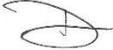


Report

Date	April 7, 2016	File:
To	Council	
From	Scott Mack, Director of Development Services	Endorsed: 
Subject	Draft Kingsview Comprehensive Development Plan and Zoning	

Purpose

The purpose of this report is to provide Council with information, analysis, and recommendations regarding the proposed new Kingsview Comprehensive Development Plan and associated proposed comprehensive development (CD1) zoning.

Background

The Municipality received an application to amend its Official Community Plan (OCP Bylaw No. 3450) and Zoning Bylaw (No. 2950) on November 7, 2014 on behalf of the current owner of the subject properties: Transtide Kingsview Development Ltd. The purpose of this application is to rescind the existing Cliffs Over Maple Bay (Cliffs) CDP and Comprehensive Development Zoning (CD1) and adopt a new master plan (Kingsview CDP) and zoning for the subject properties.

The applicants held a preliminary public open house at the Quamichan Inn on November 27, 2014, which was well attended by the community and provided information to the general public on the original draft proposal.

Through the early months of 2015 Municipal staff were working collaboratively with Mr. Bill Katerenchuck (applicant and authorized agent for this proposal on behalf of the owners), to refine the plan and ensure that it was consistent with the Official Community Plan (OCP) and the Climate Action and Energy Plan (CAEP). Amongst many other smaller changes and discussion items, Staff had requested that the original submission be amended with regard to four (4) key points:

- Retain a significant existing stand of trees (+/- 8.0 ha) as park land in the southwest corner of the parcel, adjacent to the Municipal Forest Reserve, in order to reduce the amount of additional tree removal from the subject property given the significant land alteration that has already taken place.
- Re-establish a primary drainage route / watercourse through the central portion of the northern half of the site, in order to address and acknowledge stormwater management requirements and natural drainage patterns on the site.
- Reduce overall proposed park dedication. The original proposal provided for approximately 40 ha (100 acres) of new dedicated municipal park land, with a significant portion of those lands encompassing the steepest and undevelopable portions of the property.

Staff were concerned that this amount of land would create a significant long-term financial burden for the Municipality from a maintenance and liability standpoint. The park dedication has now been reduced to approximately 24 ha (60 acres). An additional approximately 14 ha (35 acres) of steep slopes and undevelopable lands are now identified as being located within privately owned parcels but will be covenanted to protect and ensure that they are not disturbed or developed.

- Enhanced utilization of developable lands. Staff felt that there were some areas within the draft Plan that had been designated for parks and open space that were better suited for development, and/or could be developed with some creative engineering solutions to address site constraints.

Mr. Katerenchuck was receptive to these changes on behalf of the owners and was working with his consulting team to update the Plan accordingly. Sadly, Mr. Katerenchuck passed away suddenly and unexpectedly in May 2015, which set this process on hold for a short time until the owners and consulting team were able to regroup and meet with Staff in order to confirm and clarify our collective positions on the above issues.

Following a productive meeting in July, 2015 between the Director of Development Services and Deane Strongitharm, Senior Associate with CitySpaces Consulting, the consulting team submitted a revised concept plan that addressed all of the above comments and considerations which had been raised by staff through earlier discussions and feedback provided to Mr. Katerenchuck. Having received general support from Staff for the revised concept, the consulting team updated the overall plan and their servicing models to ensure that appropriate capacities exist to support the proposed development and to identify specific downstream infrastructure upgrades that will be required as the project is built out over the next number of decades. A final draft plan was presented during a meeting with Staff in early January, 2016, which Staff have now reviewed in its entirety, along with proposed draft zoning, which was provided in late February, 2016.

Discussion

Land Use Concept

The proposed land use concept has been developed with significant consideration given to the existing and, in some cases, challenging topography and site conditions that exist on the site at present. Significant site works were completed towards developing the site in accordance with the existing CDP in 2008-2010, which included clearing of nearly the entire property and significant earth works to re-grade the site and develop the proposed golf course.

The proposed new plan has been developed with a desire to minimize further earth works and to work with the site grading that has already been completed. In the interests of limiting further significant land alteration and potential downstream impacts, Staff are supportive of this key principle.

Overall, the land use concept proposes a mix of primarily residential land uses (low and medium density) with substantial dedicated park space throughout the property intended to provide for linear passive park space with trail connections through the neighbourhood, connecting to existing neighbourhood networks to the north and west, as well as to expansive trail networks on Mount Tzouhalem. A small potential mixed-use site, with limited commercial on the main floor (max. 5,000 ft²) and residential units above, is also identified at the corner of Highwood Road and Viewtop Road.

Density – Existing & Proposed

The existing Cliffs CDP and zoning currently allows for a maximum total of 705 residential units on the subject property over 123 ha. The zoning also stipulates a maximum of 225 total hotel rooms may be permitted. For the purposes of this plan, a hotel unit also includes strata, fractional and timeshare ownership options. Given that these units tend to be smaller and place less burden on infrastructure, each hotel unit accounts for only 0.5 residential units. Therefore 225 hotel units would only count for 112.5 (113) units towards the total residential count.

Based on these calculations, a total of 592 conventional residential units – single family, townhouse, apartment units) plus 225 hotel units (strata, fractional, timeshare ownership, etc.) – which would count as 113 residential units, can presently be developed under the current plan and zoning ($592 + 113 = 705$). Functionally, this would provide for a total of 817 actual physical units ($592 + 225 = 817$). Under the current CDP and CD1 zoning, phase 1 of the Cliffs development (completed in 2011) involved the creation of 72 new lots (for a total of 86 residential units to date), with two of those lots intended for multi-family development. Based on what has been developed and/or approved to date, a further 731 units can be developed under current approvals ($817 - 86 = 731$).

Based on the current plan and zoning, if fully built out, the density for the overall plan area would be approximately 6.6 units per ha based on 817 units over 123 ha. If the golf course area (75 ha) is excluded from the density calculation, the density proposed for the actual developed portion of the property (which currently includes a mix of single family, townhouse, apartment and hotel uses), would be approximately 17 units per ha ($817 \text{ units} / 48 \text{ ha}$).

The new Kingsview CDP no longer proposes the development of a golf course, which of course therefore requires significant reconsideration of the entire plan and alternative land uses for those 75 ha previously allocated for this purpose. The owners have proposed that approximately 65% of that 75 ha would be used for residential development, with the remaining 35% designated for parks and open space. The revised plan proposes a total of approximately 1190 residential units across the remaining 106 ha of land, which produces a total proposed density of approximately 11 units per ha. It is anticipated that approximately 180 of these single family units (areas identified as Area 1 on the proposed zoning map) would also have the potential to have secondary suites. While that potential must be factored in to servicing capacities, in practical terms based on market demand it is highly unlikely that every one of those lots would in fact have a secondary suite.

To provide context for the proposed density (11 units per ha) and unit counts, the list below compares the existing Cliffs CDP and the proposed Kingsview CDP to a number of existing North Cowichan neighbourhoods:

- Proposed Kingsview CDP: 11.0 units per ha
- Existing overall Cliffs Over Maple Bay CDP: 6.6 units per ha
- Existing Cliffs CDP (excluding golf course lands): 17.0 units per ha (development lands only)
- Cliffs Phase 1 (72 lots - Kingsview/Nevilane): 12.4 units per ha (approximately 20 houses built to date)
- Cliffs multi-family site (Kingsview Road): 21.0 units per ha (currently under construction)

Other North Cowichan Neighbourhood Densities:

- The Properties: 9.0 units per ha
- Stonehaven (Near Hospital): 14.0 units per ha
- Cook St. / Creegan Drive (Chemainus): 12.0 units per ha
- Trumpeter Pointe: 9.0 units per ha
- Heron's Wood: 18.0 units per ha

As the above illustrates, at 11.0 units per ha, the proposed development is very much in line with existing surrounding neighbourhoods (Properties, Trumpeter Pointe) and also consistent more broadly with residential neighbourhood densities across the Municipality.

Actual final unit counts and density numbers at build out of the Kingsview project are also likely to be slightly lower than the proposed maximum as a result of market conditions and site development constraints.

An example of this has already been seen in Phase 1 where the zoning allows for a total of 30 units on each of the two multi-family residential parcels. The site currently under development on Kingsview Road proposed and obtained approvals for only 16 units based on a perceived market desire for a particular type and size of residential product as well as the challenges of constructing on a relatively steeply sloped property. It is likely that market conditions and topographic and site planning challenges will be seen with other sites within this plan area when designers and developers begin to develop more detailed plan for individual sites.

The OCP speaks generally to a target density of 15.0 units per ha within the Urban Containment Boundaries. As illustrated in the above numbers, the proposed unit count and density for the Kingsview CDP, while slightly less than the target at only +/-11.0 units per ha, is generally within this range and comparable with many other low density (9.0 – 18.0 units per ha) residential neighbourhoods nearby and across North Cowichan. This slightly lower than target density is also supportable at this location as we are at the furthest reaches of the South End Growth Centre (UCB) boundaries, therefore this concept is respectful towards existing residential developments to the west and north, and rural and resource land uses to the east and south, which is also an important OCP policy.

Setting and achieving these density targets and providing a range of housing products, sizes and styles helps to ensure that we are developing diverse neighbourhoods which will help to support the long-term growth and viability of the neighbourhood and the community. As an example of this, although designated for the past 35 years for commercial development, the commercial site at the bottom of Kingsview Road, at the intersection of Donnay Drive and across from Maple Bay Elementary, is only finally coming forward to be developed as the neighbourhood has finally reached a critical mass of population to support the substantial investment required to develop that site.

Continued development of the Kingsview project will support and strengthen the viability of that commercial development, which is a significant amenity for the neighbourhood, as well as help to support other important community amenities such as transit service, Maple Bay Elementary (additional school-aged children), etc.

Parks and Open Space

As previously noted, the comprehensive development plan has been developed with a significant focus on providing extensive parks and open space intended to compliment the proposed residential development and integrate with the surrounding rural lands and recreational trails. As noted, approximately 24 ha (60 acres) of land are proposed to be dedicated on phased basis through the development of the neighbourhood. The parks plan is developed on the basis of 4 key significant features, including:

- A large primarily passive park at the top of the hill, in an area where an existing stand of trees has been left and where 180 degree views across are afforded across Quamichan Lake towards Mount Prevost, Crofton and Maple Bay. This is likely to be a popular destination for neighbourhood residents as well as more broadly across the community. Facilities within this park are likely to be more limited to trails, perhaps a picnic shelter, and basic park amenities (garbage receptacles, etc.).
- The second and third significant park features are more passive in nature and are located in the southwest corner and along the northern boundary of the site. The park in the southwest corner is an area that Staff requested be identified for park space on the basis that it is still quite heavily forested (relative to the remainder of the site), therefore it was felt that this would provide for a good transition to the Municipal Forest and would help maintain what little biodiversity is remaining on the overall site. A main road connection through this park land will be required as this is the only location where the grades will accommodate a public road, however, this will also provide for an opportunity to provide for a secondary or alternative access to the Kaspas Road parking lot, which is a key and very well-used starting point for hikers and mountain bikers accessing the Mount Tzouhalem trail network.

The third significant park area is located at the northern site boundary and consists of a significant grove of Garry Oak Trees. This area is intended primarily for protection rather than any active park use, due to the sensitivity of Garry Oak ecosystems.

- The fourth area is centrally located within the northern half of the site and will consist of a playground feature (details to be determined at later design stages). This park space is also located adjacent to a watercourse, which was removed during the earlier grading and site works, but is intended to be re-established through this new development concept and will also have significant trail connections to and through this area. In spite of efforts to re-route the water that once flowed down this former ravine in order to align it with a fairway on the golf course, the water has at least attempted to continue to flow generally along this alignment, which was part of the reason that staff strongly recommended that this watercourse be re-established.

The remaining parks areas are, for the most part, intended to connect the above-noted primary park areas to one another through and around the neighbourhood, and provide connections to surrounding existing trail networks.

Environmental

As previously noted, the majority of the site was significantly altered during the initial development stages between 2008 and 2010. Included within these works was the removal of a number of watercourses which had previously fed numerous downstream watercourses that traverse through the Properties and surrounding rural neighbourhoods, and outfall for the most part in to Quamichan Lake, except for a smaller eastern portion of the site which ultimately drains to Maple Bay / Bird's Eye Cove. While routing was significantly altered on site, much of the water continues to drain to those natural drainage routes given the topography of the site as well as soil conditions, which include significant shale.

The previous site works, removal of vegetation and lack of sediment and erosion control resulted in a number of downstream issues related to drainage, including sedimentation that ended up at Quamichan Lake. While the volume of sedimentation was significant for the first few years following site works, these issues have stabilized somewhat in recent years as a result of a lack of continued activity on the site. Ironically, the quick and heavy infestation of scotch broom appears to have also provided a stabilizing influence for the site and has also helped to reduce downstream sedimentation.

To this end, the issues of invasive species removal has been a significant topic of discussion between staff and the applicant and their consultants. Initial discussions centred around an immediate and comprehensive removal of all of the invasive species across the entire site, along with on-going work and maintenance to keep the site clear of invasive species. This discussion has evolved as we have become aware of the beneficial soil stabilization that the broom is in fact providing. What has been agreed to between staff and the applicant is a scenario in which all of the invasives will be removed from the northern portion of the site (north of Kingsview Road / Nevilane Drive) with the development of the next phase within the northern area. In addition, stormwater management features, above and beyond those required only for the next phase, will be developed with the next phase in order to ensure that site works and disturbance of these soils generated through the removal of invasive species and development of the northern phases does not generate any significant downstream sedimentation impacts, as was the case with previous site works.

The southern portion of the site will be left as-is at this time, and until development commences south of Kingsview Drive / Nevilane Drive, with the exception of a buffer strip adjacent to the Municipal Forest, which must be maintained in order to maintain a fire break between this site and the adjacent municipal forest. Details of the invasive species strategy are outlined in the Comprehensive Development Plan and will also likely be included in S.219 covenant requirements to be registered against the subject properties.

As previously noted the three other significantly forested portions of the site are located within areas proposed to be dedicated and/or transferred to the Municipality as park land. Of note, significant areas of the site which have been cleared have seen significant and somewhat surprising self-propagation of native vegetation (e.g. Douglas Fir trees) and it is hoped that many of these areas intended to be

transferred to the Municipality for passive park space may have significantly naturally re-established by the time they are transferred to the Municipality (possibly 25-30 years from now).

Infrastructure

Generally speaking, servicing in this area of the Municipality has been designed to accommodate future urban growth, however, it is anticipated based on existing infrastructure capacity assessments, that existing downstream sanitary lift stations will likely require upgrades, and that a new municipal water reservoir will be required in later (southern) phases of the development.

The updated traffic study also anticipates the ultimate completion of the Donnay Drive connector to Tzouhalem Road over the life of this project, the development of a round-about at the intersection of Maple Bay Road and Kingsview Drive at a certain development threshold, as well as a number of other modest intersection improvements along Maple Bay Road to accommodate the future additional residents in this area.

Most of these infrastructure upgrades were already anticipated within the context of the existing Cliffs CDP. It is anticipated that these off-site servicing and infrastructure improvements will be required and secured as part of this development, through registration of relevant S.219 covenants, as a condition of adoption of the related bylaws for this development.

Affordable Housing

The draft Kingsview CDP provides a high-level analysis of current market conditions and median income levels in the Cowichan Valley in order to address issues related to affordable housing, and proposes that the draft plan meets many of the Municipality's affordable housing objectives through initiatives through a variety of mechanisms, such as provision of a mix of housing types (multi-family, small lot residential, duplex, secondary suite and coach house development).

The applicant has also offered to provide a financial contribution towards affordable housing, through a contribution of \$1,000 per regular lot and \$500 per small lot and for each attached (multi-family unit). Based on projected densities, this strategy would generate upwards of \$700,000 to be dedicated towards an affordable housing reserve fund over the life of the project.

Existing Development Rights

Of note, under the current valid and approved CDP and zoning in place, the property owner has always maintained the ability to move forward with development of the property in accordance with that plan and zoning following the completion and registration of Phase 1 in 2011.

Generally, the road alignment and single family lot layout for the extensions of Highwood Drive and Viewtop Road at the north end of the development are very similar between the current and proposed plans, based largely on the fact that all of the underground infrastructure for what was originally planned to be Phase 2 of the Cliffs project was constructed in conjunction with Phase 1.

There is an existing covenant on the properties that limits residential development to a maximum of 200 residential units prior to substantial completion of the golf course. This restriction was imposed to ensure that the golf course would be completed within a reasonable timeframe. At present, a total of 116 residential units have been assigned with Phase 1, leaving up to 84 additional units that could still be developed before triggering the golf course completion requirements.

To this end, the owner has submitted an application for a 67-lot subdivision along Highwood Drive and Viewtop Road, which is currently being processed and reviewed by the Municipality's Approving Officer. The proposed subdivision and the new proposed CDP have been developed to ensure that the subdivision application fits under both the current and proposed plan and zoning for this area of the neighbourhood.

Zoning

The current Cliffs CDP has site specific zoning which was developed in conjunction with the CDP and reflects the intended uses outlined in the comprehensive plan. Along with the new CDP, a new set of comprehensive zoning regulations are required in order to ensure that the new zoning is consistent with the new CDP. The owner has provided a set of new proposed zoning regulations that reflect the proposed land use concept in the draft Comprehensive Development Plan, and are attached as Schedule B.

The proposed zoning map identifies areas that coincide with the proposed land uses identified in the concept plan, and includes areas identified for single family development, with secondary suites, smaller residential lots (without secondary suites), multi-family development (with varying density provisions) and parks and open space. Each of these areas identifies a list of permitted uses that will be allowed in each of these areas, and then also identifies a set of development regulations that would apply (e.g. setbacks, building heights, etc.) to each of the lots within these areas.

It was determined that a new CD zone was the preferred course of action at this stage in relation to the current Zoning Bylaw. It is possible that the zoning could be changed with consideration of the new Zoning Bylaw if it is determined that the proposed zones within the new Zoning Bylaw align with the land use concept and densities proposed within the draft Comprehensive Development Plan. These discussions will be on-going with the applicant, as they will with many other property owners in relation to consultation on the new Zoning Bylaw.

Implications

It is critically important to understand that within our local context, the draft Kingsview CDP represents a very large planning area, covering a total of approximately 106 ha (263 acres). By comparison, the entire existing built-up area of Crofton is approximately the same overall area (+/-120ha). Based on reasonable anticipated market absorption for this neighbourhood, it is likely that this area will be developed over a 30-40 year horizon, making this a very long-term development project. Based on the anticipated development timeframe, it is highly likely, and in fact it should be anticipated, that the developer and/or future developers will wish to revisit this plan over time as the housing market and community and Municipal expectations related to development evolve over the next 30+ years.

Having said that, Staff are of the opinion that the draft Kingsview Comprehensive Development Plan and zoning provide an excellent conceptual foundation and regulatory framework from which this neighbourhood can be developed over the next number of years. It is consistent with our OCP policies related to growth and development (density, housing mix, etc.) within our Urban Containment Boundaries; it is responsive to existing and anticipated environmental considerations regarding management of invasive species, stormwater management, and restoration of natural watercourses; it provides for significant recreational amenities in the form of parkland dedication and trail networks, including connections to key existing trail networks; and, will provide for appropriate infrastructure upgrades, on a phased basis, in order to ensure that the development does not unduly impact existing infrastructure and utilities.

Acknowledging the changes that have been made to the Plan since the original public information session in late 2014, Staff are recommending that the applicant be required to host a further public information session within the neighbourhood in order to provide the broader community and any other interested stakeholder with an opportunity to review the draft plan and ask question of the proponent and/or staff.

Based on the above, Staff are supportive of the draft Kingsview Comprehensive Development Plan and zoning and are recommending that it move forward for more formal review and consideration by Council and the community.

Recommendation

That Council:

1. Direct Staff to prepare the necessary bylaws to:
 - a. amend the Official Community Plan (Bylaw No. 3450) to rescind the existing Cliffs Comprehensive Development Plan;
 - b. propose Kingsview Comprehensive Development Plan as a new stand-alone bylaw;
 - c. amend the Zoning Bylaw (No. 2950) to rescind the existing CD1 zoning currently in place for the subject properties.
 - d. amend the Zoning Bylaw (No. 2950) to adopt the proposed new CD1 zoning that coincides with the draft Kingsview Comprehensive Development Plan
2. Require the applicant to host a public information session, preferably at either Maple Bay Elementary School or the Maple Bay Fire Hall, in order to provide an opportunity for public review and feedback on the draft plan and proposed zoning for the subject properties prior to consideration of second reading of the above-noted bylaws.

Attachment(s):

Schedule A – Draft Kingsview Comprehensive Development Plan

Schedule B – Draft Comprehensive Development Zoning (CD1)