

CITY OF LANGFORD

MINUTES OF THE PLANNING, ZONING AND AFFORDABLE HOUSING COMMITTEE

Monday, October 22nd, 2012 @ 7:00 pm

Council Chambers

PRESENT

Councillor D. Blackwell (Chair), Councillor R. Wade (Vice-Chair), Members: A. Creuzot, S. Harvey, D. Horner, N. Stewart, J. Butler-Smythe, and K. Sheldrake.

ATTENDING

Senior Planner, Matthew Baldwin and Director of Engineering, Michelle Mahovlich.

ABSENT

Member: M. Hall.

1. CALL TO ORDER

The Chair called the meeting to order at 7:00 p.m.

2. APPROVAL OF THE AGENDA

MOVED BY: COUNCILLOR WADE

SECONDED: S. HARVEY

That the Planning, Zoning and Affordable Housing Committee approve the Agenda as amended:
DELETE item 4(e) and MOVE item 4(c) to item 4 (e).

CARRIED.

3. ADOPTION OF THE MINUTES

a) Planning, Zoning & Affordable Housing Committee Meeting – September 24th, 2012

MOVED BY: S. HARVEY

SECONDED: COUNCILLOR WADE

That the Planning, Zoning and Affordable Housing Committee approve the Minutes of the
Planning, Zoning and Affordable Housing meeting held on September 24th, 2012.

CARRIED.

4. REPORTS

- a) **Omnibus #31 Amendment to Zoning Bylaw No. 300 with Respect to the Keeping of Animals for Domestic Purposes**
- **Staff Report (File No. Z12-0027)**

MOVED BY: COUNCILLOR WADE
SECONDED: A. CREUZOT

That the Planning, Zoning and Affordable Housing Committee recommend to Council:
That Council:

1. Direct staff to prepare a bylaw to amend Zoning Bylaw No. 300 in the following ways:
 - a) By adding of a definition of “domestic poultry” that includes the following: chicken, duck, emu, goose, Indian peafowl, mute swan, ostrich, pigeon, pheasant, turkey, guinea fowl, and rhea;
 - b) By amending Sec. 3.12 to allow for the keeping four chickens, ducks, pigeons, or rabbits, in total, on single family residential (not duplex) lots with an area equal to or greater than 550 m² (5920 ft²) and less than 4000 m² (1 acre) and only in secure fenced enclosures;
 - c) By amending Sec. 3.12 to prohibit the keeping of roosters, except on lots that are within the ALR and with an area greater than or equal to 4000 m² (1 acre);
 - d) By allowing for the keeping of two beehives any lot greater than or equal to 550 m² (5920 ft²) but less than 800 m² (8611 ft²), and one beehive per 400 m² (4305 ft²) of lot area for all lots greater than 800 m² in area;
 - e) By allowing for the construction of buildings and structures for the keeping of domestic poultry or rabbits on lots less than 4000 m² (1 acre) up to a cumulative total of 10m² (100 ft²) per lot independently of the required maximum floor area for accessory buildings on the same lot;
 - f) By adding a requirement to Sec. 3.12 that any building or structure for the keeping of chickens, ducks, pigeons or rabbits on lots less than 4000 m² (1 acre) is sited at least 3 m (10 ft) from any rear or side lot line, and no closer to a front lot line than the front face of the principal dwelling;
 - g) By adding a requirement to Sec. 3.12 that any building or structure for the keeping of domestic poultry or rabbits on lots less than 4000 m² (1 acre) not exceed an absolute height of 2.4 m (8ft);
 - h) By adding provision in Part 1 that a beehive not be considered a structure for the purpose of calculating total gross floor area of accessory buildings on a lot;
 - i) By adding a requirement in Sec. 3.12 that beehives must be sited behind the front building face of any principal building and not sited within 3m (10 ft) of any other lot line;
 - j) By eliminating the regulation in the R1 (One-Family Residential) and R2 (One-and Two-Family Residential) zones with respect to the keeping of domestic animals in favour of comprehensive regulation in Sec. 3.12;
 - k) By adding to the regulation of Sec. 3.12 a provision that would allow for the sale of meat, eggs, honey and by-products of honey production as an ancillary use to the keeping of chickens, ducks, pigeons, rabbits and bees, and that this be subject to Provincial and Federal regulation;

- l) By adding to the regulation of Sec. 3.12 a prohibition on the slaughtering of chickens, ducks, pigeons or rabbits on lots less than 4000 m² (1 acre) in area.

CARRIED.

**b) Application to Rezone 952 Whisperwind Place from R2 to RS3 to Allow a two-lot subdivision
- Staff Report (File No. Z12-0032)**

MOVED BY: COUNCILLOR WADE
SECONDED: A. CREUZOT

That the Planning, Zoning and Affordable Housing Committee recommend to Council:
That Council:

1. Direct staff to prepare a bylaw to amend the zoning designation of the property located at 952 Whisperwind Place from R2 (One – and Two Family Residential 2) to RS3 (Residential Small Lot 3) to allow a two lot subdivision, subject to the following terms and conditions:
 - a) That the owner agrees to provide, as a bonus for increased density, the following contributions per new lot created, prior to subdivision approval:
 - i. \$3,960 towards the General Amenity Reserve Fund;
 - ii. \$660 towards the Affordable Housing Amenity Reserve Fund;
 - b) That the applicant provides, prior to Bylaw Adoption, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
 - i. That the applicant shall not build upon or disturb land in the subject property until after subdivision registration is achieved.

CARRIED.

**c) Application to Rezone 2300, 2304, 2310, and 2312 Millstream Road from R2 to a new BP6 Zone and Amend the Official Community Plan Designation to Allow a Business Park
- Staff Report (File No. OCP12-0007 / Z12-0038)**

MOVED BY: COUNCILLOR WADE
SECONDED: K. SHELDRAKE

That the Planning, Zoning and Affordable Housing Committee recommend to Council:
That Council:

1. Give first reading to bylaw № 1447 to amend the Official Community Plan designation of 2300, 2304, 2310, and 2312 Millstream Road from “Neighbourhood” and “Neighbourhood Centre” to “Business and Light Industrial Centre”.
2. Give first reading to bylaw № 1448 as drafted to amend Zoning Bylaw № 300 to include a new BP6 Zone and to amend the zoning designation of the properties located at 2300, 2304, 2310, and 2312 Millstream Road from R2 (One- and Two-Family Residential) to the BP6 (Business Park – Gardner Creek) Zone, subject to the following terms and conditions:
 - a) That the applicant provides, prior to Bylaw Adoption, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:

- i. The applicant shall provide frontage improvements along Millstream Road to Subdivision and Development Servicing Bylaw No. 1000 standards, and to the satisfaction of the City Engineer;
- ii. That a storm water management plan will be submitted to the satisfaction of the Director of Engineering prior to Subdivision Approval or the issuance of a Building Permit, whichever comes first. Furthermore, any on-site and off-site improvements necessary to ensure that there is no net change to the quality or quantity of storm water leaving the site compared to pre-development conditions shall be completed at the applicant's expense, or secured in a Development Servicing Agreement, prior to Subdivision Approval or the issuance of a Building Permit, whichever comes first; and
- iii. The applicant shall provide to the City of Langford a road dedication to the Satisfaction of the City Engineer, prior to final adoption of the bylaw.

CARRIED.

**d) Application to Rezone 2154 Millstream Rd, 2317 Echo Valley Dr and 974 Arngask Ave from R2 (One- and Two-Family Residential) and CD6 (Bear Mountain) to a new Comprehensive Development Zone to allow a residential development consisting of one-family dwellings, townhouses and apartments
Staff Report (File No. Z12-0042)**

MOVED BY: COUNCILLOR WADE
SECONDED: R. BUTLER-SMYTHE

That the Planning, Zoning and Affordable Housing Committee recommend to Council:
That Council:

1. Direct staff to prepare a bylaw to amend the zoning designation of the property located at 2154 Millstream Rd, 2317 Echo Valley Dr, and 974 Arngask Ave from R2 (One- and Two-Family Residential) and CD6 (Comprehensive Development 6 - Bear Mountain) to a new Comprehensive Development Zone that will permit one-family dwellings, townhouses and apartments as permitted uses, and zoning regulations as summarized in Table 5, subject to the following terms and conditions:
 - a) That the new CD Zone requires the applicant to enter into an agreement to achieve a minimum Level 1 Green Development Checklist Rating, which will apply to all development within the 2154 Millstream Rd subject property only, prior to the issuance of a Development Permit;
 - b) That the owner agrees to provide, as a bonus for increased density, the following contributions for each dwelling unit created in the new CD Zone above and beyond 53 dwelling units, prior to subdivision approval or building permit:
 - i. \$5,400 per SFE towards the General Amenity Reserve Fund;
 - ii. \$900 per SFE towards the Affordable Housing Reserve Fund;
 - c) That the above-noted amenity contributions may be reduced according to the Green Development Checklist Policy if the applicant achieves a Green Development Checklist Rating Level higher than Level 1;

- d) That the owner agrees to provide an additional amenity contribution, the amount of which is to be presented for Council's consideration prior to First Reading of the bylaw, to the General Amenity Reserve Fund;
- e) That Council authorizes the City Planner to issue a variance within a Development Permit to allow the required off-street visitor parking to be located on-street, as long as the City Planner and Director of Engineering are satisfied that sufficient on-street parking to serve the development is created;
- f) That the applicant provides, prior to Public Hearing, a traffic impact study to the specifications and satisfaction of the Director of Engineering;
- g) That the applicant provides, prior to Bylaw Adoption, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
 - i. That an open space area in the north-western portion of 2154 Millstream Rd will be preserved for the purpose of protecting the identified Rock Outcrop ecosystem, and that a Section 219 Covenant be registered over this area specifying that it may not be disturbed except as necessary for a public trail. The exact area of this open space area will be determined to the satisfaction of the City Planner, prior to the issuance of a Development Permit;
 - ii. That the applicant will construct a trail through the above-noted open space area, to connect the nearest road to the trail access from Stone Gate, if determined to be feasible by the Parks Manager. Furthermore, the applicant will register a SRW to allow public access from the nearest public road to Stone Gate;
 - iii. That the applicant dedicates the streamside protection and enhancement area of Gardner Creek to the City prior to Subdivision Approval or the issuance of a Building Permit within the southern portion of 2154 Millstream Rd, whichever is first;
 - iv. That the new road access from Bear Mountain Parkway will be located as recommended by the traffic impact study to be provided prior to Public Hearing;
 - v. That any improvements recommended by the traffic impact study to be provided prior to Public Hearing are completed, or secured in a Development Servicing Agreement, prior to Subdivision Approval or the issuance of a Building Permit on the 2154 Millstream Rd subject property, whichever is first, or as otherwise recommended in the study;
 - vi. That the applicant complete full frontage improvements to Bylaw No. 1000 standards as a condition of Subdivision Approval;
 - vii. That a storm water management plan will be submitted to the satisfaction of the Director of Engineering concurrently with the application for Subdivision or Building Permit, whichever comes first. Furthermore, any on-site and off-site improvements necessary to ensure that there is no net change to the quality or quantity of storm water leaving the site compared to pre-development conditions shall be completed, or secured in a Development Servicing Agreement, prior to Subdivision Approval or the issuance of a Building Permit, whichever comes first.

CARRIED.

- e) Application to amend the OCP designation of 2936 Awsworth Road and 2960 Sooke Road from Hillside or Shoreline to Business or Light Industrial Centre, to rezone from GB1 (Greenbelt 1) to a New BP2A (Business Park 2A – Sooke Road West), and to vary Bylaw 1000 to allow development without connection to sewer in order to develop a new business park.**
- Staff Report (File No. OCP12-0006 / Z12-0034 / DVP12-0022)

MOVED BY: S. HARVEY
SECONDED: A. CREUZOT

That the Planning, Zoning and Affordable Housing Committee recommend to Council:
That Council:

1. Direct staff to prepare a bylaw to amend the Official Community Plan designation of the properties located at 2936 Awsworth Rd and 2960 Sooke Road from Hillside or Shoreline to Business or Light Industrial Centre; and
2. Direct staff to prepare a bylaw to amend the zoning designation of the properties located at 2936 Awsworth Rd and 2960 Sooke Road from GB1 (Greenbelt 1) to a new BP2A (Business Park 2A – Sooke Road West) Zone subject to the following terms and conditions:
 - a) That the applicant provides, prior to Bylaw Adoption, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
 - i. That a landscape screening and buffer plan for the outer perimeter of the subject properties be provided prior to the issuance of a Development Permit, and that the plan locate buildings, retain or plant trees, or install fencing for the purpose of providing a visual and sound buffer from the development to Sooke Road and surrounding residential properties;
 - ii. That the amount of road necessary to achieve a 30m Sooke Road right-of-way, which is measured as 15m from the centre of the existing right-of-way, be dedicated at the time of Subdivision or prior to the issuance of a Building Permit, whichever comes first;
 - iii. That the following off-site traffic improvements are made or secured in a Development Servicing Agreement prior to Subdivision Approval or the issuance of a Building Permit, whichever comes first:
 - 1) Install a left turn bay on Sooke Road at the Awsworth Road intersection and a northbound left turn acceleration on Sooke Road; and
 - 2) Move the southbound bus stop to the west side of Loledo Place;
 - iv. That access to the proposed development from Sooke Road be restricted as follows, unless sufficient improvements are made to Sooke Road that would allow additional access and/or traffic movements to be approved by the Ministry of Transportation and Director of Engineering:
 - a. There will be no new access to Highway 14;
 - b. Glenshire Drive will be an in only access for the development;
 - c. The Awsworth Road intersection will be the main access for development;
 - v. That no building or structure may be located within 4.5 m of the right-of-way of Highway 14;

- vi. That frontage improvements to Subdivision and Development Servicing Bylaw No. 1000 Industrial standards will be completed on Awsworth Road and Glenshire Drive as a condition of Subdivision Approval;
 - vii. That confirmation from CRD Water that adequate water flows and pressure have been established on the subject properties be provided to the satisfaction of the Director of Engineering prior to issuance of a Building Permit. All costs of upgrading/extending water service to the subject properties to the specifications of CRD Water will be incurred by developer. Alternatively, the CRD Water can provide confirmation that the proposed building and site layout enables the current water supply to meet the requirements of Bylaw No. 1000 and the Building Bylaw with respect to fire protection flows;
 - viii. That the applicant extend or improve all utilities necessary to serve the proposed development, at their own expense, to the satisfaction of the application agency and the Director of Engineering, prior to the issuance of a Building Permit;
 - ix. That a Construction Fire Safety Plan be provided prior to the issuance of a Building Permit, to the satisfaction of the Fire Chief;
 - x. That a storm water management plan will be submitted to the satisfaction of the Director of Engineering prior to Subdivision Approval or the issuance of a Building Permit, whichever comes first. Furthermore, any on-site and off-site improvements necessary to ensure that there is no net change to the quality or quantity of storm water leaving the site compared to pre-development conditions shall be completed, or secured in a Development Servicing Agreement, prior to Subdivision Approval or the issuance of a Building Permit, whichever comes first.
3. Subject to the Council adopting the above-noted Bylaws, the Council authorizes the issuance of Development Variance Permit No. DVP12-0022 for the property at 2936 Awsworth Road and 2960 Sooke Road, with the following variance:
- a. That Section 6.1.1 of Subdivision and Development Servicing Bylaw No. 1000 be varied to allow “development” without connection to the municipal sanitary sewer system, subject to:
 - i. That a covenant be registered on the title of the subject property, prior to the issuance of a Building Permit, to the satisfaction of the Director of Engineering, which requires all buildings to be connected to the municipal sanitary sewer system and the on-site sewage disposal system to be decommissioned within six (6) months of the municipal sewer service being extended along the frontage of the subject property;
 - ii. Payment of the Sewer Capital Recovery Fee (SCRF) to Westshore Environmental Services or the City of Langford, prior to the issuance of a Building Permit;
 - iii. Installation of any on-site plumbing necessary to allow municipal sanitary sewer to be connected to each building in accordance with the BC Building Code, as part of the works and services installed on the subject property; and
 - iv. That the applicant design the on-site sewage disposal system to the approval of VIHA (and any other required governing authority) and West

Shore Environmental Services, prior to the issuance of a Building Permit, to the satisfaction of the Director of Engineering.

CARRIED.

5. ADJOURNMENT

The Chair adjourned the meeting at 9:55 p.m.

CHAIR

CERTIFIED CORRECT
Administrator