CITY OF LANGFORD
PLANNING, ZONING AND AFFORDABLE HOUSING COMMITTEE
Monday, June 13th, 2016 @ 7:00 pm
Council Chambers

AGENDA

1. CALL TO ORDER

2. APPROVAL OF THE AGENDA

3. ADOPTION OF THE MINUTES

   a)  Planning, Zoning & Affordable Housing Committee Meeting –May 9th, 2016

4. REPORTS

   a)  Application to Rezone 967A Isabell Avenue from R2 to RS3 to allow for a 5 fee simple lots
       - Staff Report (Planning Z16-0004)

   b)  Application to Rezone 592 Phelps Avenue from R2 (One- and Two-Family Residential) to RS3
       (Residential Small Lot 3) to allow a future subdivision of five new single-family residential lots.
       - Staff Report (Planning Z16-0010)

   c)  Application to Vary Front, Rear and Side Yard Setbacks on 2030 Country Club Way and 1445 Bear
       Mountain Pkwy
       - Staff Report (File No. DVP16-0008)

   d)  Application to rezone 720, 724, 732 Meaford and 2852 and 2848 Millstream Road from the C3
       (District Commercial) and R1 (One-Family Residential) zones to the CS1 (Service Commercial)
       and MU1A (Mixed-Use Residential Commercial A) zones to permit the development of an
       apartment and a commercial/warehouse buildings
       - Staff Report (Planning)

5. ADJOURNMENT
CITY OF LANGFORD
MINUTES OF THE PLANNING, ZONING AND AFFORDABLE HOUSING COMMITTEE
Monday, May 9th, 2016 @ 7:00 pm
Council Chambers

PRESENT

Councillors: D. Blackwell (Chair), R. Wade (Vice Chair); Members: A. Creuzot, M. Hall, D. Horner, S. Harvey, K. Sheldrake and N. Stewart.

ATTENDING

Matthew Baldwin, Director of Planning; Michelle Mahovlich, Director of Engineering.

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 presented.

CARRIED.

3. ADOPTION OF THE MINUTES

a) Planning, Zoning & Affordable Housing Committee Meeting – April 11th, 2016

MOVED BY: N. STEWART
SECONDED: M. HALL

That the Planning, Zoning & Affordable Housing Committee approve the minutes of the meeting held on April 11th, 2016.

CARRIED.
4. REPORTS

a) Application to amend the CD12 (South Skirt Mountain) Zone
   - Staff Report (File Z16-0001 2131, 2181, 2160, 2200, 2250, 2251, 2300, 2350 Bear Mountain
     Pkwy; 2750 & 2751 Echo Valley Dr; 2588 Savory Rd; VIP87258 Lots 1-6)

MOVED BY: M. HALL
SECONDED: S. HARVEY

That the Planning Zoning and Affordable Housing Committee recommend to Council:
That Council:
1. Endorse the amended zoning for the South Skirt Mountain Lands by giving Bylaw No. 1622
   first reading; and
2. Direct staff and the applicant to negotiate a draft MDA for Council’s consideration prior to
   Public Hearing, and that the applicant register the new MDA as directed by Council prior to
   Bylaw Adoption.

CARRIED.

b) Application to Amend OCP Map No. 2 and to Reorganize the CD6 (Comprehensive
Development 6 – Bear Mountain)
   - Staff Report (File OCP16-0001 & Z16-0002 1270/89/96/1328/60/1425/45/50 Bear
     Mountain Pkwy; 2343 Nicklaus Dr; 2000 Hannington; 2030 Country Club Way;
     976/77/81/84/85/88/ 89/92/ 96/1000/04 Capella)

MOVED BY: A. CREUZOT
SECONDED: M. HALL

That the Planning Zoning and Affordable Housing Committee recommend to Council:
That Council:
1. Endorse the amended zoning for the undeveloped portion of the Bear Mountain Lands by
   giving Bylaw No. 1623 and 1624 first reading; and
2. Direct staff and the applicant to negotiate a draft MDA for Council’s consideration prior to
   Public Hearing, and that the applicant register the new MDA as directed by Council prior to
   Bylaw Adoption.

CARRIED.
c) Application to rezone 647 and 667 Redington Avenue and 2478 and 2482 Selwyn Road from the R2 (One and Two-Family Dwelling) zone to the RM7A (Medium Density Apartment) Zone and BP1A (Millstream Road East) Zone, and to amend the Official Community Plan Designation from Neighbourhood to Mixed-Use Employment Center to permit a mixed-use development consisting of mini storage, apartments and townhouses

- Staff Report (File Z16-0009 647 & 667 Redington Ave; 2478 & 2482 Selwyn Rd)

MOVED BY: COUNCILLOR WADE
SECONDED: M. HALL

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

That Council:

1. Direct staff to prepare a bylaw in accordance with the proposal to amend the zoning designation of the properties located at 647 and 667 Redington Avenue and 2478 and 2482 Selwyn Road from the R2 (One and Two-Family Dwelling) zone to the RM7A (Medium Density Apartment) and BP1A (Millstream Road East) Zone, and to prepare a bylaw to amend the OCP for a portion of the subject property from the Neighbourhood to the Mixed Use Employment Center designation, subject to the following terms and conditions:

a) That the owner agrees to provide as a bonus for increased density, the following contributions per dwelling unit prior to subdivision approval:
   i) $3,660 towards the General Amenity Reserve Fund
      (Less the cost of the trail connection, should Council find this appropriate); and
   ii) $661 towards the Affordable Housing Reserve Fund.

b) That prior to first reading, the applicant prepare a cost estimate to build the trail so Council can consider if they wish to lessen the required amenity contributions by the cost of the trail as this will provide a localized amenity for the neighbourhood.

c) That the applicant provide, prior to Bylaw Adoption, a Section 219 covenant, registered in priority over all other charges on title, that agrees to the following:
   i) Provide the following recommendations from the Boulevard Traffic Impact Report as part of the works and services installed prior to issuance of a Building Permit:
      i. Provide a “Keep Circulatory Lane Clear” (or similar) sign for northbound Redington Avenue traffic at the McCallum roundabout entry point; and
      ii. On-site pedestrian walkway connection be provided between the Redington side and Selwyn side of the site.
   ii) That the developer build the 1.8m wide gravel trail to Bylaw 1000 standards (Schedule 13 Trail Standards with trailhead bollard) from Selwyn Road to Bellamy Link prior to issuance of the first Building Permit on the land; and
   iii) That the developer provide a construction management parking plan as a condition of rezoning and to the satisfaction of the Director of Engineering prior to issuance of a Development Permit.
iv) That the applicant provide the required FUS calculations prior to subdivision or building permit, whichever comes first.

2. Amend BP1A zone to:
   a. Include mini storage as a permitted use for the relevant portion of 667 Redington Avenue and to exclude the property from all other permitted uses;
   b. Separate the gross floor area from the overall maximum of the BP1A zone and restrict the mini storage site to 8,500m² of gross floor area;
   c. Require a 3m interior side yard setback for the interior lot line that abuts the dwellings along Redington Avenue and Skedans Road; and
   d. To allow the subject property of 667 Redington to have 75% lot coverage for the mini-storage business.

3. Amend the RM7A zone to:
   a. Have the minimum lot size reduced from 4,000m² to 3,000m².
   b. To allow the subject property to have an FSR of 1.2; and
   c. To permit the subject property to have 5 storeys in height for the two apartment buildings.

4. Direct the applicant to redesign the townhouse site plan to conform to the interior side yard lot line as part of the Development Permit process.

   CARRIED.

   d) Application for Development Variance Permit to allow for a reduction of the rear lot line setback at 2176 Champions Way

   - Staff Report (File DVP16-0006 2176 Champions Way)

   MOVED BY: S. HARVEY
   SECONDED: K. SHELDRAKE

   That the Planning Zoning and Affordable Housing Committee recommend to Council:
   That Council direct staff to proceed with consideration of the following variances for 2176 Champions Way:

   a) That Section 6.95.09(1)(e) of Zoning Bylaw No. 300 be varied from 10 m to 6.3 m for the patio roof element only;

      Subject to the following terms and conditions:

   i) That the site is developed in accordance with the plan attached to this report as Appendix A.

   CARRIED.
e) Regional Growth Strategy Update  
- Staff Report (File Planning Regional Growth Strategy)

MOVED BY: M. HALL  
SECONDED: K. SHELDRAKE

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

1. Direct Staff to notify the CRD Board that they accept the changes made in the 2016 Draft Regional Growth Strategy if the following concerns are addressed:
   - Maps included in the 2016 Draft RGS are outdated and do not accurately represent current land use in Langford.
   - Economic development section appears to be lacking and makes it appear that there is no longer any form of Economic Development plan for the region; and
2. Direct staff to forward the Draft Regional Growth Strategy to the Westshore Developers’ Association for comment.

CARRIED.

5. ADJOURNMENT

The Chair adjourned the meeting at 8:40 p.m.
Staff Report
to
Planning, Zoning and Affordable Housing Committee

Date: June 13, 2016
Department: Planning
Application No.: Z16-0004
Subject: Application to Rezone 967A Isabell Avenue from R2 to RS3 to allow for a 5 fee simple lots

PURPOSE
Thomas J. Leahy has applied on behalf of Paul and Kashmir Kler to rezone 967A Isabell Avenue from R2 to RS3 to allow for the development of five single-family fee simple lots.

BACKGROUND

PREVIOUS APPLICATIONS

There are no previous applications for this property.

Table 1: Site Data

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Thomas J. Leahy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner</td>
<td>Paul and Kashmir Kler</td>
</tr>
<tr>
<td>Civic Address</td>
<td>967A Isabell Avenue</td>
</tr>
<tr>
<td>Legal Description</td>
<td>LOT 9, SECTION 84, ESQUIMALT DISTRICT, PLAN 22027</td>
</tr>
<tr>
<td>Size of Property</td>
<td>1922.4 m2</td>
</tr>
<tr>
<td>DP Areas</td>
<td>Drainage Concern</td>
</tr>
<tr>
<td>Zoning</td>
<td>Existing: R2</td>
</tr>
<tr>
<td>OCP Designation</td>
<td>Existing: Neighbourhood</td>
</tr>
</tbody>
</table>
SITE AND SURROUNDING AREA
The subject property currently has an existing one-family dwelling located along the street frontage. The property is primarily flat with very little tree cover with the exception of a large tree in the northeast corner of the property (which is planned to be retained) and a small section along the western interior lot line.

It should be noted that the neighbouring property to the east was rezoned in 2012 from R2 to RS3 to allow for the creation of seven small lots along a strata access road including a two-point turnaround. To the southwest there was another small lot rezoning completed in 2010 to allow for eight RS3 lots along Walfred Road. The surrounding neighbourhood has many other small lot subdivisions interspersed between one-and two-family dwellings.

Table 2: Surrounding Land Uses

<table>
<thead>
<tr>
<th>Zoning</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>R2</td>
</tr>
<tr>
<td>East</td>
<td>RS3</td>
</tr>
<tr>
<td>South</td>
<td>RS3</td>
</tr>
<tr>
<td>West</td>
<td>R2</td>
</tr>
</tbody>
</table>

COUNCIL POLICY

OFFICIAL COMMUNITY PLAN
The Official Community (OCP) Bylaw No. 1200 designated the property as “Neighbourhood”, meaning:

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 area
 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 intersections.
 Transit stops are located where appropriate

COMPLIANCE WITH THE OCP
The additional units will increase the density of the subject property, which is in line with the OCP. The proposed density is suitable for the area as it lies close to, but not within, the Neighbourhood Centre area.
SOUTH LANGFORD NEIGHBOURHOOD PLAN
The South Langford Neighbourhood Plan (SLNP) designates the subject property as ‘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 m² (2152.85 ft²) is applicable’.

Based on the surrounding area, the proposal fits well within this designation as the developer is proposing lot sizes between 220m² and 319m². The addition of small lots increases the overall density of the property, while fitting in with the neighbourhood, which consists of small and regular sized single-family lots.

DEVELOPMENT PERMIT AREAS
The subject property is located in the Drainage Concern development permit area, with approximately 90% of the property encompassed in the permit area. Prior to any alteration of land, the applicant will need to obtain a development permit in regards to this permit area which will outline any requirements stemming from a professional consultant’s review of the site.

A Form and Character Development Permit will also be required as per Bylaw No. 1200 which is required for all small lot subdivisions creating more than three lots.

COMMENTS
DEVELOPMENT PROPOSAL
The applicant wishes to rezone the property to the RS3 (Residential Small Lot 3) zone to allow for five single-family fee simple lots.

The proposal consists of a dedicated road running along the west side of the property. The road is proposed to be designed to a modified Bylaw No. 1000 cross section R18, however only an 8 m wide section is proposed which will need to be proved to contain all necessary services. If the 8 m cannot contain the necessary services, the road dedication will need to be widened to accommodate those services. This will allow for the possibility that the four properties on Happy Valley Road abutting 967A Isabell Ave could potentially rezone and subdivide to a similar layout of small lots and would be responsible for dedicating road to complete the full cross section.

A two-point turnaround is proposed at the end of the road, close to the rear of the property and a variance has been applied for.
### Table 3: Proposal Data

<table>
<thead>
<tr>
<th>Permitted Use</th>
<th>Permitted by R2 (Current Zoning)</th>
<th>Permitted by RS3 (Proposed Zoning)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>• One family dwellings. Suites allowed only on lots greater than 550 m2.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Two family dwellings permitted on lots greater than 835 m2 (no suites)</td>
</tr>
<tr>
<td>Permitted Use</td>
<td></td>
<td>• One- and Two- Family Dwellings</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Secondary Suites in a One-Family Dwelling</td>
</tr>
<tr>
<td>Density (FAR and/or min. lot size)</td>
<td>550 m2 minimum lot size</td>
<td>220 m2 minimum lot size</td>
</tr>
<tr>
<td>Height</td>
<td>9 m</td>
<td>8.5 m</td>
</tr>
<tr>
<td>Site Coverage</td>
<td>35% or 50% of the lot is less than 550 m2</td>
<td>50%</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>6 m</td>
<td>3 m</td>
</tr>
<tr>
<td>Interior Side Yard Setback</td>
<td>1.5 m</td>
<td>1.2 m</td>
</tr>
<tr>
<td>Exterior Side Yard Setback</td>
<td>4.5 m</td>
<td>3.5 m</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>6 m</td>
<td>5.5 m</td>
</tr>
<tr>
<td>Parking Requirement</td>
<td>2 spaces per principle dwelling unit plus an additional parking space per secondary suite</td>
<td>2 spaces per principle dwelling</td>
</tr>
</tbody>
</table>

**VARIANCES**

As noted, the applicant is proposing to vary the requirement to have a cul-de-sac on a municipal road. If Council finds it appropriate, they may wish to accept a permanent two-point turnaround to the satisfaction of the Director of Engineering. As this would require a variance application, Council may wish to direct staff to bring this variance report straight to Council for consideration post-rezoning.

**PEDESTRIAN, CYCLING AND MOTORIST NETWORK**

There are two transit stops located near the subject property, one on Sooke Road and another on Glen Lake Road. Both routes offer access to Langford Exchange which acts as a transit hub for various routes throughout Langford and other municipalities. Bike lanes run along Happy Valley Road and the Galloping Goose Trail is nearby.

**CONSTRUCTION MANAGEMENT PLAN**

Council may wish to require a Construction Management Parking Plan as a condition of rezoning and provide to the satisfaction of the Director of Engineering prior to issuance of a Development Permit.
FRONTAGE IMPROVEMENTS
Council may wish to require as a condition of rezoning that full frontage improvements to the standards of Bylaw No. 1000 be provided and that this be secured in a Section 219 Covenant to be provided at the time of Building Permit.

STORMWATER MANAGEMENT PLAN
In accordance with Bylaw No. 1000, the applicant will be required to submit a Stormwater Management Plan as part of the subdivision process.

INFRASTRUCTURE
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.

The Land Development department has noted that a drainage SRW will need to be registered during the subdivision phase to connect to storm drain infrastructure on adjoining properties.

Any additional utilities required to serve the development will also have to be extended and or modified as part of the subdivision process.

NEIGHBOURHOOD CONSULTATION
The developer has been asked to undertake door-to-door canvassing to apprise and consult the neighbours in the immediate vicinity. At the time this report was written, no feedback has been received.

FINANCIAL CONTRIBUTIONS

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 amenity contributions required pursuant to Council’s Amenity Contribution Policy and Development Cost Changes required pursuant to DCC Bylaw No. 26 are listed in Tables 4 and 5 below.

Table 4 – Amenity Contributions per Council Policy (based on five lots)

<table>
<thead>
<tr>
<th>Amenity Item</th>
<th>Per unit contribution</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Amenity Reserve Fund</td>
<td>$6,000/SFE x .66 = $3,960</td>
<td>$19,800</td>
</tr>
<tr>
<td>Affordable Housing Reserve Fund</td>
<td>$1,000/SFE x .66 = $660</td>
<td>$33,00</td>
</tr>
<tr>
<td>TOTAL POLICY CONTRIBUTIONS</td>
<td></td>
<td>$23,100</td>
</tr>
</tbody>
</table>
### Table 5 – Development Cost Charges

<table>
<thead>
<tr>
<th>Development Cost Charge</th>
<th>Per unit contribution</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Roads</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 lots at $4,423 (per lots less than 300m²)</td>
<td></td>
<td>$27,167</td>
</tr>
<tr>
<td>2 lots at $6,949 (per lots greater than 300m²)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Storm Drainage</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 lots at $1,638 (per lots less than 300m²)</td>
<td></td>
<td>$10,190</td>
</tr>
<tr>
<td>2 lots at $2,638 (per lots greater than 300m²)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Park Improvement</strong></td>
<td>$1,890/parcel created</td>
<td>$9,450</td>
</tr>
<tr>
<td><strong>Park Acquisition</strong></td>
<td>$1,100/parcel created</td>
<td>$5,500</td>
</tr>
<tr>
<td><strong>Incremental Storage Improvement Fees</strong></td>
<td>$371.25/parcel created</td>
<td>$1,856.25</td>
</tr>
<tr>
<td><strong>Integrated Survey Area</strong></td>
<td>$35/parcel created</td>
<td>$175</td>
</tr>
<tr>
<td><strong>Subtotal (DCCs paid to City of Langford)</strong></td>
<td></td>
<td>$54,338.25</td>
</tr>
<tr>
<td><strong>CRD Water</strong></td>
<td>$2,655.34</td>
<td>$2,655.34</td>
</tr>
<tr>
<td><strong>School Site Acquisition</strong></td>
<td>$698/parcel created</td>
<td>$3,490</td>
</tr>
<tr>
<td><strong>TOTAL (estimate) DCCs</strong></td>
<td></td>
<td>$60,48359</td>
</tr>
</tbody>
</table>

### OPTIONS

**Option 1**

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 property located at 967A Isabell Avenue from R2 to RS3, 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 Reserve Fund;

   b) That the applicant provides, prior to Public Hearing, an FUS report prepared by a professional Engineer that demonstrates adequate water pressure is available to the site.

   c) 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 full frontage improvements be completed as per the Subdivision and Development Servicing Bylaw No. 1000 as a condition of subdivision approval, to the satisfaction of the Director of Engineering; and

ii. That a Stormwater Management Plan shall be provided and all required measures recommended shall be implemented by the owner as a condition of Subdivision approval, to the satisfaction of the Director of Engineering; and

iii. That a Construction Parking Management Plan be provided prior to any alteration of the land

2. That Section 4.12 of Subdivision and Development Servicing Bylaw No. 1000 be varied to allow for a permanent two-point turnaround rather than the required cul de sac.

OR Option 2

1. Reject this application for rezoning.

Submitted by:  Julia Buckingham
Concurrence:  Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:  Bob Beckett, Fire Chief
Concurrence:  Mike Leskiw, Parks and Recreation Manager
Concurrence:  Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering
Concurrence:  Brent Molnar, Manager of Land Development
Concurrence:  Steve Ternent, Director of Finance
Concurrence:  Jim Bowden, Chief Administrative Officer

:jb
Appendix A

Proposed Subdivision Plan of
Lot 9, Section 84,
Esquimalt District, Plan 22027.

Scale = 1:500

Dated this 8th day of April, 2010.

Distances shown are in metres.
Staff Report
to
Planning, Zoning and Affordable Housing Committee

Date: June 13, 2016
Department: Planning
Application No.: Z16-0010
Subject: Application to Rezone 592 Phelps Avenue from R2 (One- and Two-Family Residential) to RS3 (Residential Small Lot 3) to allow a future subdivision of five new single-family residential lots.

PURPOSE
Ron McNeil has applied on behalf of Jarnail Sandu to rezone 592 Phelps Avenue from R2 (One- and Two Family Residential) to RS3 (Residential Small Lot 3) in order to permit the future subdivision of five new single-family residential lots.

BACKGROUND

PREVIOUS APPLICATIONS

- There are no previous planning applications on record for the subject property.

Table 1: Site Data

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Ron McNeil</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner</td>
<td>Jarnail Sandu</td>
</tr>
<tr>
<td>Civic Address</td>
<td>592 Phelps Avenue</td>
</tr>
<tr>
<td>Legal Description</td>
<td>Lot 1, Section 1, Range 2 West, Highland District, Plan VIP55565</td>
</tr>
<tr>
<td>Size of Property</td>
<td>1,578m² (0.4 acres)</td>
</tr>
<tr>
<td>DP Areas</td>
<td>Riparian Areas</td>
</tr>
<tr>
<td>Zoning</td>
<td>Existing: R2 (One- and Two-Family Residential)</td>
</tr>
<tr>
<td>OCP Designation</td>
<td>Existing: Neighbourhood</td>
</tr>
</tbody>
</table>
SITE AND SURROUNDING AREA

The subject property is primarily flat but rises towards the northern property boundary. A concrete retaining wall existing along the northern boundary, which is retaining the land immediately to the north. Along the northwest boundary, Bellamy Road is situated at a higher elevation then the property itself and is held up from the sloped ground at this corner.

The surrounding properties to the east, west, and south have single-detached family residential units located on them. Property to the north and one to the west have duplexes located on them.

Table 2: Surrounding Land Uses

<table>
<thead>
<tr>
<th></th>
<th>Zoning</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>R2 (One- and Two-Family Residential)</td>
<td>Residential</td>
</tr>
<tr>
<td>East</td>
<td>R2 (One- and Two-Family Residential)</td>
<td>Residential</td>
</tr>
<tr>
<td>South</td>
<td>R2 (One- and Two-Family Residential)</td>
<td>Residential</td>
</tr>
<tr>
<td>West</td>
<td>R2 (One- and Two-Family Residential)</td>
<td>Residential</td>
</tr>
</tbody>
</table>

COUNCIL POLICY

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 area.
- 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 intersections.
- Transit stops are located where appropriate.

A Concept for Neighbourhood Areas
DEVELOPMENT PERMIT AREAS
This property is located within a Riparian Development Permit (DP) Area. The Riparian DP runs in an east-west direction, and properties to the east of this property already have a statutory right of way (SRW) registered on title due to the Riparian DP, which carries storm water to Millstream Creek. The applicant will need to obtain a DP in this regard, which will outline any requirements stemming from professional consultant’s review of the site.

The applicant will also need to submit a storm water management plan (SWMP) as part of the subdivision application, which will also highlight any need to secure a SRW on this property to allow for the flow of storm water. A registration of a SRW for storm water purposes may impact the location of property lines and building envelopes, but not to a point where lot yield is impacted.

COMMENTS

DEVELOPMENT PROPOSAL
The applicant is requesting to rezone 592 Phelps Avenue from R2 (One- and Two Family Residential) to RS3 (Residential Small Lot 3) in order to permit the future subdivision of five new single-family residential lots.

The RS2 zone permits lots to be as small as 220m² (2,370 ft²), which is smaller than most lots in this neighbourhood. However, the smallest lot that the applicant is proposing is 255m² (836 ft²) and two of the lots are proposed to be 378m² and 400m² in size. Council may wish to consider permitting smaller lot sizes in this neighbourhood as the single detached homes appear more fitting with the majority of the surrounding homes. If the proposed smaller lots were to be declined, the current zone would permit this lot to be subdivided in two and each could potentially have a duplex built upon it. Even though there are a few duplexes in this neighbourhood, smaller lots with detached dwellings would appear more suitable.

Table 3: Proposal Data

<table>
<thead>
<tr>
<th>Permitted Use</th>
<th>Permitted by R2 (Current Zoning)</th>
<th>Permitted by RS2 (Proposed Zoning)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• One- and Two-Family Dwellings</td>
<td>• One-Family Dwelling</td>
</tr>
<tr>
<td></td>
<td>• Secondary Suites in a One-Family Dwelling</td>
<td>• Up to One Boarder</td>
</tr>
<tr>
<td></td>
<td>• Up to Four Boarders in a One-Family Dwelling</td>
<td>• Accessory Buildings and Uses</td>
</tr>
<tr>
<td></td>
<td>• Accessory Buildings and Uses</td>
<td>• Home Occupation</td>
</tr>
<tr>
<td></td>
<td>• Home Occupation</td>
<td>• Group Day Care in Accordance with Section 3.26.02</td>
</tr>
<tr>
<td>Density (min. lot size)</td>
<td>550m² (5,920 ft²)</td>
<td>220m² (2,368 ft²)</td>
</tr>
<tr>
<td>Height</td>
<td>9m (34 ft)</td>
<td>8.5m (28 ft)</td>
</tr>
<tr>
<td>Site Coverage</td>
<td>35%</td>
<td>50%</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>6m (20 ft)</td>
<td>3m (10 ft) except that it shall be 5.5m (18 ft) to a portion of a garage</td>
</tr>
</tbody>
</table>
### Interior Side Yard Setback
- 1.5m (5 ft)
- 1.2m (4 ft)

### Exterior Side Yard Setback
- 4.5m (15 ft)
- 3.5m (11.5 ft)

### Rear Yard Setback
- 6m (20 ft)
- 5.5m (18 ft)

### Parking Requirement
- 2 spaces per principal dwelling unit + 1 parking space per secondary suite
- 2 spaces per principal dwelling unit

#### House Design
Past practices for homes on corner lots has been to require the house to present a front style façade towards both streets, which includes front door entranceways, gables, and substantial window areas. Such requirements would be included within a Form and Character DP for the corner lot.

#### Storm Water Management
It has been noted that a storm water drainage course exists to the east of this property, which has been secured with a registered statutory right of way. There is reason to believe that this drainage course affects this property (hence the Riparian DP area), and therefore Council may wish to ensure that any drainage course impacted this property is appropriately secured with a statutory right of way. This may require the proposed boundary lines and lots sizes to be amended slightly to accommodate the right of way, but would not eliminate any proposed lot.

#### Geotechnical
Along the northern boundary line is a concrete retaining wall that is approximately 1.8m (6 ft) in height, which was built as part of a previous development in 1993. Given the age of the wall and that seismic requirements have changed since 1993, the applicant will need to submit a geotechnical report that verifies this wall is geotechnical safe for the proposed lot next to this wall, in accordance with today’s geotechnical standards.

#### Sewers
The City’s sewer system existing along both frontage of the subject property. The applicant will be required to connect to municipal sewer and be responsible for the costs associated with connecting.

#### Water Requirement
As we have seen few small lot developments north of the Trans-Canada Highway, the owner may need to calculate Fire Underwriters Survey requirements and build according to the necessary fire separation.

#### Nuisances: Western Speedway
Past practices for development proposals in some parts of north Langford has been for Council to require the applicant to register a restrictive covenant prior to final adoption that informs potential buyers that they would be located within 1.0km of Western Speedway, which may generate noise that some individuals could perceive as a nuisance. Council may wish to require this covenant as part of this development.

#### Frontage Improvements
Full frontage improvements to the standard set out in the Subdivision and Development Servicing Bylaw is required as a condition of subdivision approval, and more specifically will include the following.
Bellamy Road
- Bikes Lanes
- Curb and gutter
- Paving to centreline
- Street light(s)
- Street parking (1 space per 2 units)
- Boulevard grass and street trees with irrigation

Phelps Avenue
- Paving to centreline
- Full frontage improvements, including a concrete sidewalk.
- Boulevard grass and street trees with irrigation

FINANCIAL CONTRIBUTIONS

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 amenity contributions required pursuant to Council’s Amenity Contribution Policy and Development Cost Changes required pursuant to DCC Bylaw No. 26 are listed in Tables 4 and 5 below.

Table 4 – Amenity Contributions per Council Policy

<table>
<thead>
<tr>
<th>Amenity Item</th>
<th>Per unit contribution</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Amenity Reserve Fund</td>
<td>$3,960</td>
<td>$15,840</td>
</tr>
<tr>
<td>Affordable Housing Reserve Fund</td>
<td>$660</td>
<td>$2,640</td>
</tr>
<tr>
<td>TOTAL POLICY CONTRIBUTIONS</td>
<td></td>
<td>$18,480</td>
</tr>
</tbody>
</table>

Table 5 – Development Cost Charges

<table>
<thead>
<tr>
<th>Development Cost Charge</th>
<th>Per unit contribution</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Small Lot (≤300m²)</td>
<td>$4,423</td>
<td>$8,846</td>
</tr>
<tr>
<td>- Single-Family (&gt;300m²)</td>
<td>$6,949</td>
<td>$27,796</td>
</tr>
<tr>
<td>Park Improvement</td>
<td>$1,890</td>
<td>$7,560</td>
</tr>
<tr>
<td>Park Acquisition</td>
<td>$1,100</td>
<td>$4,400</td>
</tr>
<tr>
<td>Incremental Storage Improvement Fees</td>
<td>$371.25</td>
<td>$1,485</td>
</tr>
<tr>
<td>Integrated Survey Area</td>
<td>$35</td>
<td>$140</td>
</tr>
<tr>
<td>Subtotal (DCCs paid to City of Langford)</td>
<td></td>
<td>$50,227</td>
</tr>
<tr>
<td>CRD Water</td>
<td>$2,655.34</td>
<td>$10,621.36</td>
</tr>
<tr>
<td>School Site Acquisition</td>
<td>$698</td>
<td>$2,792</td>
</tr>
<tr>
<td>TOTAL (estimate) DCCs</td>
<td></td>
<td>$63,640.36</td>
</tr>
</tbody>
</table>
OPTIONS

Option 1

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 property located at 592 Phelps Avenue from R2 (One- and Two-Family Residential) to RS3 (Residential Small Lot 3), 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 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 an advisory note be written to provide future owners with the understanding and that Western Speedway is located within a kilometer and may generate a noise nuisance;
      ii. That full frontage improvements be completed as per the Subdivision and Development Servicing Bylaw No. 1000 as a condition of subdivision approval, to the satisfaction of the Director of Engineering; and
      iii. That all required measures recommended by the Stormwater Management Plan, which may include the registration of a statutory right of way, shall be implemented by the owner as a condition of Subdivision approval, to the satisfaction of the Director of Engineering.

OR Option 2

2. Reject this application for rezoning.

---

Submitted by: Robert Dykstra, MCIP, RPP Land Development Planner
Concurrence: Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence: Mike Leskiw, Parks and Recreation Manager
Concurrence: Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering
Concurrence: Brent Molnar, Manager of Land Development
Concurrence: Steve Ternent, Director of Finance
Concurrence: Jim Bowden, Chief Administrative Officer
Appendix A
Appendix C

REZONING BYLAW AMENDMENT
(Z16-0010)
592 Phelps Ave

SUBJECT PROPERTY
Staff Report to Planning, Zoning and Affordable Housing Committee

Date: June 13, 2016
Department: Planning
Application No.: DVP16-0008
Subject: Application to Vary Front, Rear and Side Yard Setbacks on 2030 Country Club Way and 1445 Bear Mountain Pkwy

PURPOSE

David Clarke of Ecoasis Developments Ltd. has applied on behalf of BM Mountain Golf Course Ltd. and BM 81/82 Lands Ltd. for a development variance permit to reduce the minimum required setbacks as part of a proposed 29-lot subdivision containing 27 one-family lots and 2 townhouse lots at 2030 Country Club Way and 1445 Bear Mountain Pkwy.

BACKGROUND

At the time that Bear Mountain was rezoned and the CD6 zone created, it was requested that lots adjacent to the golf course provide larger building setbacks than one-family residential areas elsewhere in the CD6 zone. These “Golf Course Lots” require greater building setbacks from property lines abutting a golf course as well as larger front, interior/exterior side, and rear lot line setbacks than compared to non-golf course lots in the CD6 zone.

Council has previously considered several DVP applications to reduce the minimum required setbacks on “Golf Course Lots” within the Turnberry subdivision located along Champion’s Way and Champion’s Court (DVP15-0003, DVP15-0004 and DVP15-0009). These variances essentially resulted in the removal of the Golf Course Lot designation for these lots as the reduced setbacks are now consistent with those applied to non-Golf Course Lots.
Council recently considered a rezoning application (Z16-0002) which proposes to rezone the golf course and remaining development lands in Bear Mountain to a new CD6A Zone, in order to adjust the remaining permitted density, required amenity contributions and other zone regulations such as permitted uses and setbacks.

**Table 1: Site Data**

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Dave Clarke</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner</td>
<td>BM Mountain Golf Course Ltd.</td>
</tr>
<tr>
<td>Civic Address</td>
<td>2030 Bear Mountain Parkway, 1445 Bear Mountain Parkway</td>
</tr>
<tr>
<td>Legal Description</td>
<td>Lot 1, Section 81, 82 and 84, Highland District, Plan VIP75509, except that part in Plan VIP76365, VIP79028, VIP82851, VIP85324, and EPP19660, PID No. 025-695-118. Section 81, Highland District, except in Plans VIP72556 and VIP75509, PID No.009-853-103</td>
</tr>
<tr>
<td>Size of Property</td>
<td>246507.25 m²</td>
</tr>
<tr>
<td>DP Areas</td>
<td>Interface Fire Hazard, Steep Slopes</td>
</tr>
<tr>
<td>Zoning Designation</td>
<td>CD6 (Comprehensive Development 6 – Bear Mountain) Areas 1 and 3A</td>
</tr>
<tr>
<td>OCP Designation</td>
<td>Open Space, Hillside or Shoreline</td>
</tr>
</tbody>
</table>

**SITE AND SURROUNDING AREA**

The applicant is proposing a 29-lot subdivision consisting of 27 one-family lots and two townhouse lots in the western portion of Bear Mountain, northwest of the Bear Mountain Parkway, as it will be dedicated once extended from the present terminus in Bear Mountain village towards the future South Skirt Mountain development and Leigh Rd Interchange. Of these, 18 lots one-family lots (lots 7 – 13 and lots 17-27) are adjoining the golf course and are considered “Golf Course Lots” in terms of required setbacks.

**Table 2: Surrounding Land Uses**

<table>
<thead>
<tr>
<th></th>
<th>Zoning</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>North</strong></td>
<td>CD6 (Comprehensive Development 6 – Bear Mountain) Area 1</td>
<td>Golf Course</td>
</tr>
<tr>
<td><strong>East</strong></td>
<td>CD6 (Comprehensive Development 6 – Bear Mountain) Area 1</td>
<td>Golf Course, future development site</td>
</tr>
<tr>
<td><strong>South</strong></td>
<td>CD6 (Comprehensive Development 6 – Bear Mountain) Areas 1, 2, 3A, and 4</td>
<td>Golf Course, future development sites</td>
</tr>
<tr>
<td><strong>West</strong></td>
<td>P4 (Parks and Open Space)</td>
<td>Goldstream Provincial Park</td>
</tr>
</tbody>
</table>
COMMENTS

DEVELOPMENT PROPOSAL
This application seeks to continue the pattern of development which has already been applied to the Turnberry subdivision, wherein both golf course and non-golf course lots are permitted to have the same setbacks. The front, rear and exterior side setbacks proposed as part of this application are consistent with those variances previously granted as well as with the required setbacks for non-golf course lots of the lot area proposed; whereas the interior side setbacks proposed as part of this application are slightly larger than the previously granted variances. Council may wish to note that should the CD6A Zone be implemented as proposed as part of Z16-0002, these variances would not be necessary. However as the rezoning process has just commenced and the timing for consideration by Council is likely to extend, at a minimum, into the summer, the applicant wishes to obtain certainty regarding the permitted building envelopes via this DVP application. The setbacks currently required for golf course lots and non-golf course lots in the CD6 zone as well as the setbacks proposed for the new CD6A Zone are summarized in relation to the proposal in Table 3 below. The applicant has proposed a larger interior side lot line setback than is required between lots 20 and 21 for the purpose of providing some mid-block “elbow room” between homes, which they feel will help to offset the reduced setback on remaining lots. Council can implement a requirement to apply a larger setback than required in one area to offset a reduced setback elsewhere as a condition of issuing the variance.

Table 3: Proposed Variances – One family lots

<table>
<thead>
<tr>
<th>Setback Type</th>
<th>Required for golf course lots in the current CD6 Zone</th>
<th>Required for Lots 550 m² – 2024 m² in area that do not adjoin the golf course in current CD6 Zone (for reference)</th>
<th>Proposed in New CD6A Zone (for reference)</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard Setback</td>
<td>7.5 m</td>
<td>5.5.</td>
<td>5.5 m</td>
<td>5.5 m*</td>
</tr>
<tr>
<td>Interior Side Yard Setback</td>
<td>3m</td>
<td>1.5.</td>
<td>2.4m</td>
<td>2.4m* and 4.5m** for the interior side lot line between Lots 20/21</td>
</tr>
<tr>
<td>Exterior Side Yard Setback</td>
<td>6m</td>
<td>4.5m, and 5.5m for garages</td>
<td>4.5m, and 5.5m for garages</td>
<td>4.5m, and 5.5m for garages*</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>7.5m</td>
<td>6m</td>
<td>6m</td>
<td>6m*</td>
</tr>
<tr>
<td>Setback for any lot line adjoining a golf course</td>
<td>10m</td>
<td>n/a</td>
<td>n/a</td>
<td>6m*</td>
</tr>
</tbody>
</table>

* Variance required
** Setback larger than required
Furthermore, the applicant wishes to obtain several setback variances for Lot 28 and 29, which are intended to contain townhouse developments. The setbacks required for attached housing/townhouse buildings are not proposed to change as part of Z16-0002. The required and proposed setbacks are summarized in Table 4 below. The applicant has proposed a 10m setback along the interior side lot line adjoining the golf course, which exceeds the 6m setback requirement. As with the above example, Council can apply a larger setback than is required as a condition of issuing a setback variance in another location.

**Table 4: Proposed Variances – Townhouse lots**

<table>
<thead>
<tr>
<th>Required attached housing/townhouses in current CD6 Zone and new CD6A Zone</th>
<th>Lot 28</th>
<th>Lot 29</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Front Yard Setback</strong></td>
<td>6 m</td>
<td>6m</td>
</tr>
<tr>
<td><strong>Interior Side Yard Setback</strong></td>
<td>6m</td>
<td>4.5m*</td>
</tr>
<tr>
<td><strong>Exterior Side Yard Setback</strong></td>
<td>7.5m</td>
<td>6m*</td>
</tr>
<tr>
<td><strong>Rear Yard Setback</strong></td>
<td>10m</td>
<td>6m*</td>
</tr>
</tbody>
</table>

* Variance required
** Setback larger than required

It is noted the project engineer must still confirm that the water pressure available at the site is sufficient to support the proposed setbacks as per FUS requirements.

If Council supports the proposed variances, they may wish to proceed with this application. Conversely, if Council does not support this application, they may wish to reject this DVP.

**OPTIONS**

**Option 1**

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

1. Direct staff to proceed with consideration of the following variances for the property at 2030 Country Club Way and 1445 Bear Mountain Pkwy:
   a) That Section 6.95.09(1)(a) of Zoning Bylaw No. 300 be varied to reduce the front lot line setback from the required 7.5 m to 5.5 m for lots 7-13 and 7-27;
   b) That Section 6.95.09(1)(b) of Zoning Bylaw No. 300 be varied to reduce the rear lot line setback from the required 7.5 m to 6 m for lots 14-17;
   c) That Section 6.95.09(1)(c) of Zoning Bylaw No. 300 be varied to reduce the exterior side lot line setback from the required 6 m to 2.4 m for lot 13;
   d) That Section 6.95.09(1)(c) of Zoning Bylaw No. 300 be varied to reduce the exterior side lot line setback from the required 6 m to 4.5 m for lot 24;
   e) That Section 6.95.09(1)(d) of Zoning Bylaw No. 300 be varied to reduce the interior side yard setback from the required 3 m to 2.4 m for lots 7-13 and 17-27;
f) That Section 6.95.09(1)(e) of Zoning Bylaw No. 300 be varied to reduce the setback for any lot line adjoining a golf course from the required 10 m to 2.4 m for the interior side lot line adjoining the golf course on lots 7, 8, 17, 18, 25 and 27;

g) That Section 6.95.09(1)(e) of Zoning Bylaw No. 300 be varied to reduce the setback for any lot line adjoining a golf course from the required 10 m to 6 m for the rear lot line adjoining the golf course on lots 7 – 13 and 18 – 27;

h) That Section 6.95.09(6)(b) be varied to reduce the rear lot line setback from the required 10 m to 4.5 m for lots 28 and 29;

i) That Section 6.95.09(6)(c) be varied to reduce the interior side lot line setback from the required 6 m to 4.5 m for lots 28 and 29, with the exception of the southernmost interior side lot line of Lot 28;

j) That Section 6.95.09(6)(d) be varied to reduce the exterior side lot line setback from the required 7.5 m to 6 m for lots 28;

Subject to the following terms and conditions:

i) That a minimum 4.5m setback be provided on Lots 20 and 21 from the shared interior side lot line;

ii) That a minimum 10m setback be provided from the interior side lot line of Lot 29 that adjoins the golf course;

iii) That the site is developed in accordance with the plan attached to this report as Appendix A;

iv) That the applicant acknowledge their proximity to the golf course and understand all consequences that may derive from such close proximity. This agreement must be registered on title.

OR Option 2

2. Reject this application for development variance permit.

<table>
<thead>
<tr>
<th>Submitted by:</th>
<th>Leah Stohmann, MCIP, RPP Deputy Director of Planning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concurrence:</td>
<td>Matthew Baldwin, MCIP, RPP Director of Planning</td>
</tr>
<tr>
<td>Concurrence:</td>
<td>Bob Beckett, Fire Chief</td>
</tr>
<tr>
<td>Concurrence:</td>
<td>Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering</td>
</tr>
<tr>
<td>Concurrence:</td>
<td>Brent Molnar, Manager of Land Development</td>
</tr>
<tr>
<td>Concurrence:</td>
<td>Steve Ternent, Director of Finance</td>
</tr>
<tr>
<td>Concurrence:</td>
<td>Jim Bowden, Chief Administrative Officer</td>
</tr>
</tbody>
</table>
Appendix A – Proposed subdivision plan and setbacks
DEVELOPMENT VARIANCE PERMIT
(DVP16-0008)
2030 Country Club Way, & 1445 Bear Mountain Pkwy
Staff Report
to
Planning, Zoning and Affordable Housing Committee

Date: June 13, 2016
Department: Planning
Application No.: Z16-0011
Subject: Application to rezone 720, 724, 732 Meaford and 2852 and 2848 Millstream Road from the C3 (District Commercial) and R1 (One-Family Residential) zones to the CS1 (Service Commercial) and MU1A (Mixed-Use Residential Commercial A) zones to permit the development of an apartment and a commercial/warehouse buildings

PURPOSE

Rachael Sansom of Turner Lane Development Corporation has applied on behalf of Meaford Holdings Ltd. and Sandeep and Jaswinder Bharmota and Ha Nguyen and Vu Le to rezone 720, 724 and 732 Meaford Avenue and 2848 Millstream Road from the C3 (District Commercial) and R1 (One-Family Residential) zones to the CS1 (Service Commercial) and MU1A (Mixed-Use Residential Commercial A) zones to permit an 18 unit/three storey apartment building at 724 and 720 Meaford Avenue and a 6 unit warehouse/commercial building (approx. 8,100ft²) with office space on the second floor (approx. 6,100ft²). There are no plans as of yet for 2852 and 2848 Millstream Road.

Under a separate application the applicant is proposing a boundary adjustment by taking approximately 2263m² of the lot at 732 Meaford Avenue and adding it to 2840 Millstream Road. There are no immediate plans to do anything further with that lot at this time.

BACKGROUND

There are no other previous development applications on the subject properties.
Table 1: Site Data

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Rachael Sansom</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner</td>
<td>Meaford Holdings Ltd. And Ha Nguyen and Vu Le, and Sandeep and Jaswinder Bharmota</td>
</tr>
<tr>
<td>Civic Address</td>
<td>720, 724, 732 Meaford Avenue and 2852 and 2848 Millstream Road</td>
</tr>
<tr>
<td>Legal Description</td>
<td>LOT 3, SECTION 72, ESQUIMALT DISTRICT, PLAN 15185, LOT 2, SECTION 72, ESQUIMALT DISTRICT, PLAN 15185, LOT 1, SECTION 72, ESQUIMALT DISTRICT, PLAN 15185, and LOT 2, DISTRICT LOT 72, ESQUIMALT DISTRICT, PLAN 27017, and LOT 1, DISTRICT LOT 72, ESQUIMALT DISTRICT, PLAN 27017</td>
</tr>
<tr>
<td>Size of Property</td>
<td>5,967 m2 (approx.)</td>
</tr>
<tr>
<td>DP Areas</td>
<td>Multi-Family and General Commercial</td>
</tr>
<tr>
<td>Zoning</td>
<td>Existing: R1 and C3 Proposed: MU1A, CS1</td>
</tr>
<tr>
<td>OCP Designation</td>
<td>Existing: City Center Proposed: City Center</td>
</tr>
</tbody>
</table>

Site and Surrounding Area

There are one-family dwellings on each of the subject properties. 720 and 732 Meaford Avenue are sparsely treed and all properties are relatively flat. Shown below in Table 2, most of the surrounding properties have already been developed into a higher density multi-family and commercial uses.

Table 2: Surrounding Land Uses

<table>
<thead>
<tr>
<th>Zoning</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North RM3 (Apartment) Zone, CS1 (Sev)</td>
<td>Townhouse</td>
</tr>
<tr>
<td>East CS1 (Service Commercial) and R1 (One-Family Residential)</td>
<td>Single Family Residential, Commercial</td>
</tr>
<tr>
<td>South R1 (One-Family Residential)</td>
<td>Vacant Land</td>
</tr>
<tr>
<td>West RM2 (Attached Housing), RM4 (Apartment Senior Citizens)</td>
<td>Townhouses (Multi Family) and apartments</td>
</tr>
</tbody>
</table>

Council Policy

Official Community Plan Designation (OCP)

The subject property is designated as City Centre within the Official Community Plan Bylaw No. 1200 as described below:

City Centre

- A major regional growth centre that support a wide range of high density housing, including affordable and rental housing
- A major employment area for institutional, office, commercial, light industrial uses
- Major civic uses and public buildings are key landmarks
- A major place of community gathering and celebration
- A wide range of public squares, parks and open spaces are integrated throughout
• The City’s major entertainment and/or cultural precinct
• Inter-city and/or inter-regional transit hub connect residents

**Compliance with the OCP**
The proposal is compliant with the OCP.

**COMMENTS**

**Development Proposal**
The applicant is proposing to develop a 3 storey apartment building with 18 units at 724 and 720 Meaford Avenue and a 6 unit warehouse/commercial building (approx. 8,000ft²) with office space on the second floor (approx. 6,100ft²). The applicant is also requesting the flexibility to build a 6 storey apartment building based on market conditions. There are no plans as of yet for 2852 and 2848 Millstream Road.

**Table 3: Development Proposal**

<table>
<thead>
<tr>
<th></th>
<th>MU1A (Permitted/Maximum)</th>
<th>CS1 (Service Commercial) (Permitted/Maximum)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Permitted Uses</strong></td>
<td>(Commercial on ground floor only)</td>
<td>• A range of commercial uses from gas stations, to parking facilities, to restaurants to recycling depots, health clubs, animal hospitals in enclosed buildings; automobile repair and body painting shops; car wash establishments and drive-in businesses; towing companies;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• A range of commercial uses from offices to restaurants, cafes, retail stores etc.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• apartments;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• townhouses</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• uses permitted by section 3.01 of this Bylaw.</td>
<td></td>
</tr>
<tr>
<td><strong>FAR</strong></td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td><strong>Minimum Lot Size</strong></td>
<td>700m²</td>
<td>695m²</td>
</tr>
<tr>
<td><strong>Height</strong></td>
<td>4 storeys max (the applicant is requesting the ability to have 6 storeys)</td>
<td>12m or three storeys</td>
</tr>
<tr>
<td><strong>Lot Coverage</strong></td>
<td>90% max/50% min (the applicant is proposing 35%)</td>
<td>Maximum 50%</td>
</tr>
<tr>
<td><strong>Front Yard Setback</strong></td>
<td>2 m</td>
<td>7.5 m</td>
</tr>
<tr>
<td><strong>Interior Side Yard Setback</strong></td>
<td>0 m</td>
<td>6 m (the applicant is proposing a 0m as shown on Appendix A)</td>
</tr>
<tr>
<td>Exterior Side Yard Setback</td>
<td>2 m</td>
<td>7.5 m</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-----</td>
<td>-------</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>7.5 m</td>
<td>3 m (the applicant is proposing a 0m as shown on Appendix A)</td>
</tr>
<tr>
<td>Lot Width</td>
<td>15 m</td>
<td>16 m</td>
</tr>
<tr>
<td>Parking Requirement</td>
<td>1 space per dwelling unit + 4 visitor parking space</td>
<td>Ranges depending on use – discussed further below</td>
</tr>
</tbody>
</table>

**Reciprocal Access/Parking Stall Arrangement**

The concept plan shown in Appendix A indicates two buildings on the lands – Phase 1 and Phase 2. These structures do not have a land title relation to each other as they have not been developed as a phased strata. Parking and access for the building block shown as Phase 1 is wholly contained within the post boundary adjusted lands at 732 Meaford. The building block that is proposed to occupy 720/724 has been shown to have no on-site parking as the proposal is to share vehicle access to a shared parking area (shared with 732 Meaford) in a reciprocal relationship. As these lands are not being developed as a Strata, the developer of 720/724 Meaford will have to enter into a reciprocal access and parking agreement with the developing lands at 732 Meaford. As such, Council may wish to make this access and parking reciprocity a requirement of rezoning to be secured in a Section 219 Covenant prior to issuance of a building permit.

**Parking Variance**

**Parking**

For the commercial site, the parking requirement is more difficult to determine as the CS1 zone has a wide range of uses that generally range from 1 stall per 35m² to 1 stall per 47m² gfa. As the building will be multi-tenanted and the commercial tenants are unknown at this time, the applicant is proposing to provide 1 parking stall per 45m² of gfa for all commercial/light industrial uses which would be non-allocated so the parking can have the benefit of sharing stalls between the higher and lower parking demands of the various permitted uses.

Council may wish to consider deferring the matter to the time of Development Permit and direct the Director of Planning to issue a variance to parking should it be requested and providing the applicant provides a parking study that supports the proposal.

For the apartment, the applicant will provide the required parking as per Zoning Bylaw No. 300: 1 space per dwelling unit + 4 visitor parking spaces. The applicant will need to allocate 1 parking stall per dwelling unit and the 4 visitor parking spaces would be shared. This can be addressed in the Development Permit process should Council proceed with this application.

**Amendments to the MU1A Zone**

**Height**

The MU1A zone has a maximum permitted height of four storeys for an apartment building. The applicant is currently proposing a 3 storey structure with ground level parking, however, the applicant is requesting to have the ability to construct a 6 storey building with underground parking should market conditions
change. If Council finds the proposal appropriate, they may wish to amend the MU1A zone to allow the subject property to have a 6 storey height maximum to allow for future flexibility.

Amendments to the CS1 Zone
The CS1 zone only permits offices for trade contractors. Council may wish to consider amending the CS1 zone to permit “offices” in general so the zone has more flexibility for future uses.

As noted earlier, the owners of both 2852 and 2848 Millstream Avenue do not have any current plans to redevelop. The rezoning of these properties to CS1 would place them into legal non-conforming status. As Council may recall, this created a problem for financing for the homes on Sunshine Terrace. To avoid this problem, Council could amend the CS1 zone to permit the properties to have a one-family dwellings as a permitted use for the subject properties.

Minimum Site Coverage
As noted in Table No. 3, the minimum lot coverage is 50% for the MU1A zone. The applicant is proposing to amend this to 35% for the apartment site. If Council finds this appropriate, they may wish to amend the MU1A zone for the subject property.

Setback Variances Requested – Commercial Buildings
Council has delegated the authority to the Director of Planning to issue variances to setbacks in Development Permits for commercial developments when the variance being sought supports the objectives of the design guidelines. As noted in Table 3, the applicant is proposing a 0m setback to the eastern interior side lot line and rear yard lot line for the new commercial building. The proposal would meet the majority of the Design Guidelines, but given the plans are not finalized, it can’t be determined at this time that all objectives would be met. As such, if Council finds that the proposed setbacks are not unreasonable, they may wish to direct the Director of Planning to issue the variances to the setbacks in a Development Permit should Council wish to support the rezoning.

Building Design
The apartment and commercial buildings will require Development Permits to regulate the form and character of the buildings.

Neighbourhood Consultation
The developer has been asked to undertake door-to-door canvassing to apprise and consult the neighbours in the immediate vicinity. At the time this report was written, no feedback has been received.

Public Transport & Bike Lanes
A transit stop is located nearby the property along Millstream Road. Langford Exchange is also just down the road within a 5 minute walk where buses are frequent and connect the West Shore to Greater Victoria. Bike lanes are currently available on Meaford Avenue and Veterans Memorial Parkway.

Drainage and Stormwater Management
Prior to issuance of a building permit, the applicant must demonstrate that storm water can be managed on-site. To ensure future owners are apprised of the maintenance obligations, Council may wish to require a Section 219 Covenant be registered on title prior to the request for Occupancy Permit as a condition of rezoning.
Sewers
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.

FUS Requirements
The applicant will be required to provide the required FUS calculations prior to building permit, however, applicants are encouraged to provide calculations earlier in the process in case any substantial upgrades are required.

Frontage Improvements
Council may wish to require as a condition of rezoning that full frontage improvements to the standards of Bylaw No. 1000 be provided and that this be secured in a S.219 Covenant to be provided at the time of subdivision or building permit, whichever comes first.

Construction Parking Management Plan
Council may wish to require a Construction Parking Management Plan as a condition of rezoning and provided to the satisfaction of the Director of Engineering prior to issuance of a Development Permit.

Amenity Contributions
As per Council’s Amenity Contribution Policy, the applicant is required to provide $1,000 per single-family equivalent dwelling (SFE) toward the Affordable Housing Reserve Fund and $4,200 per single-family equivalent dwelling (SFE) to the General Amenity Reserve Fund.

In the City Centre, Council’s Amenity Contribution Policy also requires a contribution of $10.75 per m² of new gross floor area towards the General Amenity Reserve Fund. However, as the property is already zoned commercial it does not follow the intent of the policy which was designed to charge amenity fees for new commercial in the City Centre. As such, Council may wish to not charge amenity fees for the commercial building.

Table 4 – Amenity Contributions

<table>
<thead>
<tr>
<th>Contribution</th>
<th>City Centre Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Amenity Reserve Fund</td>
<td>SFE = $2,562 per unit</td>
</tr>
<tr>
<td>Affordable Housing Reserve Fund</td>
<td>SFE = $610 per unit</td>
</tr>
<tr>
<td>Total Contributions</td>
<td>$3,172 per unit</td>
</tr>
<tr>
<td>Expected Total Contributions (based on 18 dwellings)</td>
<td>$57,096</td>
</tr>
</tbody>
</table>

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) is provided in the following table.

**Table 6 – Development Cost Charges (for 18 apartments and approximately 12,000ft² of commercial)**

<table>
<thead>
<tr>
<th>Development Cost Charge</th>
<th>Commercial</th>
<th>Apartment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• $3,917 for apartment</td>
<td>$52,792</td>
<td>$70,506</td>
</tr>
<tr>
<td>• $47.39 per m² of GFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Park and Open Space</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>• $1,890 per lot</td>
<td></td>
<td>$58,820</td>
</tr>
<tr>
<td>• $1,100 per lot</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal (DCCs paid to City of Langford)</strong></td>
<td>$54,472</td>
<td>$129,325.30*</td>
</tr>
<tr>
<td>CRD Water</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• $2,323.43 for medium density</td>
<td>$10,872.64</td>
<td>$41,821.74</td>
</tr>
<tr>
<td>• $9.76m²</td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Site Acquisition</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>• $628 apartment</td>
<td></td>
<td>$11,304</td>
</tr>
<tr>
<td><strong>TOTAL (estimate) DCCs</strong></td>
<td>$65,344.64</td>
<td>$188,420.74</td>
</tr>
</tbody>
</table>

*the applicant is eligible for a 30% reduction in DCC’s payable to the City of Langford for rental housing in the City Centre.

**OPTIONS**

**Option 1**

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

1. Give first reading to Bylaw No 1638 to amend the zoning designation of the properties located at 720, 724, 732 Meaford Avenue and 2848 Millstream Road from the C3 (District Commercial) and R1 (One-Family Residential) zones to the CS1 (Service Commercial) and MU1A (Mixed-Use Residential Commercial A) zones, subject to the following terms and conditions:

   a) That the owner agrees to provide as a bonus for increased density, the following contributions per dwelling unit prior to subdivision approval:

      i) $2,562 towards the General Amenity Reserve Fund; and
      ii) $610 towards the Affordable Housing Reserve Fund.
b) That the applicant provide, prior to Bylaw Adoption, a Section 219 covenant, registered in priority over all other charges on title, that agrees to the following;

i) That the developer provide a Construction Parking Management Plan as a condition of rezoning and to the satisfaction of the Director of Engineering prior to issuance of a Development Permit;

ii) The owner will register on title a Section 219 covenant for stormwater maintenance prior to the request for Building Permit;

iii) That a reciprocal parking access agreement be provided for 720, 724 and 732 Meaford Ave. to the satisfaction of the Director of Planning and Approving Officer prior to issuance of a building permit; and

iv) That the developer construct full frontage improvements as a condition of rezoning to the satisfaction of the Director of Engineering at the time of subdivision or building permit (whichever comes first) in accordance with Bylaw No. 1000.

2. Amend the MU1A zone to:
   a. To permit the subject property to have 6 storeys in height and only 35% site coverage for the apartment building at 720 and 724 Meaford Avenue.

3. Amend the CS1 zone to:
   a. To permit offices as a permitted use.

   b. To permit the properties to have one-family dwellings as a permitted use for 2852 and 2848 Millstream Road.

4. Direct the Director of Planning to issue a variance to the commercial parking requirement in the Development Permit if the applicant provides a parking study that supports it.

5. Direct the Director of Planning to issue a 0m setback to the eastern interior side lot line and rear yard lot line for the new commercial building to be built at 732 Meaford Avenue.

Option 2

1. Reject this application for rezoning.
Respectfully Submitted,

<table>
<thead>
<tr>
<th>Submitted by</th>
<th>Grant Liebscher, Planner II</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concurrency</td>
<td>Matthew Baldwin, Director of Planning, MCIP, RPP</td>
</tr>
<tr>
<td>Concurrency</td>
<td>Brent Molnar, Manager of Land Development</td>
</tr>
<tr>
<td>Concurrency</td>
<td>Michelle Mahovlich, Director of Engineering, P.Eng P.Geo</td>
</tr>
<tr>
<td>Concurrency</td>
<td>Mike Leskiw, Parks Manager</td>
</tr>
<tr>
<td>Concurrency</td>
<td>Steve Ternent, Director of Finance</td>
</tr>
<tr>
<td>Concurrency</td>
<td>Jim Bowden, Chief Administrative Administrator</td>
</tr>
</tbody>
</table>

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Appendix A - Proposed Site Plan