

CITY OF LANGFORD
PLANNING, ZONING AND AFFORDABLE HOUSING COMMITTEE

Monday, June 14, 2021 @ 5:30 pm

Due to COVID-19 Council Chambers is Closed

Dial In: 1-855-703-8985 (Canada Toll Free) or 1-778-907-2071 **or join via Zoom**
using Zoom.us or Zoom app on your mobile device.

Meeting ID: 868 4123 1402

To Participate: During the public participation period, press **Star (*) 9** or use the icon in Zoom to "raise your hand". Participants will be unmuted one by one when it is their turn to speak.

When called upon, you will have to press *6 to unmute the phone from your side as well.

We may experience a delay in opening the meeting due to technical difficulties. In the event that the meeting does not start as scheduled please be patient and stay on the line, we will get started as quickly as possible. **Public Dial-In Details are also posted at www.langford.ca**

AGENDA

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5. ADJOURNMENT

CITY OF LANGFORD

MINUTES OF THE PLANNING, ZONING AND AFFORDABLE HOUSING COMMITTEE

Monday, May 3, 2021 @ 5:30 pm

**Due to COVID-19 Council Chambers is Closed
Meeting by Teleconference**

PRESENT

Councillors: D. Blackwell (Chair), and L. Seaton (Acting Vice-Chair).

Members: D. Horner.

By Telephone: C. Brown, and A. Creuzot.

ATTENDING

M. Baldwin, Director of Planning and Subdivision; and M. Mahovlich, Director of Engineering.

ABSENT

Councillor Wade; Members: M. Hall, S. Harvey, J. Raappana, and K. Sheldrake.

1. CALL TO ORDER

The Chair called the meeting to order at 5:32 p.m.

2. APPROVAL OF THE AGENDA

MOVED BY: COUNCILLOR SEATON

SECONDED: D. HORNER

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 12, 2021

MOVED BY: D. HORNER

SECONDED: COUNCILLOR SEATON

That the Planning, Zoning and Affordable Housing Committee approve the amended minutes of the meeting held on April 12, 2021.

CARRIED.

4. REPORTS

- a) **Bylaw 1983 - Application to Rezone 1028 Lomalinda from Cluster Housing 2 (CH2) to Neighbourhood Institutional (P1A), to allow for a standalone daycare with up to 76 children**
- **Staff Report (Planning)**

MOVED BY: A. CREUZOT
SECONDED: C. BROWN

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

1. Proceed with consideration of Bylaw No. 1983 to rezone a portion of the property at 1028 Lomalinda Dr from CH2 to P1A to allow a standalone daycare operation, subject to the following terms and conditions:
 - a. That the applicant provides, prior to **Bylaw Adoption**, a Section 219 Covenant, registered in priority over all other charges on title, that agrees to the following:
 1. That the following will be provided to Bylaw No. 1000 standards and to the satisfaction of the Director of Engineering prior to subdivision approval:
 1. Frontage improvements;
 2. A storm water management plan; and
 - b. That the applicant provides, or bonds for, a 1.8 m decorative solid wood fence along all lot lines containing a one-family or two-family dwelling, prior to Subdivision Approval; **AND**
2. That the applicant applies for and obtains a Development Variance Permit to alter the following setback requirements, prior to Subdivision Approval;
 - a. That Section 3.26.02(6) of Zoning Bylaw 300 be varied to allow a daycare to be located 2.03 m from a single-family residential lot;
 - b. That Section 6.80A.08(2) of Zoning Bylaw No. 300 be varied to reduce the interior side lot line setback of a building or structure from the required 6 m to 2.03 m.

CARRIED.

- b) **Bylaw No. 1981 - Application to Rezone 2165 and 2167 Bellamy Road from R2 (One- and Two-Family Residential) Zone to RS1 (Residential Small Lot 1) Zone to Allow for 11 new single-family dwellings and retain the existing duplex**
- **Staff Report (Planning)**

MOVED BY: COUNCILLOR SEATON
SECONDED: C. BROWN

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

1. Take no action with respect to the application to rezone 2165 and 2167 Bellamy Road until the applicant has provided a site grading plan, a revised lot layout without need for variances, and has addressed site drainage and the fill brought on to the site.

CARRIED.

c) Bylaw No. 1969 - Application to Rezone 890 Walfred Road from RR5 to R2 to Accommodate an 8-lot Bare Land Strata Subdivision
- **Staff Report (Planning)**

MOVED BY: D. HORNER
SECONDED: L. SEATON

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

1. Proceed with consideration of Bylaw No. 1969 to amend the zoning designation of 890 Walfred Road from the RR5 (Rural Residential 5) Zone to the R2 (One- and Two-Family Residential) Zone subject to the following conditions:
 - a) That the applicant provides, **as a bonus for increased density**, the following contributions per lot prior to subdivision approval:
 - i. \$660 towards the Affordable Housing Fund; and
 - ii. \$3,960 towards the General Amenity Fund.
 - b) That **prior to Public Hearing**, the applicant provides a technical memo from an engineer that verifies stormwater can be adequately managed on-site for the proposed developments, to the satisfaction of the Director of Engineering;
 - c) That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees:
 - i. That the following will be provided and implemented to Bylaw No. 1000 standards to the satisfaction of the Director of Engineering prior subdivision approval or the issuance of a building permit, whichever is first:
 - i. Full frontage improvements; and
 - ii. A storm water management plan;
 - ii. That a Construction Parking and Traffic Management Plan be provided to the satisfaction of the Director of Engineering prior to any alteration of the land;

2. Take no action at this time with the South Langford Neighbourhood Plan.

CARRIED.

5. **ADJOURNMENT**

The Chair adjourned the meeting at 6:32 p.m.

CHAIR

CERTIFIED CORRECT
(Corporate Officer)



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

Date: June 14, 2021

Department: Planning

Application No.: Z19-0010

Subject: Application to amend the zoning of the properties located at 2627 and 2631 Millstream Road from the R2 (One- and Two-Family Residential) Zone to the RM9 (Medium Density Apartment), Zone to allow for approximately 113 apartment units.

PURPOSE

Rachael Sansom has applied on behalf of 1177016 BC Ltd. to rezone the properties located at 2627 and 2631 Millstream Road from the R2 (One- and Two-Family Residential) Zone to the RM9 (Medium Density Apartment) Zone to allow for the construction of two apartment buildings with approximately 113 units.

BACKGROUND

Z19-0010 – This application went forward to the Planning, Zoning, and Affordable Housing Committee on September 9th, 2019 with a development proposal on 2627 Millstream Road only. The proposal on the one lot was for a 40-unit, three storey apartment building. It did not proceed for Council consideration due to neighbourhood concerns, especially regarding traffic and direct vehicle access off of Marlisa Place.

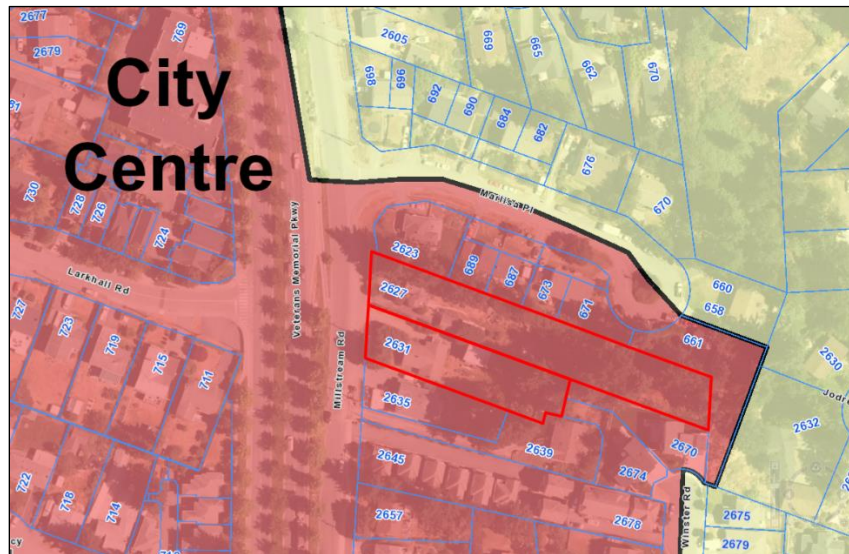
Table 1: Site Data

<i>Applicant</i>	Rachael Sansom
<i>Owner</i>	1177016 BC Ltd.
<i>Civic Address</i>	2627 & 2631 Millstream Road
<i>Legal Description</i>	That Part of Lot 8, Sections 108 and 109, Esquimalt District, Plan 5635 lying northerly of a boundary joining the points of bisection of the easterly and westerly boundaries of said lot (PID 006-000-193); Lot A, Sections Lots 72, 108 and 109 Esquimalt District Plan EPP101809 (PID 031-172-032)
<i>Size of Property</i>	3883.7 m ²
<i>DP Areas</i>	City Centre Development Permit Area
<i>Zoning Designation</i>	R2 (One- and Two-Family Residential) Zone
<i>OCP Designation</i>	City Centre – Currently in process of being changed to Neighbourhood

SITE AND SURROUNDING AREA

The subject properties currently contain one-family dwellings with driveway accesses off of Millstream Road. Both lots are relatively flat and are landscaped with large trees located in the eastern portion of the lots. The surrounding area is made up of predominately single family homes and town housing, but is located in close proximity to the downtown Langford.

Figure 1: Current OCP map, Neighbourhood area shown in yellow



While the subject properties are currently located on the northeastern boundary of the *City Centre* designation area of the Official Community Plan (OCP), on May 10th, Council gave First Reading to Bylaw No. 1987 to change the OCP designation of the properties along Millstream Road between Wagar Avenue and Marisa Place from *City Centre* to *Neighbourhood*.

Figure 2: Proposed OCP change

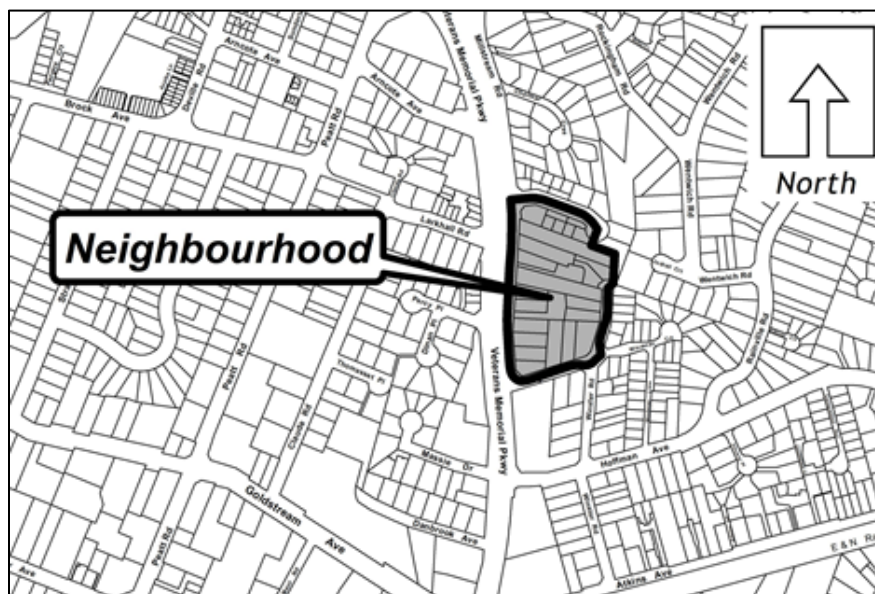


Table 2: Surrounding Land Uses

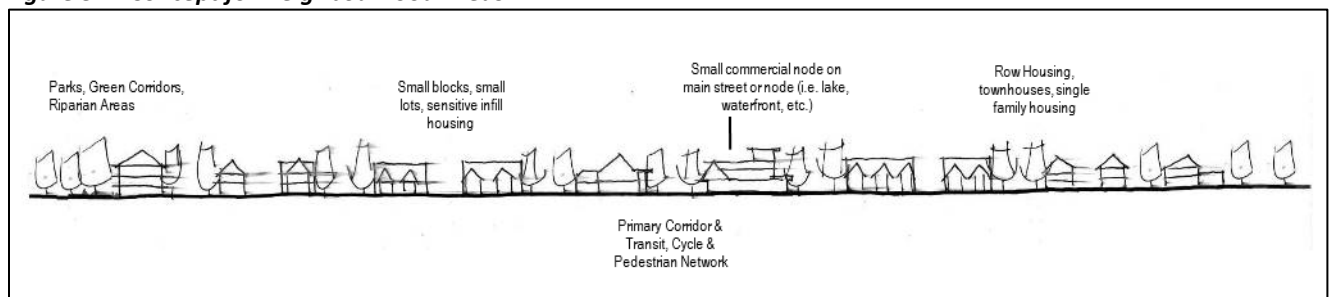
	Zoning	Use
<i>North (2623 Millstream Road, 689-661 block of Marlisa Place)</i>	R2 (One- and Two-Family Residential) Zone	One- and two-family dwellings
<i>East (661 Marlisa Place)</i>	R2 (One- and Two-Family Residential) Zone	One-family dwelling
<i>South (2635 Millstream Road)</i>	R2 (One- and Two-Family Residential) Zone	One-family dwelling
<i>West (724 Larkhall Road)</i>	RM7 (Medium Density Apartment) Zone	Townhouses

OFFICIAL COMMUNITY PLAN

As noted above, the Official Community Plan (OCP) Bylaw No. 1200 is in the process of being changed to designate the subject properties as “Neighbourhood”, which is 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*

Figure 3: A Concept for Neighbourhood Areas

Despite the upcoming designation change to *Neighbourhood*, the location is still within close proximity to the *City Centre*. Thus, future redevelopment on the property should be sensitively designed to address both these OCP designations. As noted above, the *Neighbourhood* OCP designation allows for the intensification of residential redevelopment along streets that connect to urban centres and

transportation services. Given the sites proximity to downtown Langford, Council may wish to consider this application compliant with the *Neighbourhood* designation.

Furthermore, Council may wish to note that the applicant originally designed their submission to the CC1 (City Centre) Zone and included a ground floor commercial unit to fit in with the *City Centre* OCP designation. Since the recent proposed amendments to the OCP map, staff have been working with the applicant to re-design their proposal to exclude the commercial component, increase the setbacks, and reduce the height to better fit with the *Neighbourhood* designation and the proposed RM9 (Medium Density Apartment) Zone. Despite this, the applicant is still requesting some variances that will be discussed later in this report.

DEVELOPMENT PERMIT AREAS

This proposal will be subject to the Multi-Family Residential development permit areas and associated Design Guidelines. Therefore, the proposal will require a Development Permit for form and character to address the spatial layout of the development and the design of the building. The properties are not within any of the Development Permit Areas for Environmental Protection or Hazardous site conditions.

COMMENTS

DEVELOPMENT PROPOSAL

The developer has requested to amend the zoning designation of the subject properties from the R2 zone to the RM9 zone in order to construct a 113-unit apartment building consisting of one- and two-bedroom units. The units will be split across two separate buildings: a six-storey building at the front of the site abutting Millstream Road, and a three-storey building at the rear of the site. Vehicle access to both buildings will be directly off Millstream Road, with one floor of underground parking spanning the entire site, and one floor of ground floor parking spanning half the site, underneath the front building. The ground floor parking will not be visible from Millstream Road as it will be located behind three walk-up units on the ground floor.

Figure 4: Site Plan – ground floor

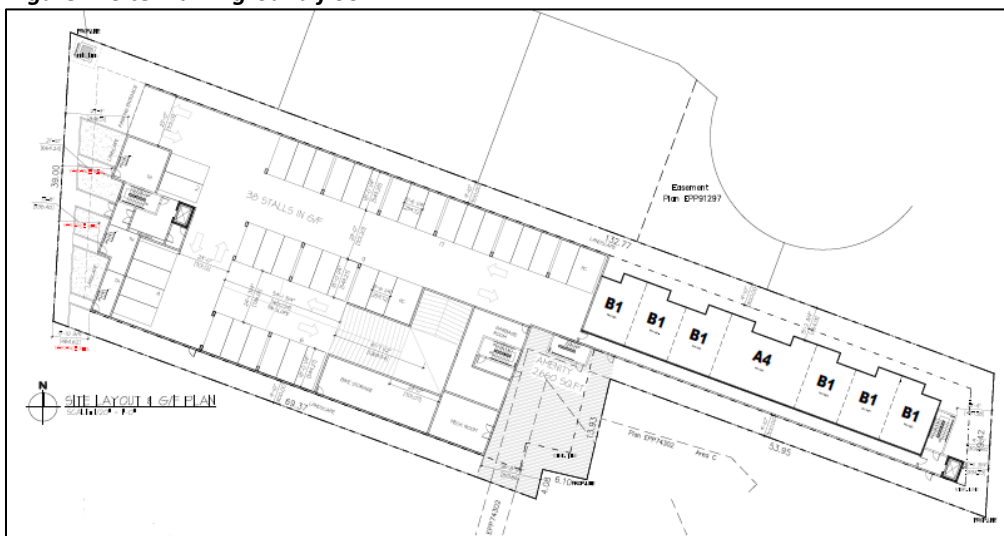
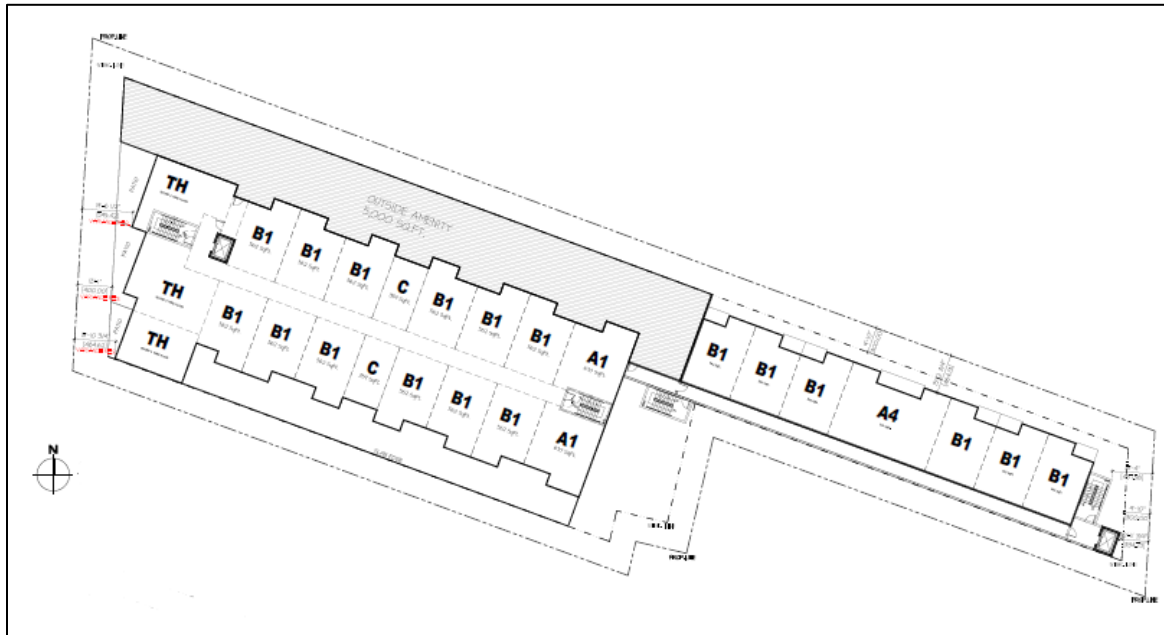


Figure 5: Site Plan – 2nd floor**Front Building (92 units):**

As noted above, the building located along Millstream Road at the front of the site is proposed to be 6-storeys tall with three residential units at grade with front doors and patios out to the street. The remainder of the ground floor of this building will be enclosed parking. This will ensure that parking is not visible from the street and that headlights will not be shining into the yards of adjacent neighbours. The ground floor is proposed to be setback approximately 3 m from the interior side and rear lot lines, and the developer will be required to install a fence around the perimeter of the site as required by the Zoning Bylaw. The remainder of the building is set on top of the ground floor podium of parking, and is setback an additional 7 m from the northern side lot line, providing an outdoor amenity space on the second floor. As shown in Figure 5. As such, the 2nd – 6th storeys of the building will be setback 10 m from the northern interior side lot line which will greatly reduce the impact to residents on Marlisa Place. On the southern side, the building is predominately setback 6.4 m from the lot line, with the exception of the very front portion of the building which is setback 3 m. Council may wish to note that the minimum required setback for interior side lot lines within the RM9 zone is 3 m.

The applicant is seeking a variance to reduce the front lot line setback from the required 7.5 m to 4.8 m. Council may wish to note that the front building face is proposed at 4.8 m at it's narrowest point but is up to 8.4 m from the front lot line at it's widest point. Additionally, floors 4 – 6 are setback an additional 1.2 m, meaning the closest portion of the building to the front lot line on the upper storeys would be 6 m. Given this, Council may wish to authorize the Director of Planning to issue this variance within the form and character development permit.

The applicant has submitted a concept rendering for the front building as shown below in Figure 6. The proposed materials are cedar, hardi panel, and stone rock cladding.

Figure 6: Concept Rendering of Proposed Building**Rear Building (21 units):**

The second building is located at the rear of 2627 Millstream Road as shown on Figures 4 and 5, and is proposed as a three-storey, 21-unit apartment building. These units are located 4.6 m away from the northern lot line, and 3 m away from the southern lot line, both meeting the minimum requirement of 3 m. The developer is requesting a setback variance to the rear property line from the required 7.5 m (when abutting a residential zone) to 3.3 m. Council may wish to note that this is just for the portion of the building containing the elevator and stairs, and the units are set back further, as shown above on Figure 5. Given this, Council may wish to authorize the Director of Planning to issue this variance within the form and character development permit. While the applicant has not submitted a rendering of the rear building, it is expected to be complimentary to the front building as shown above.

The applicant is also requesting that the subject properties be included in Schedule AE of the Zoning Bylaw No. 300, as this area is permitted to have a lot coverage up to 75% within the RM9 zone. The applicant is currently showing a lot coverage of 63.6% which exceeds the maximum of 50% for properties not included in Schedule AE. Council may wish to note that the subject properties are located directly across the street from properties already included in Schedule AE.

The applicant has also elected to complete a shadow study which is attached to this report as Appendix A.

In an effort to provide a variety of housing types to Langford residents, Council may wish to secure that the future buildings be stratified, as individual units, prior to the issuance of an occupancy permit for the buildings. This way, if the units are initially rented but a future owner would like to sell units for individual ownership, they may do so without requiring a strata title conversion application to Council and

potentially be required to undertake costly upgrades to the BC Building Code in place at the time of conversion.

PARKING

The developer is proposing one driveway access to the surface and underground parking within the building via Millstream Road as shown above in Figure 4. Both buildings will share the one parking area and vehicle access.

Parking for the proposal meets the regulations within Table 4.01.01 of the Zoning Bylaw for Apartments within the City Centre, which requires 1.25 parking stalls per unit, of which 0.25 will be allotted for visitor parking. As this proposal is for 113 residential units, the developer is providing 142 parking stalls where 29 of those spaces will be allocated to visitors as per this requirement. However, as described, there is an OCP amendment underway to remove the subject properties from the City Centre designation. If this amendment is approved, the applicant will require a variance to continue utilizing this parking ratio. As this rezoning application was submitted prior to Council's consideration of this OCP amendment, they may wish to authorize the Director of Planning to issue this variance within the form and character development permit.

To remain consistent with other multi-family developments that have recently been rezoned, Council may wish to require the onsite parking stalls be secured to each unit in accordance with the Zoning Bylaw to ensure separate rent is not charged for a parking space. This would prevent future tenants or owners from declining to pay separately for a parking stall and choosing to park on the surrounding streets instead.

For vehicle options in the future, Council may wish to remain consistent in requiring the onsite parking spaces be equipped with infrastructure so that electric charging stations can be installed at a future date without the need of an expensive retrofit to the building. Given the future development of electric vehicles, this may be viewed as a proactive step that would allow residents of the building a wider choice of vehicles in years to come.

Table 3: Proposal Data

	Permitted by RM9 (Proposed Zoning)	Subject Proposal
<i>Density (FAR and/or min. lot size)</i>	5.0 FAR	1.96 FAR
<i>Height</i>	6 storeys	6 storeys and 3 storeys
<i>Site Coverage</i>	50% / 75% if in Schedule AE	63.6%
<i>Front Setback</i>	7.5 m	4.8 m – 8.4 m
<i>Interior Side Setback</i>	3.0m	3 m for ground floor 10 m on north side, floors 2 – 6 6.6 m on south side, floors 2 -6
<i>Rear Yard Setback</i>	7.5 m when abutting a residentially zoned property	3 m
<i>Parking Requirement</i>	142 spaces	142 spaces

PEDESTRIAN, CYCLING AND MOTORIST NETWORK

The subject properties have direct access from a portion of Millstream Road that runs parallel to Veterans Memorial Parkway, and accesses the Parkway at the intersection at Strandlund Avenue. This proximity to Veteran's Memorial Parkway affords the property easy access to the Trans-Canada Highway and Goldstream Avenue and is therefore well connected to Langford City Centre, the City of Colwood, as well as other North and South Island communities.

A sidewalk runs along the frontage from the corner of Wager Avenue and Millstream Road, and terminates at 2645 Millstream Road, in front of the townhouse development at that location. In order to facilitate pedestrian travel, the sidewalk should be extended along the frontage shared with 2635 Millstream Road to the corner of Marlisa Place and Millstream Road. This will result in approximately 37 m of sidewalk, in addition to what is required as part of frontage improvements. If Council is supportive of requesting the developer install this extra infrastructure they may wish the developer to provide a cost estimate for the additional sidewalk prior to Public Hearing, and to offset the cost from the developer's required contributions to the General Amenity Reserve Fund. A section 219 covenant, registered on the property's title, should secure the installation of the sidewalk as part of the frontage improvements required to develop the property.

There are no bike lanes that share the frontage of the subject property on Millstream Road, however, bike lanes run along either side of Veterans Memorial Parkway. Bike lanes extend north along the Parkway to the Highway 1 off ramp and south to where the Parkway runs into the City of Colwood.

Local transit routes include the 46 Dockyard/Westhills, 52 Colwood Exch/Bear Mountain, 53 Colwood Exch/Langford Exch, 57 Thetis Heights/Langford Exch, and 65 Sooke/Downtown. These routes provide connection to local neighbourhoods and destinations. Additionally, bus route 50 Langford/Downtown has a bus stop along Goldstream Avenue, approximately 500 m away. This route is designated by BC Transit as a future Rapid Transit Network corridor and provides frequent service (15 minutes or better between 7:00 a.m. and 10:00 p.m.) seven days a week.

A Traffic Impact Assessment was completed by Watt Consulting Group that reviews how the proposed development would impact traffic operations nearby. The assessment confirms that the development will not impact the intersections at Millstream Rd/ Marlisa Pl, VMP/ Peatt Road/ Strandlund Avenue, and VMP/ Massie Rd/ Hoffman Avenue.

A construction parking management plan will be required prior to the issuance of a building permit.

FRONTAGE IMPROVEMENTS

Frontage improvements shall be the responsibility of the developer and installed in accordance with Bylaw No. 1000. Frontage improvements along Millstream Road will include road edge parking if possible, boulevard landscaping, the installation of sidewalks, and street lighting. As noted above, the Director of Engineering has requested that the developer install additional sidewalk in front of 2635 Millstream Road, connecting to the corner of Millstream and Marlisa Place. Road dedication may be required to accommodate these improvements, and as such the developer will be required to submit a frontage drawing to the satisfaction of the Director of Engineering in order to confirm if the road dedication is required. Frontage drawings must be submitted and approved by the Director of Engineering prior to scheduling Public Hearing. If needed, registration of the road dedication will be required prior to Bylaw

Adoption. Council may wish to secure the installation and subsequent costs associated with frontage improvement requirements in a Section 219 covenant registered on title of the property prior to Bylaw Adoption.

INFRASTRUCTURE

Sewer runs along Millstream Road and a connection point is located almost directly across from the subject property. The developer will be responsible for all connections and upgrades to services and sanitary systems needed to accommodate the proposed development.

As there is no on-site infrastructure to direct stormwater away from the property, the developer will be required to provide a stormwater management plan that will detail how drainage to and from the site will be managed and stormwater captured and contained. A technical stormwater management memo, approved by the Director of Engineering, will be required prior to the scheduling of a Public Hearing. A formal stormwater management plan, also approved by the Director of Engineering, will be required prior to the issuance of a building permit to develop the site. This provision should be secured within the Section 219 covenant.

FINANCIAL CONTRIBUTIONS

FINANCIAL IMPLICATIONS

Rezoning the subject properties to permit higher density of development will increase the assessed value of lands and eventually will increase municipal revenue due to the number of units created. As the developer is responsible to complete all frontage improvements, servicing connections and upgrades necessary to service the site, the direct capital costs to the City associated with this development will be negligible. A summary of Amenity Contributions and Development Cost Charges that the developer will be expected to pay, is outlined in Tables 4 and 5 below

COUNCIL'S AFFORDABLE HOUSING AND GENERAL AMENITY CONTRIBUTION POLICY

The amenity contributions that apply as per Council's current Affordable Housing, and Amenity Contribution Policy are summarized in Table 4 below, based the current floor plans and total density of 113 units.

Table 4 – Amenity Contributions per Council Policy

Amenity	Amenity Contribution (per unit)	Possible Reductions*
<i>Affordable Housing Reserve Fund</i>	\$610	50% reduction for units on the 5 th and 6 th storeys
<i>General Amenity Reserve Fund</i>	\$3,660	
Total (113 units)	\$482,510	

Table 5 – Development Cost Charges

Development Cost Charge	Cost (per unit)	Total @113 units
Roads	\$3,092.39	\$349,440.07
Park Improvement	\$1,890	\$213,570
Park Acquisition	\$1,100	\$124,300
Incremental Storage Improvement Fees	\$331.65	\$37,476.45
Subtotal (DCCs to Langford)		\$724,786.52
CRD Water	\$1,644	\$185,772
School Site Acquisition	\$600	\$67,800
TOTAL DCCs		\$978,358.52

OPTIONS**Option 1**

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

1. Direct Staff to draft a Bylaw to amend the zoning of the properties located at 2627 and 2631 Millstream Road from the R2 (One- and Two-Family Residential) Zone to the RM9 (Medium Density Apartment) Zone, subject to the following:
 - a) That the applicant provides, **as a bonus for increased density**, the following contributions per residential unit, prior to issuance of a building permit:
 - i. \$610 towards the Affordable Housing Fund;
 - ii. \$3,660 towards the General Amenity Reserve Fund;
 - iii. (i) and (ii) are subject to reductions depending on the use and height in accordance with the Affordable Housing and Amenity Contribution Policy;
 - iv. That the total amount of contribution, after reductions, to the General Amenity Reserve Fund may be reduced by the estimated cost of installing additional sidewalk in front of the properties located at 2635 Millstream Road and 2623 Millstream Road;
 - b) That the developer provides, **prior to Public Hearing** to the satisfaction of the Director of Engineering:
 - i. A technical stormwater management memo that verifies storm water can be adequately managed on-site for the proposed development;

-
- ii. A frontage drawing to confirm if road dedication is required to complete all required frontage improvements; and
 - iii. The estimated cost for installing sidewalk within the frontages of 2635 and 2623 Millstream Road, approximately 37 m of additional sidewalk;
- c) That, **prior to Bylaw Adoption**, the developer:
- i. Registers, if necessary, a road dedication plan required in accordance with frontage drawings to the satisfaction of the Director of Engineering;
 - ii. Provides a Section 219 covenant registered in priority of all other charges on title that agrees to the following:
 - 1. That the following will be provided and implemented to Bylaw No. 1000 standards to the satisfaction of the Director of Engineering prior the issuance of a building permit:
 - a. Full frontage improvements, including the installation of sidewalks along the frontage of the properties and along the frontage of 2625 and 2623 Millstream Rd; and
 - b. A storm water management plan;
 - 2. That the developer will connect and be responsible for any upgrades required to the services and utilities required for the development;
 - 3. That a construction parking management plan be provided prior to the issuance of a building permit, to the satisfaction of the Director of Engineering.
 - 4. That the developer registers a strata plan, prior to the issuance of an occupancy permit, that creates individual strata titles for each resident unit;
 - 5. That the developer consolidates the properties prior to the issuance of a development permit;
 - 6. That the required parking stalls for this development are allocated for the use by individuals in each unit and visitors, as required by Bylaw No. 300, and that parking is not separated from individual units nor provided in exchange for compensation separate than that of the residential unit; and
 - a. That 100% of residential parking spaces, excluding visitor parking spaces, shall feature an energized outlet capable of providing Level 2 charging or higher to the parking space; and
 - b. Energized outlets shall be labelled for the use of electric vehicle charging;
 - c. Where an electric vehicle energy management system is implemented (load sharing), a qualified professional may specify a minimum performance standard to ensure a sufficient rate of electric vehicle charging; and

-
- d. The owner is required to keep the Electric Vehicle Servicing Equipment (EVSE) in operation and the Strata Council may not prevent an owner, occupant, or tenant from installing the EV charging equipment.
- d) That Council authorize the Director of Planning to issue the following variances within the form and character Development Permit:
- i. That Section 6.39.06(1) of Zoning Bylaw No. 300 be varied to reduce the front lot line setback from the required 7.5 m to 4.8 m;
 - ii. That Section 6.39.06(5) of Zoning Bylaw No. 300 be varied to reduce the rear lot line when abutting a lot in a residential zone from the required 7.5 m to 3.3 m; and
 - iii. That Table 1 of Section 4.01.01 be varied to allow the City Centre apartment parking ratio to be applied;

OR Option 2

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

2. Take no action with respects to this application to amend the zoning of the properties at 2627 and 2631 Millstream Road.

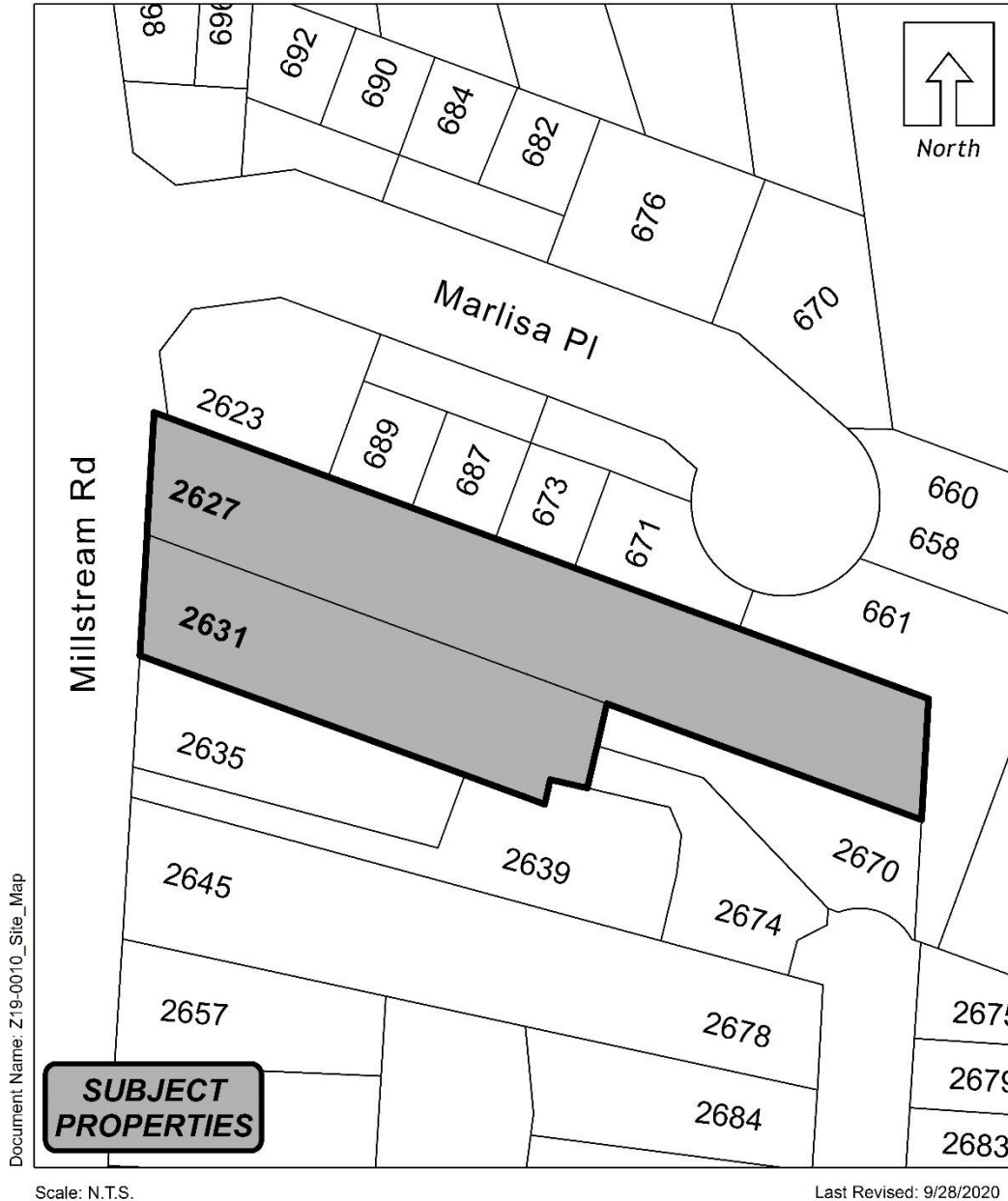
Submitted by:	Julia Buckingham, Planner II - Approved
Concurrence:	Marie Watmough, Manager of Legislative Services - Approved
Concurrence:	Yari Nielsen, Acting Manager of Parks and Recreation - Approved
Concurrence:	George Henshall, Deputy Director of Engineering - Approved
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning - Approved
Concurrence:	Michael Dillabaugh, CPA, CA, Director of Finance - Approved
Concurrence:	Braden Hutchins, Director of Corporate Services - Approved
Concurrence:	Darren Kiedyk, Chief Administrative Officer - Approved

Appendix A



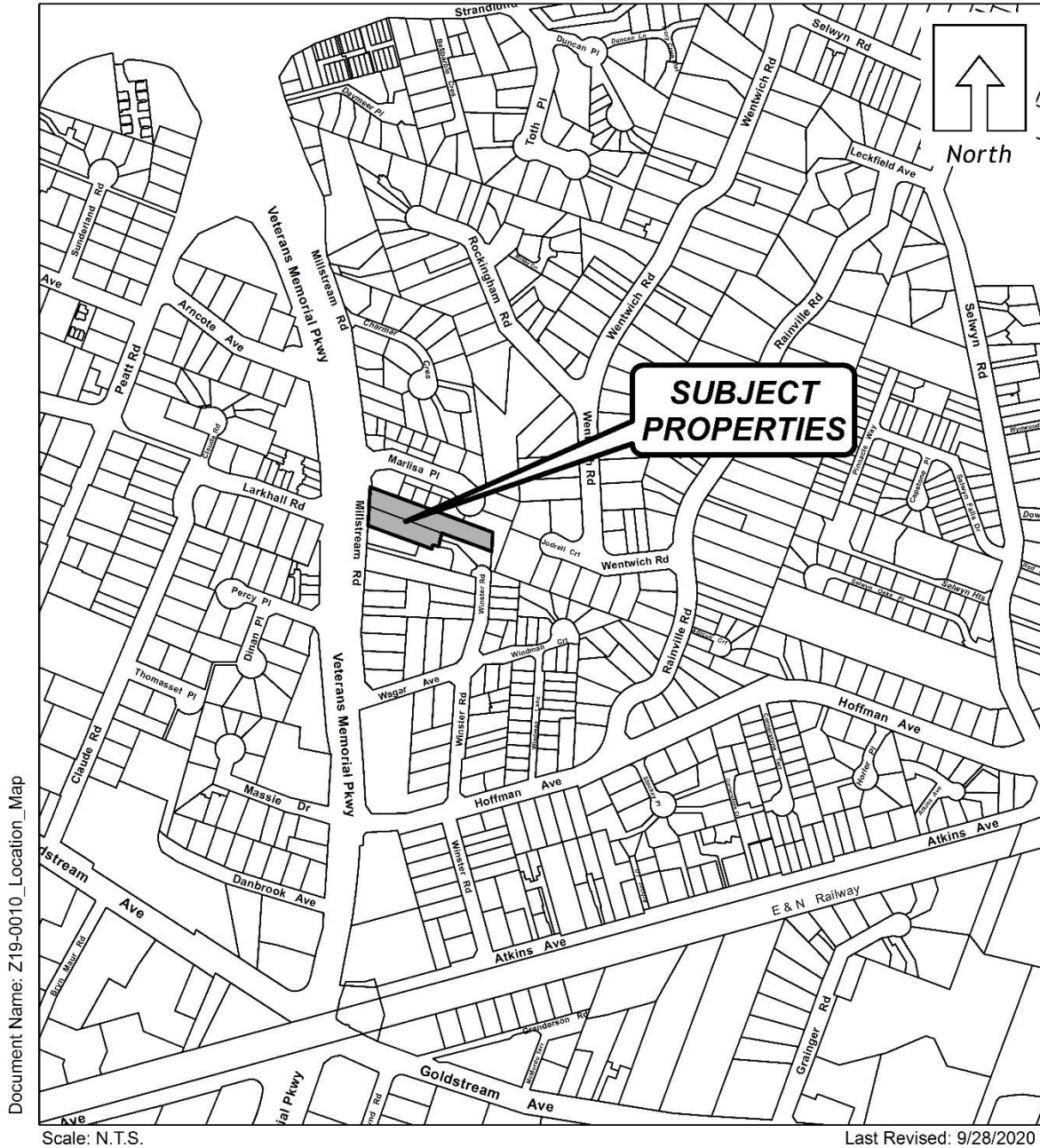
Appendix B - Site Location

**REZONING BYLAW AMENDMENT
(Z19-0010)
2631 & 2627 Millstream Rd**



Appendix C - Location Map

**REZONING BYLAW AMENDMENT
(Z19-0010)
2631 & 2627 Millstream Rd**



October 21, 2020

Langford City Council

City Hall Council Chambers, Third Floor, 877 Goldstream Avenue

Langford, BC V9B 2X8

Re: 2627 & 2631 Millstream Road Rezone

Dear City Council Members,

I am writing you regarding the rezoning of this property from a “One and Two Family Zone” to a “CC1 Zone” for the purpose of building a 90 unit multi-family residential building. This is greatly concerning to myself and my neighbours for several reasons.

Firstly, this section of Millstream does not have the infrastructure to support the addition of at least 90 (likely closer to 180+) people and their vehicles. There are no sidewalks along that road, and there is nowhere near enough parking as it is - even with just the current residents in the area. I cannot see how an additional 180+ residents could possibly fit as well.

Furthermore, the lights at the intersection with Veteran’s Memorial (which would be the main access to the highway) could not possibly handle any more volume of traffic. The daily commute to work is congested as it is, and there is no feasible way to alleviate this traffic at either intersections to Veteran’s Memorial. I also cannot see how the RCMP will be able to effectively respond to emergencies in the area with the increase in traffic.

Additionally – I believe that putting an apartment building of any size would affect the property values of our homes in the area. A building large enough to accommodate 90 units must be built quite tall; this would not only obstruct any kind of view of the area for the surrounding homes, but it would also be unsightly.

Finally, the view of Bear Mountain used to be beautiful to look at when we moved into these houses; now the mountain looks as if it is diseased. I can count at least 9 trees that look to be well over a century old; they would have to be removed from that property in order to put a building large enough to accommodate that many units. The greenery, which was a huge draw to the Westshore area, is shrinking rapidly – and there is nothing to replace it. This will also affect our property values.

I love this area; it rapidly became my home in the near decade I have lived here. I understand that everything changes with time (especially Langford), but I do not see why it would be necessary to cram such a large unit into such a small area – especially one that lacks the infrastructure to support it. If it must be developed into a multi-unit development - why not something that makes sense, like townhomes, or duplexes?

Sincerely,

██████████

From: [REDACTED]
To: [Langford Planning General Mailbox](#)
Subject: file Z19-0010
Date: Monday, October 19, 2020 5:00:30 PM

subject property 2627 & 2631 Millstream Road

Hi My name is [REDACTED] I live at [REDACTED]

I do have a concern for this additional density in an area that for the last 5 years i have watched parking wars almost on a daily basis, cars all over the place and making it a dangerous area to drive. also improperly parked cars that get a sticker put on them but the offence continues, the road is so narrow that cars can not pass without one pulling over so the traffic can move.

there are lots of young children in the area on bikes and often do not look as they enter the street.
parking is a BIG concern and increased traffic and speed of cars.

i would ask that thees concerns be looked at carefully before allowing this project to be packed in between all the single family homes in the area.

thank you for your time

[REDACTED]

From: [Julie Coneybeer](#)
To: [Denise Blackwell](#); [Lanny Seaton](#); [Lillian Szpak](#); [Matt Sahlstrom](#); [Norma Stewart](#); [Roger Wade](#)
Cc: [Matthew Baldwin](#); [Suzette Chapman](#)
Subject: FW: 20191002 [REDACTED] RE: Safety Issues with File # Z19-0010 2627 Millstream development
Date: October 3, 2019 9:44:31 AM
Attachments: [30 September 2019 letter safety.doc](#)

Council fyi.

Suzette – please include with public hearing package. Thx

[Julie Coneybeer](#)

Executive Assistant

Mayor, Council and CAO

City of Langford, 250-478-7882 (ext 4204)

From: Julie Coneybeer
Sent: Thursday, October 3, 2019 9:43 AM
To: [REDACTED]
Subject: 20191002 [REDACTED] RE: Safety Issues with File # Z19-0010 2627 Millstream development

Good Morning [REDACTED], thank you for your letter received for Mayor Young and Council regarding safety issue concerns with File #Z19-0010 2627 Millstream Development and please be advised that it will be shared with them and it has also been forwarded to the Planning Department to include with the public hearing package for when this application proceeds to the next phase. Thank you

[Julie Coneybeer](#)

Executive Assistant

Mayor, Council and CAO

City of Langford, 250-478-7882 (ext 4204)

From: [REDACTED]
Sent: Wednesday, October 2, 2019 9:22 PM
To: Denise.Blackwell02@gmail.com; Roger Wade <rwade@cityoflangford.ca>; trakside99@shaw.ca; lseatonis@gmail.com; Julie Coneybeer <jconeybeer@cityoflangford.ca>; Lillian Szpak <lszpak@cityoflangford.ca>; Norma Stewart <nstewart@langford.ca>; Mayor Young <mayor@langford.ca>
Cc: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Subject: Safety Issues with File # Z19-0010 2627 Millstream development

Dear Mr Mayor and City Counsellors of the City of Langford',

Attached find a letter that points out the danger of having the above mentioned subject development proceed as presented by the developer.

It is my hope for the sake and safety of our neighbourhood you strongly consider it.

Sincerely,

A black rectangular redaction box covering the signature of the sender.

My apologies on the previous email I neglected to add the attachment.

30 September 2019.

Re: File # Z19-0010 subject property 2627 Millstream Road.

Mr Mayor and Langford City Counsellors,

We, residents of the neighbourhood of the above subject property are not against growth in the City of Langford. Our major concern is the safety of all residents in the area.

The proposed development as described by Mr Mark Johnston of Nextview Construction Limited and 1177016 BC Limited puts pedestrians as well as vehicles in grave danger. They are proposing 40 to 80 additional vehicles to use Marlisa Place as well as Millstream on a daily basis.

Presently there are a limited amount of sidewalks on Millstream Road and none on Marlisa Place. The latter has ditches on each side of the road. Children and adults must use the center of the road to walk. All these roads are narrower than most. There is limited lighting for individuals that use the roads in the evening. Most often drivers cannot see pedestrians walking at night.

At this time vehicles using Millstream road must tackle congestions and bottle necks every single day. During rush hour, the junction of Millstream Road, Strandlund Avenue and Peatt Road is heavily congested with vehicles.

We are aware of a traffic study that was done on the area. None of us have had access to it. We cannot imagine the study being pro the addition of all these vehicles.

The above companies own 671 Marlisa Place as well as 2631 Millstream road. They can easily combine 2627 and 2631 Millstream into one development and not need to use Marlisa Place as an access road.

We ask that you carefully consider the above application versus the safety of the residents.

We, inhabitants of this area will do all we can to keep us safe. This will include approaching legal bodies for advice and clarity on the legality of the above proposal. Also we will talk to numerous sources in the media to assist us in this struggle. This is not meant as a threat. We are simply worried for our safety.

Sincerely,

From: [Julie Coneybeer](#)
To: [Matthew Baldwin](#); [Suzette Chapman](#)
Subject: FW: 20191003 - [REDACTED] re Safety Issues with File # Z19-0010 2627 Millstream development
Date: October 3, 2019 11:20:57 AM
Attachments: [October 3 2019 letter safety.doc](#)

Hi, pls include the attached letter from [REDACTED] in the public hearing package for this application. Thx

Julie Coneybeer

Executive Assistant

Mayor, Council and CAO

City of Langford, 250-478-7882 (ext 4204)

From: Julie Coneybeer
Sent: Thursday, October 3, 2019 11:19 AM
To: [REDACTED] Denise.Blackwell02@gmail.com; Roger Wade <rwade@cityoflangford.ca>; trakside99@shaw.ca; lseatonis@gmail.com; Lillian Szpak <lszpak@cityoflangford.ca>; Norma Stewart <nstewart@langford.ca>; Mayor Young <mayor@langford.ca>
Subject: RE: 20191003 - [REDACTED] re Safety Issues with File # Z19-0010 2627 Millstream development

Good Morning [REDACTED], thank you for your letter received for Mayor Young and Council regarding safety issue concerns with File #Z19-0010 2627 Millstream Development and please be advised that it will be shared with them and it has also been forwarded to the Planning Department to include with the public hearing package for when this application proceeds to the next phase. Thank you

Julie Coneybeer

Executive Assistant

Mayor, Council and CAO

City of Langford, 250-478-7882 (ext 4204)

From: [REDACTED]
Sent: Thursday, October 3, 2019 10:25 AM
To: Denise.Blackwell02@gmail.com; Roger Wade <rwade@cityoflangford.ca>; trakside99@shaw.ca; lseatonis@gmail.com; Julie Coneybeer <jconeybeer@cityoflangford.ca>; Lillian Szpak <lszpak@cityoflangford.ca>; Norma Stewart <nstewart@langford.ca>; Mayor Young <mayor@langford.ca>
Subject: 20191003 - [REDACTED] re Safety Issues with File # Z19-0010 2627 Millstream development

Dear Mr Mayor and City Counsellors of the City of Langford,

Attached find a letter that points out the danger of having the above mentioned subject development proceed as presented by the developer.
It is my hope for the sake and safety of our neighbourhood you strongly consider it.

Sincerely,

A black rectangular redaction box covering the signature of the sender.

October 3, 2019

Re: File # Z19-0010 subject property 2627 Millstream Road.

Mr Mayor and Langford City Counsellors,

We, the residents of the neighbourhood of the above subject property are not against growth in the City of Langford. Our major concern is the safety of all residents in the area.

The proposed development as described by Mr Mark Johnston of Nextview Construction Limited and 1177016 BC Limited puts pedestrians as well as vehicles in danger. They are proposing 40 to 80 additional vehicles to use Marlisa Place as well as Millstream on a daily basis.

All these side roads are narrower than most and presently there are limited sidewalks on Millstream Road and none on Marlisa Place. The latter has ditches on each side of the road. Children and adults must use the road to walk. There is limited lighting for individuals that use these roads in the evening affecting visibility of pedestrians walking at night.

At this time vehicles using Millstream Road must tackle congestion and bottle necks every single day. During rush hour, the junction of Millstream Road, Strandlund Avenue and Peatt Road is congested with vehicles and on a weekly basis, industrial garbage bins.

We are aware of a traffic study that was done on the area. None of us have had access to it and cannot imagine that the study supports this congestion and the hazards it presents.

The above companies own 671 Marlisa Place, 2627 Millstream Road and 2631 Millstream Road. They can easily combine 2627 and 2631 Millstream into one development and do not need to use Marlisa Place as an access road.

We ask that you carefully consider the above application versus the safety of the residents.

We, inhabitants of this area will do all we can to ensure our safety and will seek legal advice and approach the media if necessary in order to protect our community.

Sincerely,

[REDACTED]
[REDACTED]

13 September, 2019

Re: File Z19-0010

Mr. Mayor and Councillors;



Enclosed find the original letter signed by residents of our neighbourhood. Please note that this represents over 95% of residents that this development will negatively affect. The only people that did not sign were individuals that were not home and 2 houses whose residents are related to the developer.

It must be understood that no one is against growth and development of our beautiful city. But, what we are saying is it should be intelligent not destructive growth.

We hope that the developer can construct their building without the total devastation of the neighbourhood. That is to say if the project continues as presented peoples lives will be in danger due to the increase in traffic. And, the value of our homes will decrease in value.

We thank all of you for considering our input.

[REDACTED]

[REDACTED] and all residents in our area.

City Hall
2nd Floor, 877 Goldstream Avenue
Langford, British Columbia, Canada
V9B 2X8

September 12, 2019

Attention: Mayor and Council

We the undersigned are writing to express our concerns regarding File Z19-0010 and the proposal to build a 40 unit apartment made up of one-bedroom units.

We are not necessarily anti-development and appreciate living in Langford along with the various enhancements that development has brought to our City; however, we are opposed to having an access road onto our street for the purpose of this particular development.

As per the residents on Marlisa Place, we are concerned for the following reasons:

- Properties purchased on Marlisa Place were selected based on the value added feature of living on a private cul-de-sac. Changing the cul-de-sac to a drive through will affect our property values. We plan to have this assessed through qualified realtors.
- Our street is already congested with many residents parking additional vehicles on the road as well as accommodating our visitor parking. With up to 80 more vehicles accessing our road, this creates further parking issues, traffic congestion and noise - issues that we did not expect when purchasing our properties.
- Many of the owners on Marlisa Place have lived there for over [REDACTED] and we are a community knowing many of our neighbours on a first name basis. We want to maintain this culture that has been supported for years by living on a private cul-de-sac.
- All our properties are surrounded by large trees and there are numerous wild animals that take advantage of this. Also we enjoy the beauty the trees give the neighbourhood. The developers want to cut all or most trees on their property down. This will create an eye sore which will devalue our properties.
- Safety is a priority and as a community specific to Marlisa Place, we all understand the importance of being mindful of road safety as we know and respect our neighbours. Children can play on our street safely. Added traffic, particularly near the turn around increases the potential for accidents. The home closest to the designated blasting, [REDACTED], is a [REDACTED] that expected the safety of limited traffic on the street, much less a drive through of vehicles 24/7 right next to their [REDACTED].
- There are no sidewalks on Marlisa Place. All sides of the road have storm drains. The only place to walk is on the road. Therefore children walking to and from school will have to compete for road space with the extra 40 to 60 vehicles. This is a huge safety concern of the community.
- As per Millstream Road, we have all experienced further congestion creating one-way traffic during peak hours for safe passage on that road. This is further complicated with the school busses and garbage trucks that need to access this road on a regular basis, along with the industrial large garbage dumpsters that are routinely left on the road. As things are now, we believe that a fire truck would have difficulties accessing parts of Millstream Road.

- There are also the times we get snow. Most often the road is not cleaned for days. Forty to eighty extra vehicles under those circumstances would congest the road and the city would not be able to bring in their snowplough. Even when the snowplough comes through, huge piles of snow are often left to the side of the road making safe passage even more challenging.
- The developer's proposal is only beneficial to them. We on Marlisa Place get no sidewalks, sewers or financial compensation in exchange for the devaluation of our properties and the total annihilation of our neighbourhood.

At the initial community meeting on 27 March 2019, many residents met with the developer. When asked about why the access couldn't be restricted to Millstream only without any access to Marlisa Place, they insisted that the City of Langford would not allow it. They stated that they had presented a proposal to the City that showed access only to Millstream with a decorative frontage to Millstream Road. They stated that they were told by the City that this could not be approved. At this same meeting, we were presented with information of a 25 condominium building. Now the developer wants to build 40 apartment units. So it appears, the developer was willing to develop the property without access to Marlisa Place with a smaller unit capacity. Given that the recommendation to access Marlisa Place is only a "guideline" and not a directive as stated by the City Planning department, we are asking that the developer return to their original plan for a reduced development that only allows access to Millstream Road.

The developer has publicly stated that he does not own the property at [REDACTED]. However, this property was bought shortly after the development property was purchased evicting the families that had lived there for [REDACTED]. They were forced to move as they had no other option. Needless to say this was an unexpected emotional toil on them. Shortly after their eviction, a fence was conveniently installed reducing the original yard to now accommodate the proposed access to Marlisa Place. [REDACTED] in with a [REDACTED]. In talking to them directly, they are aware of the pending development.

The following statement is a true description of what every one in this neighbourhood feels. It is best described by [REDACTED].

Quote "The undersigned vehemently object to converting a short cul de sac street into a thoroughfare. Adding the potential of over 80 plus cars to this short road is not only unreasonable, but it is also dangerous and could not possibly have been what was intended. Whereas the development is apparently intended to help residents find accommodation via the planned one-bedroom suites there is no such thought for the current long-time residents of Langford and the neighbourhood. Everyone involved seems to benefit from this project directly at the expense of the current Marlisa Place residents who stand to have their property values and roadway access substantially decreased.

At this time, the Marlisa Place residents are not seeking compensation for their loss; instead, want only to retain their homes on a cul de sac street. As one of the Langford counsellors stated at the September 9/15 meeting, "I sure would not want to live on Marlisa Place if they changed it from the cul de sac street it currently is to the thoroughfare street that is proposed". It is beyond comprehension that the City of Langford would approve such a proposal. This is so because it is within the realm of possibility for the City of Langford to allow the property in question to be developed by simply allowing access and departure directly onto the Millstream connector road.

There is one such example not more than three driveways down toward the Reflections building on Millstream. We would ask the Mayor and Counsel to visit this site along with the many other site examples in the City of Langford that demonstrate what can be accomplished without destroying a cul de sac street and upsetting a whole neighbourhood. Based on our information, the fire

Thanks,

There are numerous places in Langford that have access to the buildings' parking lot via one entrance. Some of these addresses are as follows;

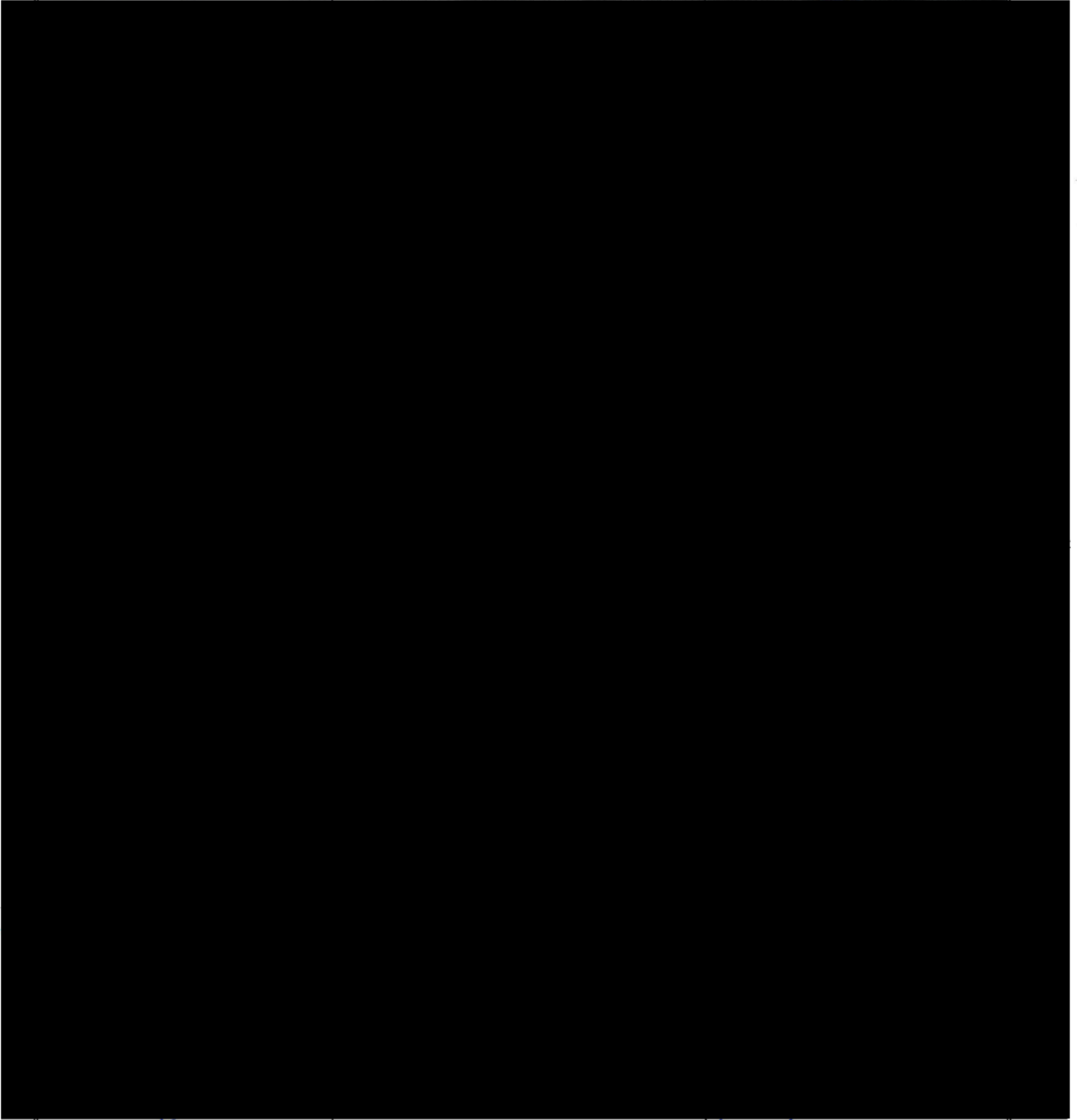
We would like to suggest that this Council as well as the Mayor drive through this neighbourhood at three different times, once during morning and afternoon congestions and another during the day. We believe that the whole issue would be clarified once this happens.

We are seeking legal consultation in this matter to explore other options if needed.

Sincerely the Undersigned;

NAME	ADDRESS	SIGNATURE
------	---------	-----------

NAME	ADDRESS	SIGNATURE
------	---------	-----------



From: [Lauren Morhart](#)
To: [Suzette Chapman](#)
Subject: FW: Fille Z19-0010 - Subject Property 2627 Millstream Road
Date: Wednesday, September 4, 2019 3:59:41 PM

Lauren Morhart, MCIP, RPP
Planner II

From: Matthew Baldwin
Sent: Wednesday, September 4, 2019 3:31 PM
To: Lauren Morhart <lmorhart@cityoflangford.ca>
Subject: FW: Fille Z19-0010 - Subject Property 2627 Millstream Road

Please ensure that this gets filed.

Thanks.

Matthew G. S. Baldwin, MCIP, RPP
Director of Planning and Subdivision



CITY OF LANGFORD
2nd floor, 877 Goldstream Ave.
Langford, BC V9B 2X8

T (250) 474-6919 · F (250) 391-3436

www.cityoflangford.ca



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From: Denise Blackwell <dblackwell@langford.ca>
Sent: Wednesday, September 4, 2019 3:29 PM
To: Julie Coneybeer <jconeybeer@cityoflangford.ca>; Matthew Baldwin <mbaldwin@cityoflangford.ca>
Subject: Fwd: Fille Z19-0010 - Subject Property 2627 Millstream Road

For information and response.

Denise

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: September 4, 2019 at 3:14:58 PM PDT
To: <dblackwell@cityoflangford.ca>
Cc: lanny seaton <lseatonis@gmail.com>
Subject: Fille Z19-0010 - Subject Property 2627 Millstream Road

I am unable to attend the meeting on Monday, September 9th regarding this file so I am hoping this will be brought to the attention of your committee.

I do not have a problem with the apartment going up, but I do have a problem with the added 40+ cars exiting and using Millstream Road. Millstream is a narrow road, and at one point in time, the centre line was burned out in order to address the narrowness of the road. We also now find vehicles parking on both sides of the road, mainly across from the town houses located at 2645 Millstream Road.

The corner of Millstream at the Reflections apartment is just a mass of vehicles parked on both sides of the road in the evening and there is no room for two vehicles to pass safely, so one has to stop to accommodate the other vehicle. The garbage bins for the Reflections building are pushed onto Millstream Road once a week and are lined up vertical to the sidewalk as soon as you come around the corner. These bins are dark green and difficult to see in the dark and the rain. Also, the traffic coming from Wagar Avenue and Reflections seem to consider Millstream their own personal racetrack.

The section of Millstream Road from Marlisa Place to Charmar Crescent has open ditches and no sidewalks. This seems to be the only portion of Millstream to be like that and I actually saw a lady walking her dog one night nearly fall in the ditch to avoid a vehicle. In the dark, the ditches are not noticeable to people.

At the end of Millstream Road at the stop sign across from Strandlund Avenue, the access for the Millstream traffic in the morning is sometimes backed up because all the traffic coming from Strandlund has the right of way at the stop sign, leaving the traffic on Millstream missing several lights. With the addition of 40+ vehicles from the new apartment block, it will continue to severely impact traffic from Millstream to get access to Veterans Memorial Parkway, Peatt Road or Highway No1.

Thank you taking the time to read this .

[REDACTED]
[REDACTED]
[REDACTED]
Telephone: [REDACTED]



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

Date: June 14, 2021
Department: Planning
Application No.: Z21-0004
Subject: Bylaw No. 1984 - Application to Rezone 3540 Myles Mansell Road from CD13 (Comprehensive Development 13 – South Walfred) Zone to R2 (One- and Two-Family Residential) Zone to Allow a for a four-lot subdivision with three strata lots and one fee simple lot.

PURPOSE

Rachael Sansom of Grayland Consulting Ltd. has applied on behalf of Brian Baker of Tri-X Timber Corporation to rezone 3540 Myles Mansell Road from CD13 (Comprehensive Development 13 – South Walfred) to R2 (One and Two-Family Residential) to allow for a four-lot subdivision consisting of three strata lots accessed through a common property access and one fee simple lot with access off Myles Mansell Road.

BACKGROUND

PREVIOUS APPLICATIONS

The parent parcel of the subject property was rezoned to the newly created CD13 Zone in 2009 (Z07-0034). Land preparation works commenced after the issuance of a Development Permit (DP09-0028), and the lands were later subdivided in 2018.

Table 1: Site Data

<i>Applicant</i>	Rachael Sansom of Grayland Consulting Ltd.
<i>Owner</i>	Brian Baker of Tri-X Timber Corporation
<i>Civic Address</i>	3540 Myles Mansell Road
<i>Legal Description</i>	Lot 40 Sections 78 and 84 Esquimalt District
<i>Size of Property</i>	2,464 m ²
<i>DP Areas</i>	Habitat and Biodiversity, Interface Fire Hazard and Steep Slopes
<i>Zoning Designation</i>	CD13 (Comprehensive Development 13 – South Walfred)
<i>OCP Designation</i>	Hillside or Shoreline

SITE AND SURROUNDING AREA

The subject property is located on the east side of Myles Mansell Road, near the intersection of Walfred Road and Jacklin Road. The property is located within a small lot subdivision that has been recently completed. The site is cleared and at the south corner of the lot is a covenant area protecting the hillside and green space.

The surrounding properties to the northwest are various small lot subdivisions that have been completed in the past several years, while to the south there are large heavily treed lots zoned for rural residential use.



Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	CD13	Residential
<i>East</i>	CD13	Residential
<i>South</i>	RR5	Rural Residential
<i>West</i>	CD13	Residential

OFFICIAL COMMUNITY PLAN

The subject property is designated as *Hillside or Shoreline* within the Official Community Plan Bylaw No. 1200 as described below:

Hillside or Shoreline

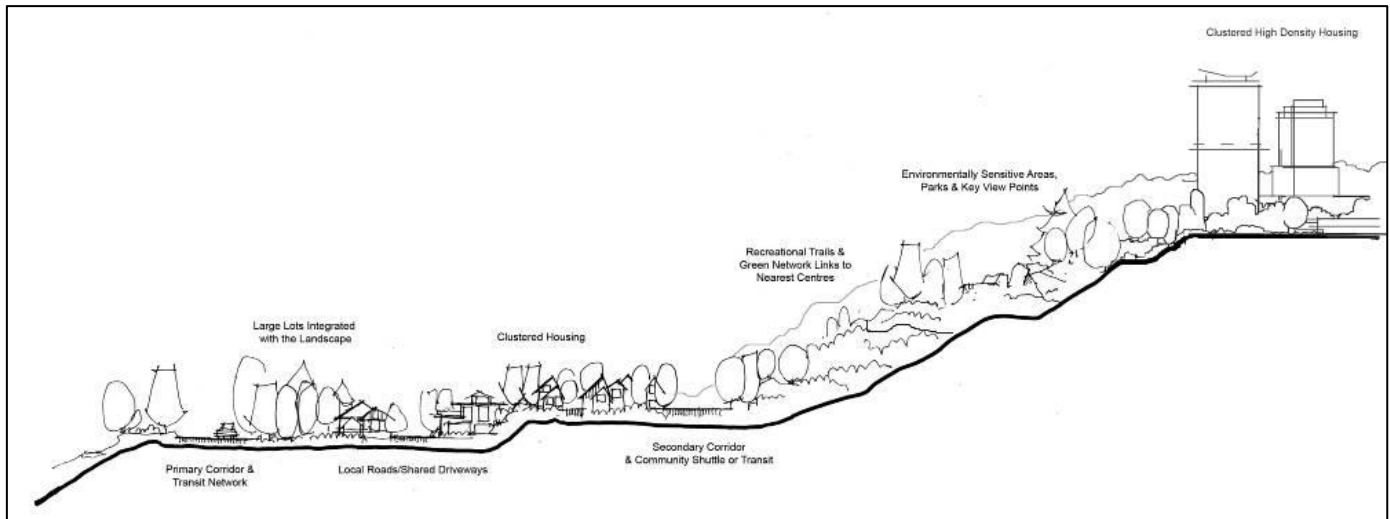
Predominantly existing low intensity settled areas throughout community with a high percentage of open space and undeveloped areas located on a hillside or near the shoreline.

- Predominantly residential precinct that supports a range of clustered low, medium and high density housing choices including secondary suites. Higher building forms, such as point towers, will be permitted on hillsides to maximize open space provided some conditions are satisfied (see policies for this area)
- Schools, community facilities and other institutional uses are permitted throughout the area
- Home-based businesses, live-work housing is encouraged; Home-based accommodations (e.g. Bed & Breakfasts) are permitted.
- Parks, open spaces and green corridors (creeks, wildlife corridors, trails, etc.) are integrated throughout the area. Large playfields are discouraged due to grading requirements. Site and topographic responsive pocket parks, enhanced viewpoints, graded hiking and walking trails,

children's play areas, including 'tot lots' and outdoor exercise areas are strongly encouraged on hillside areas.

- This area allows for *Neighbourhood Centres* to emerge in the form of high and medium density *clustered* mixed-use nodes
- Transit stops are located where appropriate

A Concept for Hillside or Shoreline Areas



SOUTH LANGFORD NEIGHBOURHOOD PLAN

The applicant is proposing to subdivide the property into a total of 4-lots, which exceeds the maximum density contemplated by the plan. However, Council may wish to note that the South Langford Neighbourhood Plan has not been updated since it was created in 2006 and is superseded by the 2008 Official Community Plan. The document was retained, to act as a guideline, and now forms part of the Design Guidelines and Development Permit Areas.

DEVELOPMENT PERMIT AREAS

The subject property is located within the *Potential Habitat and Biodiversity, Steep Slopes and High Interface Fire Hazard* Development Permit Areas. The previously noted Development Permit has already addressed land alteration works with respect to these designated DP Areas. However, a portion of the property, as shown on the Figure 1 below, is affected by a non-disturbance covenant. As most of this covenanted area was impacted as part of the land clearing process, Council may wish to require the applicant to provide a replanting plan prior to public hearing and to complete the replanting prior to subdivision approval.

COMMENTS

DEVELOPMENT PROPOSAL

The applicant is proposing to rezone the subject property to R2 (One- and Two-Family Residential) to allow for a subdivision consisting of 3 bareland strata lots and 1 fee simple lot. The size of the lots range between 400 m² – 620 m², all of which would be eligible for a secondary suite as they exceed 400 m². Each lot is required to have at least two parking spaces for the primary dwelling, and a third space is required for any lot that contains a secondary suite.

As the applicant is intending to create 4 new lots, they will be required to create 2 on-street parking spaces as per Bylaw No. 1000 requirements. They have demonstrated on their site plan where they intend for these spaces to be located.

Based on the lot layout, the applicant will likely require setback variances due to their orientation to the access road. The Zoning Bylaw defines “front lot line” as the shortest lot line abutting a highway or access route and the “exterior side lot line” as being another lot line abutting a highway or access route. If the building envelope identified on the site plan for Lot A is desired, a variance to the exterior side lot line setback (abutting the common property access route) will be required. Strata Lot 3 (SL 3), as shown, also does not currently meet the setback requirements for the front or rear lot line as the zoning requires a 3 m front lot line setback and a 5.5 m rear lot line set back. Council may wish to note that they have already authorized the Director of Planning the ability to grant setback variances within the development for this kind of development as stated within the *Development Permit Areas and Design Guidelines*, an appendix of Zoning Bylaw No. 300.

Figure 1 – Proposed Subdivision Plan

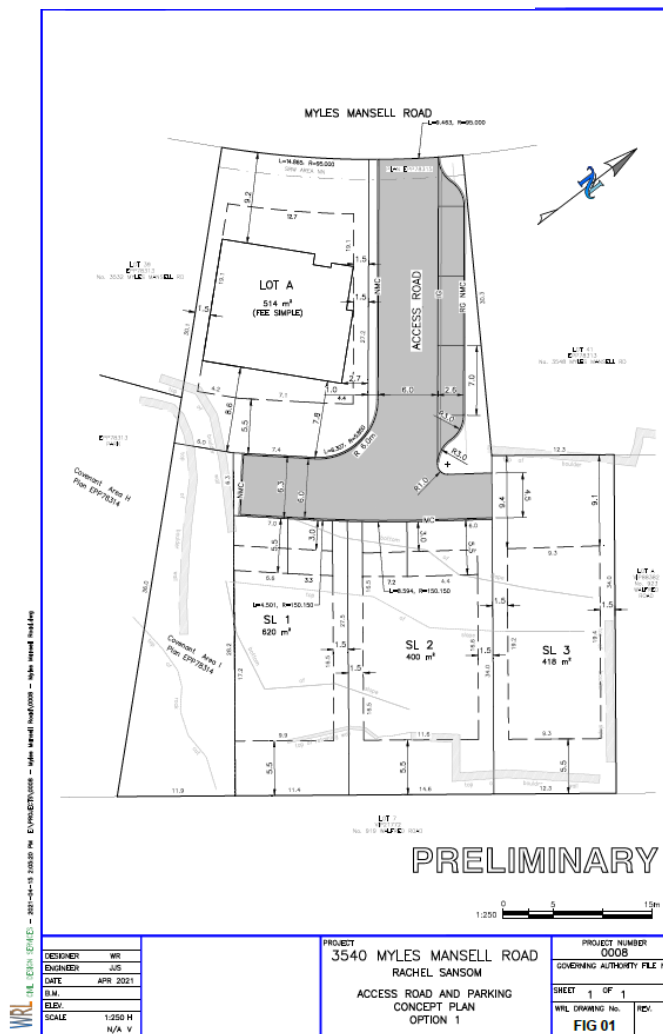


Table 3: Proposal Data

	Permitted by CD13 (Current Zoning)	Permitted by R2 (Proposed Zone)
Minimum Lot Size	550 m ²	400 m ²
Minimum Lot Width	16 m	12 m

<i>Height</i>	9 m (29.5 ft.)	9 m (29.5 ft)
<i>Maximum Site Coverage</i>	35%	50%
<i>Front Yard Setback</i>	6 m (19.7 ft)	3 m (9.8 ft)
<i>Interior Side Yard Setback</i>	1.5 m (4.9 ft)	1.5 m (4.9 ft)
<i>Exterior Side Yard Setback</i>	4.5 m (14.8 ft)	3 m (9.8 ft)
<i>Rear Yard Setback</i>	6 m (19.7 ft)	5.5 m (18 ft)
<i>Parking Requirement</i>	2 spaces per dwelling and 1 space for a secondary suite (if permitted)	2 spaces per dwelling and 1 space for a secondary suite (if permitted)

PARKS AND BOULEVARD

The Parks Department has indicated that frontage cannot be accomplished without compromising sound arboricultural practices, due to size or other characteristics of the frontage, and therefore the developer shall pay cash-in-lieu to the City in the amount of \$1,100 for each required boulevard tree that cannot be accommodated.

INFRASTRUCTURE

The applicant will be required to provide a stormwater management plan to the satisfaction of the Director of Engineering prior to subdivision approval or the issuance of a building permit, whichever is first. Council may wish to require a stormwater technical memo prepared by the project engineer prior to Public Hearing to verify that storm water can be adequately managed on-site for the proposed development.

FINANCIAL CONTRIBUTIONS

COUNCIL'S AFFORDABLE HOUSING, PARK AND AMENITY CONTRIBUTION POLICY

Rezoning the subject property may increase the assessed value of the property, and this may increase municipal revenue. A summary of the Amenity Contributions and Development Cost Charges that the developer will be expected to pay is outlined below in Tables 4 and 5.

Table 4 – Amenity Contributions per Council Policy

Amenity Item	Per unit contribution	Total (3 new lots)
<i>General Amenity Reserve Fund</i>	\$3,960	\$11,880
<i>Affordable Housing Reserve Fund</i>	\$660	\$1,980
TOTAL POLICY CONTRIBUTIONS		\$13,860

Table 5 – Development Cost Charges

Development Cost Charge	Per unit contribution	Total (3 new lots)
<i>Roads</i>	\$5,876	\$17,628
<i>Storm Drainage</i>	\$1,878	\$5,634
<i>Park Improvement</i>	\$1,890	\$5,670
<i>Park Acquisition</i>	\$1,100	\$3,300
<i>Incremental Storage Improvement Fees</i>	\$495	\$1,485
<i>Integrated Survey Area</i>	\$35	\$105
Subtotal (DCCs paid to City of Langford)		\$33,822
<i>CRD Water</i>	\$2,922	\$8,766
<i>School Site Acquisition</i>	\$1,000	\$3,000
TOTAL (estimate) DCCs		\$45,588

OPTIONS

Option 1

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

1. Proceed with consideration of Bylaw No. 1984 to amend the zoning designation of 3540 Myles Mansell Road from the CD13 (Comprehensive Development – South Walfred) Zone to the R2 (One- and Two-Family Residential) Zone subject to the following conditions:
 - a) That the applicant provides, the following contributions per lot prior to subdivision approval:
 - i. \$660 towards the Affordable Housing Fund; and
 - ii. \$3,960 towards the General Amenity Fund.
 - b) That **prior to Public Hearing**, the applicant provides a technical memo from an engineer that verifies stormwater can be adequately managed on-site for the proposed developments, to the satisfaction of the Director of Engineering;
 - c) That **prior to Public Hearing**, the applicant provides a replanting plan from a registered professional biologist, to the satisfaction of the Director of Planning;
 - d) That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees:

-
- i. That the following will be provided and implemented to Bylaw No. 1000 standards to the satisfaction of the Director of Engineering prior subdivision approval or the issuance of a building permit, whichever is first:
 - i. A storm water management plan;
 - ii. A replanting plan
 - ii. That a Construction Parking and Traffic Management Plan be provided to the satisfaction of the Director of Engineering prior to any alteration of the land;
 - iii. That the applicant pay cash-in-lieu to the City in the amount of \$1,100 for each required boulevard tree that cannot be accommodated.

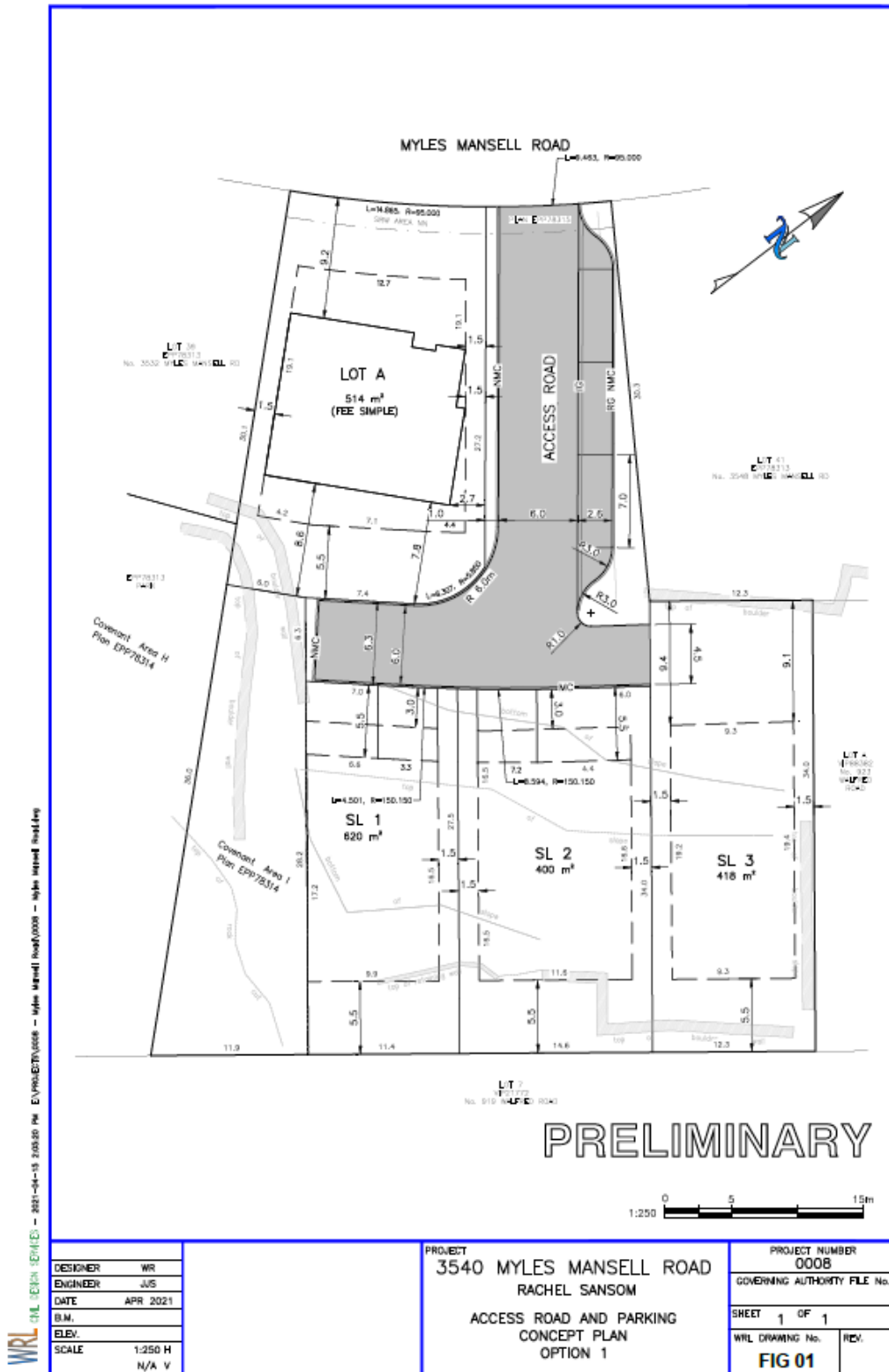
OR Option 2

- 2. Take no action at this time with respect to Bylaw No. 1984.

Submitted by:	Matt Notley, Planner I - Approved
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning - Approved
Concurrence:	Marie Watmough, Manager of Legislative Services - Approved
Concurrence:	Chris Aubrey, Fire Chief - Approved
Concurrence:	Lorne Fletcher, Manager of Community Safety and Municipal Enforcement - Approved
Concurrence:	Yari Nielsen, Acting Manager of Parks and Recreation - Approved
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering - Approved
Concurrence:	Michael Dillabaugh, CPA, CA, Director of Finance - Approved
Concurrence:	Braden Hutchins, Director of Corporate Services - Approved
Concurrence:	Darren Kiedyk, Chief Administrative Officer - Approved

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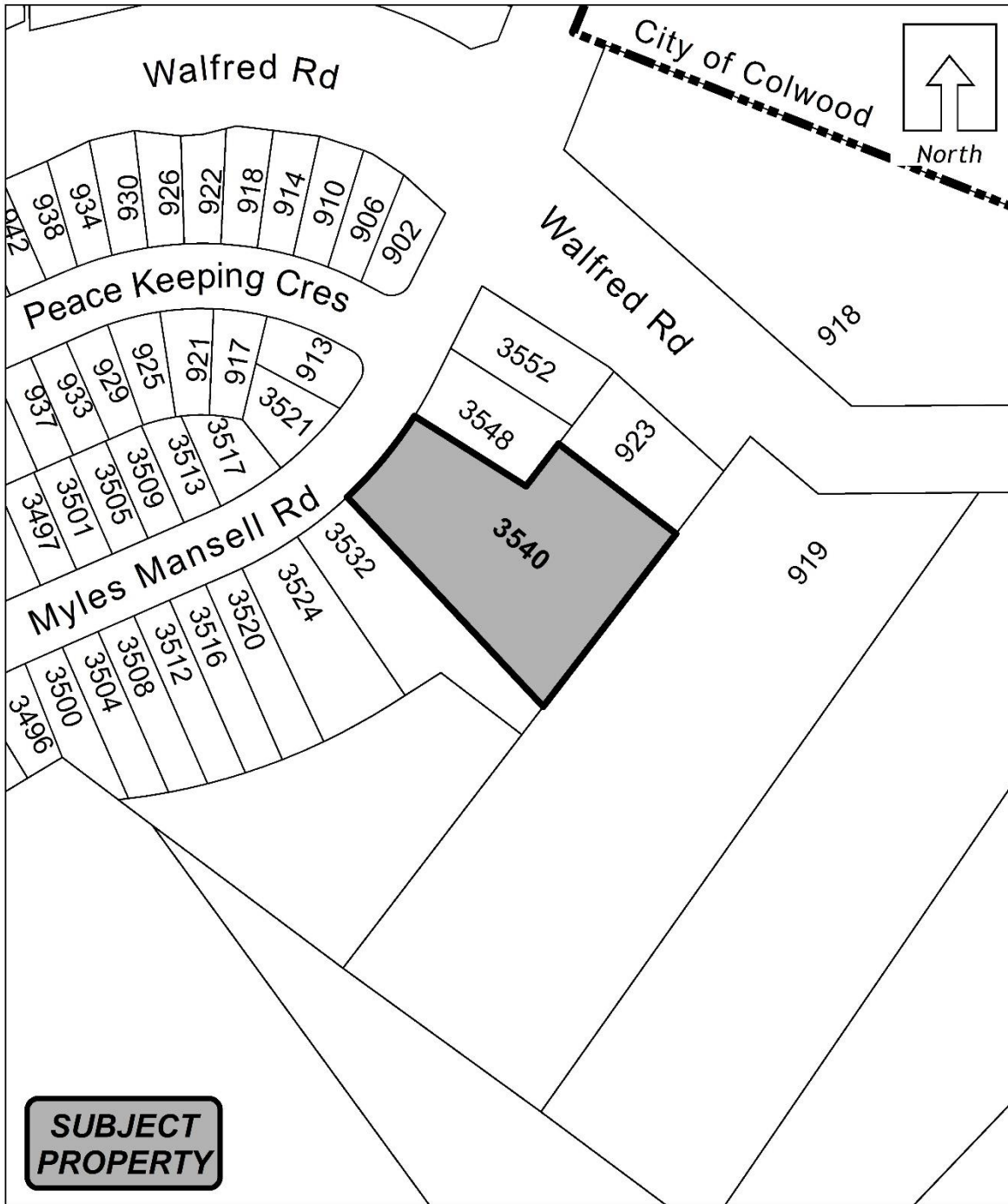
Appendix A



Appendix B

**REZONING BYLAW AMENDMENT
(Z21-0004)**

3540 Myles Mansell Rd



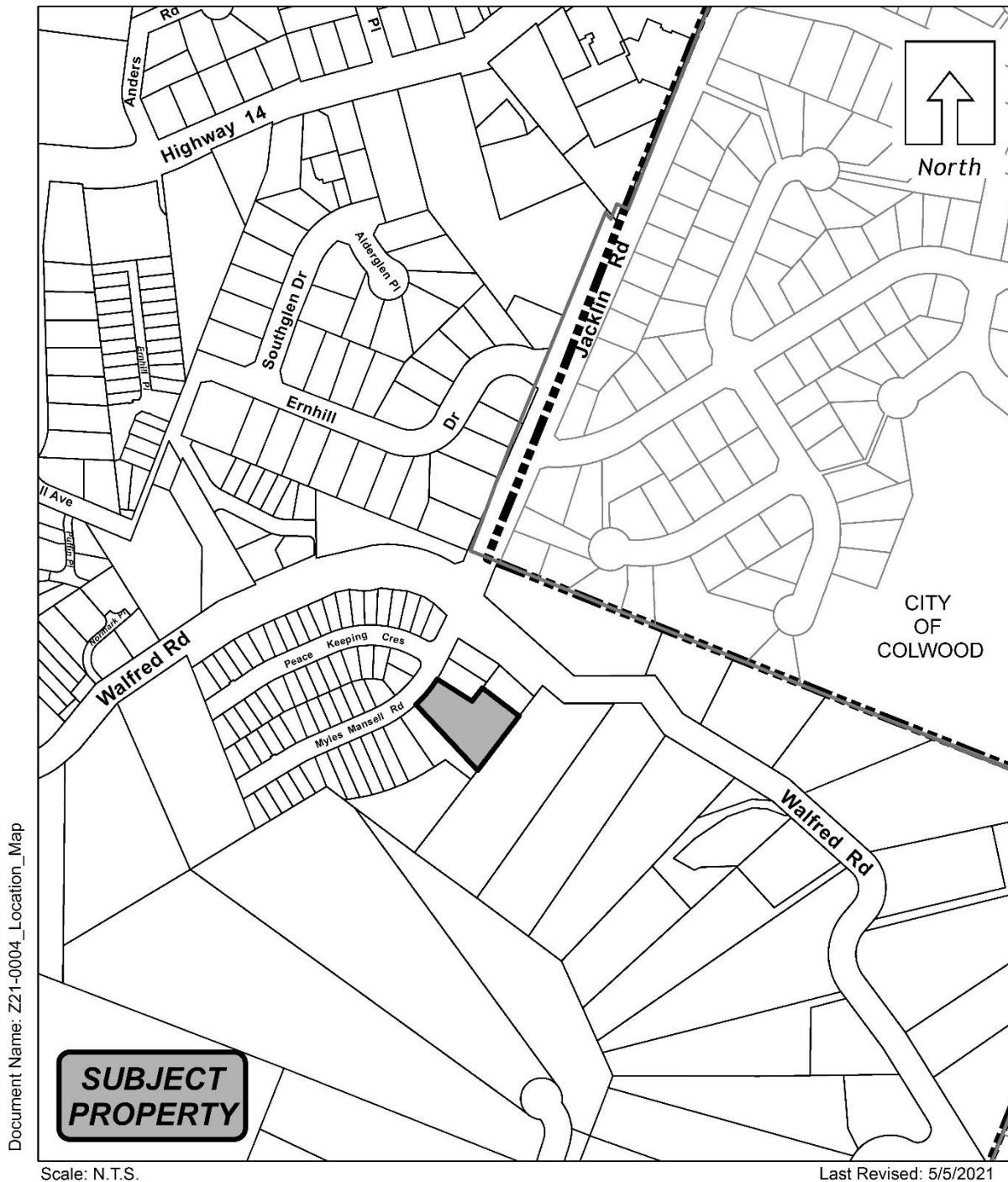
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Scale: N.T.S.

Last Revised: 5/5/2021

Appendix C

**REZONING BYLAW AMENDMENT
(Z21-0004)
3540 Myles Mansell Rd**





Staff Report to Planning, Zoning and Affordable Housing Committee

Date: June 14, 2021

Department: Planning

Application No.: OCP21-0001 & Z21-0009

Subject: Bylaw No. 1985 and 1986 – Application to rezone 3553 and 3559 Happy Valley Road from Agricultural (AG1) to Neighbourhood Commercial (C1), including adding additional uses to the C1 Zone, and to amend of the Official Community Plan designation of the subject properties from Agricultural to Neighbourhood Centre.

PURPOSE

Karen Colangeli has applied to rezone 3553 and 3559 Happy Valley from AG1 to C1, to amend the text within the C1 Zone to allow for additional uses, and to amend the Official Community Plan to amend the OCP designation of both properties from Agricultural to Neighbourhood Centre.

BACKGROUND

PREVIOUS APPLICATIONS

ALR15-0002: The properties were part of a block ALR exclusion application submitted to the Agricultural Land Commission in 2015. Both properties subsequently received their final ALR Exclusion approval, and are no longer within the ALR.

Table 1: Site Data

<i>Applicant</i>	Karen Colangeli
<i>Owner</i>	Karen Colangeli
<i>Civic Address</i>	3553 & 3559 Happy Valley
<i>Legal Description</i>	3559 Happy Valley: LOT 2, SECTION 79, METCHOSIN DISTRICT, PLAN 7510 (PID 002-914-921) 3553 Happy Valley: LOT 1, SECTION 79, METCHOSIN DISTRICT, PLAN 7510 EXCEPT PART IN PLAN 26418 (PID 005-658-250)

<i>Size of Property</i>	3559 Happy Valley: 3,397 m ² 3553 Happy Valley: 2,939 m ²	
<i>DP Areas</i>	Habitat and Biodiversity	
<i>Zoning</i>	Existing: AG1	Proposed: C1
<i>OCP Designation</i>	Existing: Agricultural	Proposed: Neighbourhood Centre

SITE AND SURROUNDING AREA

The subject properties are located at the intersection of Happy Valley Road and Latoria Road and have a combined area of 6,336 m². Each property contains a single-family dwelling, which will be removed as part of the development process. The site is relatively flat with mature trees present throughout each property.

The surrounding area consists mainly of large rural residential lots within the Agricultural Land Reserve. The adjoining properties to the east along Latoria Rd have been conditionally approved for exclusion, but have not received final approval at this time.

Table 2: Surrounding Land Uses

	<i>Zoning</i>	<i>Use</i>
<i>North</i>	AG1	Single-family dwelling
<i>East</i>	AG1	Single-family dwelling
<i>South</i>	AG1	Single-family dwelling
<i>West</i>	AG1	Single-family dwelling

Figure 1: Subject Properties



OFFICIAL COMMUNITY PLAN

The Official Community Plan designates the properties as *Agricultural*. The applicant is requesting to amend the OCP designation to *Neighbourhood Centre* in order to develop a small-scale local retail centre.

The Neighbourhood Centre designation is described in the OCP as:

- Small scale local-servicing retail node defines the predominant commercial use;
- A range of parks and open spaces are integrated throughout centres;
- Transit stops are located at centres where appropriate;
- Schools, community facilities and other institutional uses also define the neighbourhood centres when supported by housing and services in close proximity;
- Predominately residential precinct that supports a range of medium and high-density housing, including affordable and rental housing.

The emergence of new neighbourhoods in the Happy Valley area has resulted in increased demand for services that serve the local community. As per OCP policy, the proposed Neighbourhood Centre and additions to the C1 Zone (discussed more below) is encouraged to enhance the existing agricultural character of the surrounding area, while creating space for community gathering. The overall function and design of the Neighbourhood Centre will be evaluated at the time of Development Permit.

Figure 2 – Concept for the Neighbourhood Centre OCP Area

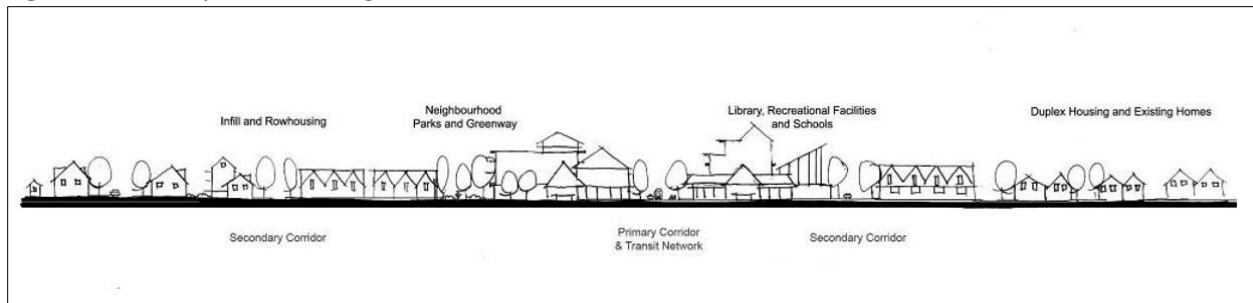
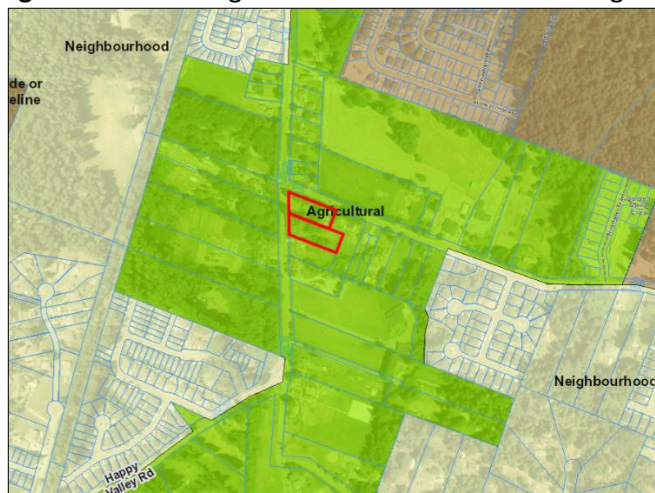


Figure 3 – OCP designations for site and surrounding area.



DEVELOPMENT PERMIT AREAS

The subject property is located in a Potential Habitat and Biodiversity Development Permit Area. The applicant is required to engage a professional biologist to provide an assessment of sensitive environmental features on-site prior to any land disturbance or building permit issuance, whichever occurs first. Additionally, a development permit for form and character would need to be issued prior to any issuance of a building permit.

PEDESTRIAN, CYCLING AND MOTORIST NETWORK

The location of the development site is within in a rural area not yet fully developed with full frontage improvements such as bike lanes and sidewalks, although these are being constructed as development occurs. However, the site is well served by public transit, with three stops located within 100 m.

Details of internal roads on-site have not been finalized at this time and would need to be presented with the development permit application to accommodate traffic flows through the site and to surrounding roads.

The Engineering Department has indicated a Traffic Impact Assessment is not required; however, the applicant has retained WATT consulting Group to provide a preliminary review of proposed motor vehicle access points. The developer is proposing one access point off Latoria and one access point off Happy Valley. The developer will be required to coordinate with the City's Engineering department to finalize the access prior to Public Hearing.

It is noted for Council's reference that a controlled intersection is planned for Latoria/Happy Valley in the future.

ROAD AND TRAIL DEDICATIONS

Road dedication will be required to the satisfaction of the Director of Engineering, and should be sufficient to accommodate all frontage improvements, including: a landscaped boulevard, sidewalks on Latoria and Happy Valley, and streetlights. The City's Engineering department has indicated that no on-street parking is permitted on the Happy Valley or Latoria frontages of the development site.

Trees are to be provided in the road allowance at a density of 1 per 15 lin.c c/w municipal drip irrigation, dedicated live line power (no battery systems). All separated boulevards under 3 m in width shall require the installation of artificial turf.

If Council is in favour of the proposed development, they may wish to require the applicant to provide a road dedication plan prior to Bylaw Adoption.

DRAINAGE AND STORMWATER MANAGEMENT

This site is located within an area where stormwater detention is required, as per Bylaw 1000. As the site develops over time, an engineer of record would need to submit a detailed stormwater management plan, to the satisfaction of the Director of Engineering outlining how stormwater will be managed on-site.

As a condition of rezoning, Council may wish to request the applicant to provide a preliminary technical memo from an engineer to the satisfaction of the Director of Engineering, prior to Public Hearing.

An existing drainage ditch is located along the perimeter of the north and west lot lines. An SRW in favour of the City of Langford is required on the northwest corner of the properties to allow a culvert to be installed. The SRW will be required prior to Bylaw Adoption.

COMMENTS

DEVELOPMENT PROPOSAL

The applicant is proposing to rezone the subject properties to create a neighbourhood commercial centre consisting of various small-scale commercial uses including but not limited to: a liquor store, butcher, grocer, pharmacy, post office, veterinary clinic, library, daycare, and fitness centre. While the exact land uses have not been set at this time, a number of likely scenarios have been proposed. Many of the uses noted above are permitted in the existing C1 Zone Retail Stores (Retail Stores include butchers, grocery or convenience stores and pharmacies, while Business Support Services include post offices); however, text amendments would be required to allow liquor stores, veterinary practices, libraries, and fitness centres. These amendments are also noted in Table 3 below.

The applicant is also requesting to amend the text of the C1 Zone to increase the maximum number of children at a group daycare. Section 3.26 of the zoning bylaw limits the maximum capacity of children within a daycare on any property over 1,099m² to 36 children. The text amendment would allow this specific property to increase its capacity to maximum of 50 children. The applicant would be required to work with VIHA to determine the specific requirements to accommodate the expected number of children. The proposed location of the daycare as it is presented at this time (Appendix A) would require a variance to the interior lot line setbacks between a daycare and adjacent single-family residential lot (15 m to 3 m). Should Council support these variances, they may wish to authorize the Director of Planning to issue the setback variances within the Development Permit.

While the layout is still a work in progress, the applicant is proposing four buildings totalling 20,990 sq.ft, including a standalone restaurant (proposed building B) and standalone daycare (proposed building D), and multiple CRUs within proposed Buildings A and C. The current lot layout as presented in Appendix A would require some minor variances to each setback on the lot (refer to Table 3 below). As with the daycare variance above, should Council support the plan as presented, they may wish to authorize the Director of Planning to issue the variances through the Development Permit.

As discussed, details of on-site internal roads and parking ratios have not yet been finalized and would need to be presented prior to issuance of a Development Permit, to plan appropriately for traffic flows through the site and to other access points. Parking will be provided in accordance with section 4.01.01 of Zoning Bylaw 300 and the ratios will be determined when the businesses and building footprints have been established, also prior to issuance of a Development Permit. The developer is required to ensure the spaces provided on site meet future uses.

Given that the proposal is for a concept that envisions a single neighbourhood centre, Council may wish to require the applicant to consolidate the two properties prior to Bylaw Adoption.

Table 3: Proposal Data

	Permitted by AG1 (Current Zoning)	Permitted by C1 (Proposed Zoning)	Proposed by application
<i>Uses</i>	<ul style="list-style-type: none"> • Agriculture • Boarding Kennel • Breeding Kennel • Cemetery • Dwelling, and or two-family • Farm • Golf course • Group daycare • Home occupation • Intensive Agriculture 	<ul style="list-style-type: none"> • Bakery • Business support service • Community garden • Accessory dwelling unit • Group daycare (capacity of 36 children) • Medical clinics • Office • Personal service establishment • Preschool • Restaurant • Retail store 	<ul style="list-style-type: none"> • Liquor Store • Veterinary practice • Library • Fitness Centre • Group Daycare with capacity of 50 children
<i>Density</i>	1 residential building per lot	FAR 0.5 unless otherwise posted in Schedule AE of Bylaw 300	As per Bylaw
<i>Height</i>	Residential - 10.5 m Agricultural – 12 m	9 m	As per Bylaw
<i>Site Coverage</i>	n/a	50% unless otherwise posted in Schedule AE of Bylaw 300	25%
<i>Front Yard Setback</i>	7.5 m	2 m	2.2 m
<i>Interior Side Yard Setback</i>	n/a	6 m	9.2 m (south side) 3.0 m (north of daycare) *
<i>Exterior Side Yard Setback</i>	5.5 m	7.5 m	7.0 m*
<i>Rear Yard Setback</i>	10 m	10 m	6.5 m*
<i>Parking Requirement</i>	N/A	Based on use and/or building size	As per Bylaw

*Variance required

FINANCIAL CONTRIBUTIONS

Rezoning the subject properties to permit higher density of development will increase the assessed value of lands and eventually will increase municipal revenue due to the number of units created. As the developer is responsible to complete all frontage improvements, servicing connections and upgrades necessary to service the site, the direct capital costs to the City associated with this development will be negligible. A summary of Amenity Contributions and Development Cost Charges that the developer will be expected to pay, is outlined below.

COUNCIL'S AMENITY CONTRIBUTION POLICY

As there is no residential development proposed, amenity contributions are not required by Council Policy.

DEVELOPMENT COST CHARGES

DCC's will be collected at the time of building permit issuance and will be based on the size of the proposed building(s). Table 4 below outlines what DCC's would be collected and the corresponding cost per area. The totals are unknown until building permits are submitted as these are based on the size of the buildings.

Table 4 – Development Cost Charges

Development Cost Charge	Per area contribution (commercial)	Total (approx.)
<i>Roads</i>	\$55.78 per m ² gfa	\$91, 256
<i>Storm Drainage</i>	\$5.20 per m ² gfa	\$8, 507.20
<i>Park Improvement</i>	N/A	N/A
<i>Park Acquisition</i>	N/A	N/A
<i>Incremental Storage Improvement Fees</i>	\$140/1000 ft ² of floor area	\$9,739.52
<i>Integrated Survey Area</i>	N/A	N/A
<i>CRD Water</i>	\$10.74 per m ² gfa	\$17,570.64
<i>School Site Acquisition</i>	N/A	N/A

*Based on preliminary plan attached as Appendix A.

OPTIONS

Option 1

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

1. Proceed with consideration of Bylaw 1985 to amend the Official Community Plan designation of the property located at 3353 and 3359 Happy Valley from Agricultural to Neighbourhood Centre;
2. Proceed with consideration of Bylaw 1986 to amend the zoning designation of the properties located at 3353 and 3359 Happy Valley from Agricultural 1 (AG1) to Neighbourhood Commercial (C1), subject to the following terms and conditions:
 - a. That the applicant provides, **prior to Public Hearing**, the following to the satisfaction of the Director of Engineering:
 - i. A technical memo from an engineer that verifies storm water can be adequately managed on-site for the proposed development; and
 - ii. A frontage drawing demonstrating road dedication required to accommodate frontage improvements and confirming driveway accesses to adjoining public roads;
 - b. That the applicant provides, **prior to Public Hearing**, the following to the satisfaction of the Director of Planning:
 - i. Detailed renderings in accordance with the City of Langford's Design Guidelines and related Development Permit Areas.
 - c. That the applicant provides, prior to **Bylaw Adoption**, the following:
 - i. A subdivision plan that consolidates the two subject properties and includes required road dedication, to the satisfaction of the Director of Engineering;
 - ii. An SRW in favour of the City of Langford on the northwest corner at the intersection to allow a stormwater culvert to be installed;
 - iii. A Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
 1. That the following will be provided to Bylaw No. 1000 standards and to the satisfaction of the Director of Engineering prior to issuance of a Building Permit or subdivision approval, whichever is first:
 - a. General frontage improvements including but not limited to;

- i. A landscape plan indicating all separated boulevards shall require soil and sod, with irrigation from a dedicated water meter.
- b. A storm water management plan; and
- c. a construction parking management plan.

AND

- 3. Proceed with consideration of Bylaw 1986 to amend the text within the C1 Zone for the properties located at 3353 and 3359 Happy Valley to include the following additional permitted uses:
 - a. Daycare with a maximum of 50 children;
 - b. Liquor Store;
 - c. Veterinary practice;
 - d. Library;
 - e. Fitness Centre;

AND

- 1. Authorize the Director of Planning to issue to following variances at the time of Development Permit:
 - i. Section 3.26.02(6) of Bylaw 300 is varied to allow a daycare to be located within 3 m of a single-family residential lot;
 - ii. Section 6.40.07(2) of Bylaw 300 is varied to reduce the interior side lot line setback from the required 6 m to 3 m;
 - iii. Section 6.40.07(3) of Bylaw 300 is varied to reduce the exterior side lot line setback from the required 7.5 m to 7 m
 - iv. Section 6.40.07(4) of Bylaw 300 is varied to reduce the rear lot line setback from the required 10 m to 6.5 m;

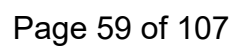
OR Option 2

- 4. Take no action at this time with respect to Bylaw No. 1985 and 1986.

Submitted by:	Matthew Notley, Planner I - Approved
Concurrence:	Marie Watmough, Manager of Legislative Services - Approved
Concurrence:	Chris Aubrey, Fire Chief - Approved
Concurrence:	Lorne Fletcher, Manager of Community Safety and Municipal Enforcement - Approved
Concurrence:	Yari Nielsen, Acting Manager of Parks and Recreation - Approved
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering - Approved
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning - Approved
Concurrence:	Michael Dillabaugh, CPA, CA, Director of Finance - Approved
Concurrence:	Braden Hutchins, Director of Corporate Services - Approved
Concurrence:	Darren Kiedyk, Chief Administrative Officer - Approved

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SITE PLAN



Appendix B



Appendix C

**REZONING BYLAW AMENDMENT
(Z21-0009)**

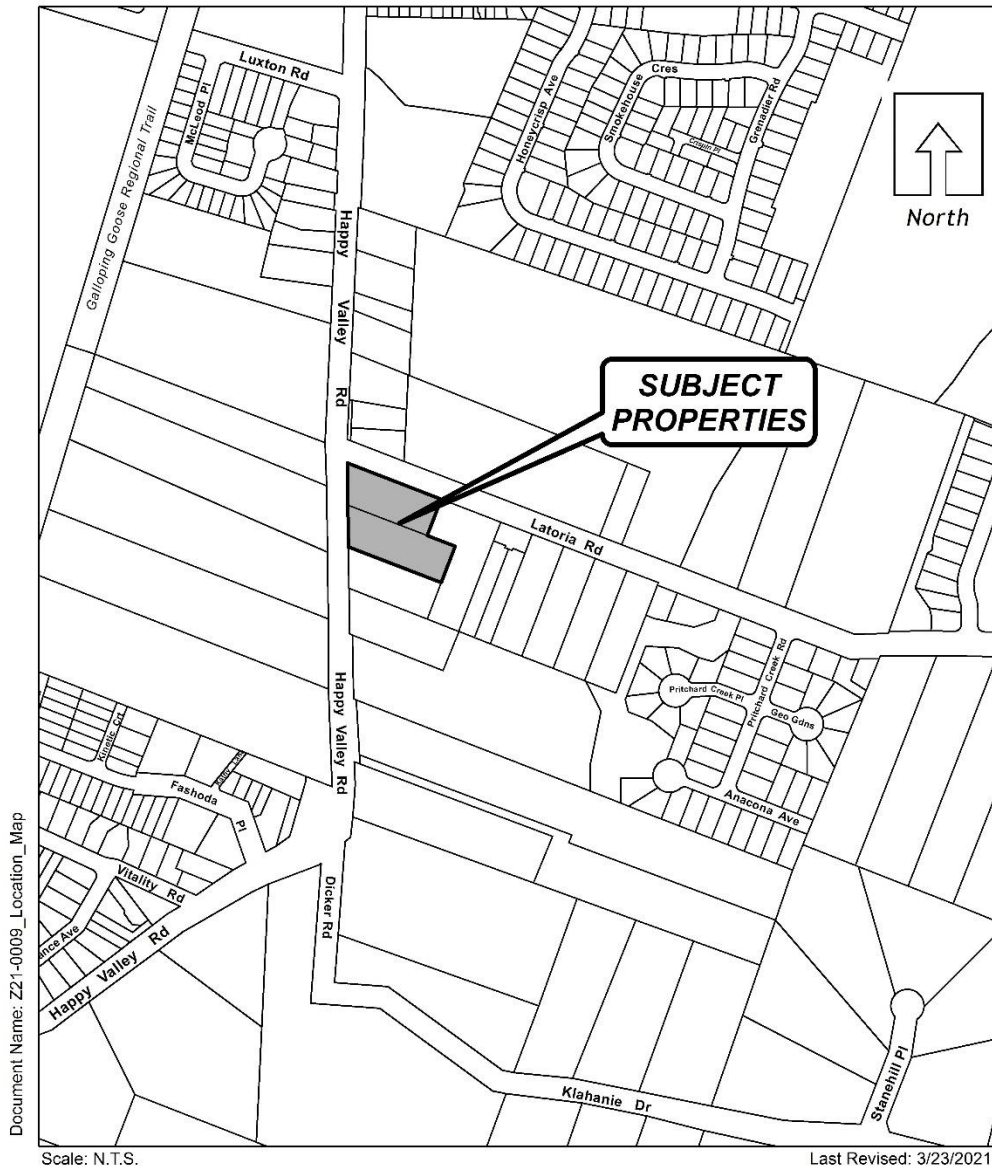
3553 & 3559 Happy Valley Rd



Appendix D

**REZONING BYLAW AMENDMENT
(Z21-0009)**

3553 & 3559 Happy Valley Rd





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

Date: June 14, 2021
Department: Planning
Application No.: Z21-0010
Subject: Bylaw No. 1982 - Application to Rezone 887 Klahanie Drive from RR7 (Rural Residential 7) to R2 (One- and Two-Family Residential) to Allow an 11 lot subdivision

PURPOSE

Sherri Davies of Drealty Developments Ltd has applied to rezone 887 Klahanie Drive from RR7 (Rural Residential 7) to R2 (One- and Two-Family Residential) to allow for the future development of an 11 lot subdivision in a bare land strata with 30% open space (25% open space retained as common property and 5% cash-in-lieu).

BACKGROUND

PREVIOUS APPLICATIONS

Z18-0002 – In 2018 the property was rezoned from RR2 (Rural Residential 2) to RR7 (Rural Residential 7) to allow for an eight lot subdivision, retaining 30% as open space. For context, the RR2 zone had a minimum lot size of 10 acres (40,470 m²), while the RR7 zone has a minimum lot size of 800 m².

DP19-0013 – In 2019, an environmental development permit was issued to allow for land clearing for the portions of the lot not retained as the 30% open space. The lot is now cleared as per the original open space plan approved through Z18-0002.

Table 1: Site Data

<i>Applicant & Owner</i>	Sherri Davies, Drealty Developments Ltd
<i>Civic Address</i>	887 Klahanie Drive
<i>Legal Description</i>	Lot 22, Sections 69 and 70, Metchosin District, Plan 23855
<i>Size of Property</i>	8,094 m ² (2 acres)
<i>DP Areas</i>	High Fire Hazard, Habitat and Biodiversity, and Riparian Area
<i>Zoning Designation</i>	RR7 (Rural Residential 7)
<i>OCP Designation</i>	Neighbourhood

SITE AND SURROUNDING AREA

The subject property is located on Klahanie Drive, just south of Latoria Road. The property was predominately cleared in 2019 except for the 30% originally intended for open space. Most of the properties located to the south are large lots and heavily treed, while smaller lot subdivisions are becoming increasingly prevalent to the north and west of the site. To the east lies the Olympic View lands which are already zoned for development, although work has not begun at this time.

Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	RR7 (Rural Residential 7)	Single Family Dwellings
<i>East</i>	RR2 (Rural Residential 2) and CD4 (Comprehensive Development – Olympic View)	Single Family Dwellings Undeveloped
<i>South</i>	RR2 (Rural Residential 2)	Single Family Dwellings
<i>West</i>	RR7 (Rural Residential 7) and RR6A (Rural Residential 6A)	Single Family Dwellings

Figure 1: Subject property

COMMENTS

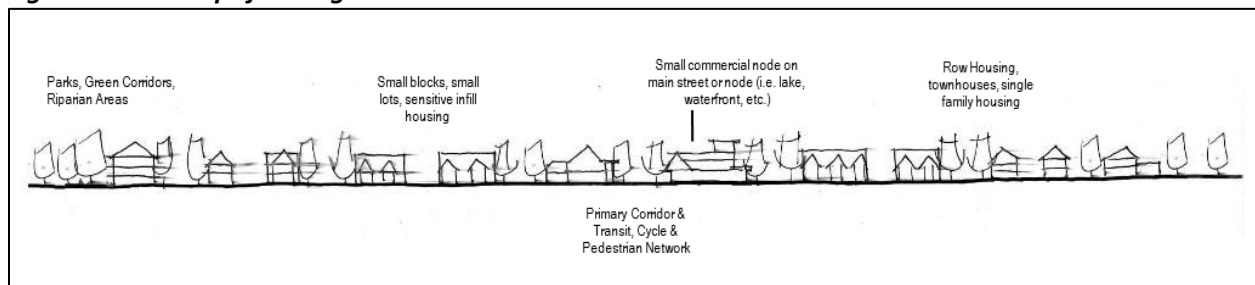
OFFICIAL COMMUNITY PLAN

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*

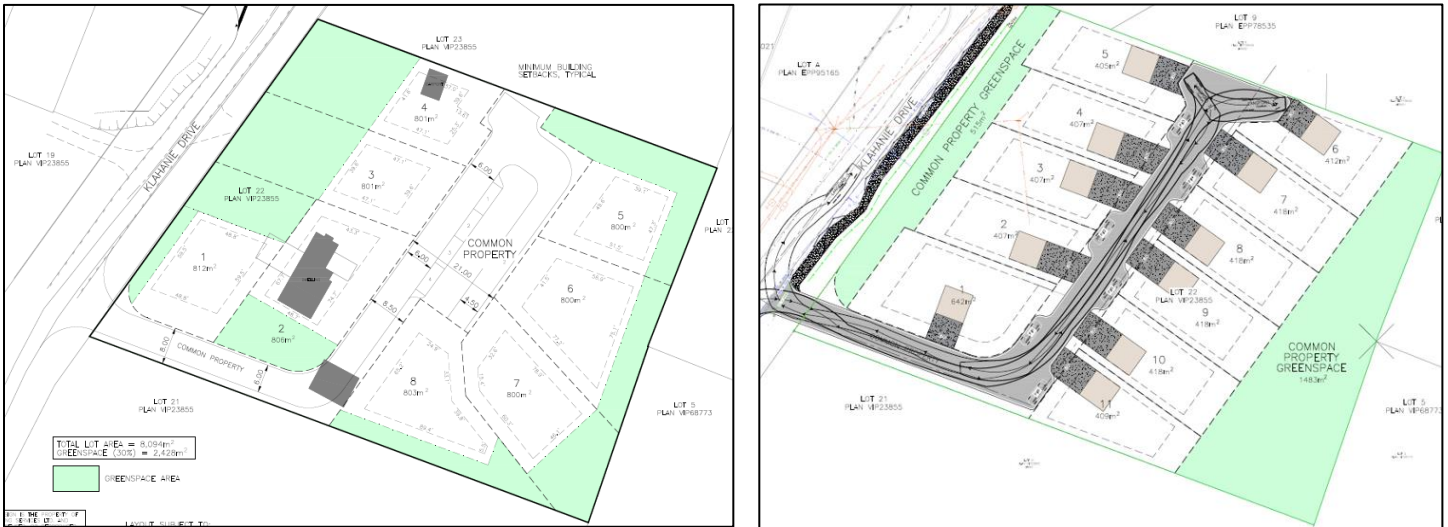
Figure 2: A Concept for Neighbourhood Areas



DEVELOPMENT PERMIT AREAS

The subject property is located within three Development Permit Areas, which include: High Fire Hazard, Potential Habitat and Biodiversity, and Riparian. All three of these DP Areas were assessed as part of the approval of DP19-0013 which allowed for land clearing on site. As the original open space boundary called for 30% retained open space, and the latest proposal calls for 25% retained open space, another small portion of the lot will need to be cleared. The applicant will be required to submit another biologist report to address these areas. Additionally, the areas of the proposed open space have been shifted from the plan approved in 2018, meaning some areas of the lot have already been cleared which are now set to be protected as open space. Council may wish to require that the applicant provide a replanting plan created by the project biologist to demonstrate how they plan to adequately replant these areas at the time of development permit.

Figures 3 and 4: Original open space proposal (left), and new proposal (right)



Additionally, Council designates any lots less than 550 m² in area as small lots and therefore the proposed development would also require a Form and Character Development Permit as it is deemed *Intensive Residential*.

COMMENTS

DEVELOPMENT PROPOSAL

The applicant is proposing to rezone 887 Klahanie Drive from the RR7 (Rural Residential 7) Zone to the R2 (One- and Two-Family Residential) Zone. As shown above, the lot is currently zoned to allow for 8 strata lots, while the new proposal would allow for 11 strata lots – a net increase of 3 lots. As the minimum lot size within the R2 zone is 400 m², the proposed lots range in size from 405 m² – 642 m². Each of the proposed lots would be permitted to have a secondary suite.

In addition to providing two parking spaces per principle dwelling plus a third space for a suite, the applicant will be required to create one on-street parking space for every two new lots created. Given that the applicant is proposing 11 lots, 6 street parking spaces are required. On the current plan, the applicant is adequately demonstrating all 6 required street parking spaces.

As discussed, the proposal sets aside 25% of the land as a non-disturbance area to be held as strata common property. As the applicant is not providing any land to the City as park, they will also be subject to providing 5% cash-in-lieu at the time of subdivision as per Section 510 of the *Local Government Act*. Council may wish to note that this 5% is taken at the “post-rezoning” value and therefore is not calculated within this report. The additional 5% cash-in-lieu contribution will bring the proposal’s overall contribution up to 30%. Although there is no official policy, Council has frequently required rezoning proposals in the surrounding Latoria area to provide approximately 30% open space in the form of land, cash-in-lieu, or a combination of the two. Given this, Council may wish to note that this proposal aligns with the majority of rezoning proposals previously approved in the surrounding area.

Table 3: Proposal Data

	Permitted by RR7 (Current Zoning)	Proposed Zoning (R2)
<i>Density (FAR and/or min. lot size)</i>	800 m ²	400 m ²
<i>Height</i>	9 m	9 m
<i>Site Coverage</i>	35%	50%
<i>Front Yard Setback</i>	6 m	3 m or 5.5 m for a garage
<i>Interior Side Yard Setback</i>	3 m	1.5 m
<i>Exterior Side Yard Setback</i>	4 m or 5.5 m for a garage	3 m or 5.5 m for a garage
<i>Rear Yard Setback</i>	10 m	5.5 m
<i>Parking Requirement</i>	2 parking spaces per principle dwelling + 1 parking space per suite	2 parking spaces per principle dwelling + 1 parking space per suite

FRONTAGE IMPROVEMENTS

The applicant will be required to provide full frontage improvements in accordance with Bylaw 1000, prior to subdivision approval or the issuance of a building permit, whichever is first. These works will include a 2.2 m wide gravel pathway on the road edge separated by a split rail fence.

PEDESTRIAN, CYCLING AND MOTORIST NETWORK

BC Transit bus stops located near the subject site provide service on Routes 48, 54, 55, 59 and 60 to the Langford Exchange and Metchosin. Most of these routes only run once per hour or two, with increased service during peak commuting hours. Many of the routes either do not run on weekends or have a further reduced schedule. As noted above, a gravel pathway will be constructed along the length of the property along Klahanie Drive.

SEWERS

A sewer main does not exist along the immediate frontage but must be extended to service this site through approved civil engineering drawings. 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.

STORMWATER MANAGEMENT

The applicant will be required to provide a stormwater management plan to the satisfaction of the Director of Engineering prior to subdivision approval or the issuance of a building permit, whichever is first. Council may wish to require a stormwater technical memo prepared by the project engineer prior to Public Hearing to verify that storm water can be adequately managed on-site for the proposed development.

FIRE DEPARTMENT CONSIDERATIONS

The applicant has successfully demonstrated how a City of Langford Ladder Truck would be able to turn around within the development. The owner will need to calculate Fire Underwriters Survey requirements prior to subdivision approval and build according to the necessary fire separation requirements.

CONSTRUCTION PARKING MANAGEMENT PLAN

Council may wish to require a Construction Parking Management Plan as a condition of rezoning and require that it be provided to the satisfaction of the Director of Engineering prior to any land alteration. This should be secured within a covenant, prior to Bylaw Adoption.

POTENTIAL NUISANCES

As has been past practice in the South Langford area, Council may wish to require the applicant to provide a Section 219 Covenant registered on title prior to Bylaw Adoption that provides future landowners with the understanding that a variety of agricultural uses and the South Vancouver Island Rangers gun range are located within approximately one kilometer of the site, that these pre-existing uses may result in general nuisances and that future landowners understand and accept the potential disruption to their residential occupancy of the site.

FINANCIAL CONTRIBUTIONS

Rezoning the subject property to permit higher density may increase the assessed value of the property, and this may increase municipal revenue. As the applicant will be responsible for frontage improvements and connection to the municipal sewer system, the direct capital costs to the municipality associated with this development will be negligible. A summary of the Amenity Contributions and Development Cost Charges that the developer will be expected to pay is outlined below in Tables 4 and 5.

Table 4 – Amenity Contributions per Council Policy

Amenity Item	Per lot contribution	Total (for 11 lots)
<i>General Amenity Reserve Fund</i>	\$3,960 per lot	\$43,560
<i>Affordable Housing Reserve Fund</i>	\$660 per lot	\$7,260
TOTAL POLICY CONTRIBUTIONS		\$50,820

Table 5 – Development Cost Charges

Development Cost Charge	Per lot contribution	Total (for 11 lots)
<i>Roads</i>	\$5,876 per lot	\$64,636
<i>Storm Drainage</i>	\$1,878 per lot	\$20,658
<i>Park Improvement</i>	\$1,890 per lot	\$20,790
<i>Park Acquisition</i>	\$1,100 per lot	\$12,100
<i>Incremental Storage Improvement Fees</i>	\$495 per lot	\$5,445
<i>Integrated Survey Area</i>	\$35	\$385
Subtotal (DCCs paid to City of Langford)		\$124,014
<i>CRD Water</i>	\$2,922 per lot	\$32,142
<i>School Site Acquisition</i>	\$1000 per lot	\$11,000
TOTAL (estimate) DCCs		\$167,156

OPTIONS

Option 1

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

- 1) Proceed with consideration of Bylaw No. 1982 to amend the zoning designation of the property located at 887 Klahanie Drive from the RR7 (Rural Residential 7) to R2 (One- and Two-Family Residential) subject to the following conditions:
 - a) That the applicant provides, **as a bonus for increased density**, the following contributions per lot prior to subdivision approval:
 - i. \$660 towards the Affordable Housing Fund; and
 - ii. \$3,960 towards the General Amenity Fund.
 - b) That **prior to Public Hearing**, the applicant provides a technical memo from an engineer that verifies stormwater can be adequately managed on-site for the proposed developments, to the satisfaction of the Director of Engineering;
 - c) That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees:
 - i. That the following will be provided and implemented to Bylaw No. 1000 standards to the satisfaction of the Director of Engineering prior to subdivision approval or the issuance of a building permit, whichever is first:
 - i. Full frontage improvements; and
 - ii. A storm water management plan;
 - ii. That a Construction Parking and Traffic Management Plan be provided to the satisfaction of the Director of Engineering prior to any alteration of the land;
 - iii. That a non-disturbance covenant be registered over 25% of the land to be protected as open space prior to subdivision approval, to the satisfaction of the Approving Officer;
 - iv. That a replanting plan for the disturbed open space be provided at the time of development permit, to the satisfaction of the Director of Planning;
 - v. That the site is in proximity to agricultural areas and the South Vancouver Island Rangers gun range, and that these may create general noise, odour, and other nuisances, and agree that the owner and all future owners assume all risk and annoyance of such nuisances.

OR Option 2

2. Take no action at this time with respect to Bylaw No. 1982.

Submitted by:	Julia Buckingham, Planner II - Approved
Concurrence:	Marie Watmough, Manager of Legislative Services - Approved
Concurrence:	Chris Aubrey, Fire Chief - Approved
Concurrence:	Yari Nielsen, Acting Manager of Parks and Recreation - Approved
Concurrence:	Michelle Mahovich, P.Eng, P.Geo, Director of Engineering - Approved
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning - Approved
Concurrence:	Michael Dillabaugh, CPA, CA, Director of Finance - Approved
Concurrence:	Braden Hutchins, Director of Corporate Services - Approved
Concurrence:	Darren Kiedyk, Chief Administrative Officer - Approved

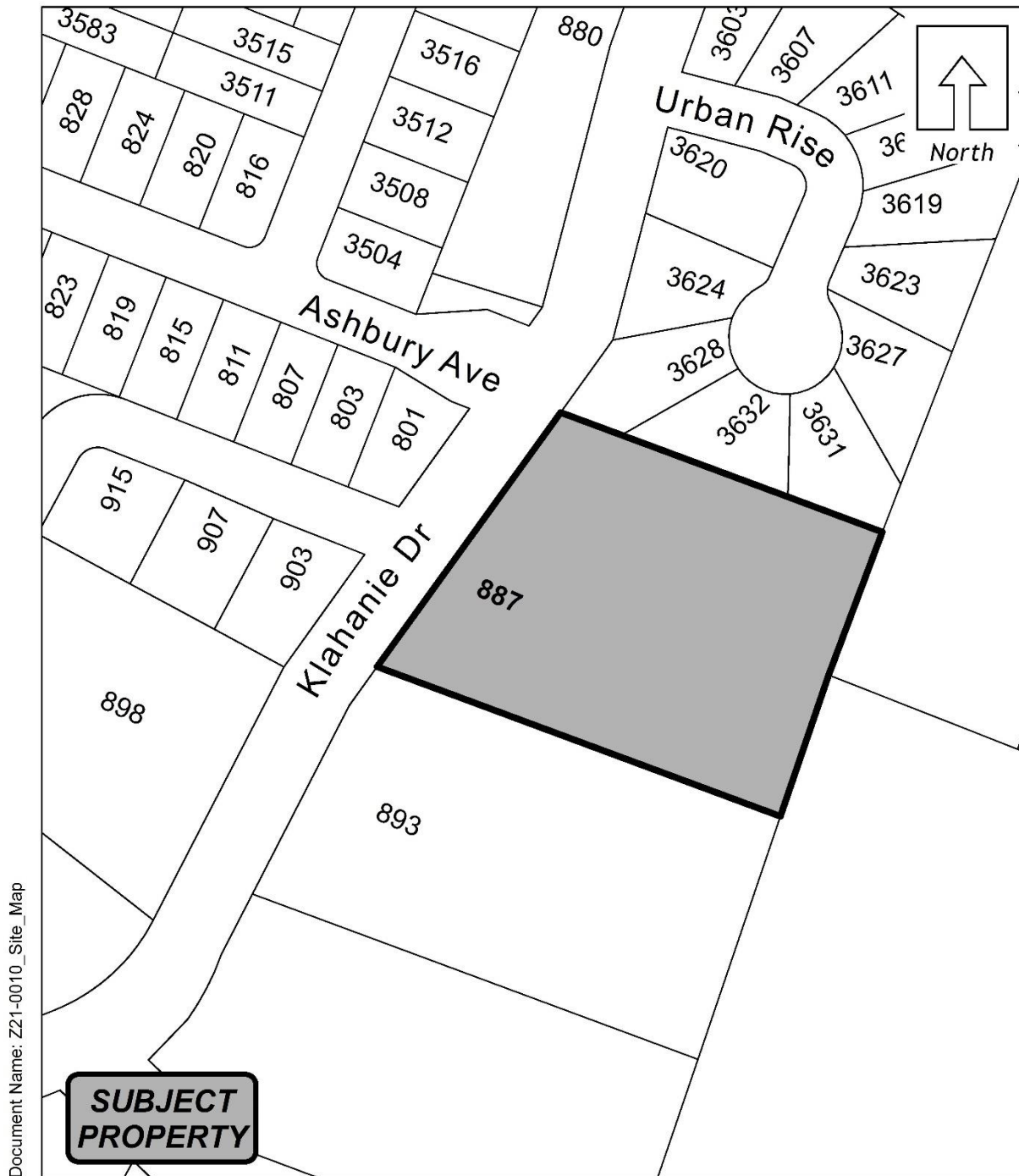
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Appendix A



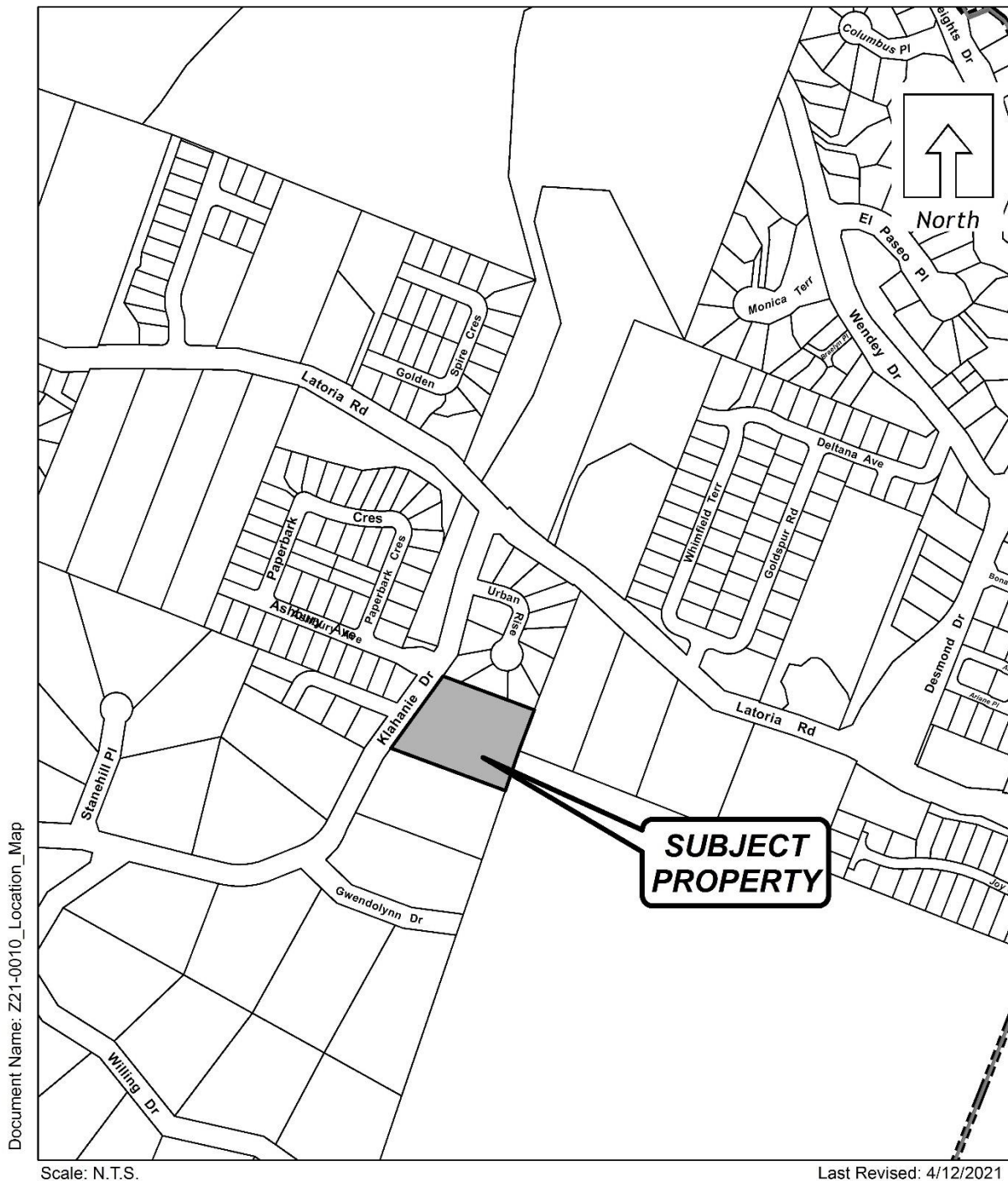
Appendix B

**REZONING BYLAW AMENDMENT
(Z21-0010)
887 Klahanie Dr**



Appendix C

**REZONING BYLAW AMENDMENT
(Z21-0010)
887 Klahanie Dr**





Staff Report to Planning, Zoning and Affordable Housing Committee

Date: June 14, 2021
Department: Planning
Application No.: DVP21-0001
Subject: Application for Development Variance Permit to allow a two-point turn in lieu of a cul-de-sac at the proposed townhouse site at 3296 Jacklin Road.

PURPOSE

Rachael Sansom of Greyland Consulting Ltd. has applied on behalf of Tekloch Homes Ltd. for a development variance permit to allow a two-point turn in lieu of a cul-de-sac for the proposed townhouse site at 3296 Jacklin Road.

BACKGROUND

PREVIOUS APPLICATIONS

In 2017 Council approved rezoning (Z16-0027) of the property to allow for the proposed development as well as two single family dwellings.

In 2017, a Development Permit (DP17-0010) for Form and Character and Wildfire Hazard was issued construction of the 10-unit townhouse development, and a Development Variance Permit (DVP17-0009) was issued for variances to the building height and setbacks of the two single-family homes as proposed. These permits have since expired, and the applicant has applied for new permits for both purposes.

There is an active subdivision application for the property (SUB20-0041), for which a Statement of Conditions was issued on December 23, 2020.

Table 1: Site Data

<i>Applicant</i>	Rachael Sansom, Greyland Consulting Ltd.
<i>Owner</i>	Tekloch Homes Ltd.
<i>Civic Address</i>	3296 Jacklin Road

<i>Legal Description</i>	Lot A, Section 84, Esquimalt District, Plan VIP51623 Except Part in Plan EPP73724
<i>Size of Property</i>	2,542 m ² (27,362 sq. ft.)
<i>DP Areas</i>	Interface Fire Hazard
<i>Zoning Designation</i>	Medium-Density Apartment A (RM7A) and Residential Small Lot 1 (RS1)
<i>OCP Designation</i>	Neighbourhood

SITE AND SURROUNDING AREA

The development site is located within South Langford on the northwest corner of Jacklin Road and Walfred Road, which is just south of the Sooke Neighbourhood Centre and adjacent to the City of Colwood border.

The site is currently developed with a single-family dwelling sited near the intersection of Jacklin Road and Walfred Road. The rest of the property is heavily treed.

Surrounding properties in all directions are zoned for a range of residential uses, including small lot, one-family, two-family and rural residential.

Table 2: Surrounding Land Uses

	<i>Zoning</i>	<i>Use</i>
<i>North</i>	R2	Residential
<i>East</i>	R2 and City of Colwood	Residential
<i>South</i>	CD13 & RR5	Small lot and Rural Residential
<i>West</i>	R2 & RS1	Residential

COMMENTS

DEVELOPMENT PROPOSAL

The applicant is proposing to develop the subject property with a 10-unit townhouse development and two single family homes. The existing dwelling would be demolished. Each new dwelling unit is required to have at least two parking spaces in addition to a minimum of 2 visitor parking spaces for the townhouse development. The townhouse site will be accessed from the new Ernhill Road extension and the single-family lots will be accessed via a shared driveway off Walfred Road.

As part of this proposal, the applicant wishes to vary Subdivision and Development Servicing Bylaw No. 1000 to allow Ernhill Rd to terminate in a permanent two-point turnaround rather than a cul-de-sac. Due to the topography and location of the property in relation to the intersection of Walfred and Jacklin Roads, extending Ernhill Rd through the site is not feasible.

In support of this request, the applicant has secured a Statutory right of way for the two-point turn and has demonstrated that the two-point turn will accommodate a Langford Fire Truck turning radius (see Appendix A).

OPTIONS

Option 1

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

1. Direct staff to provide notice that Council will consider issuing a Development Variance Permit for 3296 Jacklin Rd with the following variance:
 - a) That Schedule 4 of Subdivision and Development Servicing Bylaw No. 1000 be varied to allow for a permanent two-point turnaround in lieu of a cul-de-sac;

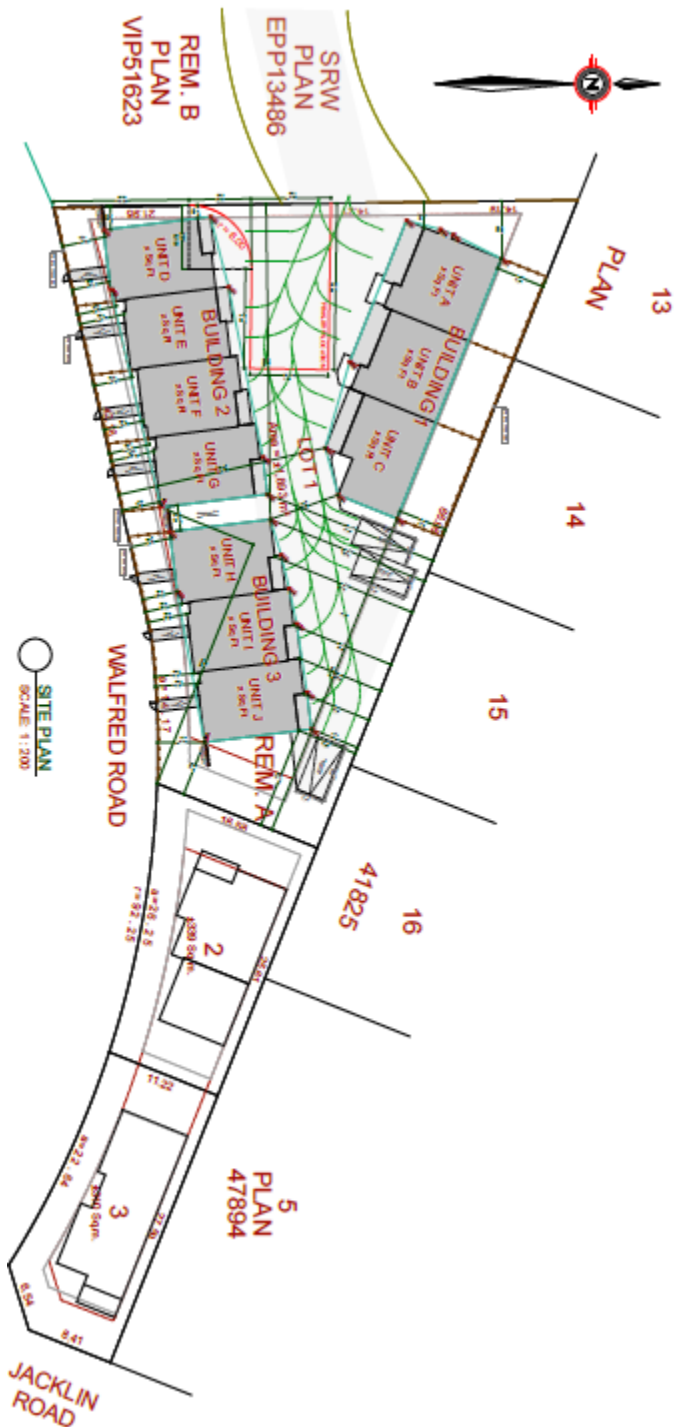
OR Option 2

2. Reject this application for development variance permit.

Submitted by:	Matt Notley, Planner I - Approved
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning - Approved
Concurrence:	Marie Watmough, Manager of Legislative Services - Approved
Concurrence:	Chris Aubrey, Fire Chief - Approved
Concurrence:	Yari Nielsen, Acting Manager of Parks and Recreation - Approved
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering - Approved
Concurrence:	Michael Dillabaugh, CPA, CA, Director of Finance - Approved
Concurrence:	Braden Hutchins, Director of Corporate Services - Approved
Concurrence:	Darren Kiedyk, Chief Administrative Officer - Approved

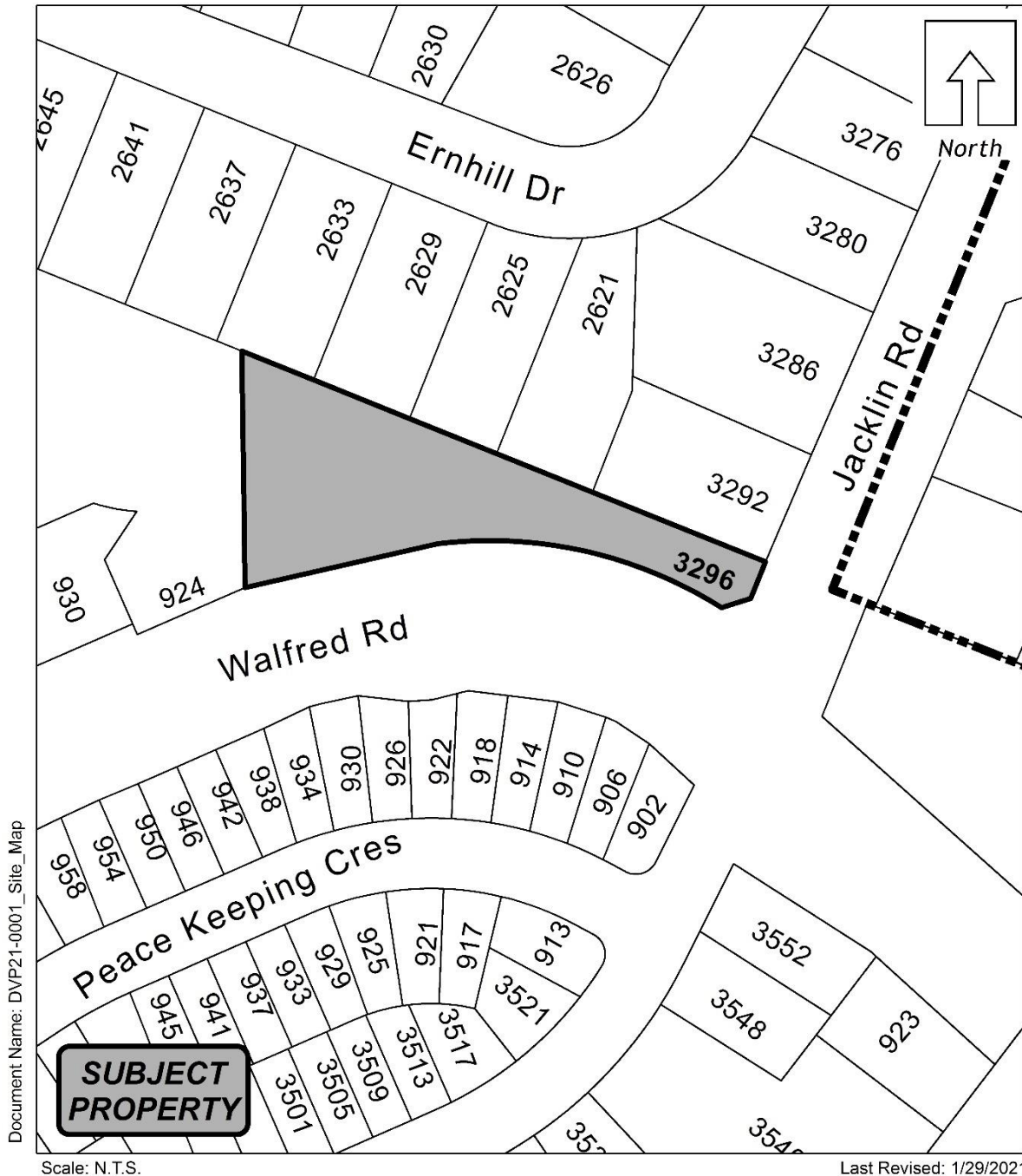
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Appendix B – Site Plan



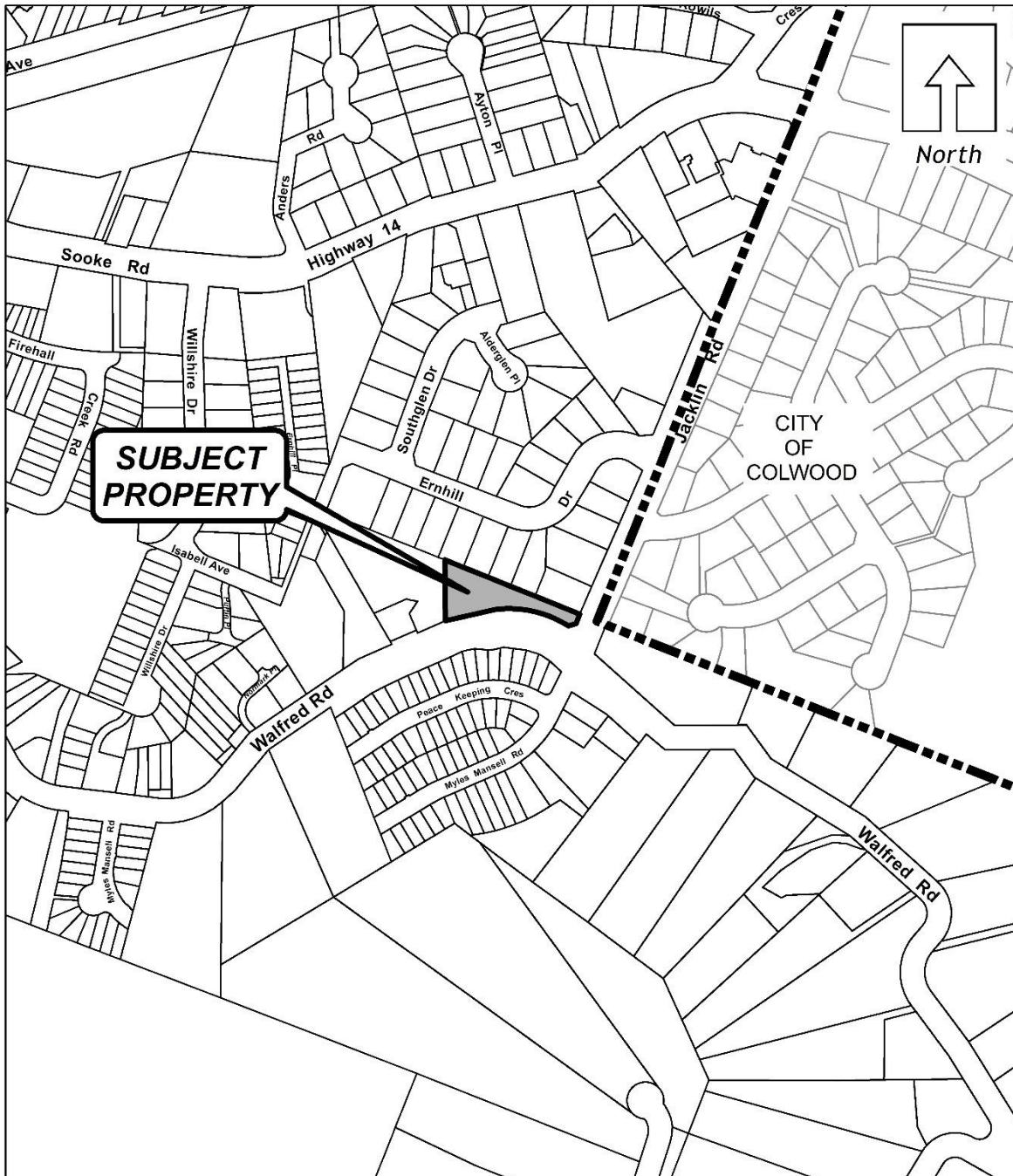
Appendix C – Subject Property Map

**DEVELOPMENT VARIANCE PERMIT
(DVP21-0001)
3296 Jacklin Rd**



Appendix D – Location Map

**DEVELOPMENT VARIANCE PERMIT
(DVP21-0001)
3296 Jacklin Rd**



Document Name: DVP21-0001_Location_Map

Scale: N.T.S.

Last Revised: 1/29/2021



Staff Report to Planning, Zoning and Affordable Housing Committee

Date: June 14, 2021
Department: Planning
Application No.: DVP21-0004
Subject: Application for Development Variance Permit to allow for the front lot line setback reduction at 517 Langvista Dr.

PURPOSE

Dave Smith of McElhanney Ltd. has applied on behalf of Stephanie Maclean for a development variance permit to allow a front lot line setback reduction from 5.5m to 2.35m at 517 Langvista Drive. This setback variance is required in order to retain the existing dwelling as part of a 2-lot bareland strata subdivision.

BACKGROUND

PREVIOUS APPLICATIONS

There have been several previous applications to subdivide 517 Langvista Dr. in conjunction with one or more of the adjoining properties. However, these applications did not proceed, and the property remains unaltered.

The City's Approving Officer has issued a Statement of Conditions with regards to the current 2-lot bareland strata proposal (SUB20-0003). While the existing dwelling meets the setback requirements to existing lot lines, it does not meet the minimum setback to the new front lot line that would be created as part of the subdivision. As such, the applicant must either obtain this variance from Council or remove/partially demolish the existing dwelling prior to subdivision approval.

The City's Bylaw Department has identified a continuing trend of parking management issues in this neighbourhood resulting in spillover onto the streets. In order to mitigate the future demands on staff and resources, Council has the ability to require, as a condition of this variance, a 219 covenant restricting accessory uses that require additional onsite parking.

Table 1: Site Data

<i>Applicant</i>	Dave Smith
<i>Owner</i>	Stephanie Maclean
<i>Civic Address</i>	517 Langvista Drive
<i>Legal Description</i>	Lot 23, Section 107 and 108, Esquimalt District, Plan 39958, PID 000-303-739

<i>Size of Property</i>	0.8 acres (3220m ²)
<i>DP Areas</i>	Habitat and Biodiversity, Steep Slope
<i>Zoning Designation</i>	R2 (One- and Two-Family Residential)
<i>OCP Designation</i>	Neighbourhood

SITE AND SURROUNDING AREA

The subject property is surrounded by R2 zoned properties ranging from 542 m² to 5,240 m² in area. The existing property is 3,220 m², and the proposed subdivision includes two strata lots sized at 1,480m² (A) and 1,490m² (B) in addition to 251m² of common property road. The proposed lots are in keeping with the surrounding neighbourhood.

COMMENTS

DEVELOPMENT PROPOSAL

As the proposed Strata Lots (A and B) comply with the R2 zone, no rezoning is required. Additionally, the proposed Strata Lots do not fall under the Intensive Residential Form and Character Development Permit requirement due to their large lot areas. They do, however, require an Environmental Development Permit for works within the Potential Habitat and Biodiversity, and Steep Slopes development permit areas. The Environmental Development Permit has been applied for and will be issued in accordance with the submitted Environmental Impact Assessment and the Geotechnical reports upon the approval of this Development Variance Permit.

Table 3: Proposal Data

	Permitted by R2 (Current Zoning)	Proposed by DVP Application
<i>Front Yard Setback</i>	No garage that faces the front lot line may be located less than 5.5m	2.35m setback from front lot line
<i>Parking Requirement</i>	2 stalls for principal dwelling unit	2 stalls for principal dwelling unit – with no additional available onsite parking

OPTIONS

Option 1

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

1. Direct staff to provide notice that Council will consider issuing a Development Variance Permit for 517 Langvista Dr with the following variance:
 - a) That Section 6.22.07(1)(a) of Zoning Bylaw No. 300 be varied from 5.5m to 2.35m;

Subject to the following terms and conditions:

-
- i. That prior to subdivision approval, a 219 Covenant prohibiting secondary suites and home occupations that require additional onsite parking is registered on the title of proposed Strata Lot A; and
 - ii. That the site is developed in accordance with the plan attached to this report as Appendix A;

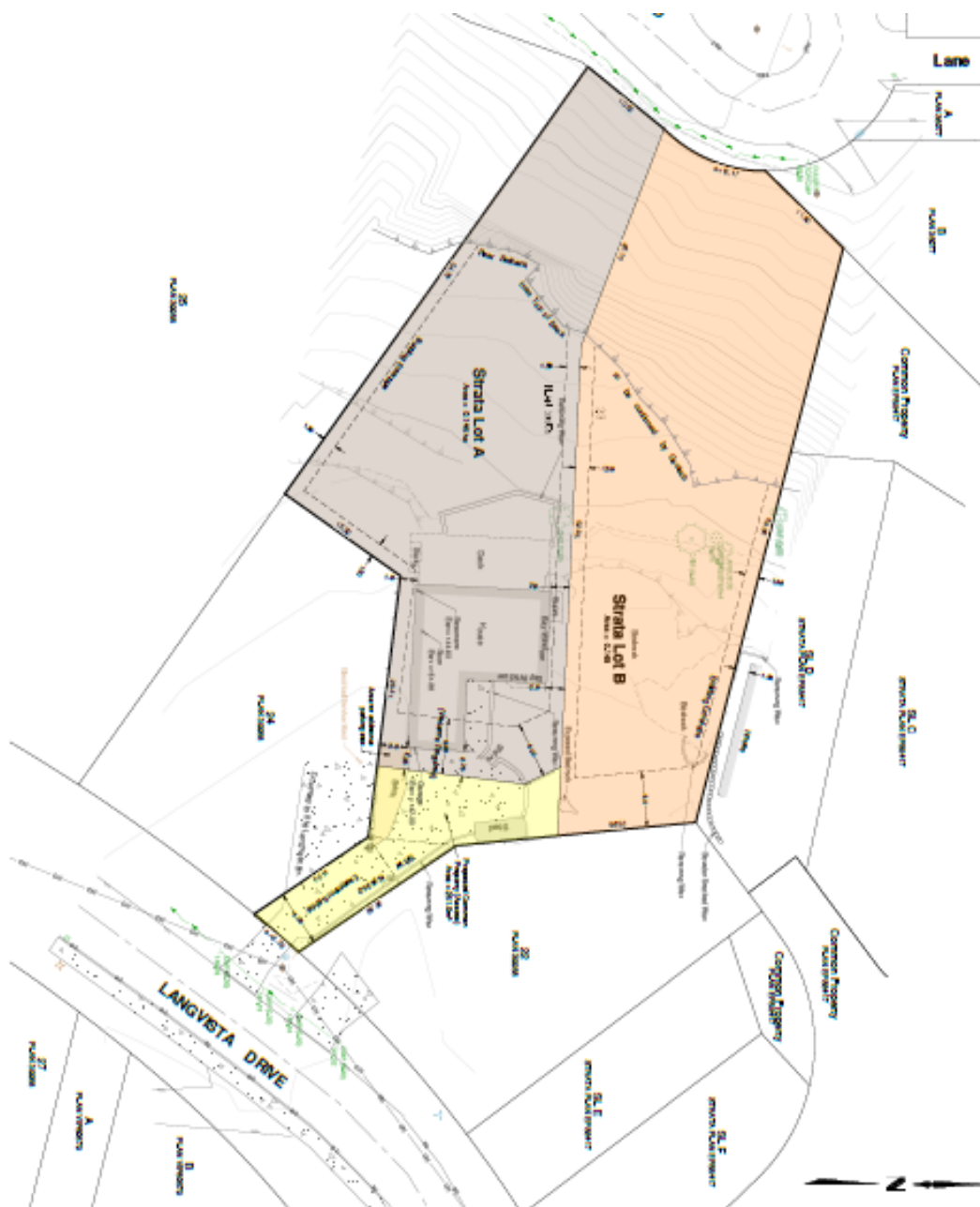
OR Option 2

- 2. Reject this application for development variance permit.

Submitted by:	Wolfgang Schoenefuhs, Planning Technician - Approved
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning - Approved
Concurrence:	Chris Aubrey, Fire Chief - Approved
Concurrence:	Lorne Fletcher, Manager of Community Safety and Municipal Enforcement - Approved
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering - Approved
Concurrence:	Marie Watmough, Manager of Legislative Services - Approved
Concurrence:	Braden Hutchins, Director of Corporate Services - Approved
Concurrence:	Darren Kiedyk, Chief Administrative Officer - Approved

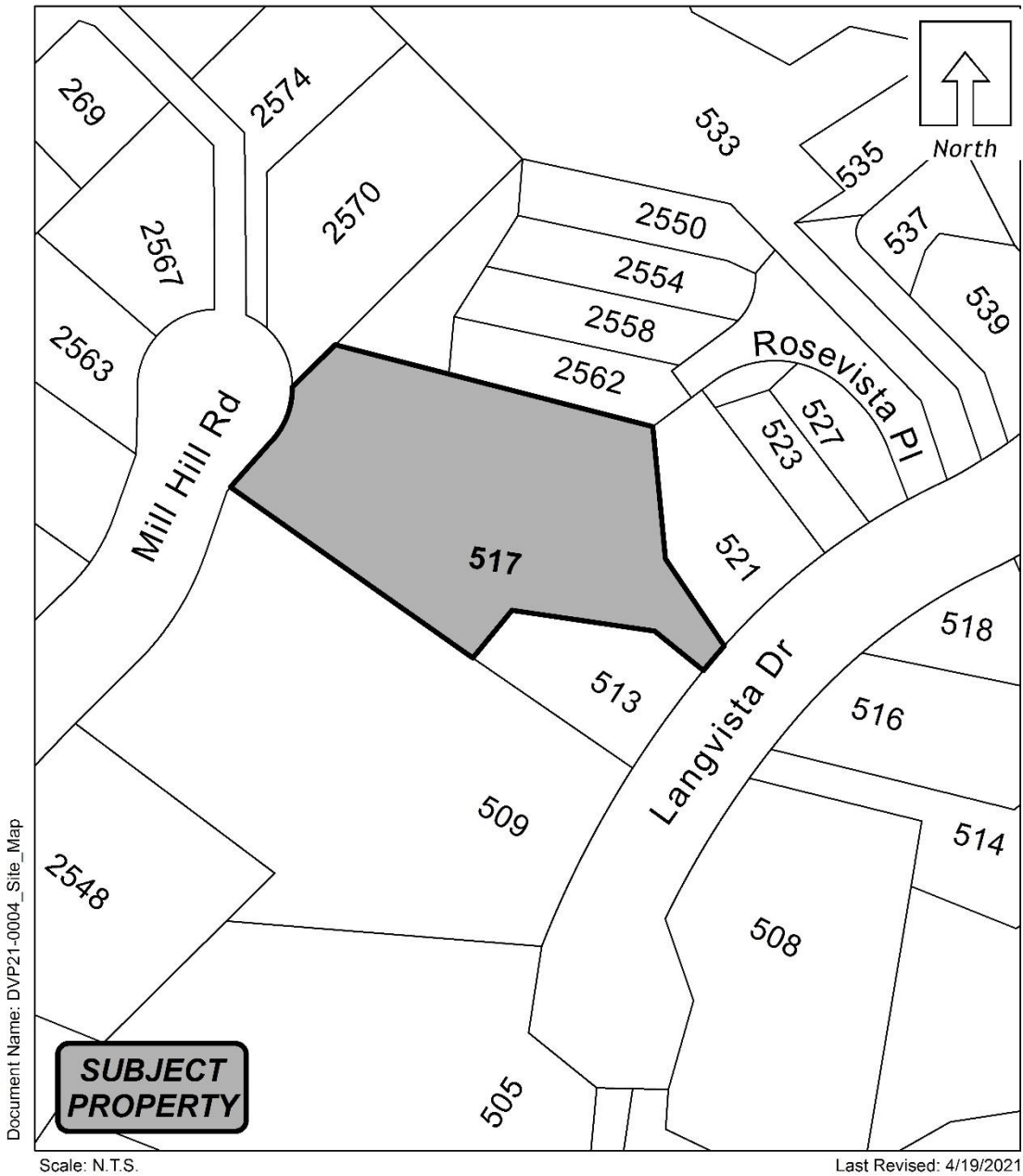
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Appendix A

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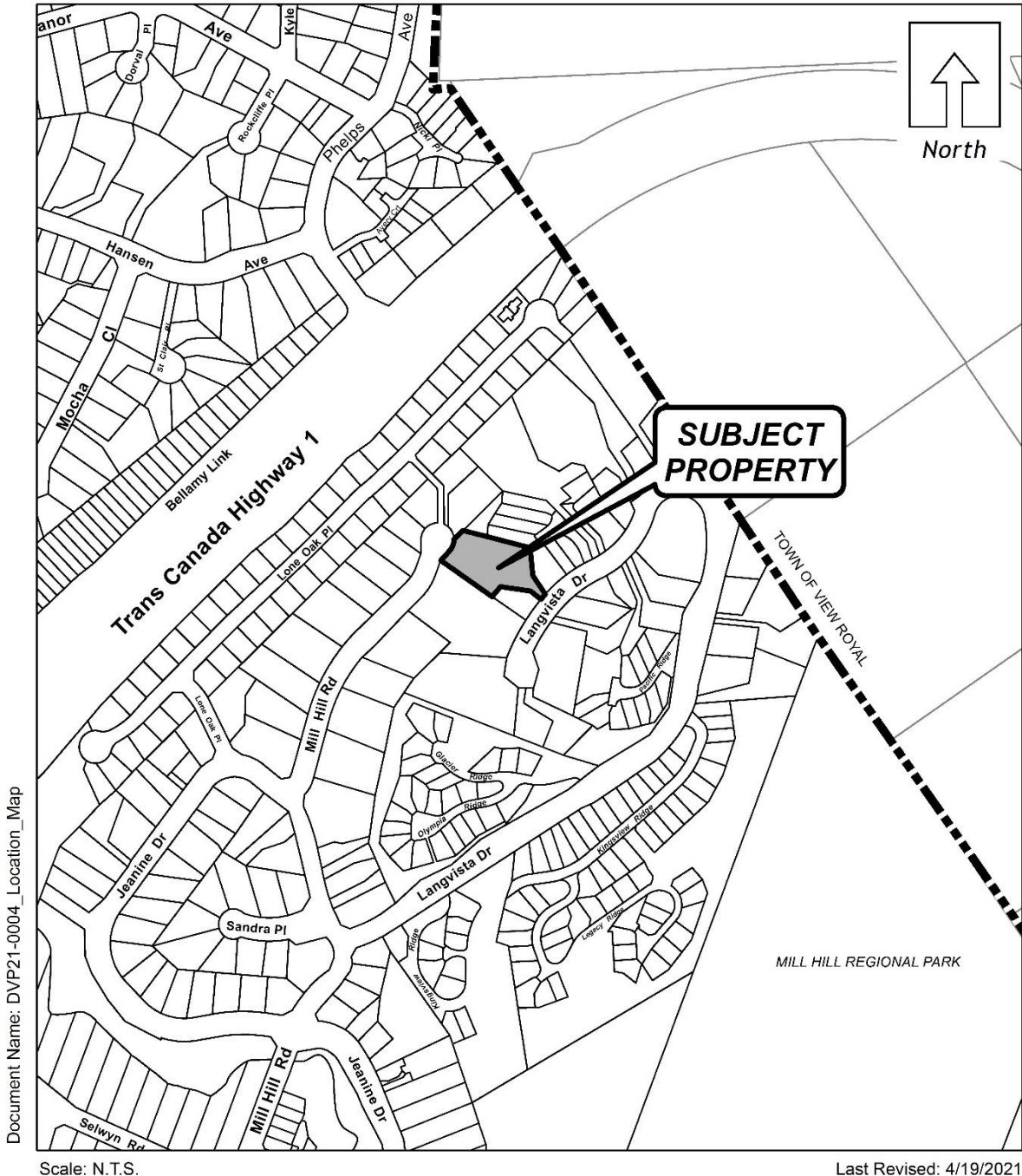
Appendix B

DEVELOPMENT VARIANCE PERMIT
(DVP21-0004)
517 Langvista Dr



Appendix C

DEVELOPMENT VARIANCE PERMIT
(DVP21-0004)
517 Langvista Dr



From: [Wolfgang Schoenefuhs](#)
To: [REDACTED]
Cc: [Suzette Chapman](#)
Subject: RE: DVP21-0004
Date: June 7, 2021 10:15:47 AM

Hello,

Thank you for contacting the City of Langford regarding this DVP application. The setback variance in question is related the driveway access off of Langvista. It will have no impact on the Mill Hill boarder of the property as the proposed subdivision lot and dwelling will also be accessed from Langvista via a shared driveway.

Regards,

Wolfgang Schoenefuhs

Planning and Land Development Technician

250.478.7882

From: Suzette Chapman <schapman@langford.ca> **On Behalf Of** Langford Planning General Mailbox
Sent: Monday, June 7, 2021 9:53 AM
To: Wolfgang Schoenefuhs <wschoenefuhs@langford.ca>
Subject: FW: DVP21-0004

Please address.

Suzette Chapman

Assistant Planning

250.478.7882 x4404

From: [REDACTED]
Sent: June 6, 2021 9:57 AM
To: Langford Planning General Mailbox <planning@langford.ca>
Subject: DVP21-0004

RE File: DVP21-0004, 517 Langvista Drive

Thank you for the meeting notice sent to the neighbours of 517 Langvista Drive regarding this development variance request.

Can you please tell us or send us the materials that would indicate which access to the property will be impacted?

Is the variance setback being requested for the Langvista Drive access or the Mill Hill Road access?

Thank you in advance for your help with our questions.

[REDACTED]
[REDACTED]

From: [Wolfgang Schoenefuhs](#)
To: [REDACTED]
Cc: [Suzette Chapman](#)
Subject: RE: DVP21-0004 517 Langvista drive.
Date: June 8, 2021 11:06:46 AM

Hello,

Thank you for your reply and expression of concern. As this decision is to be made by Council, I cannot offer you any resolution. I can however, include this correspondence in the council package for their information and discretion while making their decision.

Regards,

Wolfgang Schoenefuhs

Planning and Land Development Technician

250.478.7882

From: [REDACTED]
Sent: Tuesday, June 8, 2021 8:49 AM
To: Wolfgang Schoenefuhs <wschoenefuhs@langford.ca>
Subject: RE: DVP21-0004 517 Langvista drive.

Hello Wolfgang,

Thank you for the information. The registration of a covenant for parking on this property does not resolve future parking issues. We received a letter the other day from Langford regarding the people from [REDACTED] who have been parking [REDACTED]. Langford bylaw instructed them to move their vehicles every 72 hours and they can continue to park there forever which appears to be their plan. A covenant cannot require [REDACTED] and the new house to park only on their own property. [REDACTED] currently park directly on the proposed shared access. They do not park in their garage but in front of it. The setback variance in yellow does not give them the 5m needed to park in front of their garage. They will eventually be parking on Langvista in front of our house. [REDACTED] currently has trees planted all along the boulevard so no parking is available there. The houses at [REDACTED] have garages so small that when a vehicle is driven into them, the doors cannot be opened rendering them useless for parking. Their guests all park in front of our house. The house at [REDACTED] doesn't even have a driveway. They use the fake access for [REDACTED] and an easement across our property. I say fake because the garage for [REDACTED] is on the other side of their house and they use a different neighbour's driveway to access it. The fake access to [REDACTED] that is being used by [REDACTED] ends in a rock face 15 feet above the backyard of [REDACTED]. The four houses at [REDACTED] use Langvista for parking as they appear to all have suites and not enough parking. Also, [REDACTED] and the proposed new house are perched on the edge of a cliff so there is nowhere else for visitor parking or rv/boat/ trailer parking. The stratas a little lower on Langvista all use Langvista for parking their excess cars for 8 months of the year. This reduces Langvista to a one lane road. For these reasons we recommend not approving the front lot line setback reduction.

Perhaps they could look into moving their garage?

Sincerely,

[REDACTED]

From: Wolfgang Schoenefuhs [<mailto:wschoenefuhs@langford.ca>]

Sent: June 7, 2021 4:46 PM

To: [REDACTED]

Cc: Suzette Chapman

Subject: RE: DVP21-0004 517 Langvista drive.

Hello,

Thank you for contacting the City of Langford regarding DVP21-0004.

Please see the attachment identifying the common property access in orange and the proposed setback variance in yellow.

See responses to questions below in Red.

Regards,

Wolfgang Schoenefuhs

Planning and Land Development Technician

250.478.7882

From: [Wolfgang Schoenefuhs](#)
To: [REDACTED]
Cc: [Suzette Chapman](#)
Subject: RE: DVP21-0004 517 Langvista drive.
Date: June 7, 2021 4:46:11 PM
Attachments: [517 Langvista Dr..PNG](#)

Hello,

Thank you for contacting the City of Langford regarding DVP21-0004.

Please see the attachment identifying the common property access in orange and the proposed setback variance in yellow.

See responses to questions below in Red.

Regards,

Wolfgang Schoenefuhs

Planning and Land Development Technician

250.478.7882

From: [REDACTED]
Sent: June 7, 2021 1:50 PM
To: Langford Planning General Mailbox <planning@langford.ca>
Subject: dvp21-0004 517 Langvista drive.

To the Langford planning and affordable housing committee,

This submission is regarding the letter from Langford regarding a proposal to reduce the front lot line at 517 Langvista Drive.

After walking over to 517 and having an onsite look, we would like to recommend this application not be approved. Here are the reasons we made this decision:

Safety: One purpose of a setback is to protect homes and the people inside of them from damage and injury from passing vehicles. A speed distance calculator will show that a vehicle travelling at 15kph requires a one second reaction time for an alert driver to apply the brakes. The vehicle will travel 3 meters in that one second, and 2 meters after the brakes are applied. A total of 5 meters which is within the current zoning setback requirements. The distance increases in the rain which happens a lot in Langford. Turning into a side road or a driveway, most vehicles are travelling over the 15kph used in this calculation. Having a 2.35 meter setback is unsafe and leaves Langford at risk of a lawsuit when an accident happens if this reduction is approved.

The current R2 zone setbacks are 3m from the front property line except that a garage must be 5.5m to allow for additional driveway parking stall, without the 5.5m setback sight lines should be clear.

The current house is roughly 26m away from the edge of the driveway. This will private road, common property access, similar to that of Rosevista Place, where the City would not be involved in a MVA.

Roadway blockage: The garage doors of 517 face the proposed setback reduction. When the owners of 517 wish to access their garage to park their vehicle(s), they will block the access to the proposed subdivision. This will happen every time the garage is accessed. This is a safety issue in which the danger increases at night and in the rain.

The subdivision is for one additional lot (one single family dwelling) and the access road in front of the existing house will be 6m wide. The intent behind the minimum 6m access is to allow for vehicles to pass by each other.

Congestion: Where will the owners park their existing vehicles and trailers that are currently parked on the proposed access for the proposed subdivision? 517 Langvista Drive is a panhandle lot with a shared driveway with no frontage on Langvista Drive. Adding more houses to this panhandle lot will increase parking problems on a cul-de-sac with several panhandle lots already causing parking issues.

A proposed condition of the Variance approval is the registration of a parking covenant risking additional uses on the property that require additional parking. Part of the proposed additional lot will provide for appropriate onsite parking, there should be no impact on the existing driveway usage of 513 Langvista.

Realignment of 513 Langvista Drive: If this setback reduction is allowed, 513 Langvista Drive will no longer have a driveway access onto Langvista Drive. They could be required to install their own driveway which will reduce available boulevard parking.

This is incorrect, the proposal does not impact the driveway access unless there are civil issues that arise, this could happen with or without the Issuance of the DVP. Please see attachment for additional information.

Thank you,

[REDACTED]
[REDACTED]

Victoria BC

[REDACTED]





City of Langford

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Staff Report to Planning, Zoning and Affordable Housing Committee

Date: June 14, 2021

Department: Planning

Application No.: DVP21-007

Subject: Application for Development Variance Permit to reduce the interior and exterior side lot line setbacks for proposed Lots 1 and 4 at 2566 and 2572 Wentwich Road.

PURPOSE

Corey Nelson has applied for a Development Variance Permit to allow for a relaxation of the interior side lot setback from the required 1.5 m to 1.0 m for the existing dwelling at 2566 Wentwich Rd as well as a relaxation of the exterior side lot setback from the required 3.0 m to 1.5 m for both existing single-family dwellings at 2566 and 2572 Wentwich Rd. These reduced setbacks would facilitate the retention of these homes as part of a 4-lot subdivision at 2566 and 2572 Wentwich Road.

BACKGROUND

PREVIOUS APPLICATIONS

SUB15-0016

This application proposed to subdivide the two adjacent properties into four lots, with two new lots being panhandle lots with a reciprocal easement access driveway located between the two existing dwellings. A Statement of Conditions for the proposed Subdivision was issued, and included a requirement that alterations/partial demolition would be required to the existing single-family dwelling at 2566 Wentwich Road in order to comply with Building Code required limiting distance of 1.5 m to the new property line (panhandle access). This application, as well as a later application for the same proposal (SUB16-0047), expired due to inactivity.

SUB21-0016

The applicant has now reapplied for a similar proposal; however due to changes to the R2 Zone prohibiting panhandle lots, the applicant is now pursuing a 4-lot bareland strata subdivision. This change converting the reciprocal panhandle accesses into a bareland strata access road creates exterior side lot lines along the strata road, thereby triggering a requirement to either further alter the existing homes to increase the

setback to the access road to 3 m, or to obtain a Development Variance Permit to permit the retention of the lesser interior side lot line setback of 1.5 m.

Table 1: Site Data

<i>Applicant</i>	Corey Nelson
<i>Owner</i>	Corey Nelson
<i>Civic Address</i>	2566 and 2572 Wentwich Road
<i>Legal Description</i>	AMENDED LOT 16 (DD L11163), SECTION 108, ESQUIMALT DISTRICT, PLAN 12553 and AMENDED LOT 4 (DD L11164), SECTION 108, ESQUIMALT DISTRICT, PLAN 11480
<i>Size of Property</i>	1,538 m ² (0.38 acres) and 1,499 m ² (0.37 acres)
<i>DP Areas</i>	None
<i>Zoning Designation</i>	R2 (One-and Two-Family Residential)
<i>OCP Designation</i>	Neighbourhood

SITE AND SURROUNDING AREA

The subject property is located in a predominantly single-family neighbourhood. The property rises to the West, away from Wentwich Road, and is rocky in nature with some mature trees located along the Western property line. The surrounding properties also consist of single-family dwellings with mature trees throughout their properties.

Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	R2 (One-and Two-Family Residential)	Single Family Dwellings
<i>East</i>	R2 (One-and Two-Family Residential)	Single Family Dwellings
<i>South</i>	R2 (One-and Two-Family Residential)	Single Family Dwellings
<i>West</i>	R2 (One-and Two-Family Residential)	Single Family Dwellings

COMMENTS

As mentioned, the existing single-family dwelling has an interior side lot setback at 1.0 m where 1.5 m is required by the current Zoning Bylaw 300, and exterior side lot setback at 1.5 m where 3.0 m is required. The relaxation of the exterior side lot line abutting the strata common property access route will allow for the subdivision of the two adjacent properties given that a new strata common property access route can be constructed, as well as minimize the required alterations to the existing dwellings.

Table 3: Proposal Data

	Permitted by Zoning 300	Proposed by DVP Application
<i>Front Yard Setback</i>	3.0 m	Compliant
<i>Interior Side Yard Setback</i>	1.5 m	1.0 m (proposed Lot 4 only)
<i>Exterior Side Yard Setback</i>	3.0 m	1.5 m (proposed Lots 1 and 4)
<i>Rear Yard Setback</i>	5.5 m	Compliant

OPTIONS**Option 1**

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

1. Direct staff to provide notice that Council will consider issuing a Development Variance Permit:
 - a) That Section 6.22.07(1)(c) of Zoning Bylaw No. 300 be varied to allow an exterior side lot line setback of 1.5 m for Proposed Lots 1 and 4.
 - b) That Section 6.22.07(1)(d) of Zoning Bylaw No. 300 be varied to allow an interior side lot line setback of 1.0 m for Proposed Lot 4.

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;

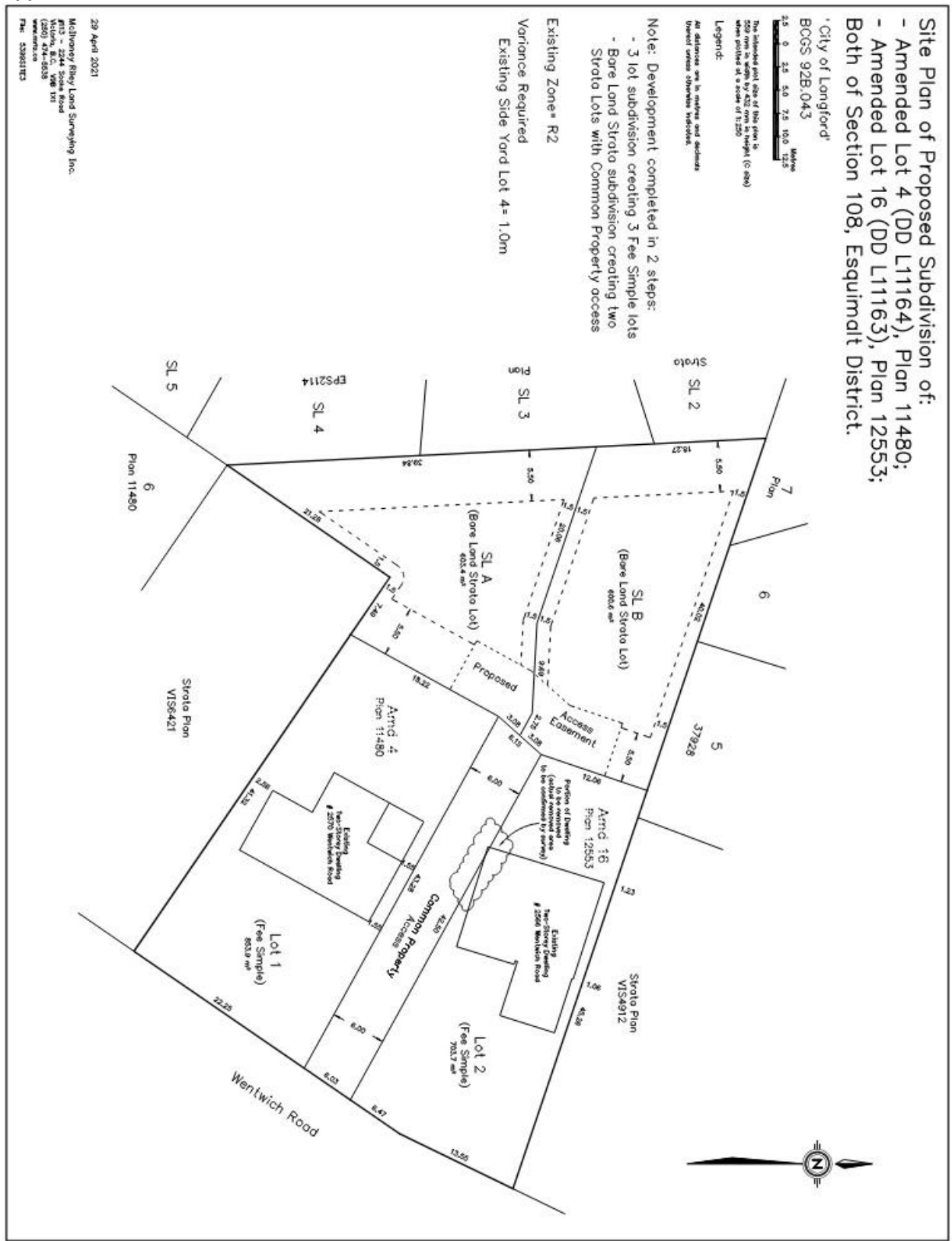
OR Option 2

2. Reject this application for development variance permit.

Submitted by:	Anastasiya Mysak, Planning and Land Development Technician - Approved
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning - Approved
Concurrence:	Marie Watmough, Manager of Legislative Services - Approved
Concurrence:	Chris Aubrey, Fire Chief - Approved
Concurrence:	Lorne Fletcher, Manager of Community Safety and Municipal Enforcement - Approved
Concurrence:	Yari Nielsen, Acting Manager of Parks and Recreation - Approved
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering - Approved
Concurrence:	Braden Hutchins, Director of Corporate Services - Approved
Concurrence:	Darren Kiedyk, Chief Administrative Officer - Approved

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Appendix A- Site Plan



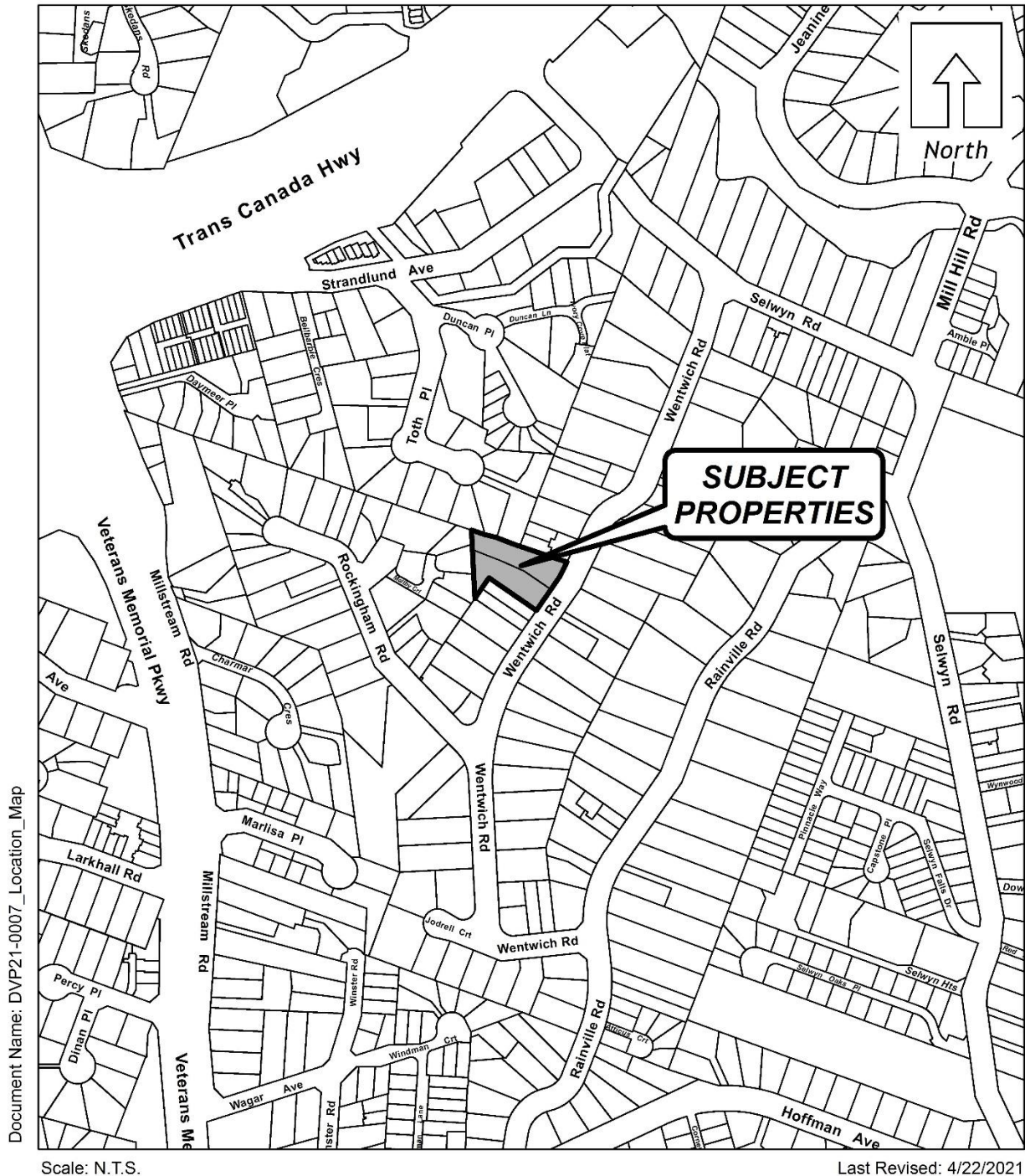
Appendix B- Location Map

DEVELOPMENT VARIANCE PERMIT
(DVP21-0007)
2566 Wentwich Rd & 2572 Wentwich Rd



Appendix C- Location Map 2

DEVELOPMENT VARIANCE PERMIT
(DVP21-0007)
2566 Wentwich Rd & 2572 Wentwich Rd





Staff Report to Planning, Zoning and Affordable Housing Committee

Date: June 14, 2021

Department: Planning

Application No.: DVP21-0008

Subject: Application for Development Variance Permit to allow a 1.82 m (6.0 ft) high fence and two gates to be constructed on a lot line abutting a Highway at 2904 Leigh Road.

PURPOSE

Douglas Foord has applied for a development variance permit to increase the height of a fence abutting a highway from the allowable 1.2 m (3.9 ft.) to 1.82 m (6.0 ft) in order to permit the construction of a solid board fence and two gates at the front of his property located at 2904 Leigh Road.

BACKGROUND

PREVIOUS APPLICATIONS

The subject property is a residential lakefront lot containing a dilapidated historical building that was the original home constructed in the SPEA, another single-family dwelling which was the main residence, as well as a detached garage. Mr. Foord was recently granted a Development Permit (DP21-0017) for the demolition of the existing residence and the historical residence, and reconstruction of a new home.

Table 1: Site Data

<i>Applicant</i>	Douglas Foord
<i>Owner</i>	Douglas and Heidi Foord
<i>Civic Address</i>	#204-605 Douglas Street Victoria B.C. V8Z 2P9
<i>Legal Description</i>	Lot 24, Section 79, Esquimalt District, Plan VIP1512, RID 002-932-644
<i>Size of Property</i>	1946 m ²
<i>DP Areas</i>	200-year floodplain & Riparian Area
<i>Zoning Designation</i>	Residential Lakeshore (RL1)
<i>OCP Designation</i>	Hillside or Shoreline

SITE AND SURROUNDING AREA

The site has been cleared of approximately 23 trees and land clearing and demolition of the two buildings is in progress. The property slopes down towards the west and the shores of Langford Lake. The adjacent properties are single family homes on the lakefront. The surrounding neighbourhood includes a mix of residential lots as well as business park and light industrial uses. Since the installation of the controlled lights at the intersections of Leigh Road and Langford Parkway, Leigh Road has become a fairly busy connector road.

Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	Residential Lakeshore (RL1)	Single Family Dwelling
<i>East</i>	Residential (R2)	Single Family Dwelling
<i>South</i>	Residential Lakeshore (RL1)	Single Family Dwelling
<i>West</i>	Langford lake	Langford lake

COMMENTS

DEVELOPMENT PROPOSAL

The applicant is requesting to increase the allowable height of a fence abutting a Highway from 1.2 m (3.9 ft) to 1.82 m (6.0ft.) and to construct it as a solid board fence rather than the required style that permits less than complete visual screening. The request is being made in order to help reduce road noise and create privacy. Currently there is a chain link fence that had been obscured by plant overgrowth and two existing gated accesses to the property. The attached drawing shows the design that the applicant proposes to construct. It should be noted that there are a few homes along this stretch of Leigh Road that have 1.8m high fences therefore the applicant's proposal is in keeping with the neighbourhood. The property line where the fence and two gates are proposed to be constructed is well set back from the road by a substantial City frontage and therefore the fence would not pose a sightline hindrance. The applicant is intending to extend the fence along the interior sides of the property and has indicated that he has spoken to the direct neighbours abutting his property and they are in support. As this property is located on Langford Lake the applicant has a registered professional biologist engaged to oversee the demolition and construction of the new home. The project biologist will also have to approve the fencing that will go down the side of the property through the Riparian Area and into the SPEA. The proposed fence abutting Leigh Road is not within the Riparian Area and therefore there is no concern for the environment with this proposed variance.

Table 3: Proposal Data

	Permitted by Bylaw No. 300 Part 3.21.03 (3) Fences	Proposed by DVP Application
<i>Height</i>	Fences abutting a highway within the required setback from a front lot line in all zones shall not exceed a height of 1.2 m (3.9 ft) and shall be constructed of wrought iron, picket or similar style providing less than complete visual screening.	1.82 m (6.0 ft.) solid board fence

OPTIONS**Option 1**

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

1. That Council direct staff to provide notice that Council will consider issuing a Development Variance Permit for the property at 2904 Leigh Rd:
 - a) That Section 3.21.03(3) of Zoning Bylaw No. 300 be varied from the requirement of a maximum 1.2m (3.9 ft) high, wrought iron, picket or similar style fence providing less than complete visual screening to allow a 1.82m (6.0 ft) high solid board fence;

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;

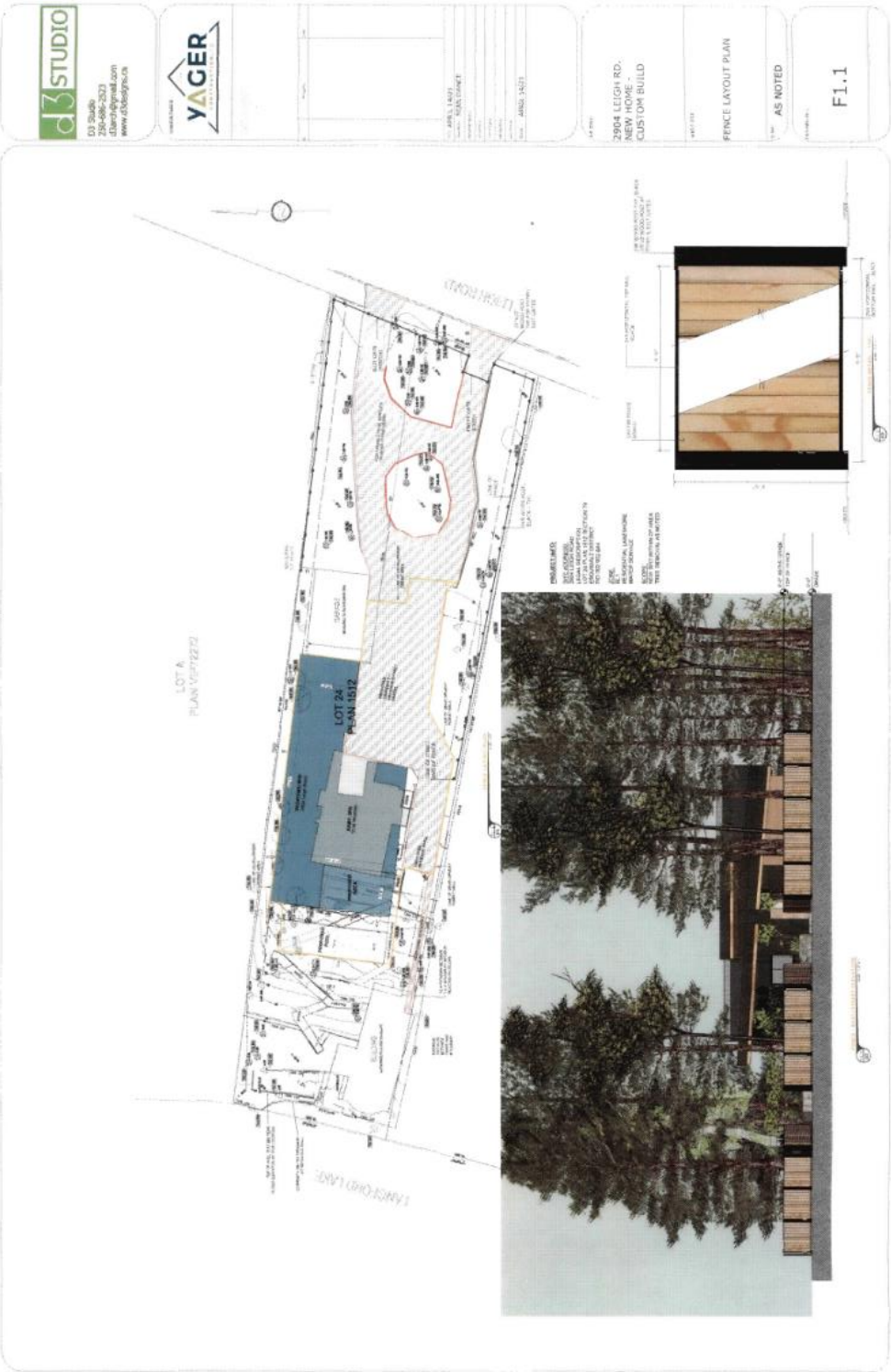
OR Option 2

2. Reject this application for development variance permit.

Submitted by:	Kory Elliott, Planning and Land Development Technician - Approved
Concurrence:	Matthew Baldwin, MCIP, RPP, Director of Planning - Approved
Concurrence:	Marie Watmough, Manager of Legislative Services - Approved
Concurrence:	Chris Aubrey, Fire Chief - Approved
Concurrence:	Lorne Fletcher, Manager of Community Safety and Municipal Enforcement - Approved
Concurrence:	Yari Nielsen, Manager of Parks and Recreation - Approved
Concurrence:	Michelle Mahovich, P.Eng, P.Geo, Director of Engineering - Approved
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning - Approved
Concurrence:	Michael Dillabaugh, CPA, CA, Director of Finance - Approved
Concurrence:	Braden Hutchins, Director of Corporate Services - Approved
Concurrence:	Darren Kiedyk, Chief Administrative Officer - Approved

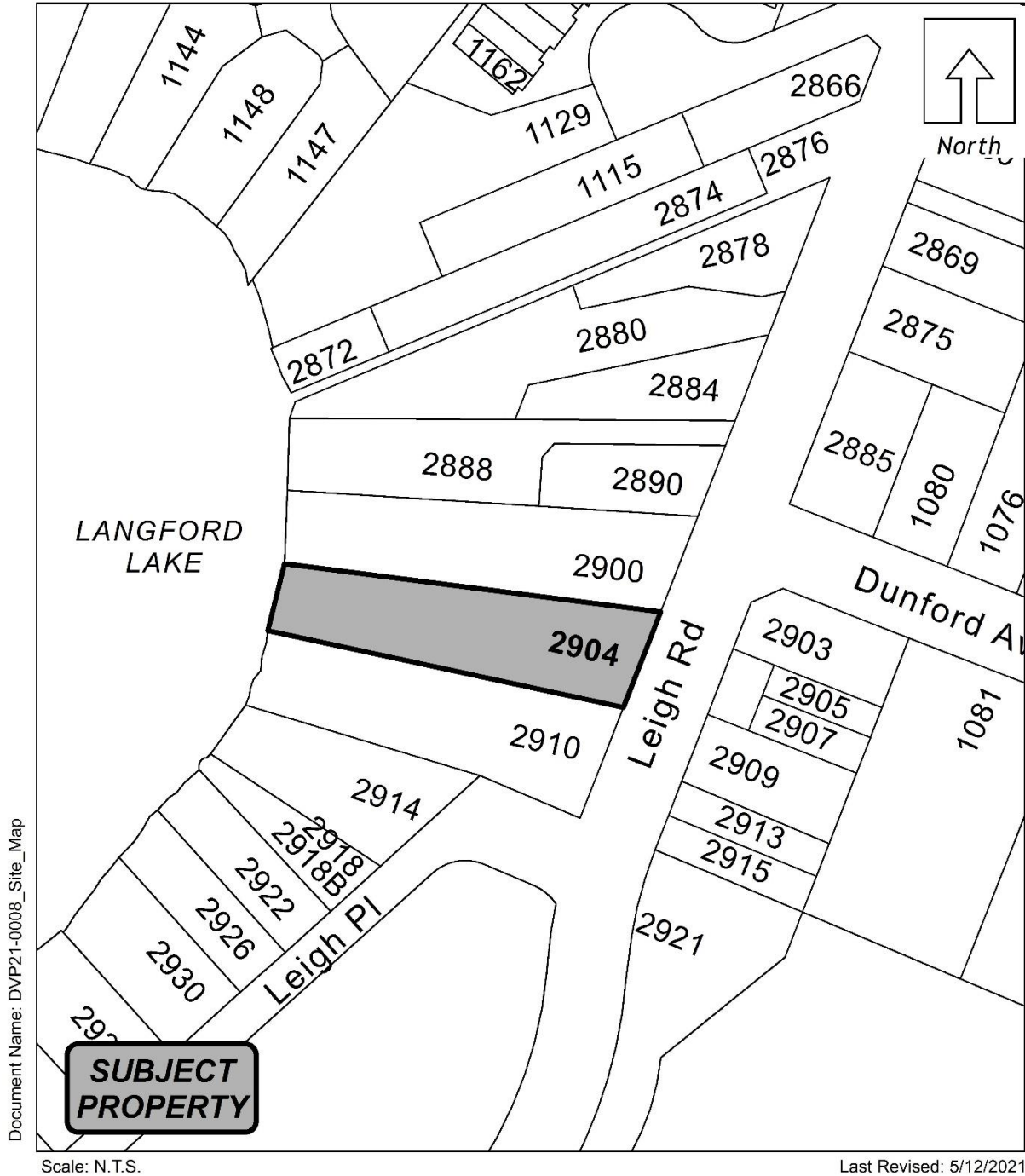
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Appendix A



Appendix B

DEVELOPMENT VARIANCE PERMIT
(DVP21-0008)
2904 Leigh Rd



Appendix C

DEVELOPMENT VARIANCE PERMIT
(DVP21-0008)
2904 Leigh Rd

