

Public Input Binder

The purpose of Amendment No. 204 (Div. 6 - Transit Growth Area 1) is to add a new Transit Growth Area 1 (TGA1) zone to Division 6 of the Land Use Bylaw, which will regulate development, land use and siting of buildings on lands that are designated by the Official Community Plan (OCP) as “Transit Growth Area.” The TGA1 zone would:

- Provide a framework for the City to evaluate future rezoning proposals to ensure that there is a coordinated and consistent approach to regulating development in the Transit Growth Area.
- Ensure the successful delivery of the vision for Transit Growth Areas as described by Section 7 of the OCP while demonstrating best practices in urban design and architecture.
- Enable developments that sensitively increase density to support transit use, housing choice/diversity, and walking/cycling, while providing a gentle transition in scale to existing predominantly single-detached residential areas.

Within the binder, please find a copy of:

1. Staff Report
2. Proposed Bylaw No. 1986 (Div 6 - Transit Growth Area 1)
3. Notice of Amending Bylaw
4. Public Input

Minutes and videos of Council are publicly available, and can be accessed through the following link:

- <https://colwood.civicweb.net/portal/>



City of Colwood STAFF REPORT

To: Regular Meeting of Council
Date: April 24, 2023
From: Desiree Givens
RE: Introduction of the Transit Growth Area 1 (TGA1) Zone

RECOMMENDATION

THAT amendments be made to the Land Use Bylaw to add the Transit Growth Area 1 (TGA1) zone to Division 6 of the Land Use Bylaw;

AND THAT Council direct staff to use the TGA1 Zone to evaluate all future rezoning applications for lands that are designated by the Official Community Plan as Transit Growth Area.

SUMMARY AND PURPOSE

The purpose of this report is to recommend that Council consider amending the Land Use Bylaw to add a new Transit Growth Area 1 (TGA1) zone, which will regulate development, land use and siting of buildings on lands that are designated by the Official Community Plan (OCP) as "Transit Growth Area."

Currently, the TGA1 zone is not intended to be a tool for upzoning or pre-zoning properties in the Transit Growth Area. Rather, the merits of each rezoning proposal would be considered by Council on a case-by-case basis and the TGA1 zone can be understood to be a template zone that will provide a framework for the City to evaluate future rezoning proposals against to ensure that there is a coordinated/consistent approach to regulating development in the Transit Growth Area. By including this new zone in the Land Use Bylaw, staff would communicate to future applicants that the TGA1 Zone is the zone that guides development on lands in the Transit Growth Area.

The new TGA1 zone aligns with the policies for Transit Growth Areas that are described in Section 7 of the OCP, including supporting ground-oriented low-rise buildings with a maximum FAR of 2.5 and a maximum height of six storeys, which sensitively increase density to support transit use, housing choice/diversity, and walking/cycling while providing a gentle transition in scale to existing predominantly single-detached residential areas.

The TGA1 zone was drafted by staff and peer-reviewed by Christine Lintott Architecture, an architectural firm. The review evaluated how the zone's regulatory conditions could successfully deliver the vision for Transit Growth Areas as described by Section 7 of the OCP while demonstrating best practice from an architectural and urban design perspective.

BACKGROUND

In the last five years, staff have received several applications and inquiries to rezone properties along Sooke Road on lands that are designated by the Official Community Plan (OCP) as "Transit Growth Area." This includes 8 applications to rezone properties from a Residential 1 (R1) zone to several site-specific

Comprehensive Development (CD) zones to enable a range of residential and commercial uses, including apartments, townhomes, and mixed-use apartment buildings with ground-level commercial space. Of the applications received, 4 have been approved by Council and are past the rezoning stage. However, at least 3 applications have not yet been considered by Council (along with several anticipated future applications). It is staff's opinion that the Transit Growth Area could benefit from a coordinated zoning and land use planning approach.

Staff are recommending the creation of a new standard zone within Division 6 of the Land Use Bylaw, which will be known as the Transit Growth Area 1 (TGA1) zone.

The expectation is that properties within the Transit Growth Area would be rezoned to the TGA1 zone rather than to a new CD zone. This is reflected in the staff recommendation and is a departure from the frequent use of CD zones within Division 10 of the Land Use Bylaw. CD zones are site-specific and customized to fit a particular development proposal. The zone is custom made to fit a proposal as opposed development being guided by the City's desired land use parameters within the area. CD zones, while appropriate in some contexts, do not provide a coordinated and consistent approach to land use throughout a land use designation. For instance, 5 of the 8 recent rezoning applications for lands designated as Transit Growth Area and located along Sooke Road have been rezoned to a new CD zone, which has resulted in somewhat inconsistent regulatory conditions as shown in **Table 1** below:

Table 1: Comparison of CD Zones

Regulatory Conditions	CD25 Zone 2330 Sooke		CD36 Zone 2403 Sooke	CD33 Zone* 2350/56 Sooke	CD34 Zone 2353/61 Sooke	CD37 Zone* 3211 Jacklin
	Attached Housing/ Duplex	Apartment	Apartments Attached Housing	Apartments Restaurants Retail Store	Car Wash Restaurant Retail Personal Service	Apartments Commercial Retail
Min. Lot Area	6,000 m ²	5,000 m ²	-	3,000 m ²	7,000 m ²	2,500 m ²
Min. Lot Width	30 m		-	40 m	20 m	40 m
Max. GFA	4800 m ²		-	-	-	-
Max. FAR	-		1.75	2.5	1.0	2.5
Max. Lot Coverage	30%		50%	50%	35%	75%
Max. Height	11 m	21 m	6 storeys	25 m	2 storeys 12 m	6 storeys 20 m
Min. Front Setback	6 m		6 m 7.5 m (above 4 th storey)	6 m	3 m	4.5 m
Min. Side Setback	14 m	22 m	6 m	3 m 6 m (exterior)	0 - 15 m	2 m (interior) 2.5 m (exterior)
Min. Rear Setback	6 m		6 m	6 m	10 m	0 m

* These CD zones have not yet been adopted by Council

Through the creation of the TGA1 zone, staff will be able to better coordinate planning and land use along the transit corridors in Colwood (including Sooke Road), ensuring that there is a consistent approach to regulating the built form of new developments in Transit Growth Areas.

Official Community Plan (Bylaw 1700)

The new TGA1 zone (attached as **Appendix 1**) aligns with the built form policies for lands that are designated as Transit Growth Areas as described in Section 7 of the OCP. The Transit Growth Area land use designation supports low- to mid-scale, multi-unit residential uses at densities that support transit use along Sooke Road and portions of Veterans Memorial Parkway and Kelly Road as shown in **Figure 1**.

Transit Growth Areas enable developments that sensitively increase density to support transit use, housing choice/diversity, and walking/cycling, while providing a gentle transition in scale to existing predominantly single-detached residential areas.

Figure 1: Transit Growth Area Map

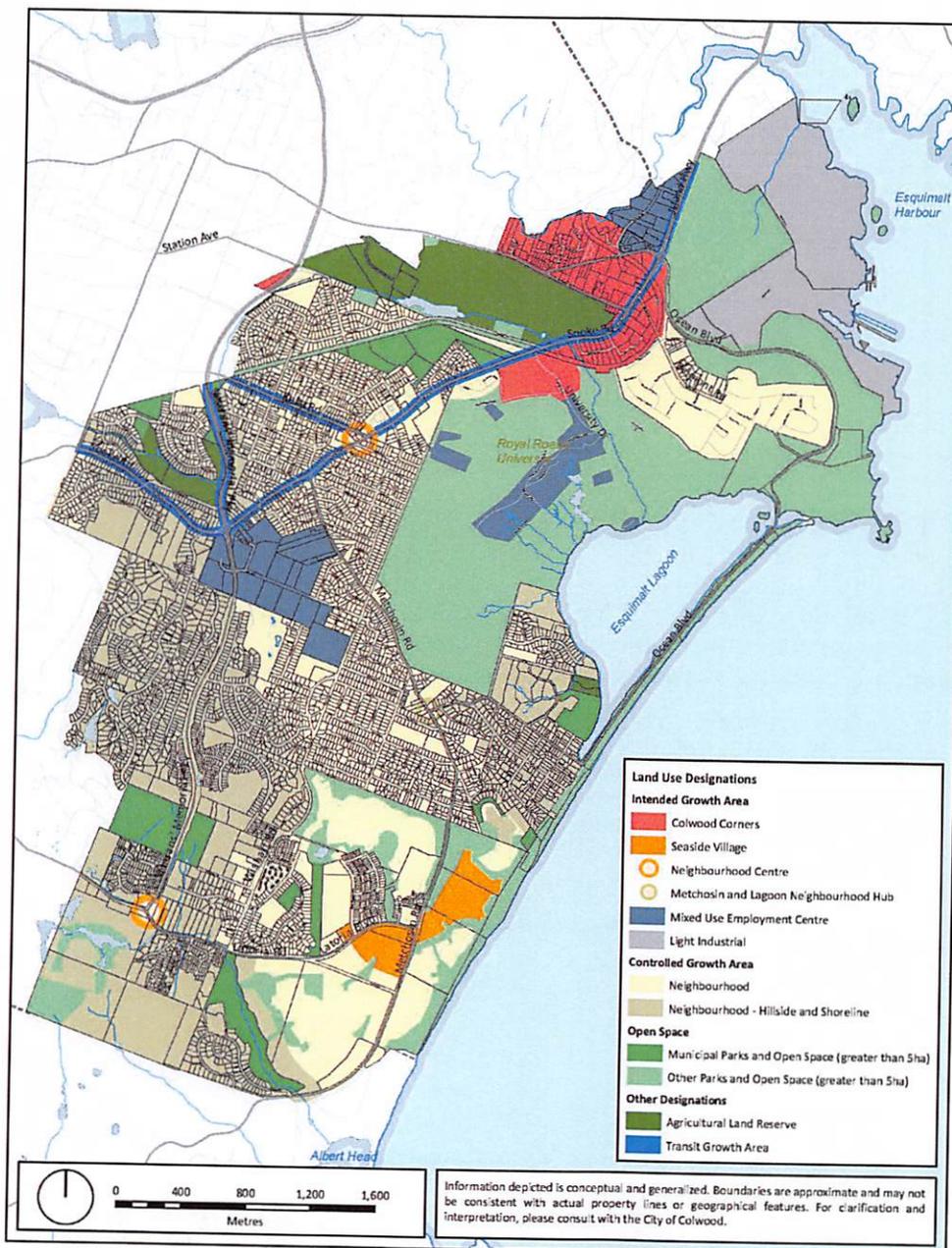


Table 2, below, describes policies for the Transit Growth Area land use designation and how the proposed TGA1 zone aligns with those policies.

Table 2: Proposed TGA1 Zone's Compliance with OCP Policies

Transit Growth Area	OCP Policy	Proposed TGA1 Zone	Staff Comment
Land Uses Policy 7.2.23	<ul style="list-style-type: none"> • Multi-unit residential • Live/work and home occupations • Institutional • Limited commercial and mixed-use, on a case-by-case basis 	<ul style="list-style-type: none"> • Accessory buildings and structures • Accessory dwelling unit • Affordable housing • Apartment • Attached housing • Bakery • Churches • Civic uses • Congregate housing • Daycare • Home occupation • Hospitals • Live/work studio • Offices • Personal services • Restaurants • Retail stores 	Policy met.
Built Form Policy 7.2.24.a	Ground-oriented and low-rise buildings up to approximately 4 storeys and up to 6 storeys in limited situations when enhanced urban design mitigates impact of additional vertical impact	<p>Ground-oriented low-rise buildings between 3 and 4 storeys are permitted in lots more than 1,000 - 2,000 m² in area.</p> <p>Low-rise buildings are permitted up to approximately 6 storeys in situations where the minimum lot area is 4,000 m² and minimum lot width is 60 metres.</p> <p>Setbacks and requirements for stepping back the upper two stories of 6-storey buildings were carefully considered to mitigate the vertical impact of building massing.</p>	Policy met.
Density Policy 7.2.24.b	Floor area ratio (FAR) up to approximately 2.5	FAR ranging between 1.2 (for townhomes) and 2.5 (for 6-storey buildings).	Policy met.

Community Amenity Contributions

Since the TGA1 Zone is a template zone that will be used to guide development for years to come, specific Community Amenity Contribution (CAC) amounts are not currently embedded in the zone. This will help prevent the risk of locking in rates that are less able to fluctuate or respond to inflation or changing policies.

Rather, the expectation is that the City would negotiate CAC amounts with an applicant during a rezoning process using the most recent Council-endorsed policy for CACs as the foundation for setting minimum CAC rate requirements. These negotiated amounts would then be added to a schedule within the Land Use Bylaw and referenced within the zone.

Peer Review of Draft TGA1 Zone

The TGA1 zone was reviewed by Christine Lintott Architecture, a neutral third-party architectural firm, to ensure that the zone's regulatory conditions could successfully deliver the vision for Transit Growth Areas as described by Section 7 of the OCP while also demonstrating best practice from an architectural and urban design perspective with respect to:

- The ratio of building height to setbacks between subject property and adjacent lots;
- The ratio of building height to street width;
- Appropriate FAR density ranges for attached housing, apartment buildings, and mixed-use buildings along a collector, arterial and local road; and,
- Appropriate minimum lot sizes and how large a lot should be for a 6-storey building to be considered appropriate in the Colwood context.

The Architect reviewed the following City of Colwood bylaws and policies to gather and extract key values and goals, which were then used to create and evaluate various regulatory conditions:

- Official Community Plan Bylaw No. 1700
- Land Use Bylaw No. 151
- Off-Street Parking Bylaw No. 1909
- Transportation Master Plan

Different combinations of conditions were tested on a sample of land parcels throughout Colwood to determine the impacts of varying each zoning regulatory condition (e.g., minimum lot area, lot width, FAR, lot coverage, etc.) and to assess the performance of each condition in shaping development relative to the goals and values expressed in Colwood's bylaws and policies.

The peer review also highlighted the need to potentially update Colwood's Off-Street Parking Bylaw No. 1909 to incentivize transit use, walking and cycling to align with the OCP goals, policies, and objectives for the Transit Growth Area.

OPTIONS / ALTERNATIVES

Council may wish to consider one of the following options:

OPTION 1 - Please refer to the staff recommendation.

OR

OPTION 2 - That the request be deferred for further information.

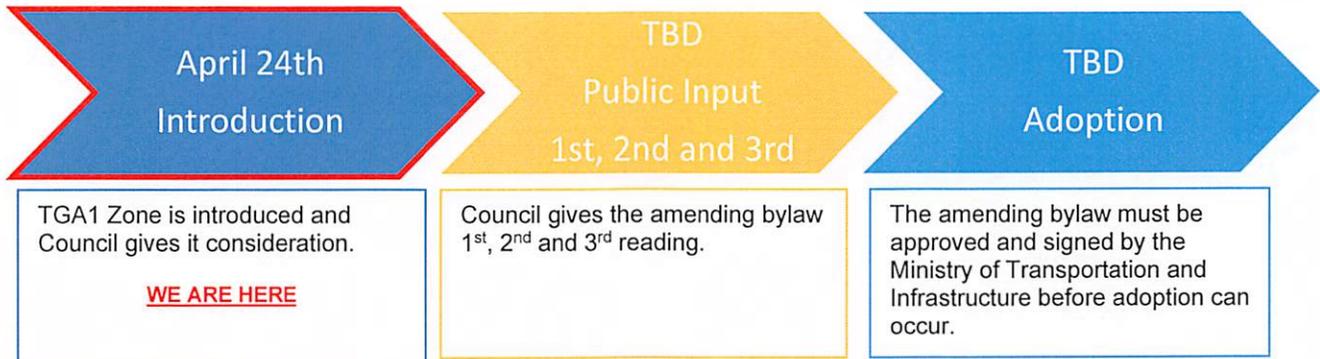
OR

OPTION 3 – Another option selected by Council.

OR

OPTION 4 – That the request be denied.**COMMUNICATIONS**

This staff report and supporting documents are available for public viewing on the City's website and in person at City Hall during office hours. If Council endorses Option 1, notice will be posted on the City's website and in two consecutive issues of a local newspaper inviting the public to provide comment on the proposal during the public participation portion of the meeting where the new TGA1 Zone is considered for first reading.

TIMELINES**FINANCIAL CONSIDERATION**

There are no financial implications associated with the creation of the TGA1 zone within Division 6 of the Land Use Bylaw.

CONCLUSIONS

The creation of a new TGA1 zone will result in a more coordinated approach to planning and land use for proposed developments along the Transit Growth Area corridors, including Sooke Road. Given that the proposed zone aligns with OCP policies for Transit Growth Areas and has been peer reviewed to ensure consistency and demonstration of best practice in urban design and architecture, Council may wish to consider endorsing the staff recommendation, which would direct staff to prepare an amending bylaw to add the new zone to Division 6 of the Land Use Bylaw and return to Council for bylaw readings and adoption.

Respectfully submitted,

Desiree Givens, MCRP
Planner II

Reviewed By:

Yazmin Hernandez, MCIP, RPP
Manager of Development Services

ADMINISTRATORS COMMENTS:

I have read the report and endorse the recommendation.



Robert Earl

Chief Administrative Officer

Attachments:

APPENDIX 1: Draft Transit Growth Area 1 (TGA1) Zone



**CITY OF COLWOOD
BYLAW NO 1986**

A BYLAW TO AMEND BYLAW NO. 151 BEING THE “COLWOOD LAND USE BYLAW, 1989”

The City of Colwood Council, in open meeting assembled hereby enacts as follows:

1. CITATION

This bylaw may be cited as **“Colwood Land Use Bylaw No. 151, 1989, Amendment No. 204 (Div 6 - Transit Growth Area 1), Bylaw No. 1986, 2023.”**

2. AMENDMENT

Bylaw No. 151, the **“Colwood Land Use Bylaw, 1989”** is amended as follows:

- a) In Section 1.3.09 under the heading “SHORT FORM” and after “RT4” insert “TGA1” and under the heading “ZONE” and after “Residential Towncentre 4” insert “Transit Growth Area 1”.
- b) By adding as Section 6.12, the text attached as Schedule 1.
- c) By adding as Schedule B, the text attached as Schedule 2.

READ A FIRST TIME on the _____ day of _____, 2023

READ A SECOND TIME on the _____ day of _____, 2023

READ A THIRD TIME on the _____ day of _____, 2023

**APPROVED BY THE MINISTRY OF
TRANSPORTATION AND INFRASTRUCTURE** on the _____ day of _____, 2023

**ADOPTED BY THE MUNICIPAL COUNCIL
OF THE CITY OF COLWOOD** on the _____ day of _____, 2023

MAYOR

CORPORATE OFFICER

SCHEDULE 1

SECTION 6.12 TRANSIT GROWTH AREA 1 (TGA1) ZONE

6.12.01 Purpose

The purpose of this zone is to support the orderly development of lands that are designated as “Transit Growth Area” in the Official Community Plan to allow for a range of residential, institutional, and commercial uses. The TGA1 zone is intended to permit street-oriented residential development at a medium density suitable for a transit growth area. The type of living space proposed in this zone would best accommodate people who choose to have lifestyles which are less car dependent.

A base level of development is provided for which would permit the development of the lands in the zone at a low density. Alternative regulations are specified for development at bonus density, subject to the owner providing amenity contributions as contemplated by Section 482 of the *Local Government Act*.

6.12.02 Definitions

Despite any other bylaw provision, the following definitions apply to the following terms used within the TGA1 Zone:

1. **“Front Lot Line”** means the lot line that divides the lot from a public road in a bareland strata plan, provided that in the case of a corner lot, the lot line that abuts an arterial road in a bareland strata plan shall be deemed the front lot line. In the case of a through lot, the lot lines abutting two approximately parallel roads in a bareland strata plan shall be considered as front lot lines.

6.12.03 Permitted Uses

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the TGA1 Zone:
 - a. Accessory buildings and structures
 - b. Accessory dwelling unit
 - c. Affordable housing
 - d. Apartment
 - e. Attached housing
 - f. Bakery
 - g. Churches
 - h. Civic uses
 - i. Congregate housing
 - j. Daycare
 - k. Home occupation
 - l. Hospitals
 - m. Live/work studio

- n. Offices
- o. Personal services
- p. Restaurants
- q. Retail stores

6.12.04 Base Level of Development

1. In the TGA1 Zone the number of dwelling units shall not exceed 2.

6.12.05 Community Amenity Contributions

1. Despite the restrictions in Section 6.12.04, on land whose legal description is set out in Table 1 of Schedule B of the Land Use Bylaw, the density of development in Section 6.12.05 is permitted up to a maximum of 2.5 FAR in accordance with Section 6.12.06 if the owner pays to the City of Colwood the amount specified in Table 1 of Schedule B of the Land Use Bylaw.
2. Payment of the contributions in Section 6.12.05.1 shall be made at the time of issuance of a building permit.

6.12.06 Regulatory Conditions

1. Within the TGA1 Zone, the following regulatory conditions apply:

Regulation	Attached Housing	Low-Rise Apartment	Mid-Rise Apartment
Minimum Lot Area	1,000 m ²	2,000 m ²	4,000 m ²
Minimum Lot Width	30 m	40 m	60 m
Maximum Floor Area Ratio	1.2	1.75	2.5
Maximum Lot Coverage for Structures and Buildings	35 %	40 %	50 %
Usable Open Space	5% (minimum)		
Maximum Building Height	Lesser of 3 storeys or 12 m	Lesser of 4 storeys or 16 m	Lesser of 6 storeys or 24 m
Front Setback	3 m (minimum); 6 m (maximum)		
Side Setback	4 m first 3 storeys (minimum)		
Rear Setback	7.5 m first 3 storeys (minimum)		
Setback for Underground Structured Parking and Parking Ramps from Any Lot Line	3 m (minimum)		

2. The minimum side setback for the 3rd storey and above shall be 7.5 metres where adjacent to a one family dwelling use or a two family dwelling (duplex) use.
3. The minimum rear setback for the 3rd storey and above shall be 10 metres where adjacent to a one family dwelling use or a two family dwelling (duplex) use.

6.12.07 Sooke Road Dedication

1. Where a parcel abuts a portion of Sooke Road with a dedicated Right-of-Way width of less than 30 m, a road dedication will be required, meeting standards set out in the Transportation Master Plan.

6.12.08 Access to Parking Areas

1. Where a parcel abuts a lane or local street intended for motor vehicle access to a parcel, driveway access must only be from the lane or local street.

6.12.09 Landscaping

1. Landscaping is to be provided:
 - a. Where a lot line joins a public road, a landscaped area of at least 1.5 m in width must be provided inside the property line that abuts the public road;
 - b. To separate parking areas from adjacent residential properties, a landscaped buffer area of at least 1.5 m in width and 2.0m in height must be provided along the inside of all property lines abutting a property that is zoned for residential uses;
 - c. Loading areas and refuse removal area and recycling containers must be screened from adjacent properties and streets by landscaping or solid decorative fence or combination thereof; and
 - d. All mechanical, electrical, and other service equipment located outside or on the roof of a building must be screened from adjacent properties and streets by ornamental structures, landscaping, or other means.
 - e. All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.
 - f. Landscape and screening areas shall retain existing trees and natural vegetation wherever possible and add planting including native species that enhances the natural environment.

6.12.08 General

1. The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between the provisions of Division 1 and 2 and the provisions of this zone, the latter shall prevail.

SCHEDULE 2

Schedule "B"

Table 1: Amenity Contributions

Zone	Bylaw No.	Legal Description	Amenity Contributions

DRAFT

NOTICE OF AMENDING BYLAW

Colwood Land Use Bylaw No. 151, 1989, Amendment No. 204 (Div. 6 – Transit Growth Area 1), Bylaw No. 1986, 2023

MEETING:	Regular Meeting of Council
DATE and TIME:	Tuesday, May 23rd, 2023, 6:30 pm
PLACE:	Council Chambers, 3300 Wishart Road, Colwood BC

NOTICE IS GIVEN that Council will consider First and Second Reading on Tuesday, May 23rd, 2023, at 6:30 pm in relation to the proposed “Colwood Land Use Bylaw No. 151, 1989, Amendment No. 204 (Div. 6 - Transit Growth Area 1), Bylaw No. 1986, 2023”.

PURPOSE: The purpose of Amendment No. 204 (Div. 6 - Transit Growth Area 1) is to add a new Transit Growth Area 1 (TGA1) zone to Division 6 of the Land Use Bylaw, which will regulate development, land use and siting of buildings on lands that are designated by the Official Community Plan (OCP) as “Transit Growth Area.” The TGA1 zone would:

- Provide a framework for the City to evaluate future rezoning proposals to ensure that there is a coordinated and consistent approach to regulating development in the Transit Growth Area.
- Ensure the successful delivery of the vision for Transit Growth Areas as described by Section 7 of the OCP while demonstrating best practices in urban design and architecture.
- Enable developments that sensitively increase density to support transit use, housing choice/diversity, and walking/cycling, while providing a gentle transition in scale to existing predominantly single-detached residential areas.

SUBJECT PROPERTY: This Bylaw applies to all lands within the City of Colwood that are designated by the Official Community Plan as Transit Growth Area.

INSPECTION OF MATERIALS: Copies of the proposed bylaw and related materials can be viewed at www.colwood.ca/publicnotices or in person at Colwood City Hall from May 15th to May 23rd, 2023 between 8:30 am and 4:30 pm, Monday to Friday excluding statutory holidays.

We want to hear from you!

WRITE TO US

The deadline for written submissions is 12:00 pm on the day of the meeting and must include your name and civic address.

- Email corporateservices@colwood.ca
- Mail/Drop-off: City of Colwood, 3300 Wishart Road, Colwood, BC V9C 1R1

SPEAK TO COUNCIL

In Person: The public is welcome to provide comments in person during the meeting.

Electronically: To pre-register to speak please contact corporateservices@colwood.ca up until noon on the day of the meeting.

NEED MORE INFORMATION? Contact Development Services at (250) 478-5053 ext. 112 or planning@colwood.ca.



