

CITY OF LANGFORD  
PLANNING, ZONING AND AFFORDABLE HOUSING COMMITTEE

Tuesday, November 13<sup>th</sup>, 2012 @ 7:00 pm

Council Chambers

**AGENDA**

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|---|------|
| <b>1. <u>CALL TO ORDER</u></b>  |      |
| <b>2. <u>APPROVAL OF THE AGENDA</u></b>   |      |
| <b>3. <u>ADOPTION OF THE MINUTES</u></b>  |      |
| a) Planning, Zoning & Affordable Housing Committee Meeting – October 22 <sup>nd</sup> , 2012  | 001  |
| <b>4. <u>REPORTS</u></b>  |      |
| a) Application to Rezone 3372 Happy Valley Road from GR2 (Greenbelt Residential 2) To A New CD21 (Comprehensive Development Zone – Radiant Way) Zone to Allow For Approximately 11 Lots in A Residential Subdivision<br>- Staff Report (File Z12-0039)        | 009  |
| b) Application to Vary Setbacks, Parking Requirements, and Minimum Lot Coverage Requirement to Allow For An Expansion And Façade/Landscape Upgrade To And Existing Commercial Development<br>- Staff Report (File No. DVP12-0023 – 2800- & 2806 Jacklin Road) | 022  |
| c) Application To Vary The Requirement For Connection To Municipal Sewer As Part Of The Construction Of A One-Family Dwelling With A Secondary Suite At 297 Atkins Avenue<br>- Staff Report (File No. DVP12-0025 – 297 Atkins Ave)                            | 028  |
| <b>5. <u>ADJOURNMENT</u></b>  |      |

**CITY OF LANGFORD**

**MINUTES OF THE PLANNING, ZONING AND AFFORDABLE HOUSING COMMITTEE**

**Monday, October 22<sup>nd</sup>, 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 Mahovich.

**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 24<sup>th</sup>, 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 24<sup>th</sup>, 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 m<sup>2</sup> (5920 ft<sup>2</sup>) and less than 4000 m<sup>2</sup> (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 m<sup>2</sup> (1 acre);
  - d) By allowing for the keeping of two beehives any lot greater than or equal to 550 m<sup>2</sup> (5920 ft<sup>2</sup>) but less than 800 m<sup>2</sup> (8611 ft<sup>2</sup>), and one beehive per 400 m<sup>2</sup> (4305 ft<sup>2</sup>) of lot area for all lots greater than 800 m<sup>2</sup> 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 m<sup>2</sup> (1 acre) up to a cumulative total of 10m<sup>2</sup> (100 ft<sup>2</sup>) 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 m<sup>2</sup> (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 m<sup>2</sup> (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 m<sup>2</sup> (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.

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CHAIR

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CERTIFIED CORRECT  
Administrator



## Staff Report to Planning, Zoning and Affordable Housing Committee

Date: November 13, 2012

Department: Planning

Application No.: Z12-0039

**SCANNED**

Subject: Application to Rezone 3372 Happy Valley Road from GR2 (Greenbelt Residential 2) to a new CD21 (Comprehensive Development Zone – Radiant Way) zone to allow for approximately 11 lots in a residential subdivision

### PURPOSE

Paul King has applied on behalf of Michael Richards to rezone 3372 Happy Valley Road from GR2 (Greenbelt Residential 2) to a new CD21 (Comprehensive Development Zone – Radiant Way) zone to allow for approximately 11 lots in a residential small lot subdivision.

### BACKGROUND

#### PREVIOUS APPLICATIONS

No previous applications have been made for this property.

**Table 1: Site Data**

<i>Applicant</i>	Paul King	
<i>Owner</i>	Michael Paul Richards	
<i>Civic Address</i>	3372 Happy Valley Road	
<i>Legal Description</i>	Lot 3, Sections 85 and 86, Metchosin District, Plan 12293	
<i>Size of Property</i>	0.66 acre (2,683m <sup>2</sup> )	
<i>DP Areas</i>	Drainage Concern, Intensive Residential, Multi-Family Residential	
<i>Zoning</i>	Existing: GR2 (Greenbelt Residential 2)	Proposed: CD21 (Comprehensive Development Zone – Radiant Way)
<i>OCP Designation</i>	Neighbourhood	

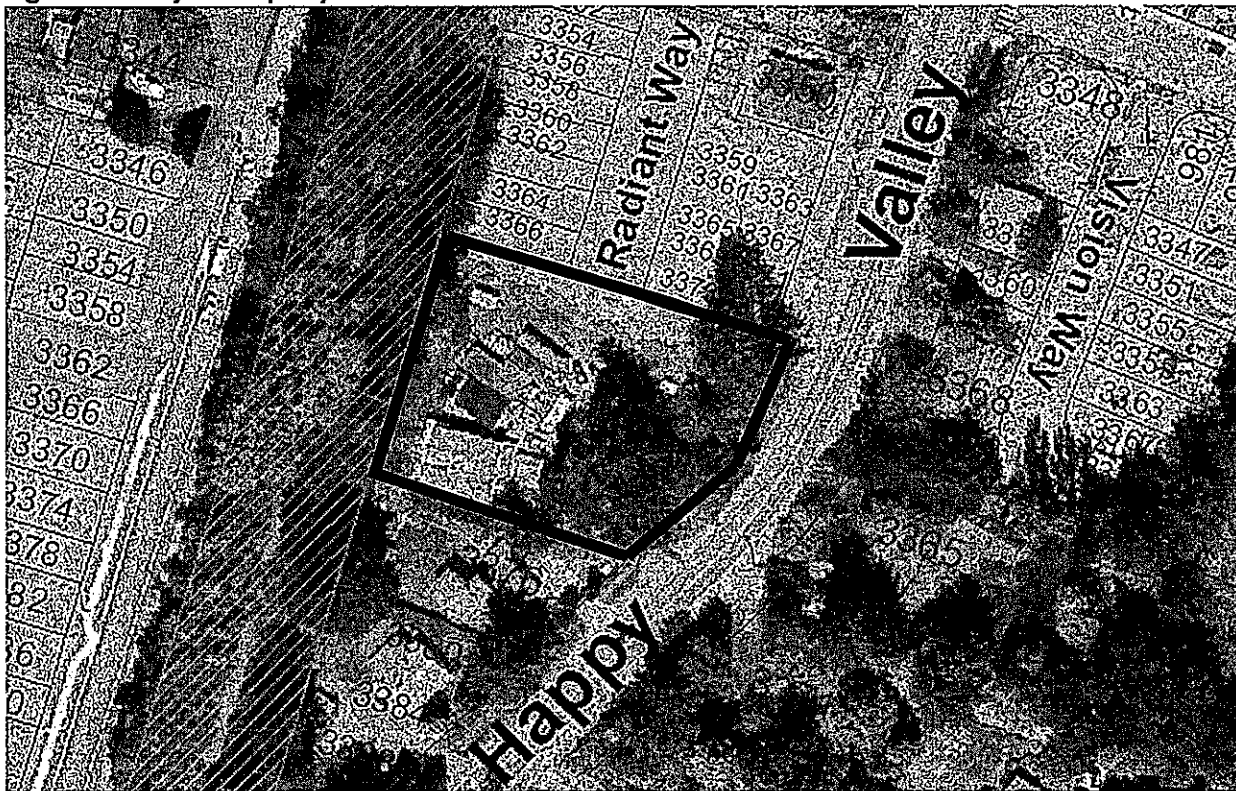
### SITE AND SURROUNDING AREA

The property has several buildings on site including a single-family dwelling and various accessory buildings located near the back of the property. The lot also has several mature douglas fir trees at the front of the property near Happy Valley Road. The lot is flat and lies between the Galloping Goose Regional Trail and Happy Valley Road.

**Table 2: Surrounding Land Uses**

	<i>Zoning</i>	<i>Use</i>
<i>North</i>	RM7A (Medium-Density apartment A)	Multi-Family Residential
<i>East</i>	CD10 (Comprehensive Development – Boulder Ridge)and RM7A (Medium-Density apartment A)	Multi-Family Residential
<i>South</i>	GR2 (Greenbelt Residential 2)	Single-Family Residential
<i>West</i>	Galloping Goose Trail and CD14 (Comprehensive Development Hazelwood/Luxton)	Single-Family Residential

**Figure 1 – Subject Property**



### **OFFICIAL COMMUNITY PLAN**

The Official Community Plan (OCP) Bylaw No. 1200 designates the subject property as “Neighbourhood,” as defined by the following text:

- *Existing settled areas throughout the community predominantly located on the valley floor.*
- *Predominantly residential precinct that supports a range of low and medium density housing choices including secondary suites.*
- *This area allows for residential and mixed-use commercial intensification of streets that connect centres and/or are serviced by transit.*
- *Schools, community facilities and other institutional uses are permitted throughout the areas.*
- *Retail serving local residents is encouraged along transportation corridors.*
- *Home-based businesses, live-work housing is encouraged.*
- *Parks, open spaces and recreational facilities are integrated throughout the area.*
- *This area allows for Neighbourhood Centres to emerge in the form of medium density mixed-use nodes at key intersection where Transit stops are located where appropriate.*

The proposed rezoning would allow for an increase in density on a street that is serviced by public transit, while also supporting a range of medium density housing. Therefore, the proposal is consistent with the OCP designation.

### **SOUTH LANGFORD NEIGHBOURHOOD PLAN**

The designation of the South Langford Neighbourhood Plan (SLNP) for the subject property is ‘Urban Residential’:

- *Applies to areas where the availability of municipal services allows for a variety of residential development that is more intensive than Suburban Residential, and that may include single family residential dwellings without secondary suites, townhousing and attached housing. A maximum density of one unit per 200 m<sup>2</sup> (2,152 ft<sup>2</sup>) is applicable.*

Seven of the proposed lots are approximately 220 m<sup>2</sup> (2,163 ft<sup>2</sup>) in area and the existing house is being proposed to keep its secondary suite on a lot size of 470 m<sup>2</sup> (5,059ft<sup>2</sup>) in area. The applicant is proposing to construct approximately 3 attached townhouses on the site as well. While these units would be attached, they are proposed to be non-strata lots with 115m<sup>2</sup> (1,237ft<sup>2</sup>) of site area for each unit.

When all lots are averaged, the minimum lot size is 243m<sup>2</sup> (2,651ft<sup>2</sup>) which is compliant with the SLNP with respect to minimum lot size on an averaged basis.

### **DEVELOPMENT PERMIT AREAS**

The property is located within the *Drainage Concern* development permit area. A storm water management plan will be required as a condition of subdivision approval to address the drainage concern area. Despite this, a Development Permit will be required for the *Drainage Concern* and *Intensive and Multi-Family Residential* (to regulate form and character) development permit areas.

Several trees are located on the Capital Regional District's (CRD) property along the Galloping Goose Regional Trail in close proximity to the western property lines of the subject property. Council may wish to have the applicant provide an arborist's report and mitigation strategy prior to issuance of a

Development Permit to assess the trees in relation to the proposed site alteration to ensure the project will not cause any harm to the trees located on the CRD property.

### **COMMENTS**

#### **DEVELOPMENT PROPOSAL**

The applicant is proposing three different uses on the subject property to allow the creation of approximately 11 residential dwellings. While three different zones could be used to achieve this, Council may wish to consider using a comprehensive development zone. Seven of the proposed lots are approximately 220 m<sup>2</sup> (2,163 ft<sup>2</sup>) in area (without secondary suites) and the existing house is being proposed to keep its secondary suite on a lot size of 470 m<sup>2</sup> (5,059ft<sup>2</sup>) in area. The applicant is also proposing to construct approximately 3 townhouses on the site as well (without secondary suites). While these units would be attached, they are proposed to be non-strata lots with a minimum of 115m<sup>2</sup> (1,237ft<sup>2</sup>) of site area for each unit.

#### **PROPOSED SETBACKS**

The applicant proposes to keep the existing house on proposed lot 10. See Appendix A for detail. The house was constructed in 1992 and is in good condition. To achieve the required road layout and to preserve the existing house, the proposed front yard setback would have to be located approximately 3.5m (11.4ft) to the garage door and 2.7m (8.8ft) to the farthest projection on the building. Furthermore, the road may still require an arc to the west at the most southerly point which may further reduce the 2.7m setback to approximately 1.5m. Despite this, the house has a double car garage and can accommodate another parking space along the south side of the property, so it would still meet the 3 per unit parking requirement. If Council supports this front yard setback variance, they may wish to direct the City Planner to approve the variance in a Development Permit.

The applicant is proposing a 3m (10ft) setback for the homes along Happy Valley Road which is consistent with small lot zones if driveways are provided off a rear yard driveway. However, in this case, the driveways would be coming off of the internal road (Radiant Way). The applicant wishes to have a 2m (6.6ft) setback for the portion of the garage that fronts Happy Valley Road for the townhomes only. If Council supports this variance, they may wish to direct the City Planner to approve the variance in a Development Permit.

Given that the reduced setbacks could lessen the visual impacts of landscaping, Council may wish to require the following as a condition of zoning: that the entire front yards facing Happy Valley Road will be landscaped with shrubs and trees to provide some height to the landscaping beyond a simple groundcover. Council may also wish to secure that 40% of the yard areas facing the internal road be landscaped with species of shrubs and trees to provide some height (without impeding sight lines) to offset the visual impact of double wide driveways and parking areas. These items can be secured in a Section 219 Covenant if Council chooses to accept this mitigation strategy.

#### **BUILDING DESIGN**

In the past, Council has required that houses situated on Happy Valley Road are designed to present a front-like façade towards both Happy Valley Road and any internal road and with driveway access from an internal (or rear) roadway. Houses presenting a front-like appearance towards Happy Valley Road should include front door entranceways, gables, ornate detailing and substantial window area, all culminating in an attractive, interesting façade. Council may wish to secure in a Section 219 Covenant

that the designs of these front-like appearances of the buildings facing Happy Valley Road be to the satisfaction of the City Planner as a condition of zoning.

The proposed townhouse site and single family dwellings will be subject to a Development Permit for Form & Character prior to issuance of a Building Permit.

**Table 3: Proposal Data**

	Permitted by GR2 (Current Zoning)	Parameters proposed for small lots	Townhouse Site (similar parameters to the RT1 (Fee simple townhouse zone))
<i>Permitted Uses</i>	<ul style="list-style-type: none"> <li>• Accessory buildings and uses;</li> <li>• Group day care;</li> <li>• One-family dwellings;</li> <li>• Two-family dwellings;</li> <li>• Secondary suites within one-family dwellings;</li> <li>• A maximum of 4 borders</li> <li>• Home occupation</li> </ul>	<ul style="list-style-type: none"> <li>• One-family dwellings</li> <li>• Accessory buildings</li> <li>• Home occupation</li> <li>• A maximum of 1 border</li> </ul>	<ul style="list-style-type: none"> <li>• Townhouse</li> <li>• Accessory buildings</li> <li>• Home occupation</li> </ul>
<i>Density (min. lot size)</i>	(1 ac)	220 m <sup>2</sup> (2,368 ft <sup>2</sup> )	115 m <sup>2</sup> (1,237 ft <sup>2</sup> )
<i>Lot Width</i>	n/a	8.5m (27.8ft)	5m (18ft)
<i>Height</i>	10.5m (34 ft)	9m (29.5 ft)	3 storeys
<i>Site Coverage</i>	35%	50%	60%
<i>Front Yard Setback</i>	7.5m (24.6 ft)	3m (10 ft) to the building, except that the garage must be setback to 5.8m (19ft)	5.8m (19ft) except that any portion of the building that is not a part of the garage may be 3m (10ft)
<i>Interior Side Yard Setback</i>	3m (10 ft)	1.2m (4 ft)	1.2m (4 ft) for lots abutting a detached single family dwelling and to 0m (0ft) for lots abutting an attached townhouse dwelling
<i>Exterior Side Yard Setback</i>	3m (10 ft)	3.5m (11.5 ft)	3m (10ft)
<i>Rear Yard Setback</i>	10m (33 ft)	3m (10 ft)	3m (10ft) (proposed to be down to 2m for the portion of the garage only – this would be the back of the garage as the driveway access will be located on the internal road (Radian Way))
<i>Parking Required</i>	<ul style="list-style-type: none"> <li>• 2 spaces per one-family dwelling;</li> <li>• 3 spaces per two-family dwelling unit;</li> <li>• 1 space per secondary suite;</li> </ul>	<ul style="list-style-type: none"> <li>• 2.5 spaces per one-family dwelling which rounds up to 3 spaces on each lot</li> </ul>	2 spaces per dwelling unit

#### PEDESTRIAN, CYCLING AND MOTORIST NETWORK

A BC transit stop for bus #55 is located within a 5 minute walking distance of the subject property. This bus connects Happy Valley Road to the West Shore Town Centre and to various other bus routes, one of which connects Langford to Downtown Victoria. In addition to the public transport bus stop, there is also a bus stop for the Langford Trolley at the same location. The Galloping Goose Regional Trail is also adjacent to the subject site providing additional options for alternative transportation.

In addition, Radiant Way, running parallel to Happy Valley Road, will be extended from the north through the subject property. This extension will serve all lots of the proposed subdivision as well as the property to the south in the future.

From a traffic safety perspective, good engineering practice encourages limiting driveways onto arterial roads. All driveways are proposed to be located off of Radiant Way and no driveways will be permitted onto Happy Valley Road. Council may wish to secure this by covenant. Council may also wish to require the owner to provide a construction parking management plan to the satisfaction of the Director of Engineering and City Planner prior to issuance of a building permit.

#### GREEN DEVELOPMENT CHECKLIST & GREEN BUILDING FEATURES

As the applicant is creating a new comprehensive zone, the applicant is required by Council Policy to achieve a minimum level 1 rating set out in the Green Development Checklist as a condition of rezoning. The applicant has met the level 1 threshold and it will need to be secured in a Section 219 Covenant that the applicant will build the project in conformance with the checklist.

#### FENCING ALONG ADJACENT LANDS

The CRD wishes to limit the informal access to the Galloping Goose Regional Trail in favor of properly designed access points. Council may wish to consider requiring the applicant to provide fencing to the satisfaction of the City Planner along the western property line to provide privacy for residents and to assist in limiting informal access to the Galloping Goose Regional Trail.

#### NUISANCES FROM NEARBY GUN RANGE

As the subject property is approximately 0.75 km (0.45 mile) away from the South Vancouver Island Rangers Gun, Council may wish to have the applicant provide a covenant registered on title advising future home buyers of the nearby nuisance.

#### FRONTAGE IMPROVEMENTS

The City's Subdivision and Development Servicing Bylaw No. 1000 requires the applicant to provide full frontage improvements along Happy Valley Road in accordance with Bylaw No. 1000 in addition to construction of the extension of Radiant Way.

#### ROAD DEDICATION

The applicant will provide road dedication along Happy Valley Road with a width between 2 metres and 5 metres, for a total area of approximately 170 m<sup>2</sup> (1,829ft<sup>2</sup>). Council may wish to secure this in a 219 covenant as a condition of rezoning and to be completed prior to subdivision approval.

**SEWERS**

Sewers currently exist along the Happy Valley Road frontage. The applicant will be required to provide engineering drawings detailing any proposed sewer system extensions or modifications to the existing service for the new development. Any sewer extensions or modifications within the municipal road right-of-way will be constructed by West Shore Environmental Services at the applicant’s expense.

**DRAINAGE AND STORMWATER MANAGEMENT**

The applicant will be required to provide a stormwater management plan prepared by a Professional Engineer to the City’s standards as a condition of subdivision approval.

**NEIGHBOURHOOD CONSULTATION**

The developer is currently commencing door-to-door canvassing to apprise and consult the neighbours in the immediate vicinity. The Planning Department has not yet received any feedback.

**FINANCIAL IMPLICATIONS**

Rezoning the subject property to permit higher densities of development may increase the assessed value of the property, and this may increase municipal revenue. As the applicant will connect the development to municipal sewers, and as the applicant will complete frontage improvements, the direct capital costs to the municipality associated with this development will be negligible. A summary of the development cost charges (DCCs) are provided in Table 5.

**FINANCIAL CONTRIBUTIONS**

**COUNCIL’S AMENITY CONTRIBUTION POLICY**

The amenity contributions that apply as per Council’s Affordable Housing, Park and Amenity Contribution Policy are summarized in Table 4 below. This table lists the amenity contributions required (at 100%) and this amount will be reduced by 10% as per the point based incentive system to achieve the level 1 rating with the Green Development Checklist. Council may wish to require that the amenity contributions be secured in the bylaw, and that the specific items within the Green Development Checklist will be secured in a Section 219 covenant registered on title.

**Table 4 – Amenity Contributions per Council Policy\***

Amenity Item	Per Single-Family Equivalent (SFE) and Multi-Family Equivalent contributions	Multiplier	Per 10 dwelling units
Affordable Housing Reserve Fund	\$1,000 per SFE or 1 in 15 single-family dwellings an affordable housing unit	0.66 SFE	\$6,600
General Amenity Reserve Fund	\$6,000 per SFE (single-family)	0.66 SFE	\$39,600
<b>Total</b>			<b>\$46,200</b>

*\*The applicant will be charged for new lots created at the time of subdivision*



DEVELOPMENT COST CHARGES

**Table 5 – Development Cost Charges\***

Development Cost Charge	Per unit / area contribution	Total
<b>Roads</b> <ul style="list-style-type: none"> <li>\$4,423 for lots &lt;300m2 sfd</li> </ul>	10 units	\$44,230
<b>Storm Drainage</b> <ul style="list-style-type: none"> <li>\$1,638 for lots &lt;300m2 sfd</li> </ul>	10 units	\$16,380
<b>Park and Open Space</b> <ul style="list-style-type: none"> <li>\$1,890 per lot</li> <li>\$1,100 per lot</li> </ul>	10 units	\$29,900
<b>Incremental Storage Improvement Fees</b> <ul style="list-style-type: none"> <li>\$371.25 per lot (7 lots)</li> <li>\$331.65 (3 units)</li> </ul>	10 units	\$3,593.70
<b>Integrated Survey Area</b> <ul style="list-style-type: none"> <li>\$35 per lot</li> </ul>	10 units	\$350
<b>Subtotal (DCCs paid to City of Langford)</b>		<b>\$94,572.50</b>
<b>CRD Water</b> <ul style="list-style-type: none"> <li>\$2,655.34 (7 lots)</li> <li>\$2,323.43 (3 units)</li> </ul>	10 units	\$25,557.67
<b>School Site Acquisition</b> <ul style="list-style-type: none"> <li>\$558</li> </ul>	10 units	\$5,580
<b>TOTAL (estimate) DCCs</b>		<b>\$126,705.90</b>

*\*The applicant will be charged based on 7 new small lots and three townhouses at the time of subdivision.*

## **OPTIONS**

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

1. Direct staff to prepare a bylaw to amend the zoning designation of the subject property at 3372 Happy Valley Road from GR2 (Greenbelt Residential 2) to the CD21 (Comprehensive Development Zone – Radiant Way) zone subject to the following terms and conditions:
  - a. That the following amenity contributions are included in the bylaw for increased density, to be payable at the time of subdivision:
    - i. \$660 per unit towards the Affordable Housing Reserve Fund; and
    - ii. \$3,960 per unit towards the General Amenity Reserve Fund.
  - b. That the applicant provide the following items prior to final adoption of the bylaw:
    - i. Register a Sec. 219 covenant registered in priority over all other charges on title that includes the following:
      - a) That the owner will provide road dedication along the Happy Valley Road frontage and to the satisfaction of the City Engineer, as a condition of final subdivision approval;
      - b) That the owner will provide a construction parking management plan to the satisfaction of the Director of Engineering and City Planner prior to issuance of a building permit;
      - c) All driveways are proposed to be located off of Radiant Way and no driveways will be permitted onto Happy Valley Road;
      - d) That the entire front yards facing Happy Valley Road and at least 40% of the yard areas facing the internal road will be landscaping with shrubs and trees to provide some height to the landscaping beyond a simple groundcover (without impeding sight lines) to offset the visual impact of reduced setbacks and double wide driveways and parking areas, and the landscaping works shall to be bonded for prior to issuance of a building permit and to the satisfaction of the City Planner;
      - e) That buildings situated on Happy Valley Road are designed to present a front-like façade towards both Happy Valley Road and the internal road. Houses presenting a front-like appearance towards Happy Valley Road will include front door entranceways, gables, ornate detailing and substantial window area, all culminating in an attractive, interesting façade and to the satisfaction of the City Planner;
      - f) That the owner shall build the project in accordance with the Green Development Checklist to the satisfaction of the City Planner;
      - g) That requires the owner to provide fencing to the satisfaction of the City Planner along the western property line prior to subdivision approval; and
      - h) Notification to future land owners that legal nuisance from the South Vancouver Island Rangers gun range exists in near proximity to the subject property.
  - c. Direct the City Planner to approve the front yard setback variance for the existing house as generally shown in Appendix A, and the 2m (10ft) rear yard setback for the garage area only for the townhomes, in the Development Permit; and

- d. Direct the City Planner to require the applicant to provide an arborist's report and mitigation strategy prior to issuance of a Development Permit to assess the trees in relation to the site alteration to ensure that the proposed project will not cause any harm to the trees on the CRD property.

OR

2. Take no action at this time.



Matthew Baldwin, MCIP  
City Planner



Grant Liebscher  
Planner




Mike Leskiw, MA  
Parks Manager




Bob Beckett  
Fire Chief



Michelle Mahovlich, P.Eng.  
Director of Engineering



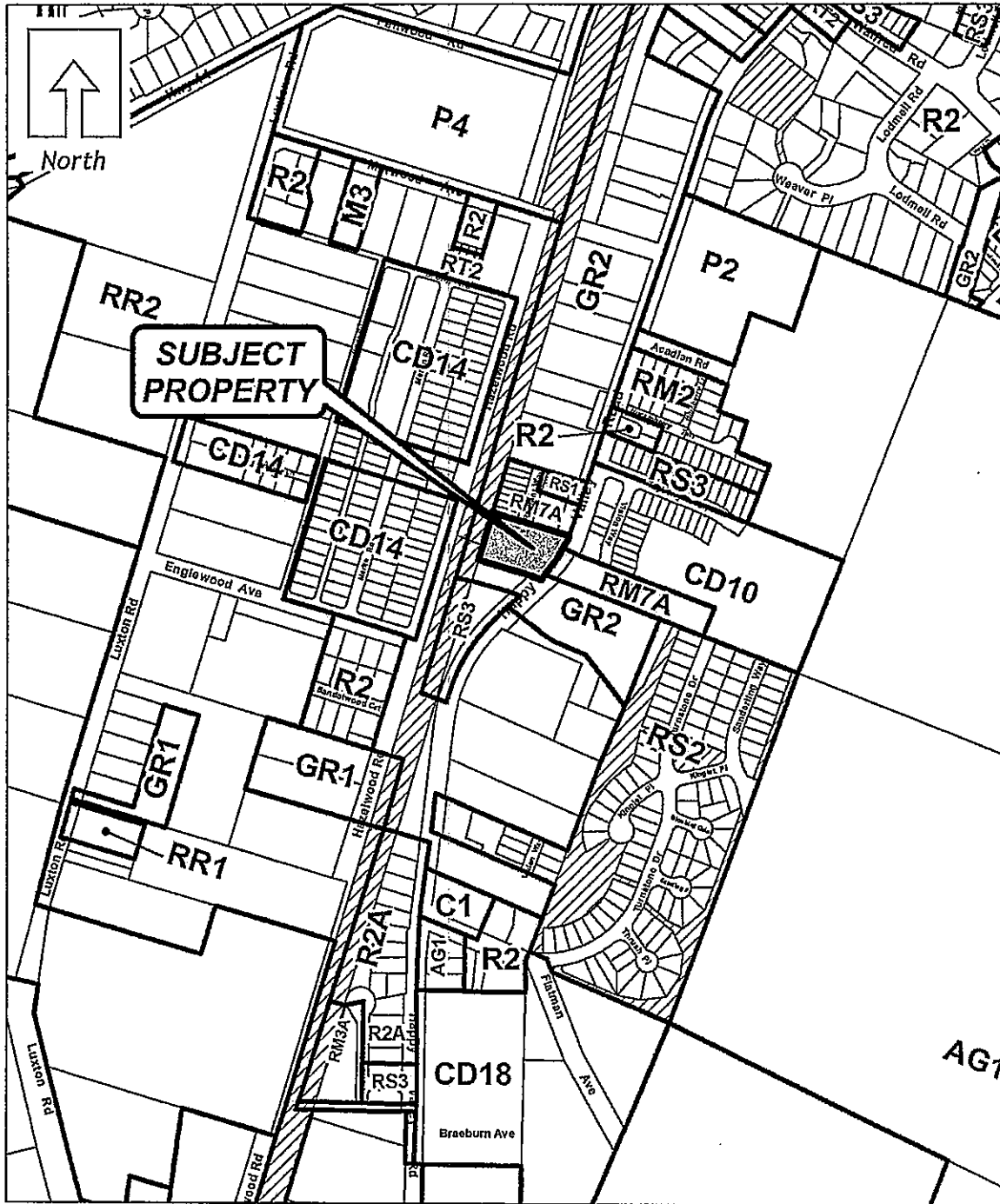
Steve Ternent  
Treasurer



Jim Bowden  
Administrator

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**BYLAW AMENDMENTS**  
**3372 Happy Valley Rd**  
**( Z12-0039 )**

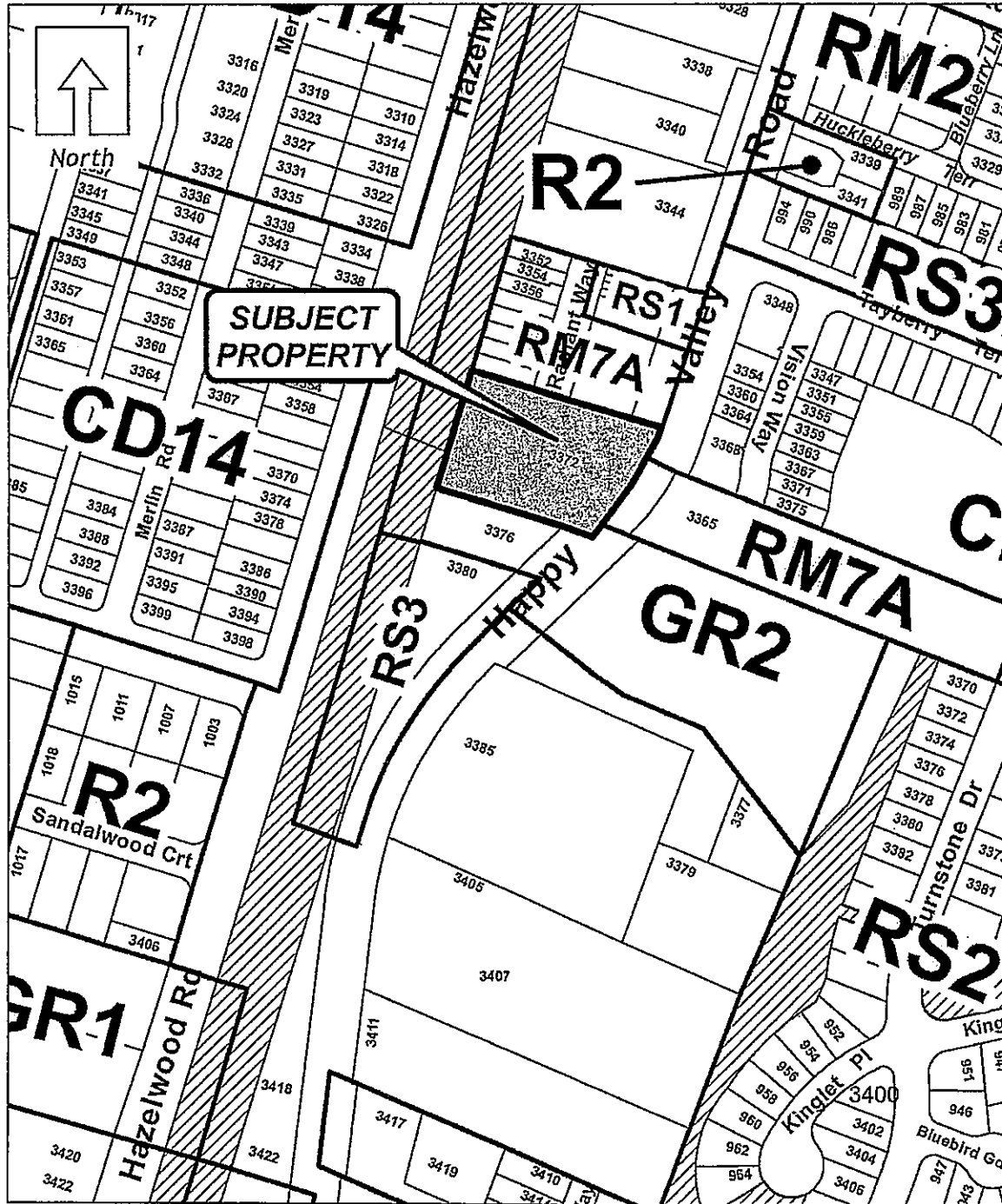


MXD Name: Z12-0039.mxd

Scale: N.T.S.

Last Revised: September 28, 2012

**BYLAW AMENDMENTS**  
**3372 Happy Valley Rd**  
**( Z12-0039 )**

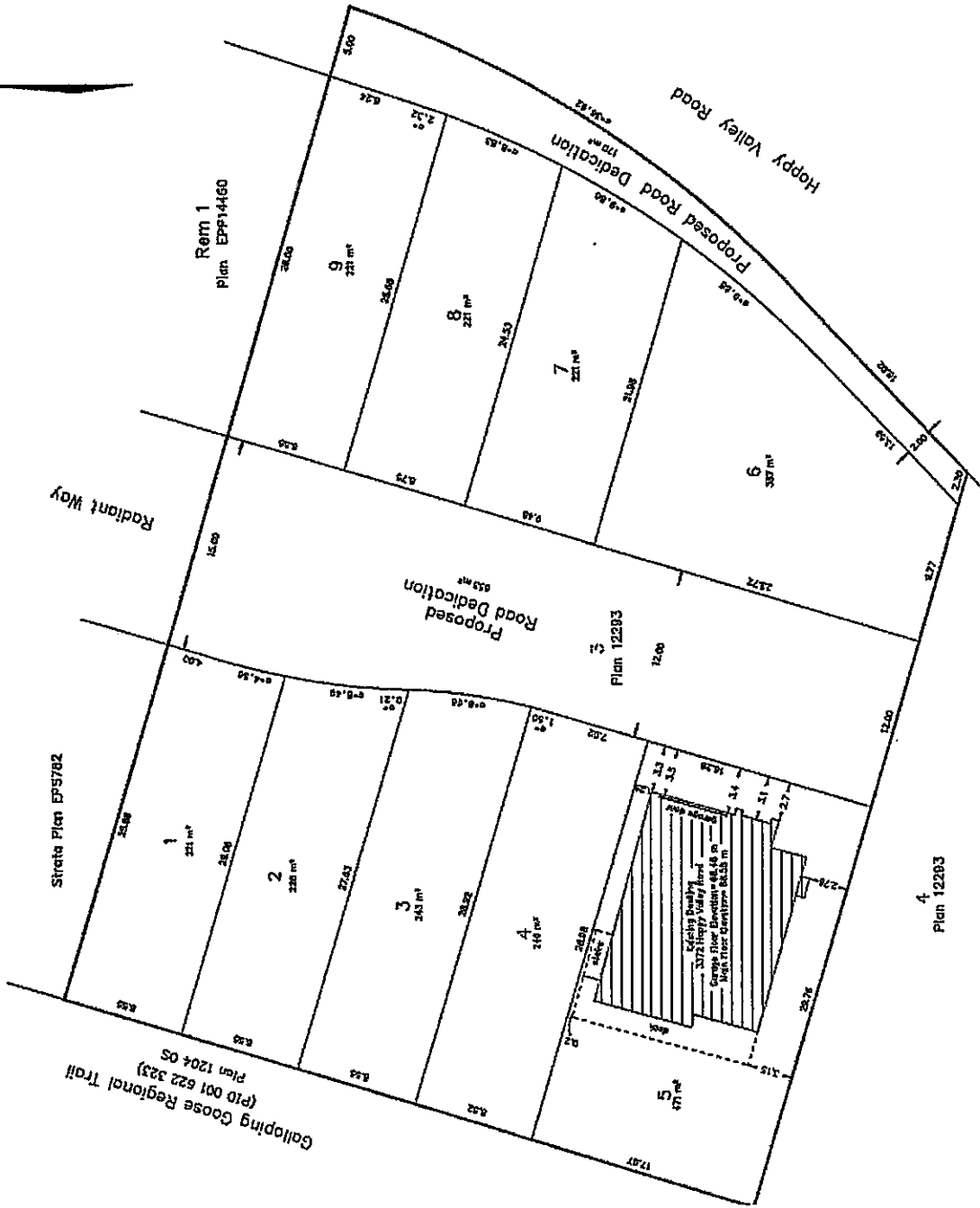


MXD Name: Z12-0039.mxd

Scale: N.T.S.

Last Revised: September 28, 2012

Appendix A





**Staff Report  
to  
Planning, Zoning and Affordable Housing Committee**

**Date:** November 13, 2012  
**Department:** Planning  
**Application No.:** DVP12-0023  
**Subject:** Application to vary setbacks, and minimum lot coverage requirement to allow for an expansion and façade/landscape upgrade to and existing commercial development at 2800 Jacklin Rd; 2806 Jacklin Rd.

**Purpose**

Jean McKay has applied on behalf of Jack Angus to vary the following Sections of Zoning Bylaw No. 300 to allow for a building expansion and façade upgrade at 2806 Jacklin, and a landscaping upgrade at 2800 and 2806 Jacklin Road:

- 6.41.06(1)(d) – To vary the minimum setback required from a rear lot line from 3m to 1.34m
- 6.41.04(2) – To vary the minimum required lot coverage from 50% to 34% and 22%

**Background**

**PREVIOUS APPLICATIONS**

A Development Permit (DP02-29) for form and character was issued for 2800 Jacklin Road in October 2002, permitting changes to the exterior design of the canopy and roof structure. DP02-21 and DP02-21A were issued for 2806 Jacklin Road in 2002 to allow changes to the building façade, patio and landscaping, and to provide new parking to the south of the building.

**Table 1 – Proposal Data**

Variance	Required by Zoning Bylaw	Proposed By DVP Application
Rear Setback:	3m (10ft)	1.34m (4.4ft)
Lot Coverage	50%	2806 Jacklin: 34% 2800 Jacklin: 22%

**Site and Surrounding Area**

The subject properties are a combined 4,268m<sup>2</sup> in area and are located in Langford's downtown core at the corner of Jacklin Road and Goldstream Avenue. The surrounding land uses are a mixture of commercial, institutional (Ruth King Elementary school), and residential. 2800 and 2806 Jacklin are both occupied by existing commercial structures and parking areas.

**Table 2 – Site Data**

<i>Applicant</i>	Jean McKay	
<i>Owner</i>	Jack Angus	
<i>Civic Address</i>	2800, 2806 Jacklin Road	
<i>Legal Description</i>	Lot 2, Section 5, Esquimalt District, Plan 33543, PID № 000-252-107 (2806 Jacklin) and Lot 1, Section 5, Esquimalt District, Plan 33543, PID № 000-252-093 (2800 Jacklin)	
<i>Size of Property</i>	2722m <sup>2</sup> (2806 Jacklin) 1546m <sup>2</sup> (2800 Jacklin)	(4268m <sup>2</sup> total)
<i>DP Areas</i>	General Commercial	
<i>Zoning</i>	Existing: C3	Proposed: C3
<i>OCP Designation</i>	Existing: City Centre	Proposed: City Centre

**Table 3: Surrounding Land Uses**

	Zoning	Use
North	P2 (Community Institutional)	Elementary School
East	C3 (District Commercial) C8 (Community Town Centre Pedestrian) R1 (One- and Two-Family Residential) MU1 (Mixed Use Residential Commercial)	Neighbourhood commercial and residential uses
South	R2 (One- and Two-Family Residential)	Single family residences
West	P2 (Community Institutional)	Church

**Comments****PROPOSAL**

The current proposal is to build a 139m<sup>2</sup> (1500m<sup>2</sup>) expansion on the south end of the building located at 2806 Jacklin Road, perform extensive façade and roof upgrades to the same structure, and upgrade the landscaping (including a new outdoor seating area) at the property's southern end. Additionally, in the area between the commercial buildings on the subject properties, the applicant is proposing to construct a new terrace and bicycle parking area, and new garbage container screening structures. New parking spaces will be added on site as part of the proposal, and no parking variance is required. The proposal will require a Development Permit, and landscape and final building plans will be presented at the DP stage.

**LOT COVERAGE**

Council recently passed a bylaw requiring lot coverage of all buildings and structures on a property in the C3 Zone to be at least 50%. Lot coverage of the existing structures on 2800 Jacklin is 20%, and on 2806 Jacklin it is 29%. As a result of the proposed construction, lot coverage will be increased to 22% for



2800 Jacklin and 34% for 2806 Jacklin. Council may wish to note that both of the subject properties were developed before Council enacted its minimum lot coverage bylaw, and the proposed works would serve to bring them closer to compliance with the bylaw.

**SETBACKS**

The applicant is proposing to extend the existing structure on 2806 Jacklin towards the southern property line. The existing structure is built within the current setback and its construction predates Langford's records, but it is likely legal non-conforming. The proposed expansion would follow the existing building line and therefore require a variance for the rear setback.

**Options**

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

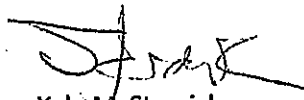
1. Proceed with consideration of a Development Variance Permit No. DVP12-0023 for 2800 and 2806 Jacklin Road, with the following variances:
  - i) That Section 6.41.06(1)(d) of Zoning Bylaw No 300 be varied to reduce the distance of a building from the rear lot line from 3m to 1.34m; and
  - ii) That Section 6.41.04(2) be varied to reduce the minimum lot coverage for a building in the C3 Zone from 50% to 34% for 2806 Jacklin Road and 22% for 2800 Jacklin Road.

**OR**

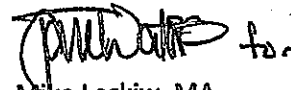
2. Reject this application for Development Variance Permit.



Matthew Baldwin, MCIP  
City Planner



Kyle McStravick  
Planner



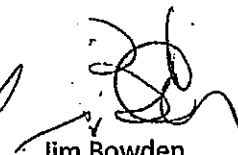
Mike Leski, MA  
Parks Manager




Michelle Mahovich, P. Geo.  
Deputy Manager, Engineering



Steve Ternent  
Treasurer



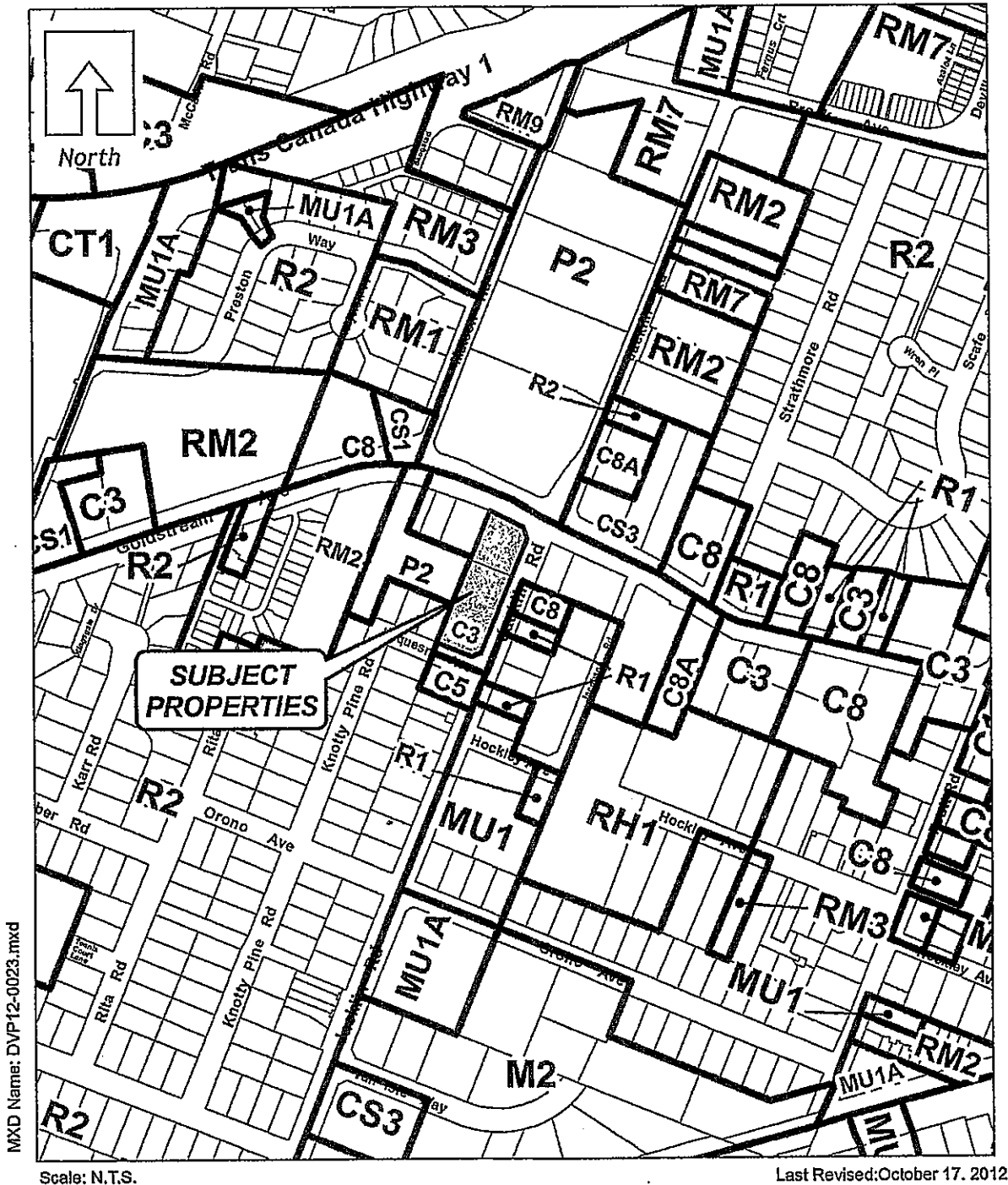
Jim Bowden  
Administrator



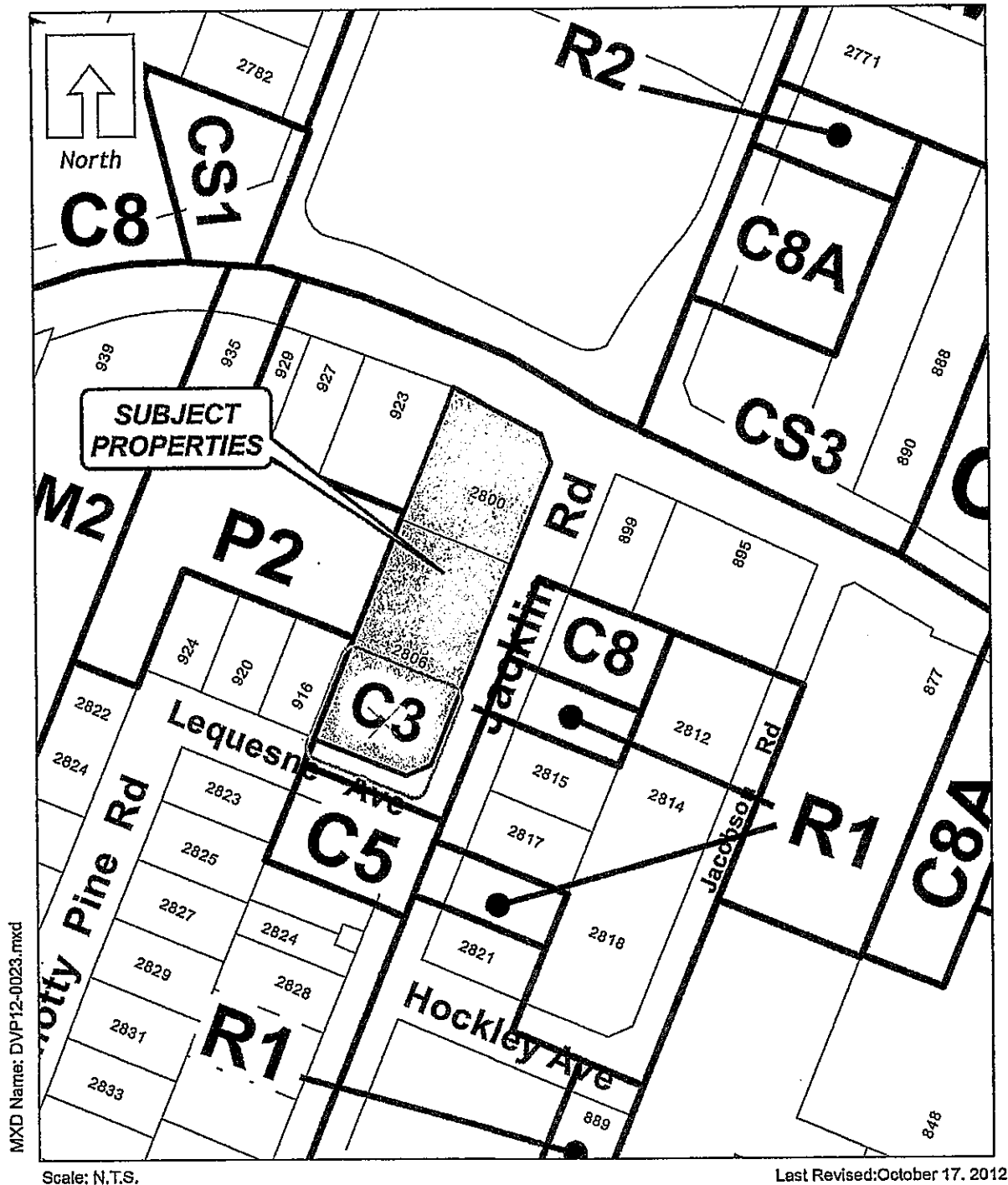
Bob Beckett  
Fire Chief

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Appendix A – Location of Subject Property  
**DEVELOPMENT VARIANCE PERMIT**  
**2800 & 2806 Jacklin Rd.**  
**DVP12-0023**



Appendix B – Site of subject property  
**DEVELOPMENT VARIANCE PERMIT**  
**2800 & 2806 Jacklin Rd.**  
**DVP12-0023**

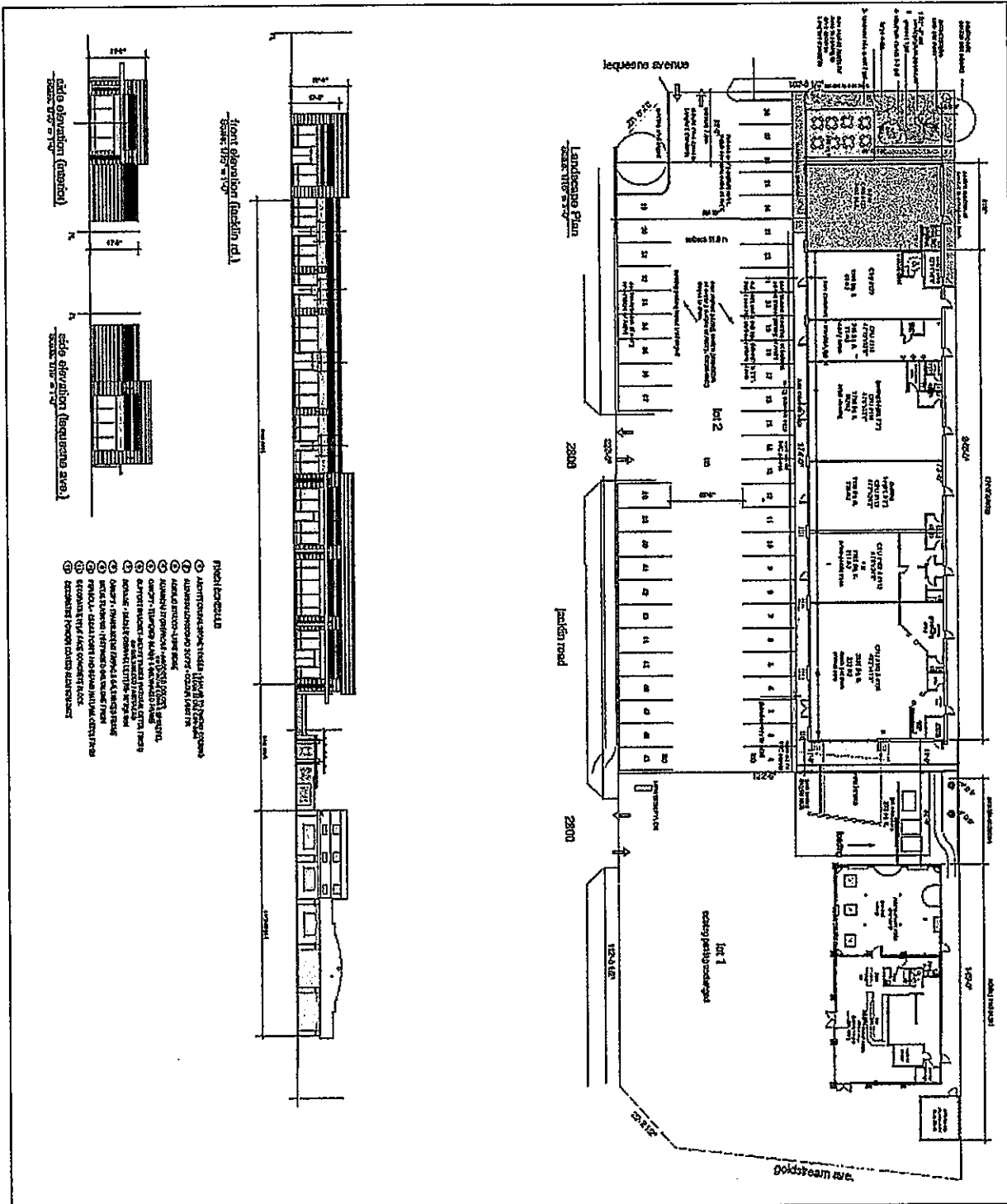


MXD Name: DVP12-0023.mxd

Scale: N.T.S.

Last Revised: October 17, 2012

Appendix C – Site plan showing proposed building, setbacks and landscaping





Staff Report
to
Planning, Zoning and Affordable Housing Committee

Date: November 13, 2012

Department: Planning

Application No.: DVP12-0025

Subject: Application to vary the requirement for connection to municipal sewer as part of the construction of a one-family dwelling with a secondary suite at 297 Atkins Avenue

SCANNED

PURPOSE

Levi and Nicole Timmermans have applied to vary Section 6.1.1 of Subdivision and Development Servicing Bylaw No. 1000 in order to construct a one-family dwelling with a secondary suite on the vacant lot at 297 Atkins Avenue without connecting to the municipal sewer system.

Table 1: Site Data

Table with 2 columns: Field Name and Value. Fields include Applicant, Owner, Civic Address, Legal Description, Size of Property, DP Areas, Zoning, and OCP Designation.

SITE AND SURROUNDING LAND USES

The site is vacant and property records indicate no past building permits have been issued for any structures or buildings on the subject lot. The lot has a relatively flat front yard and the rear yard slopes moderately towards the Galloping Goose Regional Trail (located immediately south).

**Table 2: Surrounding Land Uses**

	<b>Zoning</b>	<b>Use</b>
<i>North</i>	R2 (One and Two-Family Residential)	E & N Rail Trail
<i>East</i>	R2 (One and Two-Family Residential)	One-Family Dwelling
<i>South</i>	R2 (One and Two-Family Residential)	Galloping Goose Regional Trail
<i>West</i>	R2 (One and Two-Family Residential)	Vacant Lot

**Figure 1 – Subject Property (outlined in black)**



**BACKGROUND**

Section 6.1.1 of Bylaw No. 1000, the Subdivision and Development Servicing Bylaw, states:

*"No new subdivision that creates new parcels less than 1 hectare in area or development will be permitted in the City of Langford unless serviced by a municipal sanitary sewer system.*

The definition of **development** was amended on September 19, 2011 to state:

*"Development" means any improvement to residential, commercial, industrial, institutional or municipal lands, highways and rights-of-way, with the exception of:*

*either:*

- i. the alteration or repair of a residential building; or*
- ii. the alteration or repair of a building that is accessory to a residential building;*

*provided that:*

- a. the construction, alteration or repair is pursuant to a building permit or is exempt from the requirement of a building permit; and*
- b. the construction or alteration is not for the purpose of creating an additional dwelling unit or units, either in the form of a separate real estate entity, duplex unit or accessory secondary suite; and*
- c. the construction does not create a cumulative total of more than 70m<sup>2</sup> (750 ft<sup>2</sup>) of new gross floor area from the date of September 15, 2011."*

Italicized below is Section 6.1.1 a) which describes conditions that are required when a duplex is constructed (in certain areas only) without a municipal sewer connection as per Bylaw No. 1000:

*"Notwithstanding Section 6.1.1, development of a two-family dwelling (whether attached or two buildings constructed as a building strata) situated within the area shown shaded in Figure 6.1 may be permitted on the condition that the owner has provided the following to the satisfaction of the City Engineer prior to issuance of a building permit:*

- a) A Section 219 Covenant, registered on title in priority over all other charges stating that each dwelling will connect to municipal sanitary sewers within six (6) months of that service being available to the property;*
- b) Payment of the Sewer Capital Recovery Fee (SCRF) to the Westshore Environmental Services or the City of Langford;*
- c) Installation of any on-site plumbing necessary to allow municipal sanitary sewer to be connected to each dwelling unit in accordance with the BC Building Code."*

**COMMENTS**

On November 5<sup>th</sup>, 2012 Council supported an amendment to Subdivision and Development Servicing Bylaw No. 1000 (by giving the first three readings) that if adopted on November 19<sup>th</sup>, 2012 (as tentatively scheduled) would nullify this request for a DVP. In spite of this, the applicant was apprised of the possibility of this concurrent process and still wished to proceed with the DVP.

The applicant wishes to construct a new one-family dwelling with a secondary suite on the subject lot. The variance was triggered through the above-noted site servicing requirements of Bylaw No. 1000. The new one-family dwelling is required to connect to the municipal sewer system, which does not currently serve this area. West Shore Environmental Services (WSES) has indicated that they have no immediate plans to extend sewer service to this area within the next five years.

The above-noted sections of Bylaw No. 1000 were amended recently to respond to the growing number of requests to develop without connection to municipal sewer. Proposals that do not comply with the definition of *development* must obtain a Development Variance Permit.

In this case, while the proposal involves new construction, the owners are not seeking additional density, but are intending to actualize the existing density within the R2 Zone.

Should Council wish to proceed with the proposed variance, Council may wish to set the same conditions as for duplexes as noted in Section 6.1.1 a) of Bylaw No. 1000, as mentioned above:

- *Registration of a Section 219 Covenant, registered on title in priority over all other charges stating that each dwelling will connect to municipal sanitary sewers within six (6) months of that service being available to the property;*
- *Payment of the Sewer Capital Recovery Fee (SCRF) to the Westshore Environmental Services or the City of Langford; and*
- *Installation of any on-site plumbing necessary to allow municipal sanitary sewer to be connected to each dwelling unit in accordance with the BC Building Code.*

These conditions would be still be applicable if the amendment to Bylaw No. 1000, as described above, gets final reading on November 19<sup>th</sup>, 2012. If Council chooses to support the amendment on November 19<sup>th</sup>, 2012 this application would be nullified.

If supportive of this proposal, Council may wish to consider to proceed with consideration of the following variance and recommended conditions. If Council feels this request for a variance is not appropriate, they may wish to consider rejecting this application.



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**OPTIONS**

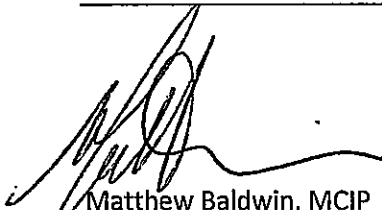
That Council:

1. Proceed with consideration of Development Variance Permit No. DVP12-0025 for the property at 297 Atkins Avenue for the construction of a one-family dwelling with a secondary suite, with the following variance:
  - a) That Section 6.1.1 of the Subdivision and Development Servicing Bylaw No. 1000 is varied to allow development without connecting to the municipal sanitary sewer system under the following conditions:
    - 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 City Engineer, which requires the proposed one-family dwelling to be connected to the municipal sanitary sewer system and the on-site sewer disposal system to be decommissioned within six (6) months of the municipal sewer service being extended along the property's Atkins Avenue frontage;
    - ii. Payment of the Sewer Capital Recovery Fee (SCRF) to the Westshore Environmental Services or the City of Langford, prior to the issuance of a Building Permit; and
    - iii. Installation of any on-site plumbing necessary to allow municipal sanitary sewer to be connected to each dwelling unit in accordance with the BC Building Code, as part of the works and services installed on the subject property.

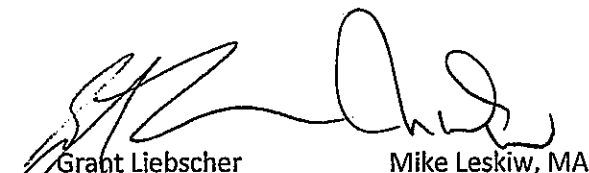
**OR**

2. Reject this application for Development Variance Permit.

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Matthew Baldwin, MCIP  
City Planner



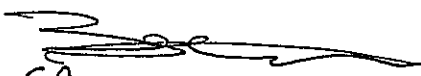
Grant Liebscher  
Planner



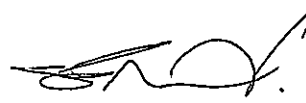
Mike Leskiw, MA  
Parks Manager




Bob Beckett  
Fire Chief



*for* Michelle Mahovlich, P.Eng.  
Director of Engineering  
:gl



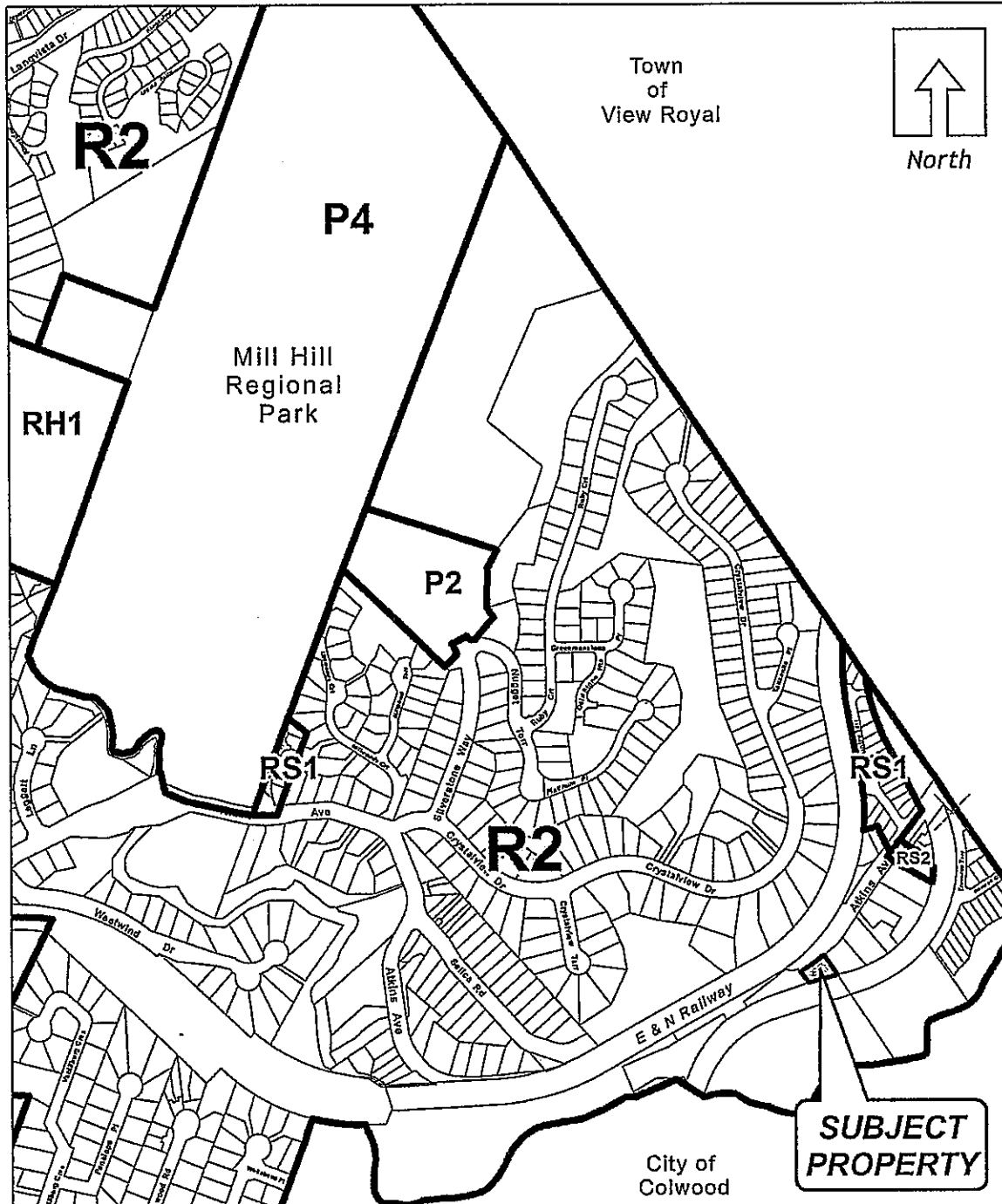
Steve Ternent  
Treasurer



*for* Jim Bowden  
Administrator



**DEVELOPMENT VARIANCE PERMIT**  
**297 Atkins Ave**  
**DVP12-0025**



MXD Name: DVP12-0025.mxd

Scale: N.T.S.

Last Revised: October 17, 2012