



Planning, Zoning, and Affordable Housing Committee Agenda

Tuesday, October 12, 2021, 5:30 PM

Electronic Meeting

Due to COVID-19 Council Chambers is Closed

Dial In: 1-855-703-8985 (Canada Toll Free) or 1-778-907-2071 Meeting ID: 867 1149 2772

To Participate: During the public participation period, press **Star (*) 9** 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

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CITY OF LANGFORD

MINUTES OF THE PLANNING, ZONING AND AFFORDABLE HOUSING COMMITTEE

Monday, September 27, 2021 @ 5:30 pm

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

PRESENT

Councillors: D. Blackwell (Chair), and R. Wade (Vice-Chair).

Members A. Creuzot, D. Horner.

By Telephone: C. Brown and K. Sheldrake.

ATTENDING

M. Baldwin, Director of Planning and Subdivision; M. Mahovlich, Director of Engineering and Public Works; and M. Watmough, Acting Director of Corporate Services.

ABSENT

Member: J. Raappana.

1. CALL TO ORDER

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

2. APPROVAL OF THE AGENDA

MOVED BY: COUNCILLOR WADE

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 – September 13, 2021

MOVED BY: COUNCILLOR WADE

SECONDED: A. CREUZOT

That the Planning, Zoning and Affordable Housing Committee approve the minutes of the meeting held on September 13, 2021.

CARRIED.

4. **REPORTS**

- a) **Application for Development Variance Permit to allow a setback variance at 2601 Savory Road**
- **Staff Report (Planning)**

MOVED BY: A. CREUZOT
SECONDED: D. HORNER

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

1. Direct staff to provide notice that Council will consider issuing a Development Variance Permit for 2601 Savory Rd. with the following variance:

- a) That Section 6.26.06(1)(c) of Zoning Bylaw No. 300 be varied to reduce the exterior lot line setback from the required 3.5 m to 1.6m for the proposed addition to the existing structure;

Subject to the following terms and conditions:

- i) That the site is developed in accordance with the site plan attached to this report as Appendix A;
- ii) That the shed encroaching on City property be removed, prior to issuance of a Building Permit.

CARRIED.

- b) **Application to Rezone 2633 to 2647 Sunderland Road, 808 to 820 Arncote, and 2630 to 2646 Peatt Road from the One- and Two-Family Residential (R2) Zone to the City Centre Pedestrian (CCP) Zone – Area 2 to Allow for Four Mixed-Use Buildings That Range Between 13 and 22 Storeys in Height**
- **Staff Report (Planning)**

MOVED BY: K. SHELDRAKE
SECONDED: A. CREUZOT

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

1. Direct staff to prepare a bylaw to amend the zoning designation of the properties located at 2633, 2637, 2641, and 2647 Sunderland Road, 808, 812, and 820 Arncote, and 2630, 2636, 2640, and 2646 Peatt Road from the R2 (One- and Two-Family Residential) zone to the CCP (City Centre Pedestrian) zone subject to the following terms and conditions:

- 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. \$750 towards the Affordable Housing Fund; and
- ii. \$2,850 towards the General Amenity Reserve Fund

subject to reductions depending on the use and height in accordance with the Affordable Housing and Amenity Contribution Policy.

- b) That the applicant provides, **as a bonus for increased density**, the following contributions per square metre of commercial space, prior to issuance of a building permit:
 - i. \$10.75 towards the General Amenity Reserve Fund.
- c) That the applicant provides, **prior to Public Hearing**, the following to the satisfaction of the Director of Engineering:
 - i. A technical memo from a qualified engineer that verifies stormwater can be adequately managed on-site for the proposed developments;
 - ii. A revised ground floor plan be submitted that complies with City Centre Pedestrian zone, to the satisfaction of the Director of Planning;
 - iii. A Traffic Impact Assessment from a qualified engineer be provided regarding the proposed development.
 - iv. Civil drawings that illustrate the additional road improvements outlined in the Traffic Impact Study, including an outline of any additional land required to complete these works.
 - v. That the applicant provide new drawings that show ground floor commercial uses and greenspace on-site.
- d) That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
 - i. That all 11 properties associated with this rezoning be consolidated together prior to issuance of a Development Permit for Form and Character;
 - ii. That a separate covenant be registered prior to issuance of a building permit for the proposed residential building(s) that ensures parking is allocated to each unit and visitors as required by the zoning bylaw and is not provided in exchange for compensation separate from that of a residential unit;
 - iii. That no occupancy permit be issued for the proposed building until a strata plan for the building has been registered, to the satisfaction of the Approving Officer;
 - iv. 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 that
 - 1. Energized outlets shall be labelled for the use of electric vehicle charging;
 - 2. 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
 - 3. The owner/tenant is required to keep the Electric Vehicle Servicing Equipment (EVSE) in operation and the Strata Council/landlord may not prevent an owner, occupant, or tenant from installing the EV charging equipment

- v. That the following are implemented to Bylaw 1000 standards to the satisfaction of the Director of Engineering prior to issuance of a building permit:
 - 1. Frontage improvements on all three roads, and all recommended improvements from the Traffic Impact Assessment, which may include land acquisition at the applicant's expense along Peatt Road;
 - 2. Formalize improvements to the pedestrian connection north of the site;
 - 3. A storm water management plan; and
 - 4. A construction parking management plan.

CARRIED.

A. Creuzot left meeting at 7:32 pm.

A. Creuzot returned to meeting at 7:34 pm.

- c) **Application to Rezone 2739 to 2751 Scafe Road and 2746 Peatt Road from the One- and Two-Family Residential (R2) Zone to the City Centre Pedestrian (CCP) Zone – Area 2 to Allow for Two Mixed-Use Buildings 18 and 24 Storeys in Height**
 - **Staff Report (Planning)**

MOVED BY: A. CREUZOT

SECONDED: D. HORNER

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

- 1. Direct staff to prepare a bylaw to amend the zoning designation of the properties located at 2739, 2743, 2747, 2749 and 2751 Scafe Road and 2746 Peatt Road from the R2 (One- and Two-Family Residential) zone to the CCP (City Centre Pedestrian) zone subject to the following terms and conditions:
 - 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. \$750 towards the Affordable Housing Fund; and
 - ii. \$2,850 towards the General Amenity Reserve Fund.subject to reductions in accordance with the Affordable Housing and Amenity Contribution Policy depending on use and height.
 - b) That the applicant provides, **as a bonus for increased density**, the following contributions per square metre of commercial space, prior to issuance of a building permit:
 - i. \$10.75 towards the General Amenity Reserve Fund.
 - c) That the applicant provides, **prior to Public Hearing**, the following to the satisfaction of the Director of Engineering:
 - i. A technical memo from a qualified engineer that verifies stormwater can be adequately managed on-site for the proposed developments;

- ii. A Traffic Impact Assessment from a qualified engineer be provided regarding the proposed development.
- iii. That the applicant provide new drawings that show ground floor commercial uses and greenspace on-site.
- d) That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
 - i. That all six subject properties be consolidated together prior to issuance of a Development Permit for Form and Character;
 - ii. That a separate covenant be registered prior to issuance of a building permit for the proposed residential building(s) that ensures parking is allocated to each unit and visitors as required by the zoning bylaw and is not provided in exchange for compensation separate from that of a residential unit;
 - iii. That no occupancy permit be issued for the proposed building until a strata plan for the building has been registered, to the satisfaction of the Approving Officer;
 - iv. 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 that
 - 1. Energized outlets shall be labelled for the use of electric vehicle charging;
 - 2. 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
 - 3. The owner/tenant is required to keep the Electric Vehicle Servicing Equipment (EVSE) in operation and the Strata Council/landlord may not prevent an owner, occupant, or tenant from installing the EV charging equipment
 - v. That the following are implemented to Bylaw 1000 standards to the satisfaction of the Director of Engineering prior to issuance of a building permit:
 - 1. Frontage improvements;
 - 2. A storm water management plan; and
 - 3. A construction parking management plan.

CARRIED.

5. **ADJOURNMENT**

The Chair adjourned the meeting at 8:44 p.m.

CHAIR

CERTIFIED CORRECT
(Corporate Officer)



Staff Report to Planning, Zoning and Affordable Housing Committee

Date: October 12, 2021
Department: Planning
Application No.: Z21-0027
Subject: Bylaw No. 1992 – Zoning Bylaw Amendment No. 632 – Enforceability and Definition Revisions

PURPOSE

The purpose of this bylaw is to revise and clarify the definitions of suites and kitchens as well as to provide clarity to the general provisions of Zoning Bylaw No. 300. These changes are being proposed in order to address clarity and enforceability issues of the Zoning Bylaw as directed by Council in the spring of 2021 by way of the Bylaw Department's report to Council regarding their Secondary Suite Enforcement Policy. Additionally, a new definition of "public assembly and entertainment use" is being proposed.

BACKGROUND

In spring 2021, the Planning and Bylaw Enforcement Departments submitted to Council a list of amendments to Zoning Bylaw No. 300 with the intention of clarifying and creating more enforceable definitions. At this time, the Bylaw Enforcement Department also reviewed their Secondary Suite Enforcement Policy, receiving direction from Council to work with the Planning Department to ensure the continuity between this policy and the Zoning Bylaw. The changes to the suite and kitchen definitions and the general provisions were subsequently left out of the spring updates to ensure that any Council and Departmental desires were incorporated.

COMMENTS

In order to provide the most user friendly and informative guidance documents, it is important to revisit existing definitions and policies to ensure they meet the needs of today's issues as well as mitigating those of the future. The Planning Department and the Bylaw Enforcement Department have collaborated on the fine-tuning of these definitions and provisions to ensure that they support the continued operation of each Department without detracting from the original intention. The purpose of these updates is not to inhibit or make difficult the day-to-day dealings of the public, but rather ensure that their actions are performed with due care for themselves and the community as a whole.

OPTIONS**Option 1**

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

1. Consider proceeding with First Reading to Bylaw No. 1992 as drafted;

OR

Option 2

1. Take no action at this time with respect to Bylaw No. 1992.

Submitted by:	Wolfgang Schoenefuhs, Planning Technician
Concurrence:	Matthew Baldwin, MCIP, RPP, Director of Planning
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning
Concurrence:	Lorne Fletcher, Manager of Community Safety and Municipal Enforcement
Concurrence:	Chris Aubrey, Fire Chief
Concurrence:	Jerry Worobec, RBO, CRBO, Manager of Building
Concurrence:	Yari Nielsen, Parks Manager
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Adrianna Proton, Manager of Legislative Services
Concurrence:	Michael Dillabaugh, CPA, CA, Director of Finance
Concurrence:	Marie Watmough, Acting Director of Corporate Services
Concurrence:	Darren Kiedyk, Chief Administrative Officer

:WCS

CITY OF LANGFORD

BYLAW NO. 1992

A BYLAW TO AMEND BYLAW NO. 300, "LANGFORD ZONING BYLAW, 1999"

The Council of the City of Langford, in open meeting assembled, hereby enacts as follows:

A. Langford Zoning Bylaw No. 300, 1999 is amended as follows:

1. By replacing the definition of **Kitchen** of Section 1.01 with the following:

"Kitchen means a room or an area in a building used for, or designed to be used for, the preparation or storage of food and which may contain, but is not limited to, any combination of a sink, refrigerator, cooking appliances, hood exhaust fan or 220 volt electrical and plumbing service lines."

2. By adding the definition of **Public Assembly and Entertainment Uses** after the definition of **"Principal"** in Section 1.01 with the following:

"Public Assembly and Entertainment Uses means a public gathering of persons for scientific, educational, cultural, religious, philanthropic, charitable, recreational, purposes or any other purpose not otherwise specifically defined in this Bylaw."

3. By replacing the definition of **Suite** of Section 1.01 with the following:

"Suite means a dwelling unit that is accessory to a one-family dwelling and must be located within the one-family dwelling (secondary suite) or within an accessory building (garden or carriage suite)."

4. By replacing Section 2.03.01 with the following:

"A person commits an offence under this Bylaw, who, being an owner or occupier of land or of the surface of water in the City of Langford:"

5. By replacing Section 2.03.01(4) with the following:

"Carries out, causes or permits to be carried out any development of land or the surface of water in a manner prohibited by or contrary to any of the provisions of this Bylaw; or"

6. By replacing Section 2.04.01 with the following:

"Pursuant to Section 16 of the Community Charter, the City of Langford may enter, at any reasonable time, upon any property that is subject to regulation under this Bylaw for the purpose of determining whether the regulations are being observed."

7. By replacing Section 2.04.02 with the following:

"A person must not obstruct any Bylaw Enforcement Officer, or any other designated person engaged in the administration or enforcement of this Bylaw."

8. By replacing Section 2.05.01 with the following:

"Every person who commits an offence against this Bylaw is liable, upon summary conviction, to a fine and penalty not exceeding the maximum as stated in the Offence Act as amended from time to time."

9. By replacing Section 2.05.02 with the following:

"Each day an offence against this Bylaw continues is deemed to constitute a new separate offence."

10. By replacing Section 2.05.03 with the following:

"The penalties imposed under Subsections 2.05.01 and 2.05.02 are in addition to and not in substitution for any other remedy that the City may pursue for a contravention of this Bylaw."

11. By replacing Section 2.06.01 with the following:

"A building which exists at the time of adoption of this Bylaw, but which fails to comply with the requirements relating to siting, size and shape must not be altered or extended except in compliance with the requirements of this Bylaw."

12. By replacing Section 2.07.02 with the following:

*"The lawful **use** of any land, **building** or **structure** existing at the time of the adoption of this Bylaw may be continued (subject to the provisions of the Local Government Act), despite such use being non-conforming with the provisions of this Bylaw."*

13. By adding, as Section 3.02.03 the following:

*"For clarity, any **suite** which is not permitted by the regulations of the applicable Zone as laid out in Part 6 of this Bylaw or which does not comply with section 3.08 of this Bylaw must be decommissioned."*

14. By replacing Section 3.08.03(9)(a) with the following:

*"Removal of **kitchen** OR removal of shower/bathtub and the plumbing lines; and*

15. By adding to Section 4.01.01 Table 1 under the category VI Recreation/Cultural the following:

"Public assembly – 1 per 35m² (376.7ft²) GFA"

B. This Bylaw may be cited for all purposes as “Langford Zoning Bylaw, Amendment No. 632, (Second Part of the Zoning Definitions Update), Bylaw No. 1992, 2021”.

READ A FIRST TIME this day of , 2021.

PUBLIC HEARING held this day of , 2021.

READ A SECOND TIME this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

PRESIDING COUNCIL MEMBER

CORPORATE OFFICER



Staff Report to Planning, Zoning and Affordable Housing Committee

Date: October 12, 2021

Department: Planning

Application No.: DVP21-0009

Subject: Application for Development Variance Permit to reduce the rear lot line setback and to allow a permanent two-point turnaround at 967A and 967B Isabell Avenue to facilitate the construction of 5 single-family dwellings.

PURPOSE

Mehdi Khataw of Khataw Development has applied on behalf of Royal Eagle Development Inc. for a Development Variance Permit to allow for a relaxation of the rear lot line setback from the required 5.5m to 2.39m and 3.0m for two of the five single-family dwellings to be developed at 967A and 967B Isabell Avenue, and to allow a permanent two-point turnaround in lieu of a cul-de-sac.

BACKGROUND

PREVIOUS APPLICATIONS

Z16-0004 – In 2017 the property was rezoned from R2 (One- and Two-Family Residential) to RS3 (Residential Small Lot 3) to allow for a 5 fee simple lots to be developed on the site. Since then, the Small Lot Residential zones were consolidated into one RS1 zone, which makes the current zoning of the property RS1.

DVP16-0007 – Development Variance Permit was obtained in 2017 to allow a permanent two-point turnaround in lieu of a cul-de-sac. This variance was to facilitate the subdivision of the parcel but has since expired. Council may wish to consider reissuing this variance as part of this application.

SUB16-0009 – While the City's Approving Officer issued a statement of conditions as part of this application, it expired in March of 2017 due to inactivity.

SUB21-0024 – New subdivision application for a five-lot subdivision, currently under review by staff.

Table 1: Site Data

<i>Applicant</i>	Mehdi Khataw
<i>Owner</i>	Royal Eagle Development Inc.
<i>Civic Address</i>	967A and 967B Isabell Avenue
<i>Legal Description</i>	Lot 9, Section 84, Esquimalt District, Plan 22027, PID No. 003-290-727
<i>Size of Property</i>	1,922m ² approximate
<i>DP Areas</i>	Intensive Residential, Drainage Concern
<i>Zoning Designation</i>	RS1 (Residential Small Lot)
<i>OCP Designation</i>	Neighbourhood

SITE AND SURROUNDING AREA

The subject property is located on Isabell Avenue, just south of Sooke Road, and has an existing two-family dwelling positioned close to the road. The area is predominantly flat and grassy, with one mature tree situated along the northern property line.

To the east, the subject property is adjacent to Strata EPS1410, a bare land strata consisting of seven small lot single-family dwellings. Likewise, to the south, 967 Isabell Avenue is bordered by predominantly small lot single-family dwellings. The properties to the west consist of four older single-family dwellings and lot areas slightly larger than the typical single-family lot (smallest being 925m²), although the property at the corner of Happy Valley and Isabell Ave was recently rezoned to allow a 3-lot subdivision. North of the property, across Isabell Avenue, there are one- and two-family dwellings.

Table 2: Surrounding Land Uses

	<i>Zoning</i>	<i>Use</i>
<i>North</i>	R2 (One- and Two- Family Residential)	Duplexes and single-family dwellings
<i>East</i>	RS1 (Residential Small Lot)	Small residential lots
<i>South</i>	RS1 (Residential Small Lot)	Small residential lots
<i>West</i>	R2 (One- and Two- Family Residential)	Single-family dwellings

COMMENTS

The applicant is seeking setback variances for two of the five lots to be developed on the subject property. One of the five dwellings is to face Isabell Avenue to provide an attractive frontage and street presence, while the other four properties are to face the new road to be dedicated and constructed on the west side of the parcel. In the future, this new road may be expanded to serve as an access point for the potential development of the four lots west of the property.

Due to the irregular shape of the lot, it is narrow to the north, with approximately 22 m of frontage, and widens to the south. The reduced setback is proposed for Lots A and B, which are located in the narrow

portion of the parcel. The variance would facilitate the construction of a more livable building envelope and compliance with the required dimensions for off-street parking (see plan attached).

The developer is proposing lot sizes between 220m² and 339m² which meets the requirements of the RS1 Zone.

Table 3: Proposal Data

	Permitted by RS1 (Current Zoning)	Proposed by DP Application
<i>Front Yard Setback</i>	3.0 m, 6m for the garage portion	Compliant
<i>Interior Side Yard Setback</i>	1.5 m	Compliant
<i>Exterior Side Yard Setback</i>	3.5 m	Compliant
<i>Rear Yard Setback</i>	5.5 m	3.0 m (proposed Lot A) and 2.39 m (proposed Lot B)

As noted, DVP16-0007 previously issued by Council to allow a permanent two-point turnaround in lieu of a cul-de-sac, has expired as works relating to the subdivision were not substantially started within two years of permit issuance. Council may wish to re-issue that variance as part of this new application.

OPTIONS

Option 1

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

1. Direct staff to proceed with consideration of this development permit with the following variances for 967A and 967B Isabell Ave:
 - a) That Section 6.20.06(1)(b) of Zoning Bylaw No. 300 be varied to reduce the required rear lot line setback from 5.5m to 3.0m for proposed Lot A and to 2.39 m for proposed Lot B;
 - b) That Schedule 4 of Subdivision and Development Servicing Bylaw No. 1000 be varied to allow for a permanent two-point turnaround in lieu of the required cul-de-sac.

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

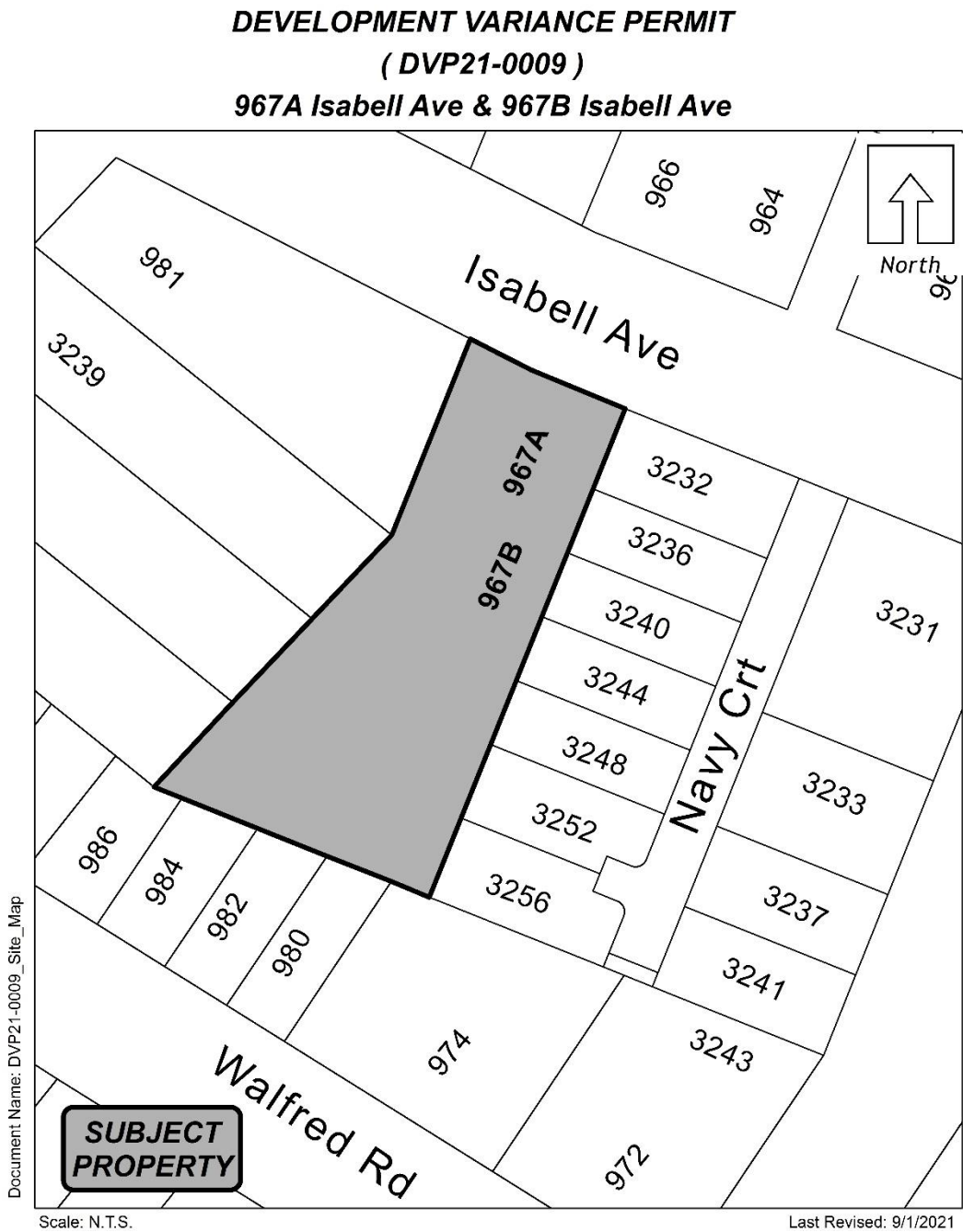
2. Reject this application for development variance permit.

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

:am

Appendix B

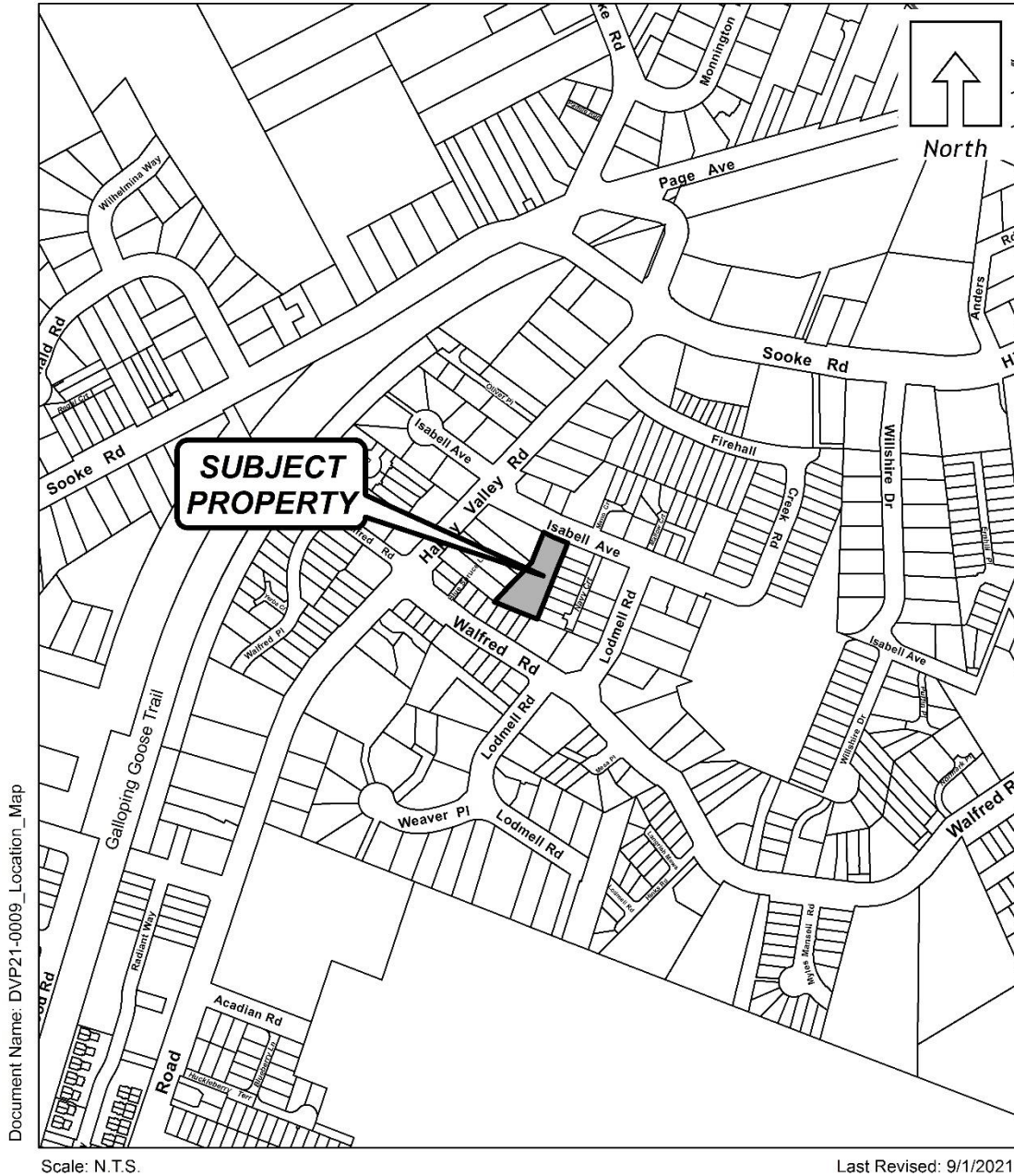
SUBJECT PROPERTY MAP



Appendix C

LOCATION MAP

**DEVELOPMENT VARIANCE PERMIT
(DVP21-0009)
967A Isabell Ave & 967B Isabell Ave**





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

Date: October 12, 2021
Department: Planning
Application No.: Z21-0035
Subject: Application to Rezone 3429, 3431, and 3433 Luxton Road and 3436 Hazelwood Road from the RR1, RR2, and RR5 Zones to the R2 and RT1 Zones to Allow for a Development of 11 Single-Family Dwellings and 60 Townhouse Units

PURPOSE

Ron Coutr  has applied on behalf of 0797731 BC Ltd., Ryan Craycroft, and Brian & Charlene Semple to rezone 3429, 3431, and 3433 Luxton Road and 3436 Hazelwood Road from the Rural Residential 1 (RR1), Rural Residential 2 (RR2), and Rural Residential 5 (RR5) Zones to the One- and Two-Family Residential (R2) and Residential Townhouse 1 (RT1) Zone to allow for the development of approximately 11 single-family dwellings (with suites) and 60 townhouse dwellings. The townhouse development would be a single strata.

BACKGROUND

PREVIOUS APPLICATIONS

In 2011, the City received a rezoning application (Z11-0029) to rezone 3422 Luxton Road to the One- and Two-Family Residential (R2) Zone in order create 3 single-family lots. This application was withdrawn prior to going to Council.

In 2017, the City received a rezoning application (Z17-0038) to rezone 3429 and 3431 Luxton Road to the Residential Small Lot 3 (RS3) Zone in order to create 16 single-family strata lots. This application was closed due to inactivity.

Table 1: Site Data

<i>Applicant</i>	Ron Coutr�
<i>Owners</i>	0797731 BC Ltd., Ryan Craycroft, and Brian & Charlene Semple
<i>Civic Addresses</i>	3429, 3431, and 3433 Luxton Road, and 3436 Hazelwood Road
<i>Size of Properties</i>	20,100m ² (5 acres)

SITE AND SURROUNDING AREA

Table 2: Surrounding Land Uses

Figure 1 – Subject Properties



COUNCIL POLICY

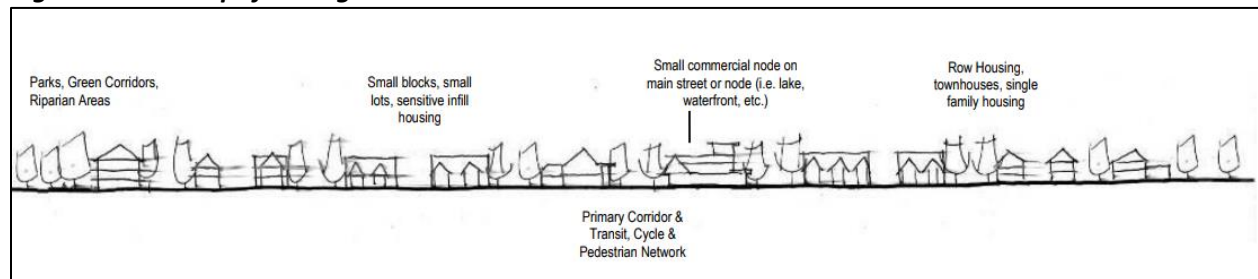
OFFICIAL COMMUNITY PLAN

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

Neighbourhood

- 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.

Figure 2: A Concept for Neighbourhood



DEVELOPMENT PERMIT AREAS

The subject properties are located within several Environmental Protection and Hazardous Area Development Permit (DP) Areas. These include the 200 Year Flood Plain, Potential Habitat and Biodiversity, and Riparian Areas. A Development Permit that addresses these DP Areas will need to be applied for, and the DP issued, prior to commencement of any onsite works.

A Development Permit for Form and Character will also be required for proposed townhouse site and single-family development. This DP would need to be issued prior to a building permits or subdivision approval, to ensure the designs are consistent with the City's Design Guidelines.

DEVELOPMENT PROPOSAL

Townhouses

Along the west side of the site, fronting Luxton Road, the applicant is proposing to construct a 60-unit townhouse development (Appendix A). Due to the number of units, this would likely be built out in phases. Three phases are currently anticipated but this is subject to change if preferred by the applicant. Access to and from the townhouse site would be from a driveway off Luxton Road.

The applicant recognizes the impact this development may have on the existing single-family homes that exist along Luxton Road, which would back onto this development. To minimize any potential impact, the applicant is proposing to limit the height of the townhouses along the immediate rear yards of 3413-3425 Luxton Road to 2-storeys. This is a voluntary proposal that is appreciated by staff given the fact that the existing homes along Luxton Road are all single storey. This height limit would be secured in a covenant on title and applied to those townhomes abutting 3413-3425 Luxton Road. The rest of the townhouses would be built to the RT1 zoning requirements, which includes a maximum height of 3-storeys.

Within the site, visitor parking would be provided in accordance with the Zoning Bylaw requirements and an internal sidewalk would be constructed that would run from Luxton Road to a proposed playground in the southeast corner of the site. Details of the playground are not known at this time but is anticipated to be similar to a tot-lot that caters to smaller children. This amenity space/playground for the strata is another voluntary item that is being proposed by the applicant, but Council still may wish to secure this in a covenant if they feel this is an important component of the proposal.

Single-Family Lots

Along the east side of the site, the applicant is proposing 11 single-family lots (Appendix B). The proposal is to extend Hazelwood Road and create a cul-de-sac for these lots, all of which would be permitted to have a secondary suite. Even though this rezoning contemplates the rezoning of the eastern side to allow for single-family lots, the applicant is not proposing to develop it at this time. The subdivision and the protection or dedication of the larger open space area would occur at a later date. The existing owner wishes to remain at this location for the time being. Council may wish to secure the open space requirement in a covenant that would be registered on title.

Open Space Area

Between the proposed townhouse site and single-family site is an area that the applicant's biologist has identified as a Streamside Protection and Enhancement Area (SPEA). At per the recommendation set forth by the biologist, the applicant intends to protect this space and dedicate it to the City or place a restrictive covenant on it. The Parks Department has indicated their preference to receive it as Park, which in time is anticipated to be connected to the north and south to other SPEAs that exist. Council may wish to require this area to be dedicated as Park at the time of subdivision rather than it being held privately.

In order to access the SPEA in the future, the City may also wish to require a statutory right-of-way through the townhouse site, whose internal access road ends next to the proposed Park area. Having a secure access route directly to the Park would provide the City with legal access to the Park to conduct work or maintain within this area.

Table 3: Proposal Data

	Permitted by Current Zones			Permitted by Proposed Zones	
	RR1	RR2	RR5	R2	RT1
<i>Permitted Uses</i>	<ul style="list-style-type: none"> • Dwelling, One-Family • Dwelling, Two-Family • Group Day Care • Accessory uses 			<ul style="list-style-type: none"> • Dwelling, One-Family • Dwelling, Two-Family • Group Day Care • Accessory uses 	<ul style="list-style-type: none"> • Townhouse • Accessory uses

<i>Lot Size or Density</i>	1,500m ² 4.0ha 0.4ha	400m ²	1.2 FAR
<i>Height</i>	9.0 m 10.5m 10.5 m	9.0m (29.5 ft)	10.0m (32.8 ft)
<i>Site Coverage</i>	35% n/a n/a	50%	60%
<i>Front Yard Setback</i>	7.5m (24.6 ft)	3.0m (9.8 ft) or 5.5m (18 ft) for garage portion	3.0m (9.8 ft) or 5.5m (18 ft)
<i>Interior Side Yard Setback</i>	3.0m (9.8 ft)	1.5m (4.9 ft)	1.2m (3.9 ft)
<i>Exterior Side Yard Setback</i>	7.5 m 3.0 m 3.0 m	3.0m (9.8 ft) or 5.5m (18 ft) for garage portion	3.5m (11.5 ft) or 5.5m (18 ft) for garage portion
<i>Rear Yard Setback</i>	7.5m 10.0m 10.0m	5.5m (18 ft)	5.5m (18 ft)
<i>Parking Requirement</i>	2.0 per dwelling 1.0 per suite	2.0 per dwelling 1.0 per suite	2.0 per dwelling plus visitor parking

FRONTAGE IMPROVEMENTS

Hazelwood Road

The applicant will be required to provide full improvements to the extension of Hazelwood Road in accordance with Bylaw 1000 prior to subdivision approval, which may be some time into the future. No works are required on the existing Hazelwood Road other than tying works together.

Luxton Road

The applicant will be required to provide full frontage improvements along Luxton Road in accordance with Bylaw 1000 prior to issuance of a building permit. Improvements would include on-street parking, a sidewalk, bike lanes, street lighting, and boulevard landscaping with irrigation.

The applicant has noticed that sidewalks along Luxton Road exist sporadically to the north of this site. To help connect the various sidewalk segments along Luxton Road the applicant is proposing to use the General Amenity Contributions that he would normally contribute for each townhouse and complete the missing sidewalk segments. If Council supports this proposal, they may wish to secure those funds prior to issuance of the first building permit. The total dollar value that would be used to complete sidewalks on Luxton Road is estimated to be approximately \$220,000.

SEWERS

Sewer mains do exist within Hazelwood Road, but they do not exist within Luxton Road. To adequately address the sewer connections for the townhomes, the applicant is proposing to design the onsite sewer system so that it flows towards Luxton. However, until the main is installed along Luxton, everything would then be pumped through a force main to the existing sewer main in Hazelwood. When a sewer main is installed in Luxton in the future, the force main would be abandoned and a connection to the Luxton main would be made. Any improvements, extensions, or modifications needed to the sewer main within the municipal road right-of-way will be completed by West Shore Environmental Services at the

applicant's expense. Council may wish to require an easement for this service be secured in a covenant prior to issuance of a building permit.

DRAINAGE AND STORMWATER MANAGEMENT

This site is located within an area where stormwater detention is required as per Bylaw 1000. Stormwater mains do not exist within this region of Langford. As a condition of rezoning, Council may wish to request the applicant to examine how stormwater can be managed on-site through infiltration and have a technical memo from a qualified engineer be provided in this regard to the satisfaction of the Director of Engineering prior to public hearing. A full stormwater management plan will be required prior to issuance of a Building Permit.

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 required to complete all frontage improvements, 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 AMENITY CONTRIBUTION POLICY

The amenity contributions that apply as per Council's current Affordable Housing, Park and Amenity Contribution Policy are summarized in Table 4 below.

Table 4 – Amenity Contributions per Council Policy

Amenity Item	Contribution Rates	Total
<i>Affordable Housing Reserve Fund</i>	\$610 per unit (townhouse) \$1,000 per unit (single-family)	\$36,600 \$11,000
<i>General Amenity Reserve Fund</i>	\$3,660 per unit (townhouse) \$6,000 per unit (single-family)	\$219,600 * \$66,000

*** Note: the applicant has proposed to use the General Amenity Fund Contributions towards the townhouses to complete a sidewalk on the east side of Luxton Road, north of the subject site.**

Table 5 – Development Cost Charges

Development Cost Charge	Per Unit Contribution	Total
<i>Roads</i>	\$3,865 per unit (townhouses) \$5,876 per unit (single-family)	\$231,900 \$64,636
<i>Park Improvement</i>	\$1,890 per unit (townhomes) \$1,890 per unit (single-family)	\$113,400 \$20,790

<i>Park Acquisition</i>	\$1,100 per unit (townhomes) \$1,100 per unit (single-family)	\$66,000 \$12,100
<i>ISIF Fees</i>	\$371.25 per unit (townhomes) \$495 per unit (single-family)	\$22,275 \$5,445
Subtotal (DCCs to Langford)		\$536,546
<i>CRD Water</i>	\$1,644 per unit (townhomes) \$2,922 per unit (single-family)	\$98,640 \$32,142
<i>School Site Acquisition</i>	\$800 per unit (townhomes) \$1,000 per unit (single-family)	\$48,000 \$11,000
TOTAL DCCs		\$726,328

OPTIONS

Option 1

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

1. Proceed with consideration of Bylaw No. 2004 to amend the zoning designation of the properties located at 3429, 3431, and 3433 Luxton Road and 3436 Hazelwood Road from the RR1 (Rural Residential 1), RR2 (Rural Residential 2), and RR5 (Rural Residential 5) Zones to the R2 (One- and Two-Family Residential) and RT1 (Residential Townhouse 1) zones subject to the following terms and conditions:
 - a) That the applicant provides, **as a bonus for increased density**, the following contributions per townhouse unit, prior to issuance of a building permit:
 - i. \$610 towards the Affordable Housing Reserve Fund; and
 - ii. \$3,660 toward the General Amenity Reserve Fund.
 - b) That the applicant provides, **as a bonus for increased density**, the following contributions per single-family lot, prior to subdivision approval:
 - i. \$1,000 towards the Affordable Housing Reserve Fund; and
 - ii. \$6,000 toward the General Amenity Reserve Fund.
 - c) That the applicant provides, **prior to Public Hearing**, the following:
 - i. A technical memo from a qualified engineer that verifies storm water can be adequately managed onsite, to the satisfaction of the Director of Engineering.
 - d) That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:

-
- i. That the following be provided and implemented to Bylaw No. 1000 standards to the satisfaction of the Director of Engineering prior to the issuance of a building permit for the townhouse site and prior to subdivision approval for the single-family site:
 - a. full frontage improvements;
 - b. a storm water management plan; and
 - c. a construction parking management plan.
 - ii. That the 0.387 hectares (0.96 acres) of land immediately west of the single-family lots be dedicated as Park to the City at the time of subdivision of the single-family lots.
 - iii. That a statutory right of way be registered on the townhouse site to allow the City access to the future Park to the satisfaction of the Parks Manager.
 - iv. That an easement for a sewer force main be registered over the R2 side of the development, in favour of the townhouse site.
 - v. That the townhouses abutting the rear property lines of 3413-3425 Luxton Road be limited in height to 2-storeys.
 - vi. That a playground area, approximately 320m² (3,200 ft²) in size, be provided for along with appropriate play equipment, within the townhouse site.
 - vii. That the full amount of contribution intended for the General Amenity Reserve Fund from the townhouse site, be secured prior to issuance of the first building permit and used to complete the sidewalk along the east side of Luxton Road, north of this site.

OR Option 2

2. Take no action at this time with respect to Bylaw No. 2004.

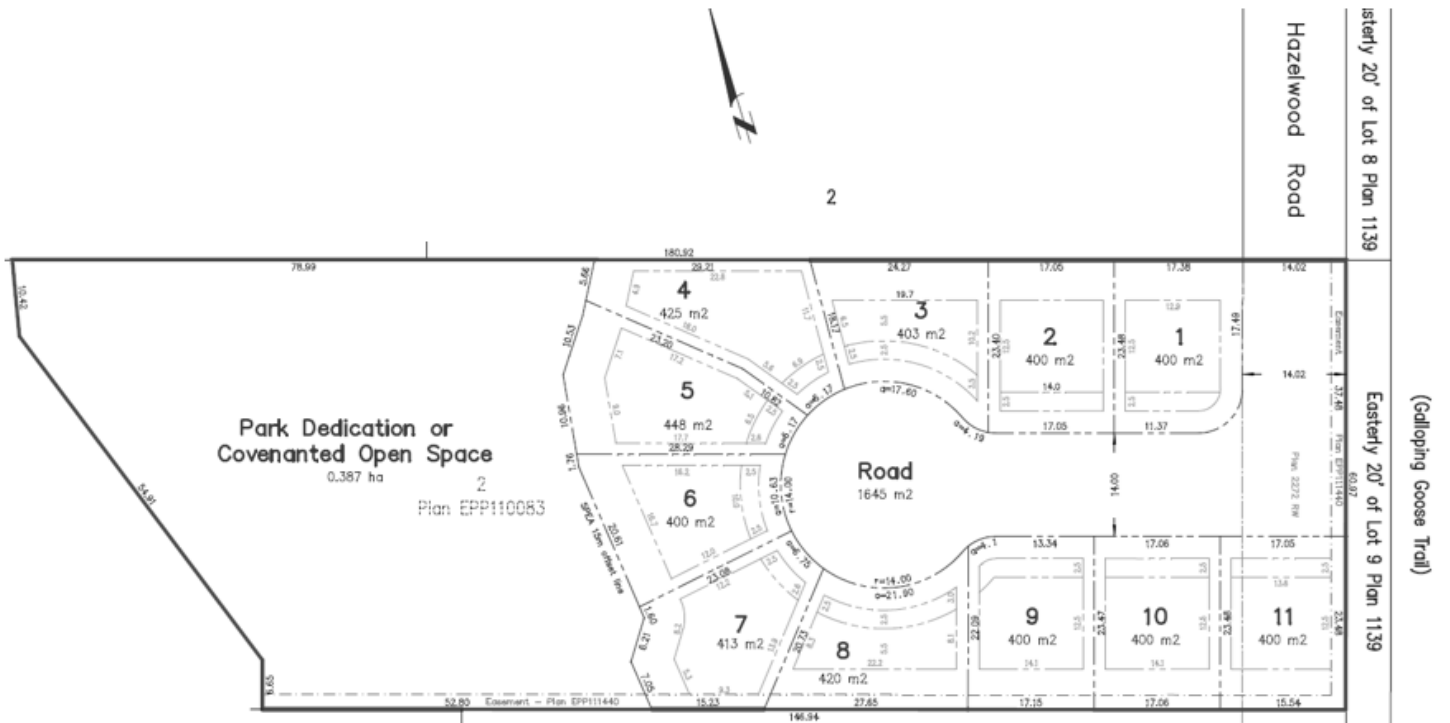
Submitted by:	Robert Dyskstra, MCIP, RPP Senior Planner
Concurrence:	Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning
Concurrence:	Chris Aubrey, Fire Chief
Concurrence:	Lorne Fletcher, Manager of Community Safety and Municipal Enforcement
Concurrence:	Michelle Mahovich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Yari Nielsen, Manager of Parks and Recreation
Concurrence:	Adriana Proton, Manager of Legislative Services
Concurrence:	Michael Dillabaugh, CPA, CA, Director of Finance
Concurrence:	Marie Watmough, Acting Director of Corporate Services
Concurrence:	Darren Kiedyk, Chief Administrative Officer

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Appendix A
TOWNHOUSE SITE PLAN



Appendix B
SINGLE-FAMILY LOT SITE PLAN



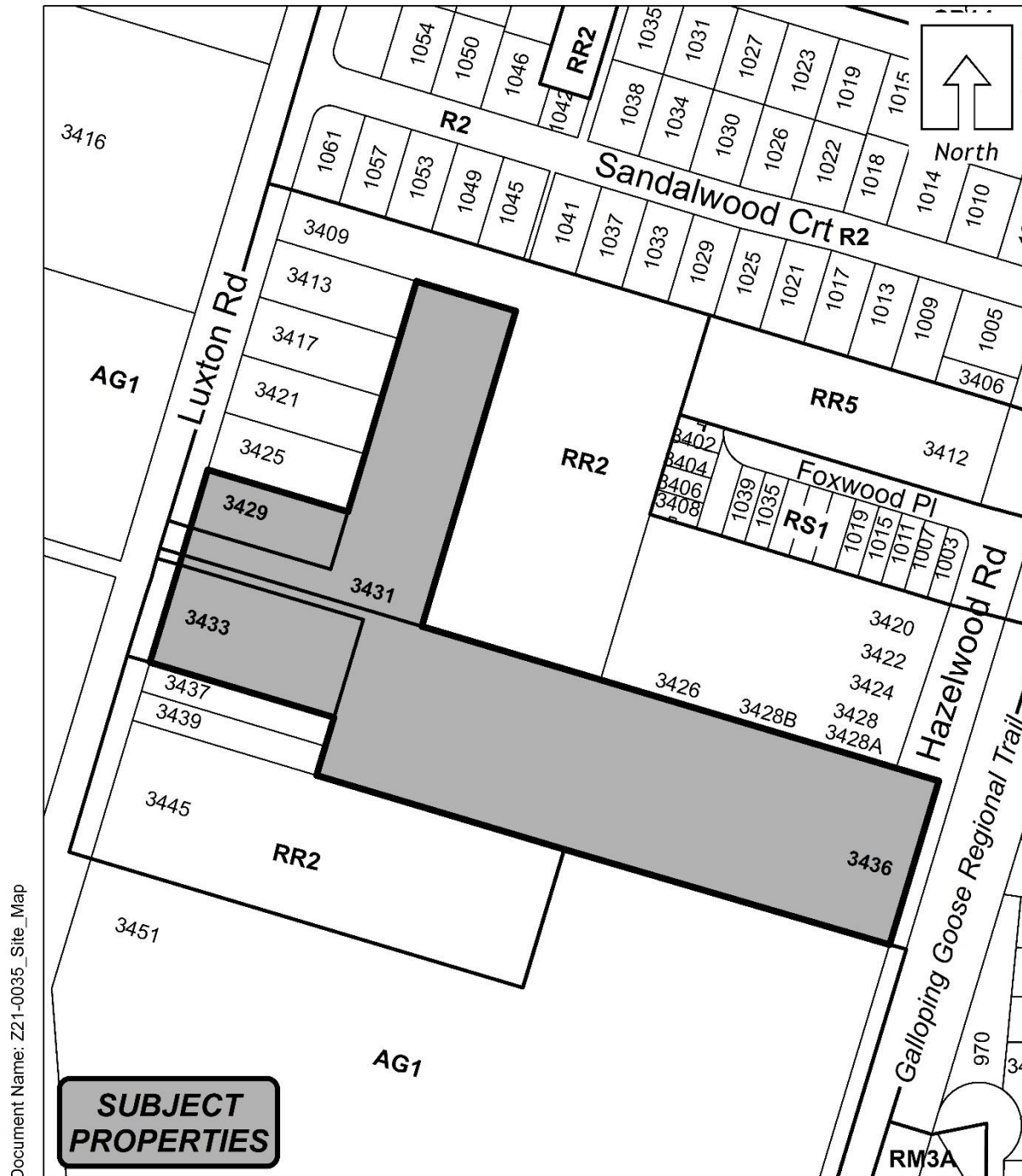
Appendix C
TOTAL DEVELOPMENT SITE PLAN



Appendix D
SUBJECT PROPERTY MAP

REZONING BYLAW AMENDMENT
(Z21-0035)

3429, 3431, 3433 Luxton Rd & 3436 Hazelwood Rd



Scale: N.T.S.

Last Revised: 9/8/2021

Appendix E
LOCATION MAP

REZONING BYLAW AMENDMENT
(Z21-0035)

3429, 3431, 3433 Luxton Rd & 3436 Hazelwood Rd



CITY OF LANGFORD BYLAW NO. 2004

A BYLAW TO AMEND BYLAW NO. 300, "LANGFORD ZONING BYLAW, 1999"

The Council of the City of Langford, in open meeting assembled, hereby enacts as follows:

A. Langford Zoning Bylaw No. 300, 1999 is amended as follows:

1. By deleting from the Rural Residential 1 (RR1), Rural Residential 2 (RR2), and Rural Residential 5 (RR5) Zones and adding to the Residential Townhouse 1 (RT1) Zone the properties legally described as Lot 1, Section 88, Metchosin District, Plan VIP68794, PID No. 024-474-886 (3431 Luxton Road); Lot 2, Sections 88 and 89, Metchosin District, Plan VIP68794, PID No. 024-474-908 (3433 Luxton Road); Lot 5, Section 88, Metchosin District, Plan 11356, PID No. 005-003-202 (3429 Luxton Road); and The Northerly 200 Feet of Lot 9, Block D, Sections 84, 85, 88 and 89, Metchosin District, Plan 1139, Except the Easterly 20 Feet and Except that Part in Plan 5101, PID No. 007-878-222 (3436 Hazelwood Road); AND deleting from the Rural Residential 2 (RR2) Zone and adding to the One- and Two-Family Residential (R2) Zone the property legally described as The Northerly 200 Feet of Lot 9, Block D, Sections 84, 85, 88 and 89, Metchosin District, Plan 1139, Except the Easterly 20 Feet and Except that Part in Plan 5101, PID No. 007-878-222 (3436 Hazelwood Road) in portions as shown shaded on Plan No. 1 attached to and forming part of this Bylaw.
2. By adding the following to Table 1 of Schedule AD:

Zone	Bylaw No.	Legal Description	Amenity Contributions	Eligible for Reduction in Section 2 of Schedule AD (Column 5)
RT1	2004	Lot 1, Section 88, Metchosin District, Plan VIP68794, PID No. 024-474-886 (3431 Luxton Road); Lot 2, Sections 88 and 89, Metchosin District, Plan VIP68794, PID No. 024-474-908 (3433 Luxton Road); Lot 5, Section 88, Metchosin District, Plan 11356, PID No. 005-003-202 (3429 Luxton Road); and The Northerly 200 Feet of Lot 9, Block D, Sections 84, 85, 88 and 89, Metchosin District, Plan 1139, Except the Easterly 20 Feet and Except that Part in Plan	a) \$6,000 per new single-family lot created towards the General Amenity Reserve Fund; and b) \$3,660 per new townhouse unit created towards the General Amenity Reserve Fund; and c) \$1,000 per new single-family lot created towards the Affordable Housing Reserve Fund; and d) \$610 per new townhouse unit created towards the Affordable Housing Reserve Fund.	No

		5101, PID No. 007-878-222 (3436 Hazelwood Road)		
R2	2004	The Northerly 200 Feet of Lot 9, Block D, Sections 84, 85, 88 and 89, Metchosin District, Plan 1139, Except the Easterly 20 Feet and Except that Part in Plan 5101, PID No. 007-878-222 (3436 Hazelwood Road)	e) \$6,000 per new single-family lot created towards the General Amenity Reserve Fund; and f) \$1,000 per new single-family lot created towards the Affordable Housing Reserve Fund.	No

B. This Bylaw may be cited for all purposes as “Langford Zoning Bylaw, Amendment No. 640, (3429, 3431, 3433 Luxton Road and 3436 Hazelwood Drive), Bylaw No. 2004, 2021”.

READ A FIRST TIME this day of , 2021.

PUBLIC HEARING held this day of , 2021.

READ A SECOND TIME this day of , 2021.

READ A THIRD TIME this day of , 2021.

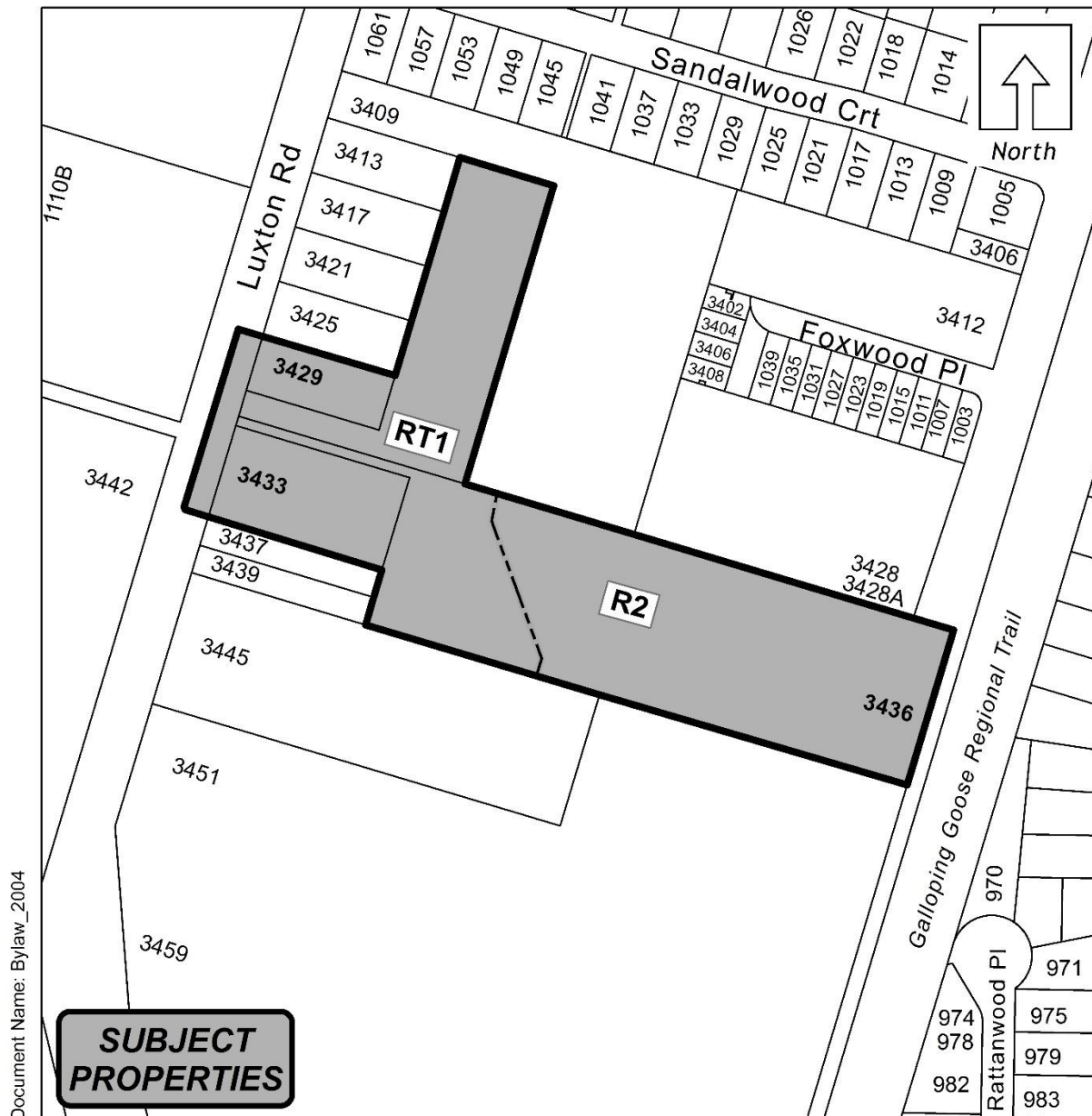
APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this day of , 2021.

ADOPTED this day of , 2021.

PRESIDING COUNCIL MEMBER

CORPORATE OFFICER

Schedule A



I HEREBY CERTIFY THIS TO BE A TRUE COPY
OF PLAN No. 1 AS DESCRIBED
IN SECTION A1 OF BYLAW No. 2004

ADOPTION: _____

Scale: N.T.S.

Last Revised: 10/4/2021