require individual agencies to enter into a Housing Agreement with the District of Saanich prior to ratification of a Development Permit Amendment for individual affordable housing sites.</p>	<p>Required prior to ratification of a Development Permit Amendment for individual affordable housing sites.</p>

<p>3.</p>	<p><b>Discharge of Land Use Contract</b>                  A Land Use Contract (LUC) registered on title for 846 Nigel Avenue would be discharged as part of the proposal.</p> <p><b>Action:</b>                  Discharge of the Land Use Contract can be considered by Council along with the Zoning Amendment Bylaw.</p>	<p>Required prior to Final Reading of the Zoning Amendment Bylaw</p>
<p>4.</p>	<p><b>Subdivision Plan</b>                  Future development applications would include subdivision applications to realign property boundaries, as well as dedicate land for roadway and park. A Plan prepared by a BC Land Surveyor showing proposed Development Areas and road closures will be required for consideration by the Approving Officer.</p> <p><b>Action:</b>                  The applicant will need to submit a Subdivision Application to the Approving Officer.</p>	<p>Required prior to Building Permit issuance.</p>
<p>5.</p>	<p><b>Sale of Municipal Land</b>                  The proposal includes the sale of a Municipally owned parcel at 832 Vernon Avenue and portions of the existing Nigel Avenue right-of-way to BC Housing for a nominal fee.</p> <p><b>Action:</b>                  The applicant will need to work with the Property Officer to negotiate an agreement for sale of the Municipally owned land for consideration by Council.</p>	<p>Required prior to subdivision approval.</p>
<p>6.</p>	<p><b>Road Closure Bylaw</b>                  Closure and disposal of existing road rights-of-way will require Council Approval of a Road Closure Bylaw.</p> <p><b>Action:</b>                  As part of the subdivision process, the applicant will need to apply to the Property Officer to close and purchase portions of the existing road rights-of-way.</p>	<p>Required prior to Building Permit issuance.</p>

**CONCLUSION**

The applicant requests rezoning to a new CD-6NV (Comprehensive Development Nigel Valley) Zone and a Development Permit for the whole site to guide redevelopment by various agencies that deliver affordable and supportive housing, and supportive day care programs for a range of vulnerable populations. The proposal involves 12 separate properties, 5 property owners, and 5 agencies. BC Housing is the lead agency that has coordinated the proposal.

The new zone would divide the site into Development Areas representing anticipated future properties to be developed by individual property owners/agencies. The zone would contain regulations applicable throughout the site as well as regulations specific to each Development

Area, including the permitted uses and density and parameters for elements such as building height and setbacks. Regulations pertaining to required vehicle and bicycle parking would also be included within the CD-6NV Zone schedule.

Redevelopment is anticipated to occur in phases over time, allowing stakeholders to address tenant relocation and continuation of services. It is anticipated that as each agency secures financing they would submit a Development Permit Amendment application to redevelop their site in accordance with the Nigel Valley Neighbourhood Plan and the Nigel Valley Master Development Agreement.

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 needs. The Nigel Valley is part of the Uptown Major "Centre" which includes a diverse range of regional commercial uses as well as the municipal administrative precinct. In accordance with the Official Community Plan, the proposed development would provide a range of housing types that can accommodate people of different ages, income, family structures, and physical and social needs. It would allow people with special needs to become or remain part of the community in new customized accommodation. The proposal fosters the development of a community that is safe, diverse and inclusive and where social interaction, physical activity, sense of place, and neighbourliness are actively promoted and supported.

Redevelopment of the Nigel Valley would also be consistent with the key concepts and vision contained in the Uptown-Douglas Corridor Plan Framework Report. The key concepts and vision were developed through a comprehensive public engagement process as part of an ongoing process to develop an Uptown-Douglas Corridor Action Plan. The Framework Report envisions mixed-use (residential) development throughout the Nigel Valley block and supports future growth of the Uptown Centre with a greater mix of housing choices, transformed streetscapes and complete streets, new public amenities and open spaces, and enhanced walkability within a vibrant urban centre.

While the overall development concept, proposed CD-6NV (Comprehensive Development Nigel Valley) Zone, and Development Permit can be supported, the applicant will need to continue to work with staff to address the outstanding issues noted in Table 3.

Prepared by:   
Neil Findlow  
Senior Planner

Reviewed and  
Approved by:   
Sharon Hvozdzanski  
Director of Planning

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**ADMINISTRATOR'S COMMENTS:**

I endorse the recommendation from the Director of Planning.

For   
Paul Thorkelsson, Administrator